

LIBERTY TOWNSHIP ZONING COMMISSION
February 21, 2018
6:00 PM
MEETING MINUTES

The Zoning Commission was called to order at 6400 Princeton Road at 6:00 P.M. by Chairman Forrest Holger. The Pledge of Allegiance was recited by those in attendance.

Upon call of the roll, members in attendance were: Forrest Holger, Mike Dunn, Mike Stater, and Wayne Bradshaw. Staff member Andy Juengling, Senior Planner, was also in attendance.

Mr. Holger reviewed the procedures of the hearing and performed a group swearing in.

Mr. Holger called for case **ZC18-005: 5395 Stallion Court – Minor Modification (Side Yard Setbacks)**

Mr. Juengling presented the staff report, a PowerPoint presentation and case materials.

Mr. Stater asked staff the status of adjacent Lot 331. Mr. Juengling stated that the lot was currently vacant. Mr. Stater then asked staff the width of Lot 331. Mr. Juengling clarified.

Mr. Holger asked to hear from the applicant.

Applicant, Matt Terrell, 7833 Hollow Oak Court, West Chester, Oh 45069 (representing Justin Doyle Homes – 6174 Trotter’s Way, Liberty Township, OH 45011), stated the request is for a three (3) bedroom ranch single-family home, which requires the home to be more width than tall, so they knew a variance of a few feet may be necessary. He added that the home incorporates a courtyard style garage, so the driveway and garage does not encroach further into any required setback. Mr. Terrell added the site was worked to try to stay within the parameters of the setbacks while still maintaining a reasonable square footage for the bedrooms on the side of the home. He indicated that he had spoken with the neighbors residing at Lot 329 and they have no concerns regarding the request. He also spoke with the owner at 5323 Stallion and the owner had no objections either. Mr. Terrell added that this lot more narrow than standard lots within Section 11, so that added a challenge to fit a decent size home within the allowable envelope.

Mr. Holger asked for clarification that there is 14.88’ from the east property line and the home to the east. Mr. Terrell confirmed. Mr. Holger asked if the west property line was 3.53’ to the west, the home would meet the requirement. Mr. Terrell confirmed.

Mr. Holger asked if there were any questions of the applicant.

Mr. Bradshaw asked if the applicant was in agreeance with the comments outlined by the Butler County Engineer’s Office. Mr. Terrell confirmed. Mr. Bradshaw then asked if the homeowner would be made aware of these comments. Mr. Terrell confirmed.

Mr. Stater asked staff the percentage of development in Section 11 at this point. Mr. Juengling stated he was not aware of the percentage, but stated he would imagine around 50% or 60% if he had to guess.

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Mr. Bradshaw made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Stater seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Stater indicated that 3.53' would not be a significant modification, but questioned whether this would come up on future properties in Carriage Hill.

Mr. Holger commented that the subject property is narrow in comparison to other lots in the subdivision.

Mr. Dunn outlined that in the future it would be important to question narrow lots in subdivisions that come before the Zoning Commission. He added that the 8' side yard setback on one side was being met on each side of the proposed single-family residence.

Mr. Bradshaw stated he felt that the side yard separation between homes would be balanced when Lot 331 is developed to the west.

Mr. Dunn indicated that the subject property was on a private drive which resulted in a narrow lot, and this would not cause an impact to the overall environment of the development.

Mr. Holger asked for a motion on this case.

Mr. Bradshaw made a motion to **APPROVE** Case ZC18-004 as presented by staff. Mr. Dunn seconded. Upon call of the roll: Mr. Dunn – yes; Mr. Stater – yes; Mr. Bradshaw – yes; Mr. Holger – yes; Mr. Dobrozsi – yes. The motion passed.

Mr. Holger called for case **ZC18-004: Liberty Township Board of Trustees – 6400 Princeton Road – Zoning Map Amendment from A-1, B-2, and M-1 to B-1**

Mr. Juengling presented the staff report, a PowerPoint presentation and case materials.

Mr. Stater asked staff if the Butler County Planning Commission's recommendation of approval was available. Mr. Juengling stated he had received a copy of the resolution. He added that he was in attendance at the meeting and answered questions the Planning Commission had.

Mr. Dunn asked what the townships plans were for the property and whether it involved utilizing the existing structure. Mr. Juengling clarified the intent to use the property as the future administration offices and meeting center for Liberty Township.

Mr. Bradshaw asked if there were height restrictions for the B-1 district. Mr. Juengling stated maximum height allowed is 35', which is consistent with residential districts.

Mr. Dunn raised concern that the B-1 district allows for telecommunication towers. Mr. Juengling explained that state law requires that telecommunication towers to be permitted within commercial zoning districts, subject to the requirements of the ORC. He added that this is currently the case for the existing B-2 and M-1 districts that the site is located within. Mr. Juengling stated that the B-2 and M-1 district do allow for a number of uses that are not permissible with the proposed B-1 district.

Mr. Bradshaw asked if rezone would impact the recycle bins located on-site. Mr. Juengling stated he did not believe this would be impacted. Mr. Bradshaw asked if they would need to be screened. Mr. Juengling stated it was the township's intent to meet the requirements in place at the time the plans are developed.

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Megan Zimmerman, 6401 Princeton Road, Liberty Township, OH 45011, asked staff about the maintenance responsibility of the dumpsters on the existing site. Mr. Juengling confirmed. Ms. Zimmerman asked about when the dumpsters were located on the property. Mr. Juengling indicated he was unaware of the exact timing. Mr. Bradshaw indicated that it had been many years prior, and was approved by the Board of Trustees through discussion with Butler County and Rumpke in an effort to increase recycling. Ms. Zimmerman indicated that there is excessive noise from the collection of these dumpsters, and wanted to raise this as a concern so that it may be considered with any development of the property. She added concern that the recycling needed to be separated correctly by Rumpke. Mr. Holger explained the process of separation of recycling that Rumpke practices.

Mr. Stater made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Bradshaw seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Holger asked if there was any further discussion or comments from the board members.

Mr. Holger commented that when considering the existing districts, and the potential districts for this site, the B-1 was the least intensive.

Mr. Stater indicated that upon reading the staff report, he felt that perhaps the B-2 district would be the most appropriate, until comparing the B-2 district to the B-1 district based upon the use table. He agreed that the B-1 district appears to be the most appropriate for this location and the township's plans.

Mr. Holger asked for a motion on this case.

Mr. Dunn made a motion to **RECOMMEND APPROVAL** of Case ZC18-004. Mr. Stater seconded. Upon call of the roll: Mr. Bradshaw – yes; Mr. Holger – yes; Mr. Dunn – yes; Mr. Stater – yes. The motion passed.

Mr. Holger called for the next item on the agenda of the approval of the meeting minutes from the January 17th, 2018 meeting.

Mr. Holger asked the board if there were any corrections to be made. Mr. Stater indicated a correction at the bottom of page 3 regarding the votes. Mr. Juengling made note of the correction.

Mr. Holger asked for a motion.

Mr. Stater made a motion to **APPROVE** the meeting minutes from the January 17th, 2018 Zoning Commission meeting with the correction as stated. Mr. Dunn seconded. Upon call of the roll: Mr. Holger – yes; Mr. Dunn – yes; Mr. Stater – yes; Mr. Bradshaw – yes. The motion passed.

Mr. Holger asked if there was any other new business.

Mr. Juengling stated there would be at one case on the agenda for the March meeting, and the application deadline had passed.

Mr. Holger made a motion to **ADJOURN ZONING COMMISSION MEETING**. The motion passed unanimously and **ZONING COMMISSION MEETING ADJOURNED**.

Respectfully submitted,

Forrest Holger, Chairman

Andy Juengling, Secretary