



# **BOARD OF COUNTY COMMISSIONERS**

## **WARREN COUNTY, OHIO**

**406 Justice Drive, Lebanon, Ohio 45036**

**[www.co.warren.oh.us](http://www.co.warren.oh.us)**

**[commissioners@co.warren.oh.us](mailto:commissioners@co.warren.oh.us)**

*Telephone (513) 695-1250*

*(513) 261-1250*

*(513) 925-1250*

*(937) 425-1250*

*Facsimile (513) 695-2054*

**TOM GROSSMANN**

**PAT ARNOLD SOUTH**

**DAVID G. YOUNG**

### BOARD OF COUNTY COMMISSIONERS

### WARREN COUNTY, OHIO

#### MINUTES: Regular Session – January 12, 2016

The Board met in regular session pursuant to adjournment of the January 11, 2016, meeting.

David G. Young – present

Pat Arnold South – present

Tom Grossmann – present

Tina Osborne, Clerk – present

- 16-0024      A resolution was adopted to Amend Resolution #15-2201, approving the hiring of Keena Samples as Alternative Response Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division.  
Vote: Unanimous
- 16-0025      A resolution was adopted to approve a Pay Increase for Ashlee Gibson within the Warren County Department of Emergency Services. Vote: Unanimous
- 16-0026      A resolution was adopted to Amend Classification Specification of Data Systems Analyst Position. Vote: Unanimous
- 16-0027      A resolution was adopted to authorize the posting of the “Data Systems Analyst I” position, within the Telecommunications Department, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 16-0028      A resolution was adopted to Rescind Resolution No. 15-1824 adopted November 10, 2015 approving Emergency Water Purchase Agreement between Butler County and Warren County. Vote: Unanimous
- 16-0029      A resolution was adopted to approve Emergency Water Purchase Agreement between Butler County and Warren County. Vote: Unanimous

- 16-0030 A resolution was adopted to approve and enter into Addendum 1 to the Lease Agreement with Dayton Children's Hospital dba The Child Advocacy Center of Warren County relative to 320 E. Silver Street Lebanon Ohio. Vote: Unanimous
- 16-0031 A resolution was adopted to acknowledge Receipt of Notice of Payment In Full of Industrial Development Revenue Bond, Series 2007 (Burrows Paper Corporation Project). Vote: Unanimous
- 16-0032 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 16-0033 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 16-0034 A resolution was adopted to approve Bond Release for Heritage at Miami Bluffs, LLC for completion of improvements in Heritage at Miami Bluffs, Block A situated in Hamilton Township. Vote: Unanimous
- 16-0035 A resolution was adopted to approve Bond Release with Dylan Hospitality, LLC for completion of improvements in Cincy Hospitality Phase 2 (Hampton Inn & Suites) situated in Deerfield Township. Vote: Unanimous
- 16-0036 A resolution was adopted to enter into Erosion Control Bond Agreement with Long Cove Acquisitions Partners, LLC for completion of improvements in Long Cove 4D situated in Deerfield Township. Vote: Unanimous
- 16-0037 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 16-0038 A resolution was adopted to approve Repayment of Cash Advance from Payroll Rotary Fund #714 into County General Fund #101. Vote: Unanimous
- 16-0039 A resolution was adopted to approve 2016 Budget Correction by approving Appropriation Increases to Recorder's Office Fund #101-1160 and Decreases in Domestic Shelter Fund #233 and Phase II Road Resurfacing Fund #455. Vote: Unanimous
- 16-0040 A resolution was adopted to approve an Operational Transfer from Commissioners Fund #101-1112 into Crime Victim/Witness Fund #245. Vote: Unanimous
- 16-0041 A resolution was adopted to approve Operational Transfer from County Commissioners' Fund #101-1112 into Emergency Services Fund #264. Vote: Unanimous

- 16-0042 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Children Services Fund #273. Vote: Unanimous
- 16-0043 A resolution was adopted to approve Operational Transfer from County Commissioners' Fund #101-1112 into Emergency Services Fund #290. Vote: Unanimous
- 16-0044 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Transit Fund #299. Vote: Unanimous
- 16-0045 A resolution was adopted to approve Supplemental Appropriation into County Court Probation Fund #253 & County Court Special Project Fund #283. Vote: Unanimous
- 16-0046 A resolution was adopted to approve Supplemental Appropriation in Warren County Grants Administration Fund #296. Vote: Unanimous
- 16-0047 A resolution was adopted to approve Appropriation Adjustment within Sheriff's Office Fund #101-2200. Vote: Unanimous
- 16-0048 A resolution was adopted to approve Appropriation Adjustments within Common Pleas Court Funds #101-1222, #284 and #289. Vote: Unanimous
- 16-0049 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 16-0050 A resolution was adopted to declare the Necessity for Renewal of a Levy for Senior Citizens Services. Vote: Unanimous
- 16-0051 A resolution was adopted to approve an Appropriation Adjustment within Motor Vehicle Fund #202. Vote: Unanimous
- 15-0052 A resolution was adopted to Deny Request for Waiver of Development Standards of Jeff Weiland, Agent for Fred R. Likes, owner of Record (Case #106-2015). Vote: Mrs. South – yea; Mr. Young – yea; Mr. Grossmann – abstain
- 15-0053 A resolution was adopted to Cancel regularly scheduled Commissioners' Meeting of Thursday, January 14, 2016. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

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On motion, upon unanimous call of the roll, the Board entered into executive session at 9:32 a.m. to discuss union negotiations pursuant to Ohio Revised Code Section 121.22 (G)(4) and exited at 10:05 a.m.

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ADMINISTRATIVE HEARING  
CASE #106-2015

SITE PLAN REVIEW APPLICATION OF JEFF WIELAND, AGENT  
FOR FRED R. LIKES, OWNER OF RECORD FOR GREENTREE  
(A MIXED USE – CENTER DEVELOPMENT IN TURTLECREEK TOWNSHIP)

The hearing to consider the site plan review application of Jeff Wieland, Agent for Fred R. Likes, owner of record (Case #106-2015) was convened this 12<sup>th</sup> day of January 2016, in the Commissioners' Meeting Room.

Commissioner Young opened the hearing by requesting the Clerk state the date that the site was posted with signage stating the Site would be subject to a public process and where to get additional information and how and when written notice of the hearing was sent to the Applicant and all owners of property within 500 feet from the parcel lines on the Site subject to this hearing.

Tina Osborne, Clerk of Commissioners, stated that the property was posted on November 18, 2015, and written notices were mailed via regular US mail on November 23, 2015.

Commissioner Young administered the oath to Mike Yetter, Zoning Supervisor.

Mike Yetter, Zoning Supervisor, presented the attached PowerPoint presentation stating the following information:

Applicant/Owner Agent name  
Property location and size

Future Land Use Map (FLUM) designation  
Current Zoning District  
Existing Land Use  
Site Plan Requested  
Issues for Consideration  
Vicinity Map  
Aerial Map  
Zoning Maps  
Mixed-Use Center Permitted Uses and Density  
Flood Map  
Groundwater Protection Map  
Notification Map  
Summary of Application  
Revised Drawings  
Analysis of Zoning  
Reviewing Departments  
Zoning Inspector's Review  
Review Process  
Items for Consideration:

1. Use Waiver – The applicant is requesting approval to develop the residential side of the site prior to the commercial side
2. Setback Waiver
3. Site Plan Review

Mr. Yetter presented the letter from the applicant dated October 23, 2015, requesting a waiver of Development Standards from Section 2.407.5 B that requires that free standing residential structures shall be phased to coincide with or after the development of the nonresidential portion of the site. He then stated that the applicant should be permitted to present his request for Waiver of Development Standards and if the Board grants his waiver request, then the Board should consider the second waiver request of the setback standards.

Commissioner Young questioned how many acres are they developing residential vs. commercial.

Mr. Yetter stated he was not sure of exact number of acreage for each use but referenced the map showing the proposed development site plan.

Matt Obringer, Regional Planning Commission, was administered the oath by Commissioner Young and then reviewed the proposed residential site on the plan.

Commissioner Grossmann clarified the desire of the applicant to only develop the larger residential lots and the smaller residential lot subdivision at this time.

Mr. Yetter stated that was correct and then shared that the Turtlecreek Township Trustees and Fire Department want to ensure that the commercial and industrial development are requested to be developed as commercial and/or industrial.

Commissioner Young then read into the record the following statement:

**Before we hear from the Applicant, I want to point out that this hearing will involve the BOARD going through two additional steps it ordinarily does not have to do:**

- (i) The Applicant submitted a letter dated October 20, 2015 (which also indicates it was revised October 23, 2015) requesting a Waiver of certain Development Standards – the Applicant is asking this Board to make findings under Section 2.407.6 (D) of the Zoning Code to waive the development standards in Section 2.407.5 (B) which requires that free standing residential structures shall be phased to coincide with or after the development of the non-residential portion of the site. IF THIS WAIVER IS NOT APPROVED, THEN THERE IS NO REASON TO PROCEED WITH THE SITE PLAN REVIEW AS THE SITE PLAN IMPLEMENTS THE WAVIER. AND,**
- (ii) The Applicant’s letter dated October 20, 2015 (as revised October 23, 2015) also requests a Waiver of certain Development Standards – the Applicant is asking this Board to make findings under Section 2.407.6 (D) of the Zoning Code to reduce some front yard, side yard, and rear yard setbacks. THE SITE PLAN REVIEW MAY PROCEED EVEN IF THE SETBACK WAIVERS ARE NOT GRANTED.**

There was discussion relative to the waiver request to allow the residential portion of the development

Bruce McGary, Assistant Prosecutor, stated that the interpretation could be if you allow residential to be constructed first, how do you ensure the commercial will not be modified by future request.

Commissioner Young then administered the oath to Jeff Weiland, applicant.

Mr. Weiland stated that this is a unique development of 175 acres in single family homes with a 25 year build out plan for commercial. He stated that sanitary sewers are not available on the west side of the property and he plans to farm the land until such time as they become available. He then stated that the 175 acres residential portion of the property is planned for a 10 year building.

Commissioner Grossmann questioned if it is impossible to develop the residential portion simultaneously with the commercial due to lack of sanitary sewers.

Mr. Weiland stated that it would cost approximately \$10 million to get sanitary sewers to the commercial portion at this time. He stated that there is not enough capacity on the SR 63 line to

handle the commercial development but the residential portion can tie into sanitary sewers with a gravity sewer through the adjacent residential subdivision and there is enough capacity.

There was discussion relative to the possibility of this development being considered a burden on the community by not providing a tax base from the commercial portion to support the residential side of the development.

Mr. McGary stated the Board should also consider what price point houses are proposed in the residential portion of the development.

Mr. Weiland stated that the residential portion will be market driven and all the builders have not been determined at this time and therefore, he does not know what price range the future homes will be.

The Board then reviewed the following five items needed to be determined in order to be considered for a waiver:

1. innovative use of site design
2. will not be injurious to the public health, safety, or general welfare
3. desirable development
4. compatible with other development located in the area
5. consistent with the suggestions of the Comprehensive Plan

There was additional discussion relative to the possibility of sanitary sewer access.

Mr. McGary clarified for the Board that sanitary sewers to this property are not impossible but rather impractical (at a cost of \$10 million).

Commissioner South stated that the developer cannot comply with the zoning requirements (due to the sanitary sewers from Butler County) and because they are requesting a waiver in development standards, she stated her fear of making a precedent setting decision for future developments. She then stated she would rather see a rezoning request rather than approve a waiver of development standards.

Mr. Weiland stated he would love to rezone the 175 acres with a R-1 PUD but chose to prepare a development plan consistent with what he thought this Board wanted. He then stated that he designed this development to be consistent with adjacent developments and to follow the concept that was established in the Future Land Use Plan.

Mr. Yetter stated that the Mixed Use-Center zoning classification does not contain a percentage of what use is required in the code.

Commissioner Young stated that the private market drives development and part of this zoning is higher density housing in exchange for commercial development. He stated that if the Board allows the higher density without the commercial use, he questions that it will be a fair trade and is concerned with the precedent the Board will be setting.

Commissioner Grossmann stated that the plan shows an innovative design but he would like to hear from Butler County on what they are willing to do for sanitary sewers. He stated his opinion that the applicant has not presented enough evidence to get around requirement #3 without testimony from Butler County.

Mr. Weiland stated that Butler County stated in a meeting that SR 63 does not have capacity to service all the development with sanitary sewers. He then stated they must have the topography/elevation to hit a manhole that is located at the rear of the casino.

Commissioner Young stated his opinion that because the current zoning is premature, they are taking away the ability to develop a portion of the property.

Commissioner Young administered the oath to Jim VanDeGrift, Turtlecreek Township Trustee.

Mr. VanDeGrift stated he would like to see the commercial construction first or in conjunction with the residential. He stated he is not in favor of approval of the waiver request.

There was discussion relative to if Mr. VanDeGrift's testimony was on behalf of the entire Board or just himself. It was determined that Mr. VanDeGrift was speaking on behalf of the Board of Trustees.

There was then discussion relative to the opinion of Lebanon City Schools relative to this residential development.

Mr. Weiland stated that he met with the school and they are against any residential growth. He stated that they did not have a problem with this development in general, just all development.

There was discussion relative to the possibility of amending the request to consider a PUD overlay.

Commissioner Young stated he cannot get over the fact that they are wanting to develop the residential prior to commercial and stated his concern relative to setting a precedent.

Mr. McGary stated that he disagrees that approval of this will set a precedent. He stated the need for the Board to look at the five (5) factors needed to decide if the request is applicable and that each request is weighed individually and not precedent setting.

Commissioner Grossmann stated he feels that conditions #1 and #2 have been met. He stated that because he does not want to see commercial development along Greentree Road, he feels condition #3 is met. He also stated his opinion that condition #4 and #5 have been met but also the concern that this Board wouldn't want to grant the waiver because of not wanting to authorize residential development prior to commercial.

Commissioner Young stated his desire to get the applicant where he wants to be but does not want to waiver on commercial construction prior to residential in this zone.



Sandra K. Likes, property owner, stated that it is time for their family to retire and feels this plan is perfect with a quality plan and a quality development. She stated the need to find a way to make this work for the community and that it is unreasonable for this Board to make her family wait the 20+ years it may take to get sanitary sewer to the west side of the property.

Commissioner Grossmann stated he agrees that they have met the prima facia case and feels they have met the evidence but would not vote for a waiver without hearing any testimony against the request.

Commissioner South stated that the #3 criteria for approval has not been met. She stated that the general development calls for commercial development first or in conjunction and there is no way to ensure the commercial will be built.

The Board recessed for 15 minutes to allow the developer and property owner time to discuss their options.

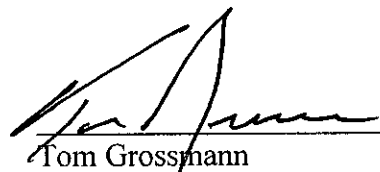
Mr. Weiland stated the desire to move forward with the due process but wants to work with the Board to make this development work. He then stated that his plan will not work under current zoning without a waiver.

Upon further discussion, the Board resolved (Resolution #16-0052) to deny the request for a Waiver of Development Standards of Jeff Weiland, Agent for Fred R. Likes, owner of Record (Case #106-2015).

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Upon motion the meeting was adjourned.

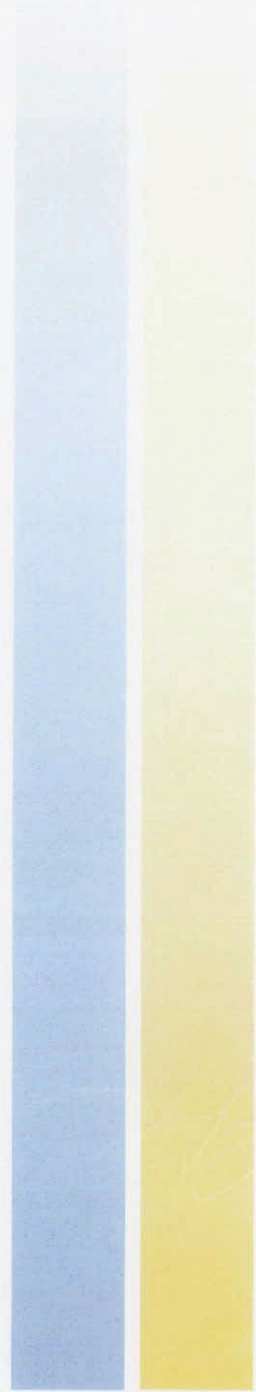
  
\_\_\_\_\_  
David G. Young, President

  
\_\_\_\_\_  
Tom Grossmann

  
\_\_\_\_\_  
Pat Arnold South

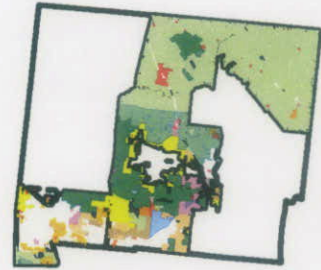
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on January 12, 2016, in compliance with Section 121.22 O.R.C.

  
\_\_\_\_\_  
Tina Osborne, Clerk  
Board of County Commissioners  
Warren County, Ohio



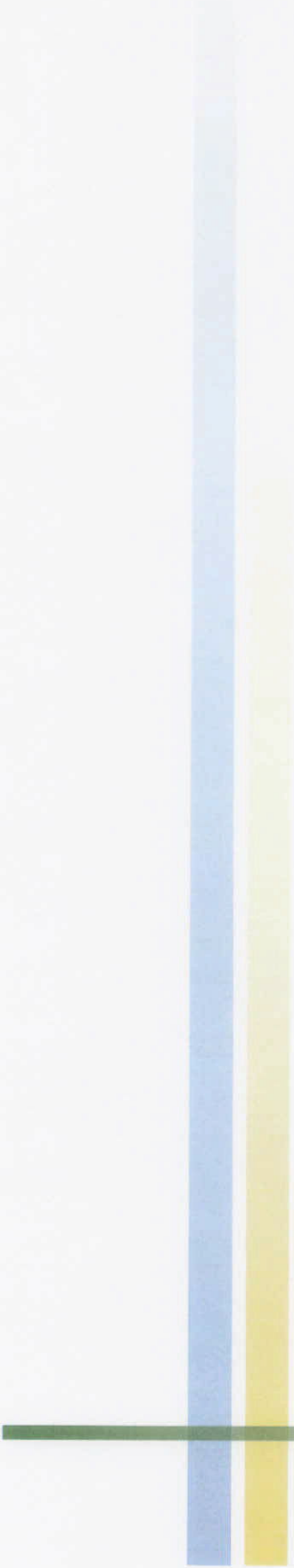
# Greentree Golf Course Site Plan

Board of County Commissioners



WC Zoning

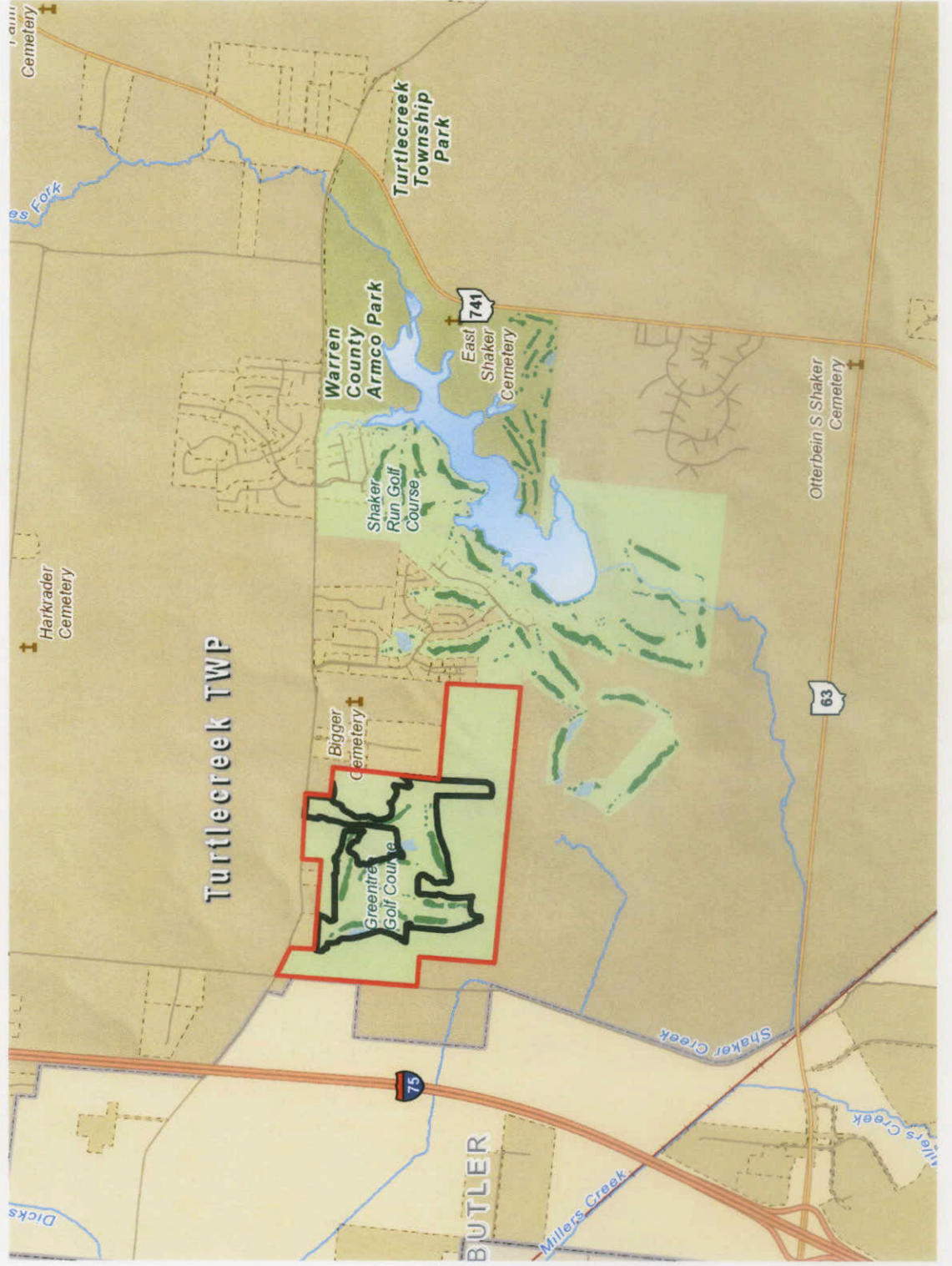
Public Hearing: Jan. 12, 2016



# GENERAL INFORMATION

Case No.	106-2015 SP	
<u>Applicant/Owner Agent</u>	(Owner) Fred R. Likes Jeff Wieland	
Township	Turtlecreek	
Property Location	Address	5505 Greentree Road Lebanon, Ohio 45036
	PIN	08-31-300-008-1 and 2
Property Size	322.891 acres 3,850 feet of road frontage	
Future Land Use Map (FLUM) Designation	Commercial, Office, Multi Family, & Residential	
Current Zoning District	"MXU-C" Mixed Use Center	
Existing Land Use	Golf Course and Agricultural	
Site Plan Requested	Development of 322 acres under the MXU-C district	
Issue for consideration	Compliance with Sections 1.303 (Site Plan Review) and 2.407 Mixed Use Zone Regulations	

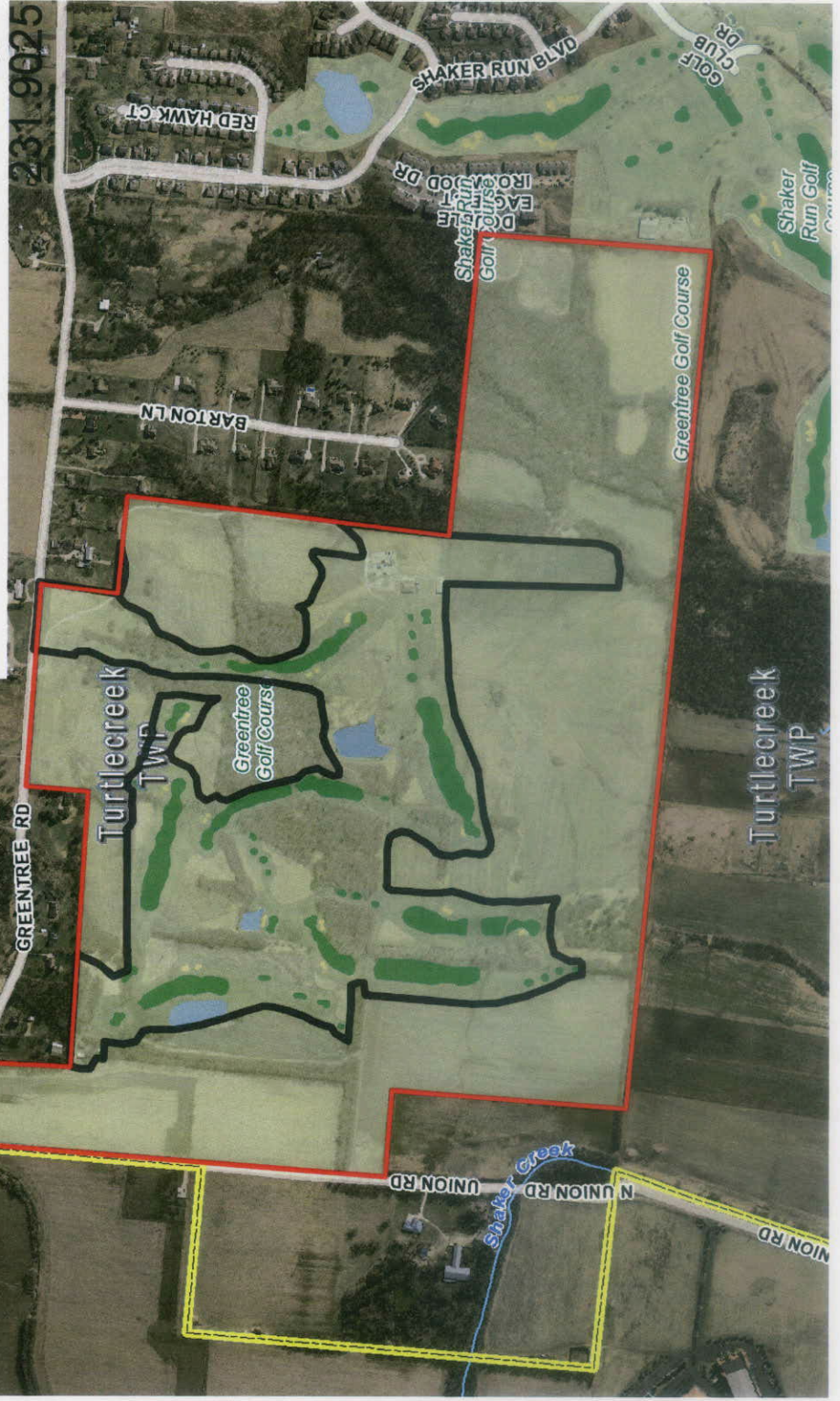
# Vicinity Map



# Aerial Map

5.

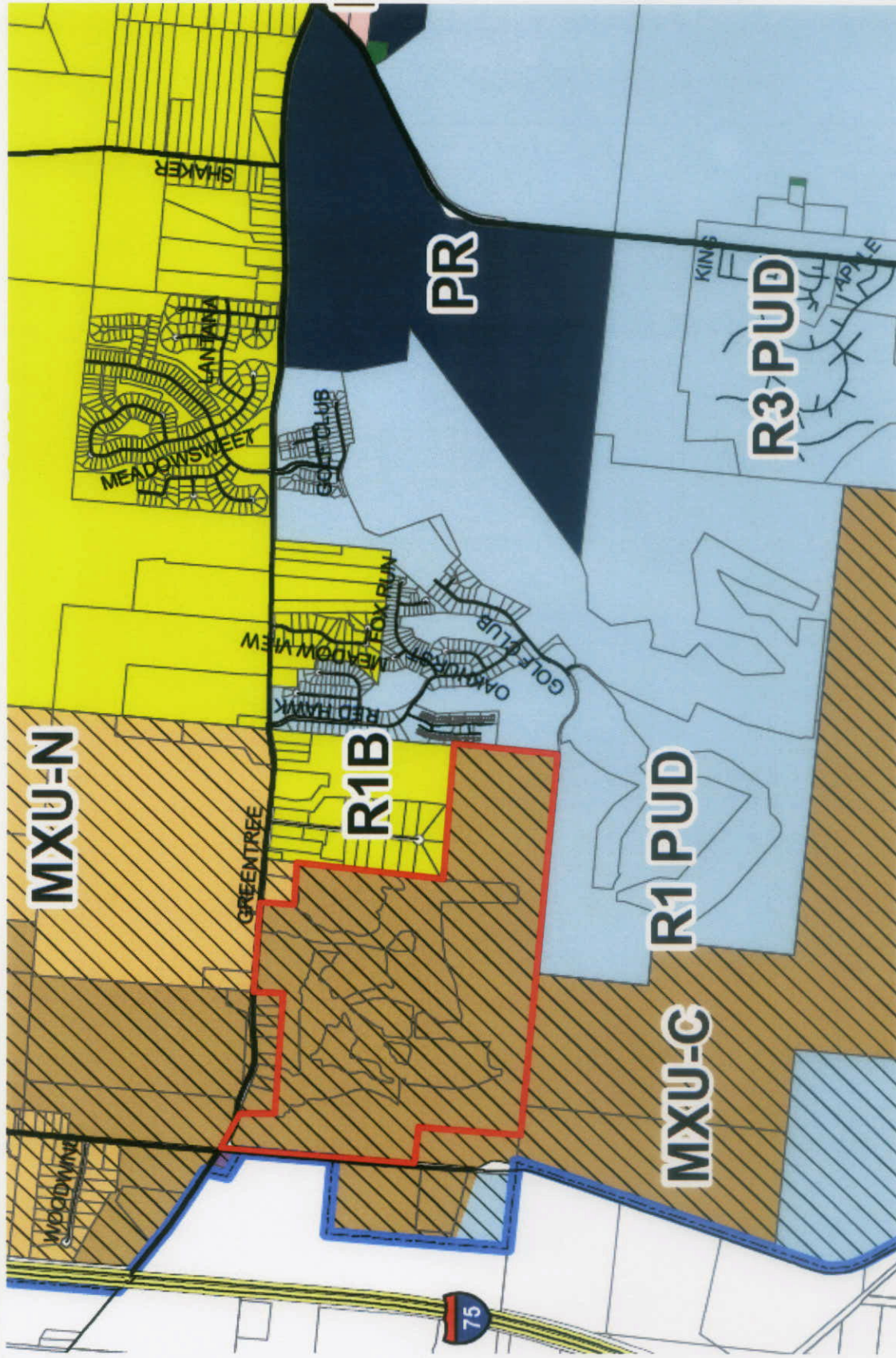
**Total Site Acreage: 322.891**  
**Golf Course Acreage: 90.9885**  
**Vacant Land Acreage:**





# Zoning

7.





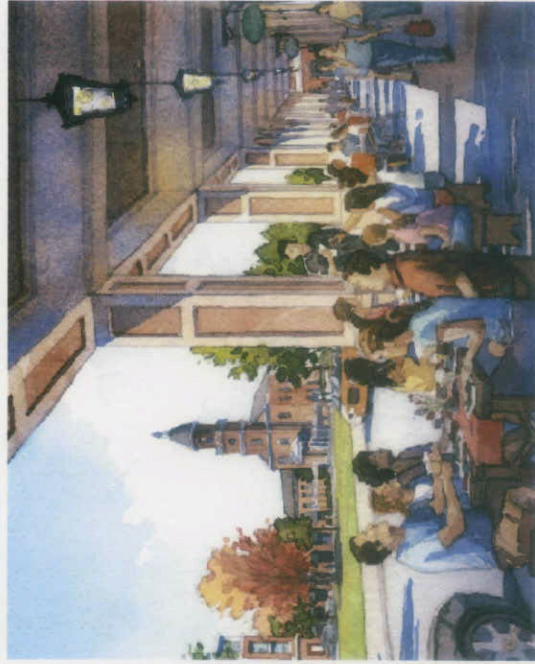
# Mixed-Use Center

8.

**Permitted Uses:** Single-family, duplex, live/work units, townhouses, upper story residential, multi-family, general retail (B5), and light industrial

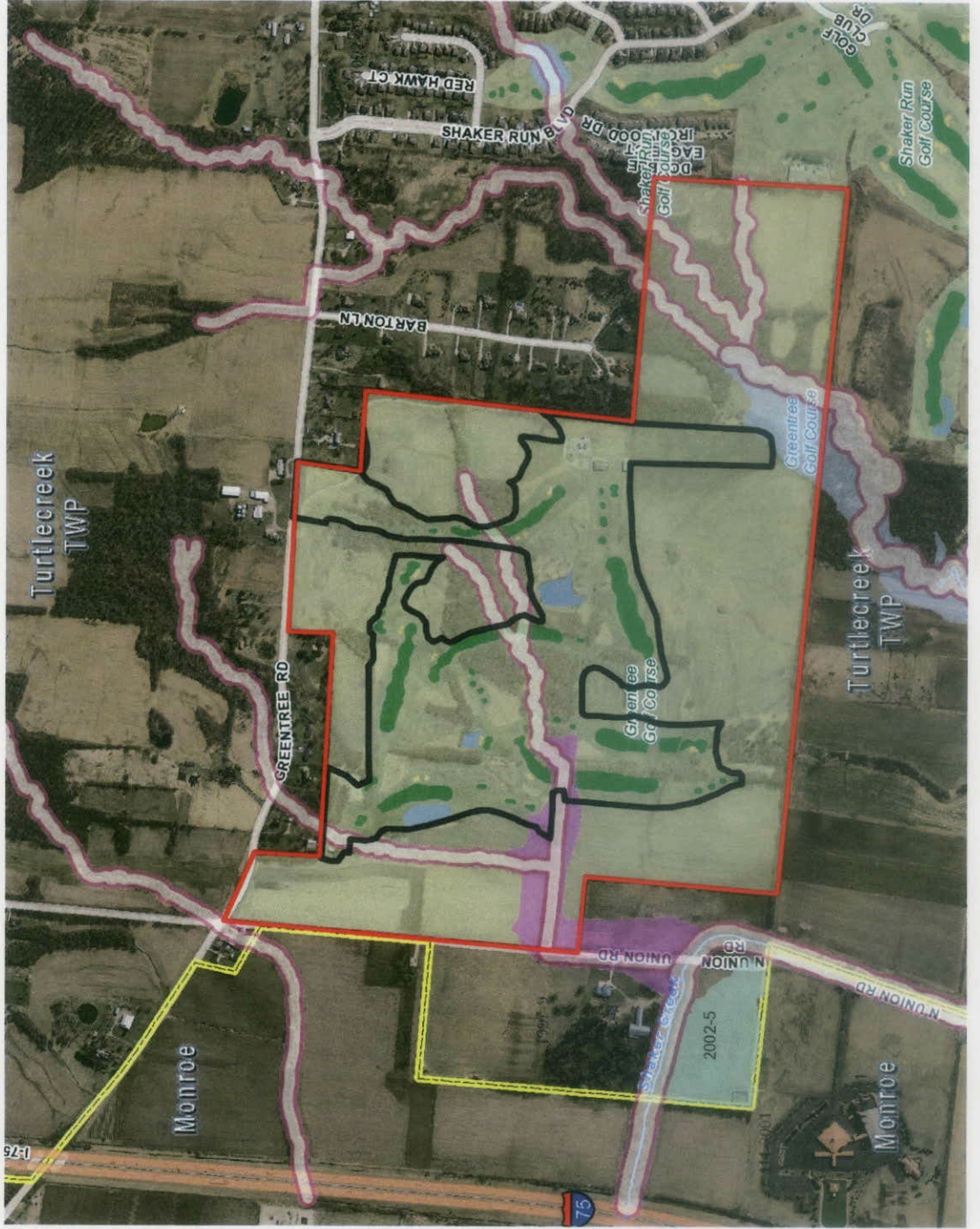


**Density:** 8 u/ac; Upper story residential is unlimited

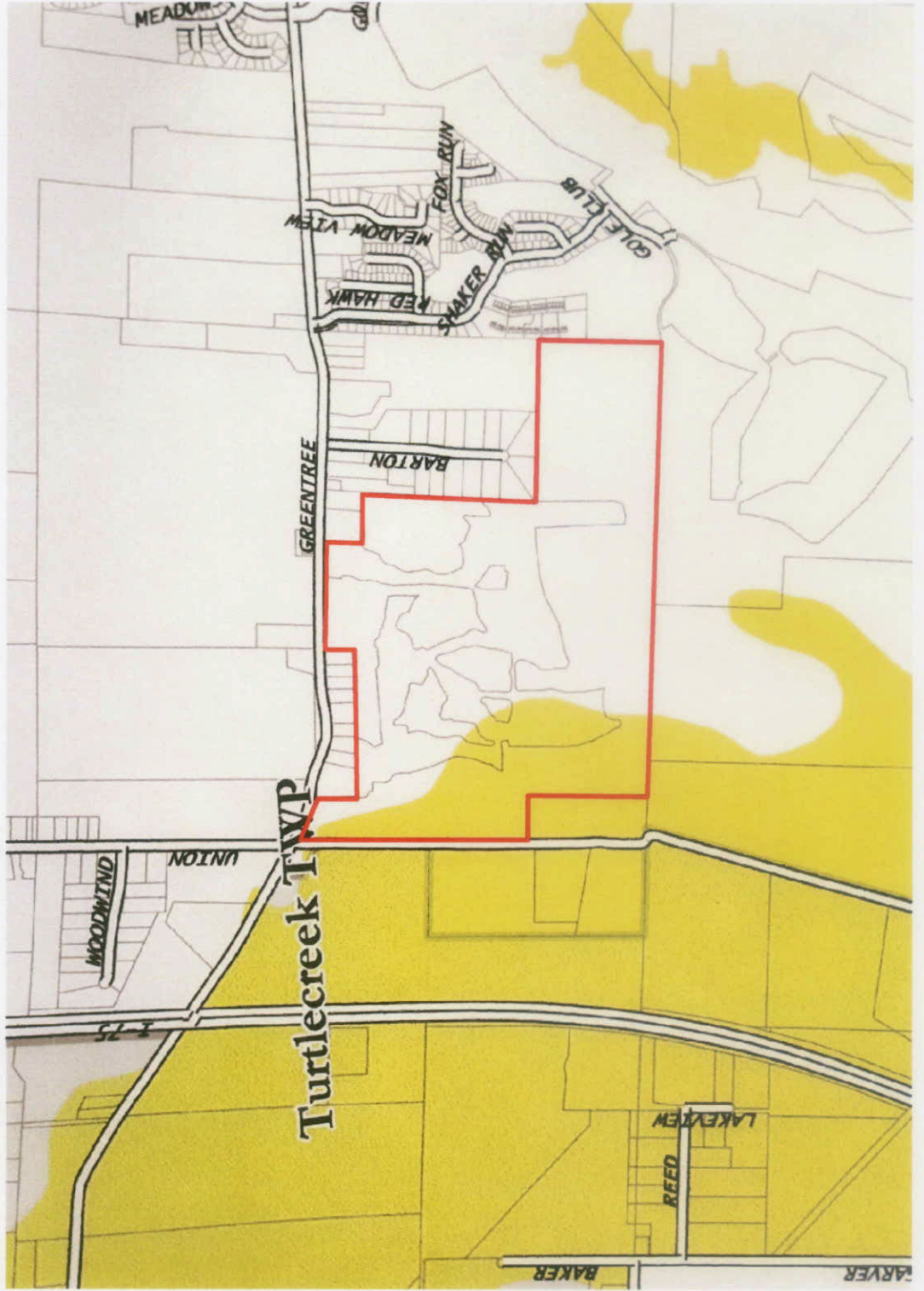


**Notes:** Conventional style residential subdivisions are not permitted

# Flood Map

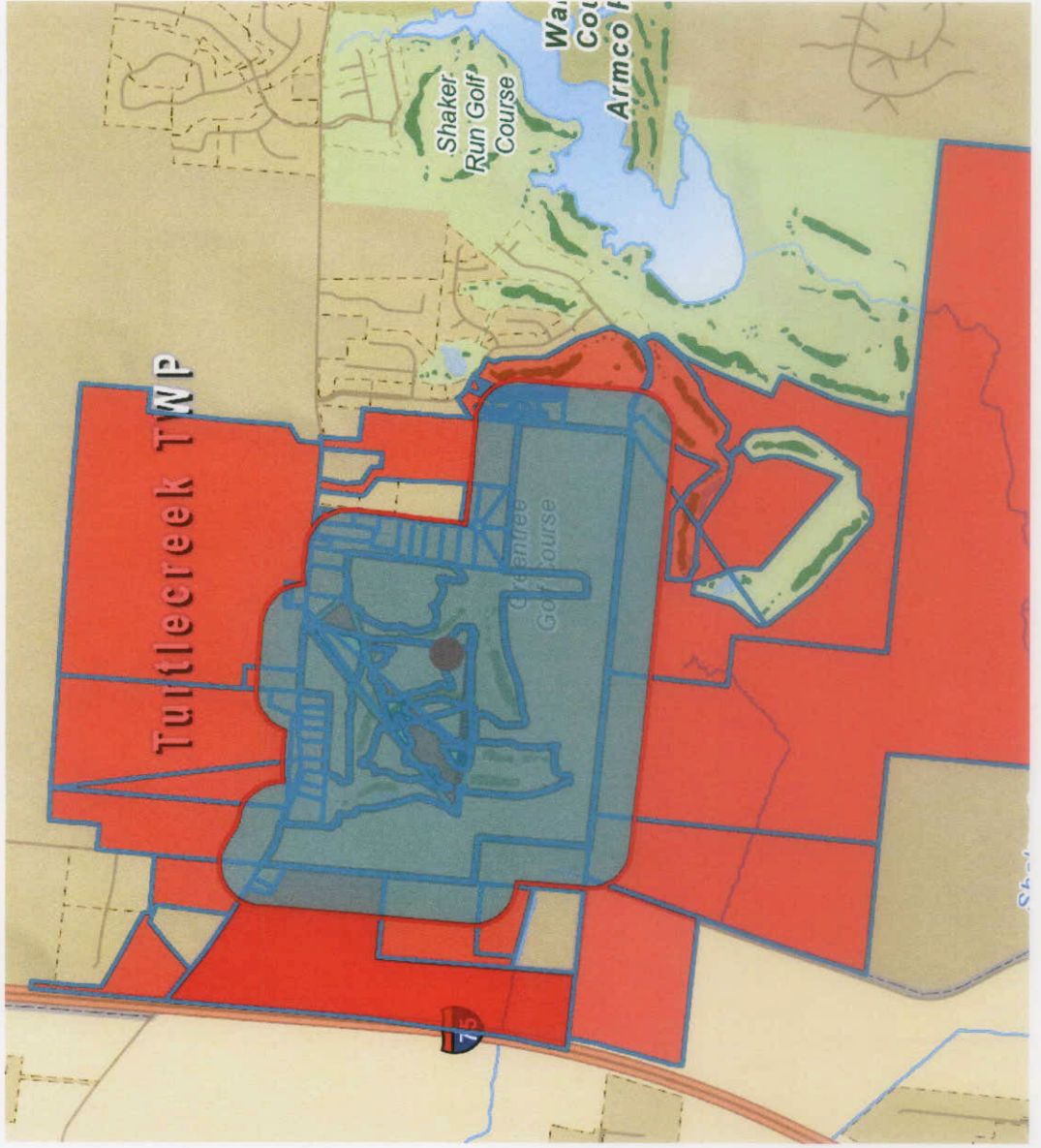


# Groundwater Protection



# Notification Map

11.



# Summary of Application



The applicant plans to develop the property into a mix of uses consisting of single-family, 2-family, multi-family, general commercial (limited B-5 uses), and office.

# REVISED DRAWINGS

1	EXISTING
2	PROPOSED
3	REMOVED
4	ADJUSTED
5	AS SHOWN
6	AS NOTED
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- WOODS AND SWAMPY AREAS
- WATER RETENTION AREAS
- GAS LINE EXISTENT

VICINITY MAP



**Absorbable & Associates, Inc.**  
 Civil Engineers & Surveyors  
 10000 Main St., Suite 100  
 Columbus, Ohio 43240  
 (614) 291-1100  
 www.absorbable.com

EXISTING CONDITIONS/NATURAL FEATURES  
 GREENFIELD TOWNSHIP  
 CITY OF LONDON  
 MADISON COUNTY, OHIO

DATE	9-10-15
BY	J.C.
SCALE	AS SHOWN
TITLE	EXISTING CONDITIONS/NATURAL FEATURES



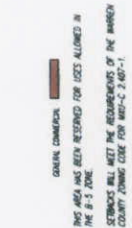
NOT TO SCALE  
 ALL DIMENSIONS TO BE SHOWN ON THIS PLAN SHALL CONTROL OVER ANY CONFLICTING DIMENSIONS ON ANY OTHER PLAN OR DRAWING.  
 THE INFORMATION CONTAINED HEREIN IS FOR GENERAL INFORMATION ONLY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE OF ANY KIND.



DATE	9-10-15
BY	J.C.
CHK'D	
APP'D	
SCALE	AS SHOWN
GREENBERG MARTINECK TOWNSHIP CITY OF LEWISBURG WARREN COUNTY, OHIO	
AECOR & Associates, Inc. 12121 Greenway Blvd., Suite 100 Columbus, Ohio 43240 614.291.1100 www.aecor.com	

**DESIGN PRINCIPLES IN THE MIXED USE CENTER DISTRICT**

- SEC 2-402.6 THE DEVELOPER OR APPLICANT SHALL WORK WITH COUNTY PLANNING AND ZONING STAFF TO DEVELOP DESIGN PRINCIPLES FOR THE ANTICIPATED DEVELOPMENT.
1. MIX OF RESIDENTIAL UNITS AND TYPES IN AN INTEGRATED MANNER/DESIGN (SEC 2-402.6 B)(2)
  2. MIX OF MIXED RESIDENTIAL, OFFICE, RETAIL, FCI IN AN INTEGRATED MANNER/DESIGN (SEC 2-402.6 B)(3)
  3. INTERNAL ACTIVITY NODES (MIXED HOUSING AND LOCAL) (SEC 2-402.6 B)(4)
  4. CREATE A MAIN STREET ACTIVATING TO SIDE
  5. MIXTURE OF OPEN SPACE INCLUDING PARKS, GREENS, SQUARES, AND PLAZAS (SEC 2-402.6 C1 AND SEC 2-402.6 A2)
  6. CENTER DESIGN INCLUDING MIXTURES OF ACTIVITY OR DEVELOPMENT
  7. PROTECT CENTER MIXED-USE AREA AND MAKE IT THE CENTRAL FOCUS POINT OF THE DEVELOPMENT
  8. PREVENTION OF VESTIBULE BARRIERS TO MAINTAIN A TRANSITION ZONE BETWEEN SURROUNDING PROPERTIES (SEC 2-402.6 B)(5)
  9. PREVENTION OF ENVIRONMENTALLY SENSITIVE AREAS (SEC 2-402.6 B)(6)
  10. PROTECT AND ORIENTALLY DESIGN DEVELOPMENT AROUND WINDS AND VIBRATIONS (SEC 2-402.6 B)(7)
  11. MAINTAIN CONNECTION BETWEEN ALL SUBJECTS AND ADJACENTS BY MEANS OF TRAILS AND SHARED USE WALKS (SEC 2-402.6 B)(8) AND SEC 2-402.6 B)(9)
  12. MAINTAIN CONNECTION TO PHASE 1 (EAST SIDE OF PROPERTY) FROM MAIN ROAD
  13. MAINTAIN AND MAKE CONNECTIONS TO SURROUNDING PROPERTIES CONSISTENT WITH SHARED WALK - WEST AND TOWNHOMES/RESIDENTIAL TRAILS WALKWAY
  14. MAINTAIN TRAIL CONNECTIONS AND ADJACENCY OF CUL-DE-SACS (SEC 2-402.6 B)(10)
  15. MAINTAIN TRAIL TO THE CUL-DE-SAC INCLUDING LOOPS, TERRACING, CURB CUTS WITH LANDSCAPED GRASSES AND SIDEWALKS (SEC 2-402.6 B)(11)
  16. PROVIDE THAT ARE WIDER AND TOLERANT WITH OTHER SIMILAR BEHAVIORS
  17. MAINTAIN TRAIL CONNECTIONS TO SURROUNDING PROPERTIES AND PARADISES (SEC 2-402.6 B)(12)
  18. PROVIDE THAT ARE WIDER AND TOLERANT WITH OTHER SIMILAR BEHAVIORS
  19. PROVIDE THAT ARE WIDER AND TOLERANT WITH OTHER SIMILAR BEHAVIORS
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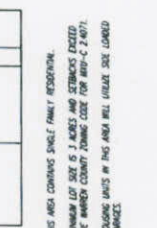
**THIS AREA CONTAINS SINGLE & MULTIFAMILY RESIDENTIAL.**  
 LOT SIZES WILL BE 60'x130', 80'x130' & 100'x130'.  
 DISTRIBUTION OF LOTS WILL BE BASED ON MARKET DEMAND.  
 SETBACKS WILL BE 5' SIDE YARD, 30' FRONT YARD AND 25' REAR YARD.



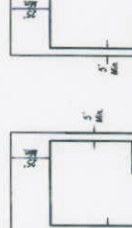
**THIS AREA CONTAINS SINGLE FAMILY RESIDENTIAL.**  
 MINIMUM LOT SIZE IS 3 ACRES AND SETBACKS EXCEED THE WARREN COUNTY ZONING CODE FOR MIX-C-2, 402-1.  
 HOUSING UNITS IN THIS AREA WILL UTILIZE REAR LOADED GARAGES.



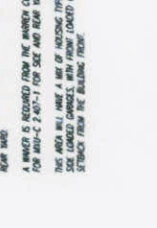
**THIS AREA CONTAINS A MIX OF SINGLE FAMILY AND DUPLEX RESIDENTIALS.**  
 LOT SIZE WILL BE 40'x130' AND 60'x130'.  
 SETBACKS WILL BE 5' SIDE YARD, 5' FRONT YARD AND 20' REAR YARD.  
 A MINOR IS REQUIRED FROM THE WARREN COUNTY ZONING CODE FOR MIX-C-2, 402-1 FOR SIDE, FRONT AND REAR YARDS.



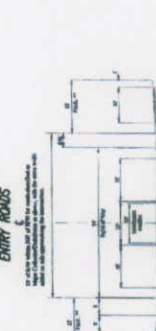
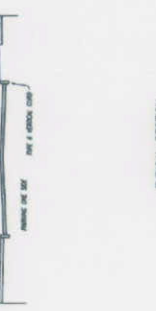
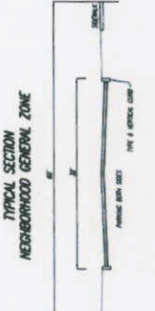
**THIS AREA CONTAINS SINGLE FAMILY RESIDENTIAL.**  
 MINIMUM LOT SIZE IS 3 ACRES AND SETBACKS EXCEED THE WARREN COUNTY ZONING CODE FOR MIX-C-2, 402-1.  
 HOUSING UNITS IN THIS AREA WILL UTILIZE REAR LOADED GARAGES.



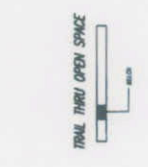
**THIS AREA CONTAINS A MIX OF SMALL FAMILY AND DUPLEX RESIDENTIALS.**  
 LOT SIZE WILL BE 40'x130' AND 60'x130'.  
 SETBACKS WILL BE 5' SIDE YARD, 5' FRONT YARD AND 20' REAR YARD.  
 A MINOR IS REQUIRED FROM THE WARREN COUNTY ZONING CODE FOR MIX-C-2, 402-1 FOR SIDE, FRONT AND REAR YARDS.  
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**REVISED DRAWINGS**



DATE: 9-10-15  
 BY: J.C.  
 CHK'D: [blank]  
 APP'D: [blank]  
 SCALE: AS SHOWN



# Analysis of Zoning

<b>North</b>	<b>“MXU-C”, “MXU-N”, with “IHO”</b>	<u>Mixed Residential, Commercial &amp; Industrial Commercial &amp; Industrial Uses</u>
<b>West</b>	<b>“MXU-C” with “IHO”</b>	<u>Mixed Residential, Commercial &amp; Industrial Commercial &amp; Industrial Uses</u>
<b>South</b>	<b>“MXU-C” with “IHO”, and “R1” PUD</b>	<u>Mixed Residential, Commercial &amp; Industrial Shaker Run PUD</u>
<b>East</b>	<b>“R1B” and “R1” PUD</b>	<u>Single Family Residential (1-acre density) Shaker Run PUD</u>

# Reviewing Departments

Butler County Sewer  
Turtlecreek Township Trustees & Fire  
Dept.  
Warren County Building Department  
Warren County Combined Health District  
Warren County Engineer  
Warren County Prosecutor's Office  
Warren County Regional Planning  
Warren County Sheriff  
Warren County Soil & Water Conservation  
Warren County Water & Sewer

# Zoning Inspector's Review



1. Compliance with the Warren County Rural Zoning Code Standards for Site Plan Review Section 1.303 and Mixed Use Zone Regulations Section 2.407.
2. We are here to discuss a Site Plan Review for a MXU-C Development.  
(Not a PUD)

# Zoning Inspector's Review

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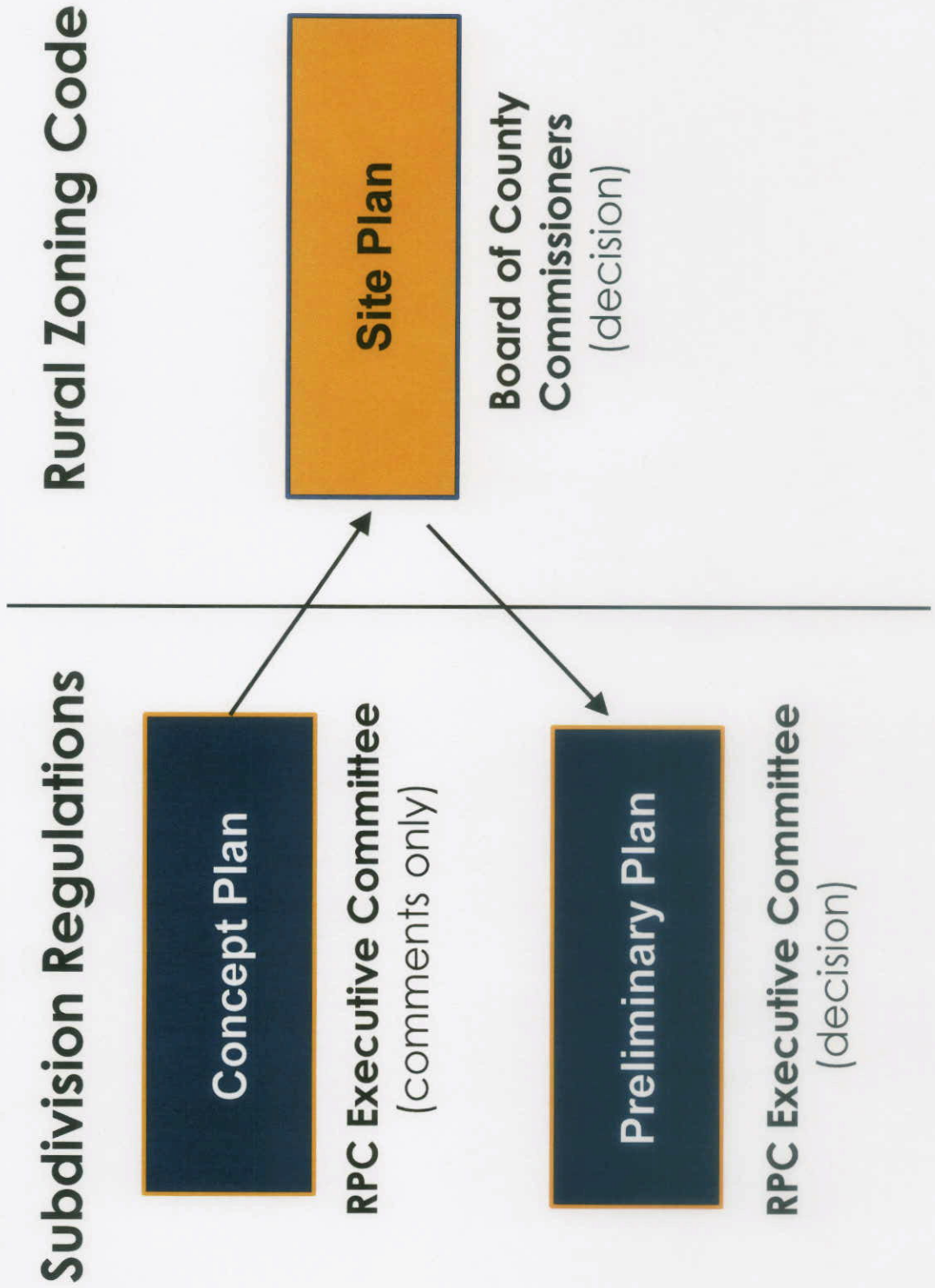
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Note: There is no formal recommendation or comments from the RPC Executive Committee or RZC as this property is zoned for a MXU-C Development.

The RPC Executive Committee did review and discuss a Concept Plan at its 9-24-15 meeting.

The RPC Executive Committee will review the site for subdivision platting.

# Review Process



# Items for Consideration



- ❖ Use Waiver (Sec. 2.407.5 B)
- ❖ Setback Waiver (Sec. 2.407.7)
- ❖ Site Plan Review



# USE WAIVER

**(White Sheet)**

Revised October 23, 2015  
October 20, 2015

Warren County Building and Zoning  
406 Justice Drive  
Lebanon, Ohio 45036

Attn: Michael Yetter

Ref: Greentree  
Turtlecreek Township, City of Lebanon, Warren County, Ohio  
Our Job No.: 15-0141

Dear Mr. Yetter:

Per section 2.407.6D I am requesting a waiver of Development Standards from section 2.407.5B that requires that free standing residential structures shall be phased to coincide with or after the development of the nonresidential portion of the site. At present there is not sanitary sewer available for the nonresidential portion of the site. Sanitary sewer for the nonresidential portion of the site is anticipated to be extended when the new Greentree Road interchange is constructed on I-75 in the future. Sanitary sewers are available for the residential portion of the site by way of a sewer extension thru the property to the south. The nonresidential portion of the site is at a lower elevation and cannot be sewerred to the south.



## 2.407.5 Use Specific Standards: (Green Sheet)

(A) Live/Work Units: Live/work units shall be residential in character and are limited to five thousand (5000) square feet.

### First Waiver Request

(B) Free Standing Residential Uses: Within the MXU-C zoning district, free standing residential uses are limited to the interior or rear portions of a site and to the rear of non residential structures. **The construction of free standing residential structures shall be phased to coincide with or after the development of the non residential portion of the site.**

(C) Ground Floor Uses: Mixed use structures that front designated arterial and collector roads within the MXU-C sub-district are limited to commercial, office, civic, institutional, or other non-residential uses on the ground-level floor. Floors above the ground level may be occupied by office or residential uses.

(D) Retail Small Scale/Light Manufacturing: As defined, is permitted subject to compliance with the following:

- (1) Allowed when done in conjunction with a permitted retail or service use which is in the storefront location.
- (2) Floor area devoted to Industry-Small Scale is limited to fifty percent (50%) of the gross floor area of any individual establishment.
- (3) The operations shall be fully enclosed within a building.

(E) Commercial Business & Service Uses: Commercial Business and service uses within the MXU-N shall provide from an arterial or collector road. Access from a local road is permitted if the access point is not more than five hundred (500) feet, or one lot away from an arterial or collector road.

## **2.407.6 (D) Waiver of Development Standards (Lilac Sheet)**

The applicant has requested a waiver to develop residential prior to the commercial on the site.

The approval authority may approve a waiver of the general development requirements, for lighting, parking, signage, access, landscaping and buffer, height, lot size and development, or additional development requirements only upon finding that:

- innovative use of site design
- will not be injurious to the public health, safety, or general welfare
- desirable development
- compatible with other development located in the area
- consistent with the suggestions of the Comprehensive Plan