



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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***TOM ARISS
PAT ARNOLD SOUTH
DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – November 17, 2011

The Board met in regular session pursuant to adjournment of the November 15, 2011, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

- 11-1602 A resolution was adopted to Transfer the following listed Equipment to the Harlan Township Fire Department. Vote: Unanimous
- 11-1603 A resolution was adopted to Notice of Intent to cancel individual Dog Warden and Deputy Dog Warden Bonds and cover said Dog Warden and Deputy Dog Warden under the Blanket Bond provided by CORSA. Vote: Unanimous
- 11-1604 A resolution was adopted to Waive Portion of Non-Participant charge for Glenn Williams at 2456 Western Row Road for Water Service within the Western Row Road Water Line Extension Project. Vote: Unanimous
- 11-1605 A resolution was adopted to enter into a Consulting Services Contract with Thelen Associates, Inc. Vote: Unanimous
- 11-1606 A resolution was adopted to affirm “Then and Now” requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 11-1607 A resolution was adopted to approve a Sidewalk Bond Reduction for Hopewell Valley Development, LLC, for completion of improvements in the Villages of Hopewell Valley, Section 2A, in Hamilton Township. Vote: Unanimous

- 11-1608 A resolution was adopted to approve a Sidewalk Bond Reduction for Hopewell Valley Development, LLC, for completion of improvements in the Villages of Hopewell Valley, Section 2B, in Hamilton Township. Vote: Unanimous
- 11-1609 A resolution was adopted to approve Appropriation Decrease out of Warren County Board of Developmental Disabilities. Vote: Unanimous
- 11-1610 A resolution was adopted to approve Supplemental Appropriation into Warren County Grants Administration Fund 298. Vote: Unanimous
- 11-1611 A resolution was adopted to approve Supplemental Appropriation into Dog and Kennel Fund #206. Vote: Unanimous
- 11-1612 A resolution was adopted to approve Supplemental Appropriation into Warren County Board of Developmental Disabilities. Vote: Unanimous
- 11-1613 A resolution was adopted to approve Appropriation Adjustment within County Transit Fund #299. Vote: Unanimous
- 11-1614 A resolution was adopted to approve an Appropriation Adjustment within Telecommunications Department Fund #101-2812. Vote: Unanimous
- 11-1615 A resolution was adopted to approve Appropriation Adjustment within Warren County Board of Developmental Disabilities Fund #205. Vote: Unanimous
- 11-1616 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 11-1617 A resolution was adopted to continue Public Hearing to consider Text Amendments to the Warren County Rural Zoning Code "A" pursuant to Ohio Revised Code Section 303.12. Vote: Unanimous
- 11-1618 A resolution was adopted to continue Public Hearing to consider Map Amendments to the Official Warren County Zoning Map pursuant to Ohio Revised Code Section 303.12. Vote: Unanimous

DISCUSSIONS

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

PUBLIC HEARING
CONSIDER TEXT AMENDMENT TO THE
WARREN COUNTY RURAL ZONING CODE "A"

The Board met this 17th day of November 2011, in the Commissioners Meeting Room, to consider text amendments to the Warren County Rural Zoning Code "A".

Commissioner South welcomed the public and give background information relative to the numerous meetings and hard work that has lead up to this public hearing. She then recognized staff and thanked the staff and Zoning Board members for their hard work and dedication, including current staff, staff that is no longer with Warren County and the staff and Board members that have deceased during this five year project.

Commissioner Young also thanked staff and Zoning Board members for this hard work on this five year endeavor. He then stated his belief in limited government but also that zoning is an important government responsibility in order to preserve a property owners rights.

Commissioner Ariss also commended staff and volunteers for their many hours of dedication to this project.

Mike Yetter, Zoning Supervisor, reviewed the history of the process on how we got to where we are today. He then reviewed the major changes in the proposed text amendments:

1. Provision for Home Businesses
2. Standards for Lighting and Landscaping
3. Conservative Design
4. Wide Range of Uses allowed as "Conditional Uses"
5. Stream line Development Review Process
6. new Creative and Flexible PUD Standards
7. Mixed Use Districts
8. New Zoning Districts

Fred Grimm, Chairman of the Rural Zoning Commission (RZC), read a statement relative to the process that the RZC used. He then stated his opinion that these amendments to the zoning code address the overall look of what Warren County should have. He stated that every component of the amendments will not completely satisfy 100% of the people but the overall plan is a good plan in his opinion and meets the approval of the majority of the citizens.

Martha Paige, 3450 Keever Road, stated her comments are relative to the general land use and philosophy of zoning. She read an article (submitted for the record) that stated we will be addressing more and more issues relative to water (Aquifer Protection). She then stated that Turtlecreek Township either has too much or too little water, depending upon which area of the Township you live in. She then stated his opinion of the need to keep a large view of the assets we have in Warren County for many years. She questioned the adoption of the Comprehensive Plan and discussed the aquifer protection overlay and her feeling that Warren County is not doing enough to protect it.

Commissioner Young questioned her relative to the Board not doing enough to protect the aquifer as just two days prior to this hearing, the Miami Conservancy District was praising this Board on their aquifer protection measures and stated how they use Warren County as a model for other counties and municipal jurisdictions when it comes to the protection of the aquifer.

Terry Banker, 619 McClure Road, Turtlecreek Township, stated her issue with the number of units being permitted in the aquifer protection overlay area. She then stated her concern with the Comprehensive Plan being adopted with, in her opinion, not enough public notice.

The Board confirmed that all legal requirements were met relative to the notification process for both public hearings held by the Regional Planning Commission and the public hearing held by this Board.

Bob Vorhis, 4521 Hamilton Road, Turtlecreek Township, stated his concern relative to drainage issues over the aquifer. He stated his opinion that there is not enough being done to control the drainage problems caused by development. He stated that he could not plant his crops until July of this year due to the flooding of his fields. He then suggested the Board put aside money to allow the streams to be repaired from the damage caused by the subdivisions. He stated that the aquifer in this area has been damaged from the heavy pumping from the City of Mason prior to transferring to Cincinnati Water Works.

John Lane, Turtlecreek Township resident, informed those present that approximately 30 years ago there had been a project completed by Warren County Soil and Water Conservation District that repaired the stream along Greentree Road.

Upon further discussion, the Board resolved (Resolution #11-1617) to continue this public hearing to December 8, 2011, at 5:15 p.m.

PUBLIC HEARING

CONSIDER MAP AMENDMENTS TO THE
WARREN COUNTY RURAL ZONING CODE "A"

The public hearing to consider map amendments to the Warren County Rural Zoning Code "A" was convened this 17th day of November 2011, in the Commissioners' Meeting Room.

Commissioner South opened the public hearing for comment.

Christine Pudvan, 6053 Nickel Road, Turtlecreek Township, commended Mr. Grimm and Mr. Yetter on doing a tremendous job of listening to the desires of the residents during this long process. She then stated her opinion that the Turtlecreek Township Trustees have had many opportunities to represent the residents and have not. She stated her disappointment with the township and her displeasure with her and her immediate neighbors being the only residential property in the middle of a suburban area. She requested the Board to consider the entire area residential rather than suburban.

Catherine Berger, 6031 Nickel Road, Turtlecreek Township, stated she was happy to see her property zoned residential.

Martha Paige, 3450 Keever Road, Turtlecreek Township, stated her opinion that Western Turtlecreek looks like spot zoning. She then cautioned the Board that Nickel Road is being spot zoning residential and the residential should be carried through for the entire area.

Terry Banker, 619 McClure Road, Turtlecreek Township, presented an article for the record entitled "US Farmers Reclaim Land from Developers". She then stated her opinion that mixed use zoning in Western Turtlecreek Township is a huge misstate. She stated that the zoning map should be updated more often than every 40 years and that a mixed use zoning is premature. She requested the Board to reconsider the mixed use zoning and also make a map of the aquifer protection area.

There were many residents present to speak in opposition to the mixed use zone in the western Turtlecreek Township area. Commissioner Young questioned if there was anyone in attendance that is a property owner within the area that is proposed to be rezoned to mixed use.

Catherine Hilkerer, Brewer Road resident, stated her concern relative to her property being within the mixed use zone area.

Upon review of the proposed map, it was determined that her property is remaining residential and not within the mixed use zoning area.

Paul Steiner, 3094 SR 741, Turtlecreek Township, stated he is a property owner within the area being designated as mixed use. He questioned if his property taxes would increase due to this change.

The Board assured Mr. Steiner that the zoning map would cause no change to his property taxes.

Upon further discussion, it was determined that no property owner in the area proposed to be zoned mixed use is opposed to their property being rezoned.

Lori Hall, 3585 Madison Grace Way, Franklin Township, requested the Board to please uphold the single family residence designation that the Zoning Board changed for Wilson Farms in Franklin Township.

The Board determined that the proposed map shows Wilson Farms as single family residence and they were would not change it.

Ed Meiners, 6349 Brewer Road, Deerfield Township, stated that the mixed use zoning is in his front yard. He requested the Board consider leaving the area single family residential.

There was discussion of what would be permitted in the mixed use area along Brewer Road in Turtlecreek Township.

Stan Williams, Executive Director of the Regional Planning Commission (RPC) stated that the Mixed Use Neighborhood allows a variety of residential uses from a single family residence to an apartment building with a maximum of four residential units per acre.

Catherine Hilkerer, Brewer Road resident, stated she does not want to see a high rise apartment building on Brewer Road.

There was discussion relative to the maximum dwelling units per acre.

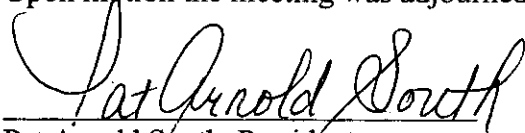
Mr. Williams explained that a four unit apartment building would require one acres, an eight unit apartment building would require two acres.


Jack Hern, 6541 Nickel Road, stated that the City of Monroe has no concern with the adjacent residents along Brewer Road. He then stated her concerns relative to annexation by Monroe.

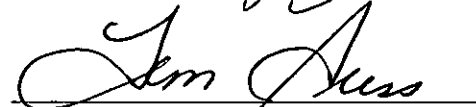
Mrs. Paige, Keever Road, stated that this entire area contains wetlands, creeks, and streams and has water retention problems. She then questioned the advisability of increasing the density within these areas.

Upon further discussion, the Board resolved (Resolution #11-1618) to continue this public hearing to December 8, 2011, at 6:15 p.m.

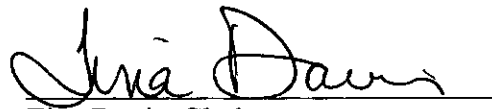
Upon motion the meeting was adjourned.


Pat Arnold South, President


David G. Young


Tom Ariss

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 November 17, 2011, in compliance with Section 121.22 O.R.C.


Tina Davis, Clerk
Board of County Commissioners
Warren County, Ohio