

RECORD OF PROCEEDINGS

Minutes of

Meeting

MIAMI TOWNSHIP ZONING COMMISSION

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ **APRIL 1, 2021** _____, _____ (YEAR)

The Miami Township Zoning Commission met virtually in regular session on Thursday, April 1, 2021 at 7:00 p.m.

The meeting was called to order by Chair Mark Schulte.

The Pledge of Allegiance was given.

Upon roll call the following members were present: Jeff Baumgarth, Lasserre Bradley, Ed Marcin, John Rademacher, and Mark Schulte. Also present: Board Secretary Nicole Browder and Planning & Zoning Administrator Brian Elliff.

Mr. Baumgarth made a motion to approve the minutes as submitted for the meeting date of March 4, 2021, seconded by Mr. Schulte and the motion carried unanimously with all voting "YES".

There was no old business.

The Common Rules of Conduct were waived and there were no continued or public hearings.

Public hearings: Mr. Marcin recused himself from hearing Case #577. It was noted that four board members remain present to hear the case.

Case #577, Luke Reineck – Zoning District Change from R-1 to O-1, was called and the notice of public hearing was read. Mr. Elliff reported that on March 23, 2021 the Clermont County Planning Commission heard the case and issued a recommendation to approve with the adoption of two conditions. The County's conditions were to consolidate the parcels and landscape the right of way.

Mr. Elliff advised the applicant requested a zoning district change from R-1 to O-1 (residential to office). He presented a PowerPoint to the Commission that included the existing zoning of the surrounding parcels and noted 1.10 acres were proposed for the re-zoning. There is an existing single family residential structure to be remodeled to professional office to contain a business, Living with motion Chiropractic office. The single story building is approximately 2,200 square feet. Thirteen parking spaces were providing in the plan and Mr. Elliff stated that does meet the requirements. He review the setbacks as being 46 feet on the north right side, 70 feet to Branch Hill Guinea Pike right of way (east, front), 64 feet on the south side, and 115 feet on the west (rear) line. Additional photos of the building renderings with elevations and viewpoints from the property lines were also shown as well as a landscape plan to buffer the adjacent residential and the planned parking spaces.

Mark Bredemeier, KBA Inc. Architects, 29 High Street, Milford, Ohio, spoke on behalf of the applicant to inform the Commission of the goal to keep the existing residential character by improving the building and accommodating the business needs of the chiropractic business.

Applicant Luke Reineck thanked the Commission for the opportunity to consider a re-zone of the property. He highlighted that their effort to keep the parking in the front of the building and add proper landscape to buffer the adjacent residences.

Mr. Schulte called for any correspondence received for Case #577. Mr. Elliff confirmed no correspondence was received.

Mr. Schulte called for any adjoining property owners to speak.

Ann Griffin, 6253 North Shadowhill Way, spoke with some opposition toward development in the area continuing in the direction of her residence. She requested consideration be given to enhance the buffer between her property and the chiropractic office by adding a fence and a different configuration to the parking spaces.

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Discussion was held with Architect Bredemeier on the reconfiguration of parking which was unable to be resituated due to space limitations and the goal to place it forward of the building. It was noted a heavy green buffer was planned for this reason. The request for a privacy fence was also discussed with reference by Ms. Griffin it be similar to the fence installed at the Edward Jones building nearby. Hours of operation for the chiropractic office were also shared and the company would conduct business Monday through Thursday from 9 a.m. to 6 p.m. and Tuesdays until 7 p.m. with some Saturday appointments.

There being no additional concerned citizens presented who wished to speak, Mr. Schulte closed the public portion of the meeting and called for the recommendation of the Planning & Zoning Administrator.

Mr. Elliff presented the staff recommendation to approve the zone change application with the conditions 1-3 as shown below; and also proposed was a fourth condition as presented by Mr. Baumgarth:

1. The parcels shall be consolidated prior to issuing a zoning certificate.
2. The front sidewalk will be constructed so that the south end terminates in right-of-way at south property line, or alternatively, the applicant shall record a construction easement in favor of Miami Township so that future sidewalk may be connected. The easement shall be provided to staff for approval prior to recording, and then recorded prior to issuance of a zoning certificate.
3. Adjust the lighting and include shielding if necessary to attain "0" foot-candles at property line.
4. Add fencing or plantings to west side of the parking lot to serve as a buffer to adjacent residences.

The open portion of the meeting was closed, and the Board held discussion.

Mr. Baumgarth made a motion in Case #577 to approve the rezoning from R-1 Residence District to O-1 Professional Office District, including the three conditions contained in the staff report and the addition of a fourth condition to add fencing or plantings to the west side of the parking lot, seconded by Mr. Bradley with all voting "YES".

Mr. Marcin rejoined the members for the remainder of the Commission's business. There being now five board members for the following agenda items.

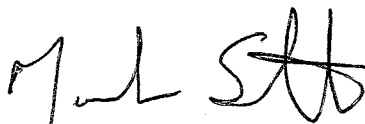
New business: Mr. Schulte announced Case #578, MI Homes – Lamorna Cove Additions, an application for a re-zone from R-2 to R-PUD.

The second application announced was Case #579, Brookstone Homes – Primrose Creek, an application to re-zone from R-1 to R-PUD.

Mr. Baumgarth made a motion to set Cases #578 and 579 for May 6, 2021, seconded by Mr. Schulte with all voting "AYE".

With no further business to come before the Commission, Mr. Baumgarth made a motion to adjourn the meeting, seconded by Mr. Rademacher with all voting "AYE".

Respectfully submitted,



Mark Schulte, Chair



Nicole Browder, Secretary

Sound reference

C: Zoning Commission, Planning & Zoning Administrator, File