

HAMILTON TOWNSHIP ZONING COMMISSION MEETING
August 14, 2023

The meeting was called to order at 7:05 p.m.

Members present: Amanda Webb
Brady Hood
Chad Meadow

Mrs. Webb explained the items before the board this evening and the meeting process. She also swore in all persons wishing to give testimony during this hearing.

Ms. Cathy Walton, Zoning Administrator, presented the staff report for the first agenda item for a zoning map amendment 347.4, located at 6177 Striker Rd, Maineville, OH 45039. The Property Owners are Mr. Kevin Hildebrand. Amendment for the Comprehensive Land Use Plan is consistent with the purpose of zoning code. Also, amendment must be consistent with the Hamilton Township Use Plan and other development policies adopted by the board of Trustees. Applicant must justify zoning and show why it is best suited for the specific site based upon the policies of the township.

Legal Notice was published in the July 30, 2023, edition of *The Journal News*. Notice was mailed to all property owners within 200 feet of the subject parcel.

The applicant is requesting a zone change from M-2 Heavy Industrial Zone to R-3 Multi-Family Residence. The zone change is intended to allow 12 condominiums on the property. Surrounding the property is other M-2 Heavy Industrial Zones, residential is to the northeast and southwest. Future land use is deemed for rural residential, primarily for single family homes, farming, and agriculture on large lots. The Warren County Regional Planning Commission heard this zoning amendment at their July 27th meeting and agreed it should be denied to not meeting the Comprehensive Use Plan.

Water and Sewer Dept. made comments that their opposed to the rezoning due to the plan not being consistent with majority of the land use around it which includes the Army Reserve Facility, Reginal Municipal Wastewater Plant, Electrical Substation, and industrial facilities along Grandin Road. In addition, they routinely receive noise and light complaints from residents to the south of Miami Bluffs subdivision and not having additional complaints. Staff are also denying rezoning for the same reasons.

No questions and concerns were presented.

Ms. Webb invited the applicant to speak.

Mr. Hilderbrand stated he is a neighbor to the property. Initially he bought the property to house semi-trucks with the intent to build something there in the future. He reached out to Hamilton Township for a list of approved M-2 developments and discussed the probability of building a Wedding Venue. Brought to his attention from surrounding residence, currently there are no existing commercial properties on Stricker Road. Mr. Hilderbrand was sent a copy of the Future

Land Use Plan with the property zoned Single Family Residential. He is appealing to the board to build a one story, on-slab condominium on the property appealing to the 55-year-old plus community.

Ms. Webb asked if there were any questions.

Mr. Hood stated he had no questions at that time.

Ms. Webb opened the floor to public hearing to those in favor of the project.

Mr. Fulton has been a resident for five years at the Heritage at Miami Bluffs neighborhood and has been involved by following the appeal and attending the township hearings. He believes that Mr. Hilderbrand is knowledgeable of the impact that the condominium will bring to the area and has the best interest of the community. Also, Mr. Fulton makes the point that he lives in a community like the one being presented today. He understands when driving, Grandin Rd. is industrial, however on Striker there is mostly residential and thinks the M-2 zoning is outdated and should be deemed R-3 for Striker Rd. At this time, he is unaware of any activities with the Army Depot or Water Department that he has not been directly impacted. Mr. Fulton argues if an M-2 development were built on the residence, that would have a direct impact on the residence of Miami Bluff.

Ms. Webb confirms with Ms. Walton the Land Use Plan was recently revised and updated in 2020 by Hamilton Township and Trustees.

Ms. Walton confirmed.

Mr. Hood stated the designation of the M-2 zoning was probably 20-30 years ago, but the Future Plan has been revisited.

Mr. Fulton has concerns with a M-2 development, in this case a wedding venue that will serve alcohol and impact the residence in a negative way. He reiterates that the property is not compatible with M-2 and wishes to have the zoning changed.

Mr. Cochrane resides in a neighboring property and questions the data that supports the resident's complaints to the Water Company. He has concerns that a manufacturer, if built there, will increase residence complaints.

Ms. Webb invited audience members against the proposal to speak.

Ms. Baston lives on the corner of Grandin and Striker Rd. Her house has been struck twice by vehicles, as well as having multiple accidents taking place in her back yard due to the high traffic, speed, and visibility. Her concern is the infrastructure cannot withhold additional residence and will cause more congestion and issues to that area.

Ms. Brandon lives on the corner of Striker Rd. and opposes the condominiums and wishes to maintain rural, not bring additional multi-family properties to the township. With development,

the decrease of trees will increase light and noise to the existing homeowners, adding complaints. There is also concern for the safety of her young family members as there will be an increase in traffic on her street.

Ms. Webb confirmed that Ms. Brandon owns the three parcels (16112000060, 16112000070, and 16112000050) submitted to the board.

Ms. Brandon confirmed.

Mr. Brandon in addition to his wife's comments, is concerned about his privacy and the current wildlife with the location of the possible development.

Ms. Webb invited the applicant to respond.

Mr. Hilderbrand has the intention to build a privacy fence around the property. He feels the one-story condominium is the quietest option to build at that location.

Ms. Webb questions the two-story plans submitted to the board not aligning with the comment from Mr. Hilderbrand previously stating it will be a one-story structure.

Mr. Hilderbrand provided copies of a one-story plan to the board.

Mr. Hood asked Mr. Hilderbrand if he communicated with the Water Plant or County regarding relocating the entrance off Striker and onto the easement leading to the Water Plant.

Mr. Hilderbrand stated the easement is owned by the commissioner and will not allow entrance access to the property.

Ms. Webb asked if Mr. Hilderbrand had a trip estimate for the Banquet approval.

Mr. Hilderbrand stated he has the trip estimate but not with him at the meeting.

Mr. Hood has no further questions for the applicant.

Ms. Webb questioned if the property would be maintained by CCR and/or have an HOA.

Mr. Hilderbrand's opinion is that the property is too small to require an HOA or property management company and will be self-maintained.

Ms. Webb disagrees with Mr. Fulton regarding the property being too small to have a management team. Also, curious if there would be a restriction of homes that an individual can purchase.

Mr. Hilderbrand confirmed he would make a limitation.

Ms. Webb stated a 10' rear setback from the property line to the structure is insufficient. Recommending communicating to the adjacent property whether it's buffering.

Mr. Hilderbrand makes the recommendation to change the condominiums with rear facing the Water Plant access road instead of the neighboring residence.

Ms. Webb has no further questions for the applicant.

Mr. Hood made a motion with a second from Ms. Webb to close public comments.

Roll call as follows:	Chad Meadow	Yes
	Amanda Webb	Yes
	Brady Hood	Yes

Mr. Hood made a motion to open deliberations.

Ms. Webb questioned what was brought forth to the Trustee Board regarding revisiting a residential plan.

Ms. Walton stated that the applicant was at the Trustee Meeting for a site plan review which is required for commercial development. The neighboring residents attending the Trustee Meeting were more in favor of a residential development than the approved Wedding Venue. The application to rezone from M-2 to R-3 was submitted.

Mr. Hood agrees the Future Land Use Map is not reflecting industrial and instead intended for rural residential. Given the concerns with privacy and noise, a Wedding Venue is not ideal for that area. He votes in favor of the zone change and agrees residential is more suitable for this area.

Mr. Meadow is in favor of the zone change with provisions.

Mr. Hood recommends approval, with the preference of the Trustees working with the applicant to change to a PUD rather than R-3.

Ms. Webb agrees the land is better use for residential but with provisions to the site plan, limiting impacts. By going PUD, it sets limitations to single level condominiums instead of multiple level structures. Also, the packet presented to the board on August 22, 2023, is not what the applicant testified during the meeting today.

Mr. Hood made a motion to recommend approval for M-2 to R-3 with a second from Mr. Meadow.

Roll call as follows:	Chad Meadow	Yes
	Amanda Webb	Yes
	Brady Hood	Yes

Ms. Walton confirmed comments and recommendations from the Zoning Commission will be presented to the Trustee Board discussed in today's meeting.

With no further business to discuss, Mr. Hood made a motion to adjourn with a second from Ms. Webb.

All in favor, Aye.