



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON SEPTEMBER 28, 2021

Variance Case: V-03-21

APPLICANT: Pat Manger
Brookstone Homes
7203 Wooster Pike
Cincinnati, OH 45227

REQUEST: V-03-21 variance request to the Clermont County Subdivision Regulations.

Request to exceed the allowable length of a cul-de-sac street serving more than 30 residences while also increasing the allowable length of the street from 900 feet to 1387 feet (+487 ft.).

LOCATION: The subject properties are located on the south side of Branch Hill Guinea Pike, 350 feet southeast of Hollow Lane and 95 feet northwest of Epworth Rd in Miami Township.

VARIANCE REQUESTED:

The applicant is seeking a variance from the Clermont County Planning Commission for Article V, Section 504 B (3).

Article V, Section 504 B (3):

- 3. The maximum length for cul-de-sacs shall be nine hundred (900) feet from the centerline of the intersecting street to the radius point of the cul-de-sac, or as needed to serve a maximum of 30 lots.*

Article II, Definitions:

Cul-de-sac: A local street with only one outlet and having an appropriate terminus for the safe and convenient reversal of traffic movement.

The applicant has requested a variance from the Clermont County Subdivision Regulations. The application indicates that Brookstone Homes is seeking a variance for a requested design element to the Primrose Creek Subdivision – Design Plan that would

create a cul-de-sac street that extends 1387 feet from the centerline of the intersecting street (*Branch Hill Guinea Pike*) to the radius point of the cul-de-sac. This would be an increase of 487 feet from the 900 feet maximum allowable cul-de-sac length. This variance also proposes the creation of 32 proposed single-family residential lots, an increase of 2 lots from the maximum allowable of 30 lots.

STAFF ANALYSIS:

Article IX, Section 908:

A Variance(s) may be granted when the applicant can demonstrate to the Planning Commission each of the following:

- 1. The particular physical surroundings, environmental constraints, shape, topographical, or other exceptional conditions of the specific property involved would cause extraordinary hardship or exceptional practical difficulty to the applicant if the provisions of these regulations were strictly enforced.*
- 2. The granting of the variation will not be detrimental to the public health, safety, to the intent and purpose of these regulations, to the desirable development of the neighborhood or community. To the general welfare, or to other property or improvements in the neighborhood in which the property is located.*
- 3. The special circumstances or conditions are created by the provisions or requirements of these regulations and not the result from any act of the applicant.*
- 4. The variation requested is the minimum adjustment necessary to mitigate the hardship brought by these regulations.*

The Clermont County Planning Commission has approved minor variances to Article V, Section 504 B (3) so long as the request is the minimum adjustment necessary to mitigate the hardship brought by these regulations and that no concerns were raised by County or Township reviewing agencies.

Previous Variance Cases: Article V, Section 504 B (3)

- *V-01-17: Prestwick Place – Design Plan (Cul-de-sac Length 2,000 ft. w/ 36 units)*
- *V-01-21: Billingsley – Revised Design Plan (Cul-de-sac Length 1169 ft. w/ 32 units)*

Staff concludes the request does appear to be the minimum amount necessary to mitigate the hardship imposed upon the applicant, due to the existing site characteristics and the existence of wetlands. Finally, the request would not be detrimental to the public health or general welfare in that the planning staff has not received any concerns from Clermont County's reviewing agencies or Miami Township.

STAFF FINDINGS:

1. The variation from these regulations would not pose a significant threat, nor be detrimental to public health, safety.
2. Without any objections from Miami Township, staff believes the variance request to be justified.

STAFF RECOMMENDATION:

Based on Staff Analysis, move to **APPROVE** the variance case V-03-21 to allow a cul-de-sac of 1387 feet (+487 ft.) and 32 single-family residential lots.