

**CLERMONT COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**August 23, 2022**

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The Eighth Regular Meeting of 2022 of the Clermont County Planning Commission was held on Tuesday, August 23, 2022, at 5:00 p.m. at 2381 Clermont Center Drive, Batavia, Ohio. Members attending were Ms. Cann, Mr. Kravitz, Mr. Phelps, Ms. Sullivan, Ms. Vilardo and Mr. Wood.

Ms. Vilardo, Chair, called the meeting to order at 5:00 p.m. with the Pledge of Allegiance to the Flag.

Chair Vilardo asked for a moment of silence to honor one of our long-serving commission members, Past Chair, and current Vice Chair, Isaac Anderson, who passed away this past week. The commission members and audience respectfully observed a moment of silence for Mr. Anderson. Ms. Vilardo noted that he will be missed and asked Ms. Fawley for a few words about Mr. Anderson's contribution to the Planning Commission. Ms. Fawley said he was a 13-year member of the Planning Commission and was Commissioner Humphrey's alternate for most of the time, and offered to stay on as an At Large member even after Commissioner Humphrey retired. Ms. Anderson will be remembered as a gentle man, a hard worker, and a compassionate son to his mother, Anna, who attended many planning commission meetings with him.

Ms. Vilardo asked members of the audience and staff who would be giving testimony on any Planning Commission case to be sworn in.

**APPROVAL OF MINUTES**

Chair Vilardo asked if there were any questions, additions, or corrections to the minutes that were emailed to the members before the meeting. The Chair asked for a motion to approve the August 23, 2022 Meeting Minutes. Ms. Fawley stated the minutes were missing from the packet so the minutes were tabled until the September meeting.

**STAFF REPORT ON SUBDIVISION CASES**

**Lela Acres Subdivision – Revised Design Plan**

**Miami Township**

5:08 p.m.

Taylor Corbett presented the Staff Report for this subdivision case. Staff's recommendation was to **approve** the revised design plan for Lela Acres Subdivision located in Miami Township. Lela Acres Subdivision is located at the northeast intersection of Branch Hill-Guinea Road and State Route 28 in Miami Township.

Mr. Mark Walker, Engineer, and Mr. Tom Hoffman, Applicant, spoke in favor of the project. Mr. Walker addressed the commission regarding the sanitary sewer lateral that will need to be added. He and Mr. Hoffman want it either removed or changed for this property which is a remodel of a 50-year-old home. They see no reason for the upgrade.

Following some discussion and questions, Ms. Cann moved that the Planning Commission **approve** the revised design plan for Lela Acres Subdivision located in Miami Township subject to the following conditions:

1. All county and township departments' comments and conditions detailed in the Lela Acres Subdivision – Revised Design Plan review letter with a revised date of August 16, 2022, be satisfactorily addressed.
2. Submit one (1) set of plans with an original stamp and signature to the Department of Community & Economic Development Planning Division.

Mr. Phelps seconded the motion, and it carried unanimously.

**STAFF REPORT ON ZONING MAP AMENDMENT CASE**

**Batavia Township Zoning Map Amendment Case B-05-22ZPD**

**Batavia Township**

5:22 p.m.

Taylor Corbett presented the Staff Report for this zoning map amendment case. Staff's recommendation was to **recommend denial** of Batavia Township Zoning Case B-05-22ZPD request to rezone parcel 012024.044 (2.64 acres) & a portion of parcel 012024.078 (0.982 acres) consisting of +/- 3.621 acres from I – Industrial District to PD – Planned Development District.

Carl Hartman, Engineer and Applicant, and Keton Patel, Owner, were present and spoke in favor of this case. There was no one in opposition to the case.

Following discussion, Ms. Vilardo asked for a motion. Ms. Cann made the motion based on staff analysis to **DENY** Batavia Township Zoning Case B-05-22ZPD to rezone parcel 012024.044 (2.64 acres) and a portion of parcel 012024.078 (0.982 acres) consisting of +/- 3.621 acres from I – Industrial District to PD – Planned Development District because of the following reasons:

1. The Planned Development as proposed does **not** address the adjoining conflicting uses by providing additional buffering. The proposed PD plan shows the existing mature trees to remain; however, it is challenging to confirm that any type of additional buffering, either constructed or planted, would prevent or limit unwanted pollution (light, noise, particulate matter) from either of the adjoining commercial and industrial properties.

2. This proposed buffer has been described as a “tree buffer.” Details regarding the specifications for the buffering have not been provided at this time. A more detailed review of the proposed landscaping and buffering will be determined by the township during future phases of development. In addition to the limited buffering, the proposed amenities within the open space on the southern side of the development are designed to add additional acreage to the proposed site while also providing stormwater infrastructure. All stormwater infrastructure within the open space will need to be maintained by creating a Homeowners Association or by the property owner.

3. This request is considered spot zoning, considering the adjoining land uses and zoning

of properties situated north of Old State Route 32 and Curliss Lane. The implementation negatively affects the potential future residents and existing industrial businesses in the area. By situating incompatible land uses you create undue hardships for existing businesses by impeding their usable property and creating a possibility for public interference in future requests. The approval of this request also could set a precedence for future land uses within this development corridor and throughout Batavia Township.

4. This request is not consistent with the 2018 Batavia Township's Growth Management Plan.

Mr. Kravitz seconded the motion and it carried unanimously.

Ms. Cann recused herself at 5:55 p.m.

### **STAFF REPORT ON ZONING MAP AMENDMENT CASE**

**Pierce Township Zoning Case ZC2022-002**

**Pierce Township**

5:56 p.m.

Taylor Corbett presented the Staff Report for this zoning map amendment case. Staff's recommendation was to **recommend approval** of Pierce Township Zoning Case ZC2022-002 request to rezone parcel 282809A001 consisting of +/- 30.12 acres from PUD-R – Planned Residential Unit Development District (Case ZC2018-003) to a “New” PUD-R – Planned Residential Use District.

Eddie McCarthy, Zoning Administrator, Pierce Township, and Jeff Flaherty, Engineer, were present for the case. Mr. Flaherty spoke in favor of the project. There was no one in opposition to the case.

Following discussion, Ms. Vilaro asked for a motion. Ms. Sullivan made a motion to approve Pierce Township Zoning Case ZC2022-002 to rezone parcel 282809A001 consisting of +/- 30.12 acres from PUD-R – Planned Residential Unit Development District (Case ZC2018-003) to a “New” PUD-R – Planned Residential Use District with the following conditions:

1. Conform to all Article 7: 7.04: PUD Development Standards.
2. Add a detailed cross-section with the product type listed for the proposed hiking trail. All portions of the hiking trail are to be located within open space.
3. All dedicated open space shall total at least 35% of the proposed site and be designed to accommodate at least 5% of active open space, add detail for proposed active amenities
4. All easements will be required to be depicted on the record plat and shall state any conditions and restrictions of said easements. i.e., OHE
5. A Wetland Assessment and determination must be completed for the subject property due to the presence of hydric soil types

6. A 401/404 EPA permit will need to be obtained due to the wetland area on site
7. Stormwater basins are required to be located within open space lots, not overlapping building lots
8. Remove all existing structures on the site before development.

The motion was seconded by Mr. Wood and carried unanimously.

**STAFF REPORT ON ZONING TEXT AMENDMENT CASE**

**None**

**STAFF REPORT ON VARIANCE CASES**

**None**

**STAFF REPORT ON DEDICATION PLATS**

**None**

**OLD/NEW BUSINESS**

**None**

As no further business was brought before the Planning Commission, Mr. Anderson asked for a motion by acclamation to adjourn the meeting. Motion carried unanimously by acclamation. Meeting adjourned at 6:30 p.m.

*Amy Vilardo*

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**Amy Vilardo, Chair**

*Darin Hinners*

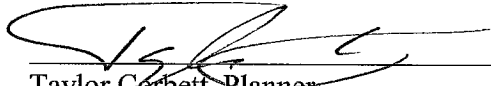
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**Darin Hinners, Secretary**

**Certificate as to the Minutes of the Clermont County Planning Commission**

I, Taylor Corbett, certify that the above is a true transcript of the Minutes of the Clermont County Planning Commission meeting held at the Clermont County Administration Building, 101 East Main Street, Batavia, Ohio 45103, on August 23, 2022.

I further certify that a quorum was present at the Clermont County Planning Commission meeting held on September 27, 2022, and the meeting minutes of August 23, 2022, were approved and voted on by the laws of the State of Ohio at that meeting.

  
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Taylor Corbett, Planner  
Clermont County Planning Commission

Date: 9/27/22