



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON MARCH 25, 2025

BATAVIA TOWNSHIP – ZONING MAP AMENDMENT

CASE NO. B-04-25Z

REPORT DATE: 2025-03-21

APPLICANT:

JACO Investment Property LLC
4972 SR 276
Batavia, OH 45103

PROPERTY OWNER:

Janice Coleman
4932 SR 132
Batavia, OH 45103

PARCEL ID:

PINs 022004J038 & 022004J027

ADDRESS OF REQUEST:

Two parcels located at 4932 SR 132, Batavia, OH 45103

REQUEST:

Requesting to amend the zoning designation of the subject property parcels (PINs 022004J038 & 022004J027) consisting of +/- 18.0491 acres from the “A” Agricultural District and “E-R” Estate Residential District to both parcels designated as “E-R”, Estate Residential District for the purpose of creating 3 new building lots totaling +/- 4.19 acres, transferring +/- 1.46 acres to an existing residence on 1.000 acre, and a remainder of +/- 11.38 acres.

ZONING:

The existing zoning for the subject property is “A” Agricultural District and “E-R” Estate Residential District. The surrounding properties consist of “E-R” Estate Residential and “A” Agricultural Districts. *See attached zoning map.*

Note: The County zoning map may show inaccuracies to what the Batavia Township Official Zoning Map has the property listed as.

LAND USE:

The subject property is currently an existing residential dwelling and open agricultural land.

HISTORY:

There is no relevant history for the subject property.

CONTENTS OF REPORT:

- Exhibit A: Township Application and Project Narrative
- Exhibit B: Parcel Map
- Exhibit C: Zoning Map
- Exhibit D: Proposal Map
- Exhibit E: Portion of the Batavia Township Zoning Resolution

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

Batavia Township Zoning Resolution Article 14 “Estate Residential District” describes the standards for the proposed district. Principally permitted land uses include Single-family dwellings, which is what the applicant proposes.

The Batavia Township Growth Policy Plan identifies the surrounding area as “Neighborhood Development Area”. “Neighborhood Development Area” represents locations adjacent to Existing Neighborhood and Infill Areas (or other more intensive land use categories such as Commerce/Industrial Development Areas). The predominant development pattern in these areas is undeveloped land, farmland, and large tracts with a single-family home. These areas have been identified as Neighborhood Development Areas due to their proximity to existing neighborhoods and the proximity to sanitary service availability (and in some cases within the current sanitary service area). These areas have also been designated as Neighborhood Development Areas based on the anticipated market demand for housing in these portions of the Township (considering location, proximity of services, surrounding development, and size of parcels available).

A SEGMENT OF THE BATAVIA TOWNSHIP ZONING RESOLUTION:

*Batavia Township Zoning Resolution
Article 14: E-R Estate Residential District*

ARTICLE 14 E-R ESTATE RESIDENTIAL DISTRICT

14.01 PURPOSE

This district is designed to accommodate low density single-family residential development within urbanizing portions of the Township and within and adjacent to areas of similar development.

The entirety of Article 14 will be available in Attachment F of this Staff Report.

SITE ACCESS:

The site is located at the corner of Elmwood Road and SR 132. Since it is a State Route, the Ohio Department of Transportation should be consulted for the proposed lot splits. They will likely require access to the proposed Lot 1 to come off of Elmwood Road due to the lesser traffic relative to SR 132.

DEVELOPMENT CHARACTER:

The proposed development provides infill housing between existing residences while preserving a large remainder of +/- 11.38 acres. This proposal is in alignment with the Batavia Township Growth Policy Plan and Zoning Resolution. The surrounding area is residential and agricultural and includes lots of varying sizes.

AGENCY REVIEW AND NOTIFICATION:

AGENCY	REFERRAL SENT	COMMENTS RECEIVED
Township <i>(Fire/EMS/Service)</i>		
Community and Economic Development (CED)	X	X
Engineer's Office (CCEO)	X	X
Water Resources Department (WRD)	X	X
Water Management & Sediment Control (WMSC)	X	
Soil and Water Conservation District (SWCD)	X	
Ohio Department of Transportation (ODOT)	X	
School District		

REFERRAL AGENCIES' COMMENTS:

Community and Economic Development Comments:

- Any future development of the site must comply with any and all regulations from Clermont County, Batavia Township, the State of Ohio, or any other applicable agency.

Engineer's Office Comments:

- A Traffic Impact Study may be required depending on the trips generated by the proposed usage. Please submit peak hour trip estimates to CCEO once usage is determined. Also, ODOT should also be consulted regarding potential impacts and/or access to SR 132.

Water Resources Department Comments:

1. CCWRD Regulation 3.4.3 Special Connections
 - a. 3.4.3.1 Gravity Flow Connection: No gravity flow sewer connection permit shall be issued for sewers less than 12 inches in diameter where the floor elevation is less than four feet above the invert elevation of the collector sanitary sewer line. For connections to sewers 12 inches in diameter and larger, no gravity flow sewer connection permit shall be

issued where the floor elevation is below the rim elevation of the nearest downstream manhole.

2. Include all appropriate details, rules and regulations, and any applicable CCWRD specifications to the plans for the development.

Water Management & Sediment Control Comments:

- I have not heard from WMSC regarding the application. If I receive comments, I will include them at the Planning Commission Meeting.

Soil & Water Conservation District

- I have not heard from SWCD regarding the application. If I receive comments, I will include them at the Planning Commission Meeting.

ODOT Comments:

- I have not heard from ODOT regarding the application. If I receive comments, I will include them at the Planning Commission Meeting

STAFF ANALYSIS:

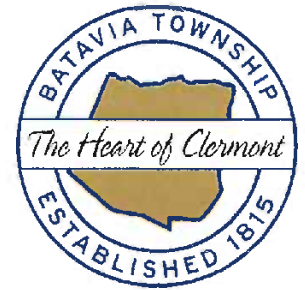
Following a comprehensive analysis, staff has evaluated Batavia Township Zoning Map Amendment Case B-04-25Z and its request to amend the zoning designation of parcels (PINs 022004J038 & 022004J027) consisting of +/- 18.0491 acres from the “A” Agricultural District and “E-R” Estate Residential District, to both parcels designated as “E-R” Estate Residential District for the purpose of creating 3 new building lots totaling +/- 4.19 acres, transferring +/- 1.46 acres to an existing residence on 1.000 acre, and a remainder of +/- 11.38 acres. The application is in alignment with the surrounding land uses and Batavia Township Growth Policy Plan. The application meets the objectives for “E-R” Estate Residential District of the Batavia Township Zoning Resolution, as well as the Growth Policy Plan.

STAFF RECOMMENDATION:

Based on the staff analysis in the following report, the following motion is recommended, **RECOMMEND APPROVAL WITH CONDITIONS** of Batavia Township Zoning Map Amendment Case B-04-25Z and its request to amend the zoning designation of parcels (PINs 022004J038 & 022004J027) consisting of +/- 18.0491 acres from the “A” Agricultural District and “E-R” Estate Residential District, to both parcels designated as “E-R” Estate Residential District for the purpose of creating 3 new building lots totaling +/- 4.19 acres, transferring +/- 1.46 acres to an existing residence on 1.000 acre, and a remainder of +/- 11.38 acres.

1. Any future development of the site must comply with any and all regulations from Clermont County, Batavia Township, the State of Ohio, or any other applicable agency.

**BATAVIA TOWNSHIP
PLANNING & ZONING DEPARTMENT
1535 Clough Pike Batavia, Ohio 45103
(513) 732-3888**



March 3, 2025

Drew DeMarsh
Clermont County Planning Commission
101 E Main Street, 3rd Floor
Batavia, OH 45103

**RE: Coleman Property - Case B-04-25Z
Property Address: 4932 SR 132
PIN: 022004J038 & 022004J027**

Dear Planning Commission,

I am writing to formally notify you that JACO Investment Properties LLC. has applied to Batavia Township requesting a Zoning Map Amendment for the property located at 4932 SR 132, (PIN 022004J038 & 022004J027) The application seeks to rezone approximately 18.0491 acres from the current "A" Agricultural District designation to "ER" Estate Residential District.

We kindly request your review of the proposed Zoning Map Amendment and welcome any feedback or concerns you may have. Your insights are invaluable as we strive to contribute positively to the community.

Sincerely,

Taylor Corbett
Director of Planning & Zoning
1535 Clough Pike
Batavia, OH 45103
(513) 732-3888, ext. 6
tcorbett@bataviatownship.org



**BATAVIA TOWNSHIP
PLANNING & ZONING DEPARTMENT**

1535 Clough Pike Batavia, Ohio 45103
(513)-732-3888 x2 TCorbett@BataviaTownship.org

SUBMITTAL DATE 2-23-25
RESOLUTION NO. _____
FEE \$ 800

CASE REVIEW NO. B-04-252
RECEIVED BY SC

APPLICATION FOR ZONING MAP AMENDMENT

APPLICANT INFORMATION

Applicant's Name/Firm JACO Investment Properties LLC Phone 513-600-1961

Applicant's Mailing Address 4972 St. Rt 276

Primary Contact's Name Jim Jasper Phone 513-600-1961

Email Address JJASPER@JACOINVPROP.COM

* The applicant will be responsible for any review fees that exceed the initial application filing fee.

** If the applicant is not the property owner, the owner must provide a notarized "Consent to Rezone" Statement.

PROPERTY INFORMATION

Property Address/Location 4932 St Rt 132

Owner's Name Janice Coleman Phone 941-730-1622

Owner's Tax Mailing Address 4932 St Rt 132

Property Address 4932 St Rt 132

Parcel No. (s) 0220045038., ~~612~~ 0220045027.

Total Acreage 18.0491 Zoning Designation "A" & "ER" SPO District _____

According to Ohio Revised Code/ORC 519.12, Amendments to the Zoning Resolution can be initiated in three ways:

1. Motion of the Township Zoning Commission (+10 parcels)
2. Passage of a resolution by the Board of Township Trustees (+10 parcels)
3. Filing an application by one or more owners or lessees of the property within the area proposed to be changed or affected by the amendment, with the Township Zoning Commission.



SUPPORTING INFORMATION

Is this property being considered for a zone change in its entirety? YES NO
If "NO" what is the proposed acreage requesting to be rezoned? _____
Is the property located within an adjoining Township or Village? YES NO
Was this property zoned differently in the past 5 years? YES NO
The current owner acquired the property on 7/24 (if lessee, please attach lease terms).

Existing Zoning District(s) Estate Residential, Agricultural
Proposed Zoning District Estate Residential
Existing Land Use _____
Proposed Land Use _____

Explain how the proposed zoning of the property is appropriate, considering the surrounding zoning designations and existing land uses.
Surrounding zoning is zoned Residential

Describe the specific reasons or objectives behind the proposed zoning map amendment. What are the desired outcomes or benefits that you expect from this change?
Build 3 Homes on Elmwood + 1 Home on the 20 Acres + 32 side

How does the proposed zoning map amendment align with the overall 2018 Batavia Township Growth Policy Plan? Consider the compatibility with the goals of the plan.

How does the proposed zoning map amendment fit within the existing infrastructure capacity of the township? Consider factors such as transportation, utilities, and public services.



Have you conducted any studies or assessments to evaluate the potential impacts of the proposed zoning change? This could include traffic studies, environmental impact assessments, or economic feasibility studies.

No

Has there been any community engagement or outreach conducted to gather feedback and input from the residents or stakeholders in the affected area? If so, please provide details on the nature and outcome of these engagements.

No

Are there any potential conflicts or concerns from neighboring property owners or other stakeholders that you are aware of? If so, please explain and provide any relevant documentation or correspondence.

No

What measures or strategies are being proposed to mitigate any potential negative impacts or conflicts resulting from the zoning map amendment? This could include buffer zones, landscaping, or other design elements.

None

Are there any legal or regulatory considerations that need to be taken into account when evaluating the proposed zoning map amendment? This could include compliance with state or local zoning laws, environmental regulations, or any other relevant legal requirements.

No



According to the records of the Clermont County Auditor's Tax List, the following persons/firms are currently listed as owner(s) of property adjacent to or directly across the street from the subject property.

Visit www.clermontauditorrealestate.org for information. Type the Owner's Name, Tax Mailing Address, and Parcel Identification Number Below.

Owners(s) Name	Tax Mailing Address	Parcel Number
McWhorter	4799 St Rt 132	022004I100.
Ess	4921 St Rt 132	022004J033.
Ringer	4939 St Rt 132	022004J026.
Snyder	4943 St Rt 132	022004J035.
Hendley	4951 St Rt 132	302 912C 058.
Trammell	4948 St Rt 132	022004J037.
Sager	4950 St Rt 132	022004J028.
Brandser	4972 St Rt 132	022004J034.
Simpson	4654 Elmwood	022004G116.
Hutton	4700 Elmwood	022004J039.
Church of God	4703 Elmwood	024729.002.



ATTACHMENTS

- ✓1. **Please provide a list of all adjacent property owners, as requested on the attached form (pg. 5).**
- ✓2. **Please provide a copy of the tax map that identifies the subject property, and clearly denotes the zoning classification of all properties within 200 ft. of the subject property, as well as the school district(s) involved.**
- ✓3. **Please provide the legal description of the area requested to be zoned.**
4. **Please submit development plans that clearly show boundaries, proposed and existing buildings, roadways, waterways (including retention/detention areas), parking areas, and circulation areas. Plans should be submitted on full-sized paper and reduced to 11" x 17" paper, and a digital copy should be provided on a flash drive, CD, or Share file.**
5. **Application Fee of \$800 (Residential) or \$1000 (Business, Commercial, Industrial) as most recently determined by the Board of Trustees.**
6. **The Applicant will be responsible for any professional consultant fees that exceed the customary and usual amount.**



AFFIDAVIT

I hereby dispose and say that I am acting on behalf of the owner or lessee of this property and have familiarized myself with the rules and regulations of the Batavia Township Zoning Resolution with respect to preparing this application. I hereby certify that I have read the foregoing documents and supplements attached thereto and that I have answered all questions fully and to the best of my ability. I hereby agree to make payment to Batavia Township for any professional review fees that exceed the usual and customary fees associated with the submittal of this application. I hereby attest to the truth and exactness of the information supplied herewith.

Applicant

JAMES R JASPER

Print Name

Signature

State of Ohio, County of Clermont

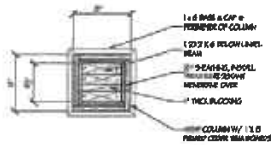
Subscribed and sworn to before me this 24 day of February, 2024.

My Commission expires

on 8/19/29
Notary Public

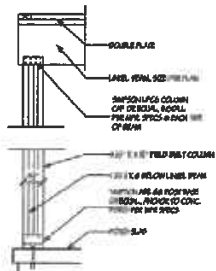


Brianna Claire Ramsey
NOTARY PUBLIC - STATE OF OHIO
My Commission Expires 8/19/29



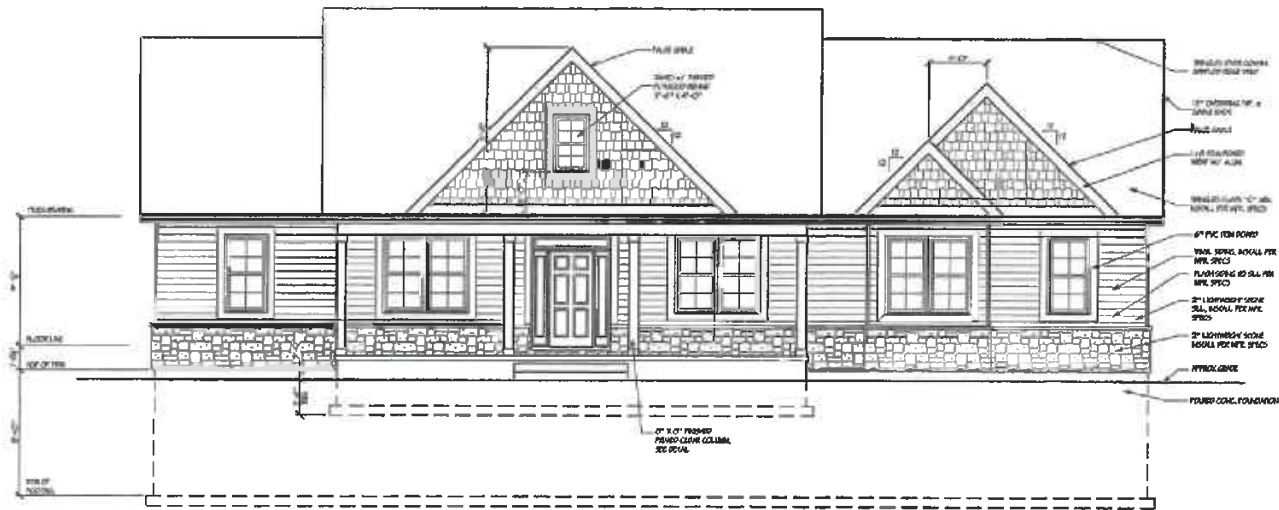
Porch Column Framing Section

Scale: 1 1/2" = 1'-0"



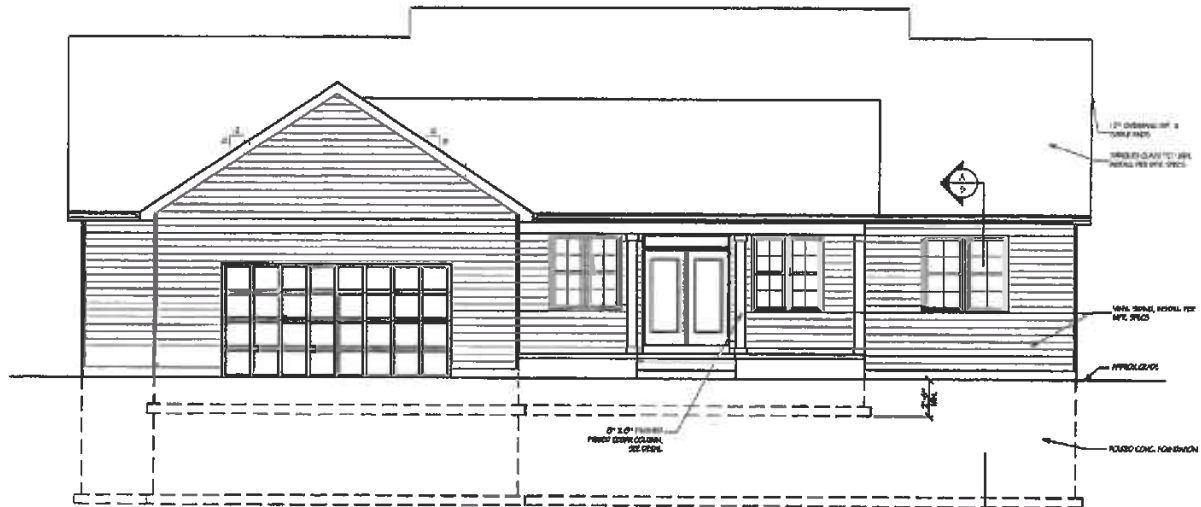
Porch Column Framing Detail

Scale 3/4" = 1'-0"



Front Elevation

Scale: 1/4" = 1'-0"



Rear Elevation

Scale: 1/4" = 1'-0"

Miller Designs, LLC
723 Nurbie Dr. Burlington, Ky, 41005
513-659-5586
rob@millerdsgns.com

Date
2-10-25

JACO Investment Properties, LLC
513-600-1961

MODEL HOME
Plans are Copyrighted and all rights reserved. Plans shall not be reproduced or copied without express written consent from Miller Designs, LLC.

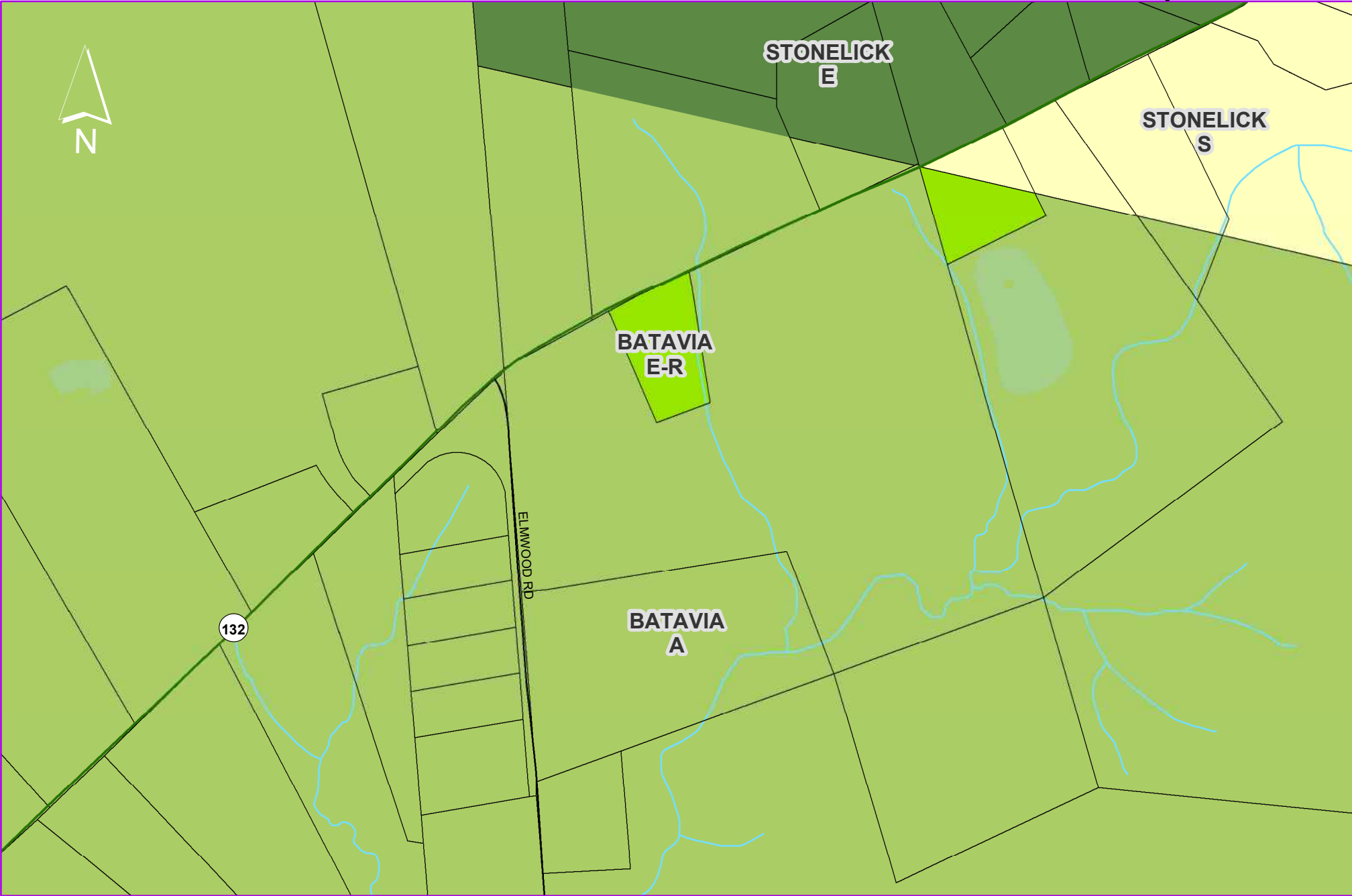
1
6

Lot #1



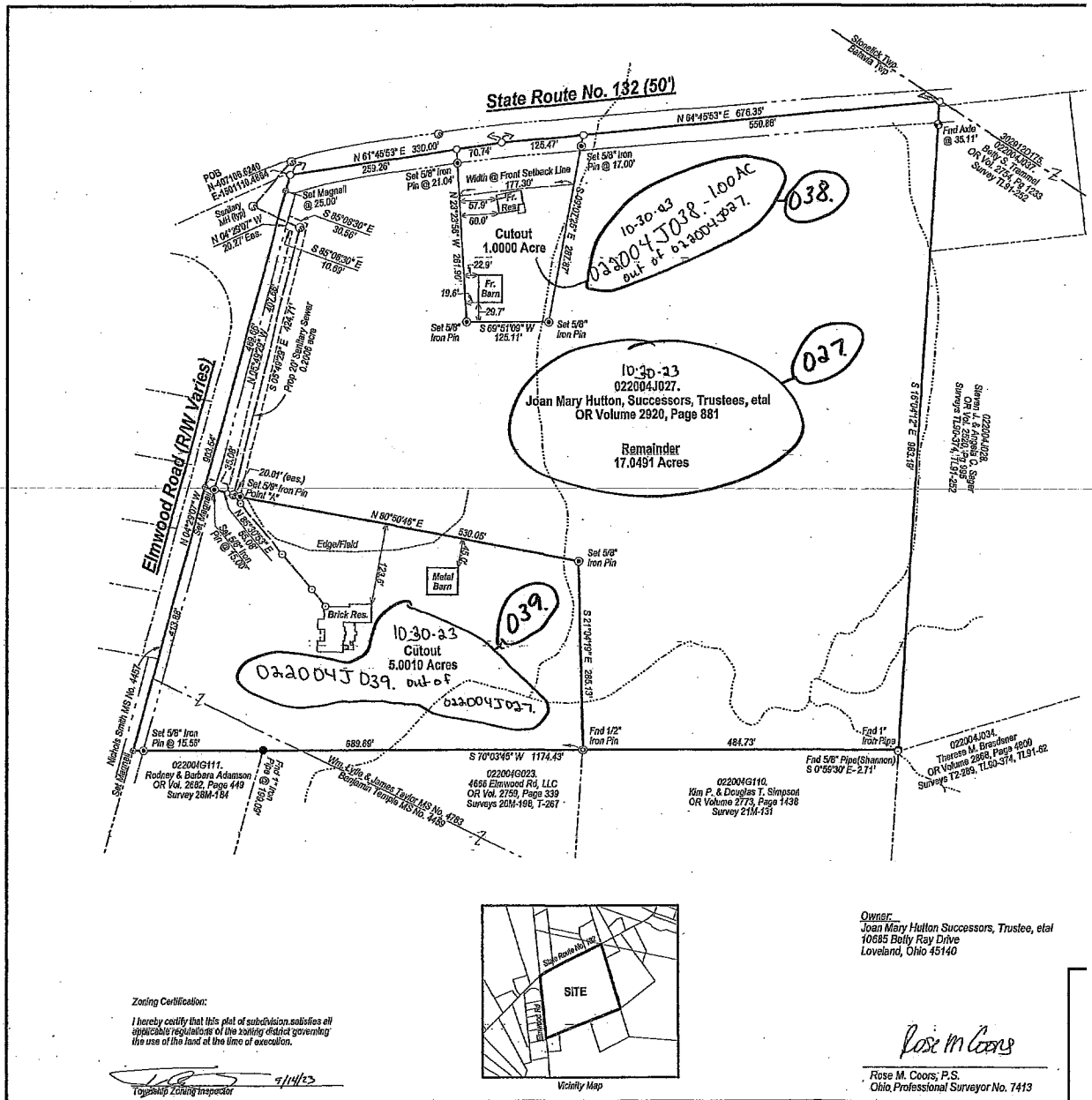
PROPERTY INFORMATION:
Parcel Number: 022004J038 & 022004J027
Total Site Area: +/- 18.05 ac.

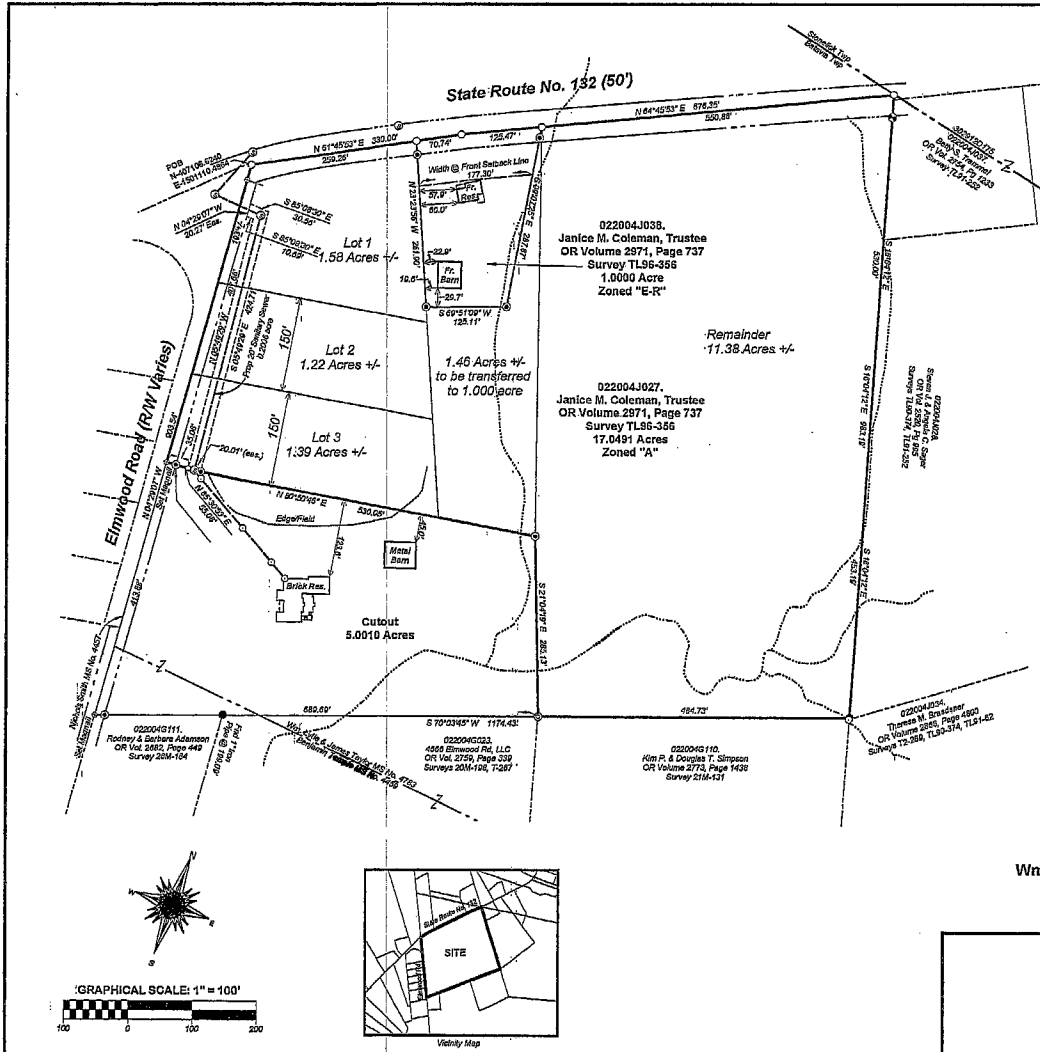




PROPERTY INFORMATION:
 Parcel Number: 022004J038 & 022004J027
 Total Site Area: +/- 18.05 ac.







1.0000 Acre lot is currently Zoned "E-R"
 17.0491 Acres is currently Zoned "A"

Current Zoning "A" - Agricultural
 Minimum Area: 3 Acres
 Minimum Lot Width at Bldg Line: 200'
 Minimum Front Yard Setback: 50'
 Minimum Side Yard Setback: 30'
 Minimum Rear Yard Setback: 60'

Current Zoning "E-R" - Estate Residential
 Minimum Area: 1 Acre
 Minimum Lot Width at Bldg Line: 150'
 Minimum Front Yard Setback: 50'
 Minimum Side Yard Setback: 25'
 Minimum Rear Yard Setback: 50'

- Township Zoning Inspector _____
- Clermont County Planning Department _____
- Clermont County Building Department _____
- Clermont County Engineer or ODOT _____
- Clermont County Sewer and Water Department _____
- Clermont County General Health District _____

Concept / Variance Plat
 in
 Wm. Lytle & James Taylor's Military Survey No. 4783
 Benjamin Temple Military Survey No. 4459!
 Batavia Township, Clermont County, Ohio



Gray P. Nichols, P.E.
 Ross M. Coore, P.E.
 P.O. Box 200
 4442 State Route 131
 Batavia, Ohio 45110
 (513) 726-2177

ARTICLE 14
E-R ESTATE RESIDENTIAL DISTRICT

14.01 PURPOSE

This district is designed to accommodate low density single-family residential development within urbanizing portions of the Township and within and adjacent to areas of similar development.

14.02 PRINCIPALLY PERMITTED USES

Principally permitted uses are as follows:

- A. Single-family dwellings.
- B. Agriculture; as per ORC 519.21 and as regulated in Section 7.31. (Under 5 Acres of land shall be limited to two head of livestock, excluding poultry).
- C. Type B Family Day Care Home.
- D. Adult Family Home or Small Residential Facility.

14.03 PERMITTED ACCESSORY USES

Permitted accessory uses are as follows, and in accordance with Article 7:

- A. Signs, as regulated by Article 40.
- B. Home occupations.
- C. Any use or structure customarily accessory and incidental to any of the permitted uses.

14.04 CONDITIONALLY PERMITTED USES

Conditionally permitted uses are as follows:

- A. Bed and Breakfast Facilities.
- B. Educational Institutions.
- C. Religious Places of Worship.
- D. Government Buildings.
- E. Non-Commercial Recreation Areas.

- F. Secondary Dwelling Units; as regulated in Article 7.
- G. Wireless Telecommunications Towers; as regulated in Section 7.12.
- H. Outdoor Stoves or Furnaces on lots three (3) acres or less; as regulated in Section 7.28.
- I. Small Wind Energy Conservation Systems on lots three (3) acres or less; as regulated in Section 7.29.

14.05 MINIMUM LOT AREA AND WIDTH

The minimum lot area for properties in the E-R Estate Residential shall be one (1) acre and a width of not less than 150 feet at the building setback line.

14.06 MINIMUM FRONT YARD SETBACK

The minimum front yard setback for properties in the E-R Estate Residential shall be 50 feet.

14.07 MINIMUM SIDE YARD SETBACK

The minimum side yard setback for properties in the E-R Estate Residential shall be 25 feet.

14.08 MINIMUM REAR YARD SETBACK

The minimum rear yard setback for properties in the E-R Estate Residential shall be 50 feet.

14.09 MAXIMUM HEIGHT REGULATIONS

The maximum height regulations for properties in the E-R Estate Residential shall be as follows:

- A. No principal structure shall exceed 40 feet in height.
- B. No accessory structure shall exceed 15 feet in height unless such structure is greater than 300-square feet, but in no case shall any accessory structure exceed the height of the principal structure on the lot.

14.10 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be required as is specified in Article 8, Off-Street Parking and Loading.