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Zoning Commission  
Meeting Minutes  
September 4, 2018  
6:30 p.m.

The Zoning Commission of Pierce Township, Clermont County, Ohio met in Regular Meeting at 6:30 p.m., on Tuesday, September 4, 2018, at the Pierce Township Administration Building, 950 Locust Corner Road.

**CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

Chair Dick Schuler called the meeting to order. Board members answering roll call: Ms. Karen Rebori, Mr. Paul Houston, Mr. Dick Schuler, Mr. Jeff Stitt, Mr. Stan Shadwell, and Ms. Donna Cann, Alternate. Township personnel who were also present: Mrs. Dani Speigel, Zoning Inspector and Ms. Loretta Rokey, Administrator.

**APPROVAL OF MINUTES**

**Approval of Minutes – August 7, 2018 – Public Hearings**

Mr. Stitt made a motion, seconded by Mr. Houston to approve the minutes of the August 7, 2018, Public Hearings of the Zoning Commission as submitted. Roll call on motion: All aye.

**Approval of Minutes – August 7, 2018 – Regular Meeting**

Mr. Stitt made a motion, seconded by Mr. Houston to approve the minutes of the August 7, 2018, Regular Meeting of the Zoning Commission as submitted. Roll call on motion: All aye.

**STAFF REPORT FOR CASE ZC2018-002 STILLMEADOW PHASE 2 – REVISION OF SITE PLAN**

Mrs. Speigel presented the staff report for Stillmeadow Phase 2 Revision of Site Plan. The Delta Business Group pulled the application from the Clermont County Planning Commission agenda for the month of August to make some small changes. Clermont County Planning stated that the revised plans must go through the same process before coming back to the Clermont County Planning Commission in September, so they are going through Pierce Township Zoning Commission for approval once again. The changes were made to the building sites on lots 2, 3, 4, 5, 6, 45 and 46. No lot lines were changed, just building sites. Delta Business Group is asking for the same waivers. She is working with Jay Stewart on the pool and pool house variance issue.

## **BOARD DISCUSSION**

The Board discussed the dimensions of the lots, waivers, HOA responsibility, variance for setback for relocation of the swimming pool, moving the pool behind the clubhouse, playground built for all, Inverness Builders built patio homes in Legendary Run, square footage of patio homes, executive homes, and basements.

Chairman Schuler stated and discussed each Zoning Commission member received a letter from Kurt Schaeffer regarding his concerns on Stillmeadow Phase 2 Revision of Site Plan.

## **PUBLIC COMMENT**

1. Ed - Country Club
  - Parking spaces for club house
  - Second access
2. Jo– Nicklaus Court
  - Pricing of current units
  - Cul-de-sacs
3. John– Nicklaus Court
  - Stormwater
4. Bob – Oakland Farm Drive
  - Impact on Nine Mile run off – needs diligence & hillside concerns
  - What level of risk the golf course will fail in future

## **BOARD DISCUSSION**

Chairman Schuler suggested Jeff Mazzaro come to a meeting to offer some insight on plans. The Board asked Delta Business Group, Mark Jaehnen if future buyers would be required to be a member of the golf course. He said no, but the HOA will be offering a social membership to the pool, clubhouse, and golf course at a reduced rate. With no guarantee of new members; owner is covering annual losses less than \$100,000 a year personally. These new social memberships would help cover losses. Some questions asked of the Zoning Commission related to County Utilities they could not answer; this is why the plans go to Clermont County Planning Commission for review and provide the Zoning Commission a staff report.

## **MOTION**

Mr. Stitt made a motion, seconded by Ms. Rebori to send case ZC2018-002 Stillmeadow Phase 2 to Clermont County Planning Commission for their review. Roll call on motion: All aye.

Board discussed approving a development to save an enterprise. Mr. Houston stated that it was not their role to approve a development to “save” a golf course. They must look at the merits of the proposal to develop homes. Mrs. Mazza (Country Club Drive) spoke about the planned unit development and asked about the public receiving notice of the public hearing. Mr. Schuler talked about public notice of public hearings. Mrs. Spiegel noted that a 10 day legal notice is required prior to the hearing date. Ms. Rokey talked about the zoning case (concept review stage) and the process of sending the proposal to the Clermont County Planning Commission for review before formal public hearings.

## **STAFF REPORT FOR CASE ZC2018-007 ZONE CHANGE 3664 LEWIS ROAD**

Mrs. Speigel presented the staff report for zone change for property located at 3664 Lewis Road. Mr. Neil Patel of 1259 White Oak Road Amelia, Ohio 45102 is requesting Parcel # 284723.08B. be rezoned from General Business District (GB) to Single Family Residential District (SFR). This parcel has 0.359 acres which is smaller than the required 0.459 acres for the Single Family Residential District. Mr. Patel wishes to build a single family dwelling on this parcel if the zone change is approved by the Pierce Township Trustees at a later date. No potential site plans have been given to Pierce Township at this time. Parcels to the north, south, and east are all zoned in the General Business District. Parcels to the west are all zoned Single Family Residential. There are single-family dwellings on the north, south, and west of this parcel and a mini-storage facility to the east. This parcel has been included in the request to remove the PUD-MU (Planned Unit Development-mixed use) which will go to a public hearing at a later date.

### **PRESENTATION OF APPLICANT – NEIL PATEL**

Mr. Patel stated he would like to build a single family (SFR) home on property; has lived in Pierce Township all his life and great place to raise a family. Mr. Patel would have to apply for a variance for a single-family residential home.

### **BOARD DISCUSSION**

The Board discussed the minimum acres of 0.459, buildable lot(s), does not meet the criteria of business district, variance would be needed, talked about all the properties north, south, east and west of the parcel, non-conforming use, has legal counsel given opinion on zone case, other property owners did not want to change zoning on parcel and spot zoning.

### **PUBLIC COMMENT**

None

### **MOTION**

Mr. Stitt made a motion, seconded by Mr. Houston to send case ZC2018-008 Zone Change to Clermont County Planning Commission for their review. Roll call on motion: Mr. Houston, yea; Ms. Rebori, yea; Mr. Shadwell, nay; Mr. Stitt, yea; Mr. Schuler, yea.

Mr. Shadwell stated he does not agree with changing of the parcel to SFR; he feels its spot zoning.

## **STAFF REPORT FOR CASE ZC2018-008 ZONE CHANGE PARCEL # 272802C006.**

Mrs. Speigel presented the staff report for zone change on parcel # 272802C006.. Pierce Township on behalf of New Richmond Development Corporation, LLC is requesting a zone change on parcel # 272802C006..The parcel is currently zoned as Single Family Residential (SFR) and Industrial (I) the Township is requesting the zoning to be changed to Industrial (I) District only, not split zoned. This property is part of the old Beckjord property and consists of 597.62 acres. To the north of the property is zoned Resort/Recreational (RR), south and east is zoned Single Family Residential (SFR), and west is in the Village of New Richmond. All set-back areas, excluding driveways, shall be landscaped with grass and landscaping in the Non-Residential Districts. Pierce Township believes that this parcel is better served having just one type of zoning on the parcel. Since the majority of the parcel is zoned Industrial (I) and slated for redevelopment, Pierce Township would like to place a JEDD on this property. Single Family Residential (SFR) or any type of Residential District cannot be a part of a JEDD.

**PRESENTATION FROM PIERCE TOWNSHIP STAFF**

Mrs. Rokey talked about the zone case with the condition of having the owner’s signature to move forward with the zone case, properties being included in a JEDD which single family resident or any residential district cannot be included in a JEDD, buffer zone between a business district to a residential district, township initiated the zone change due to discussion with property owner of placing a JEDD on the property and eliminate the split zoning on the parcel.

**BOARD DISCUSSION**

The Board discussed about the acres of the parcel, talks with the property owner of placing a JEDD on the property, split zoned property, process of why the auditor’s website shows different acres (a year behind) then what GIS shows as acres, and location of the 597.62 acres.

**PUBLIC COMMENT**

None

**MOTION**

Ms. Rebori made a motion, seconded by Mr. Houston to send case ZC2018-007 Zone Change based upon condition of the applicant signature to forward to Clermont County Planning Commission for their review. Roll call on motion: All aye.

**ADJOURNMENT**

At 8:20 p.m., Mr. Houston made a motion, seconded by Mr. Stitt that the Regular meeting be adjourned. Roll call on motion: All aye.

ATTESTED;

The foregoing minutes were approved by the Pierce Township Zoning Commission on October 2, 2018:

\_\_\_\_\_  
Dick Schuler, Chair  
Pierce Township Zoning Commission

\_\_\_\_\_  
Date