

BOARD OF TRUSTEES
Peter J. Kambelos, MD
Nicholas J. Kelly
Allen M. Freeman

Fiscal Officer
Debbie S. Schwey

Administrator
M. Tim Williams



950 Locust Corner Road
Cincinnati, Ohio 45245

(513) 752.6262
Fax # (513) 752.8981
www.piercetownship.org

PIERCE TOWNSHIP ZONING COMMISSION
Regular Meeting & Public Hearing
6:00pm
Tuesday May 7, 2024
AGENDA

I. Call to Order: Donna Cann, Chair of Zoning Commission

1. Roll Call: Mr. Schuler _____ Mr. Stitt _____ Ms. Benzing _____ Ms. Cann _____ Ms. Neal _____
Mr. Bergman _____ Ms. Cannon _____
2. Pledge of Allegiance
3. Approval of Meeting Minutes: March 5, 2023

II. Instructions from the Chairman:

- Anyone who wishes to speak during this Public Hearing (applicant, staff, and the public) must be sworn in. We will allow the public to speak at the appropriate time during this hearing following receipt of the staff report, presentation and questions from the Trustees.
- Oath taken by all attendees and staff wishing to speak during this hearing.

III. New Business:

1. ZC2024-001 A Zone Map Amendment Application to rezone approximately .39 acres at 40 Oak St Pierce Township, Ohio 45102 from Amelia Suburban Business (AS) to Residential R-1, submitted by applicant and owner(s) Adam and Courtney Huber.
 - a. Staff Presentation
 - b. Read the Planning Commission Recommendation into the Record
 - c. Presentation by the Applicant
 - d. Discussion by the Board
 - e. Open Public Comment
 - f. Close Public Comment
 - g. Deliberation
 - h. Motion to Recommend (Approval, Denial, Modification)

IV. Additional Business:

1. Pike With a Purpose report

V. Motion to adjourn:

VI. Meeting adjourned at:

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Zoning Commission
Regular Meeting
Tuesday March 5, 2024
6:00 p.m.

The Zoning Commission of Pierce Township, Clermont County, Ohio met in a Regular Meeting at 6:00 p.m., on Tuesday, March 5, 2024, at the Pierce Township Administration Building, 950 Locust Corner Road.

CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE

Chair Donna Cann led the meeting in the Pledge of Allegiance.

Chair Donna Cann called the meeting to order. Board members present: Mr. Jeff Stitt, Mr. Dick Schuler, Mr. Steve Bergman, Ms. Bev Benzing, Ms. Donna Cann, Ms. Catherine Neal, and Ms. Kristin Cannon. Personnel who were also present: Mr. Eddie McCarthy, Director of Community Development and Planning.

APPROVAL OF MINUTES

Mr. Stitt made a motion to approve the December 5, 2023 meeting minutes, seconded by Ms. Benzing. Roll call on motion: Mr. Stitt; aye, Mr. Schuler; aye, Ms. Benzing; aye, Ms. Cann; aye, Ms. Neal, aye.

NEW BUSINESS - ZC2024-001 40 OAK STREET ZONE MAP AMENDMENT

Mr. McCarthy discussed with the Zoning Commission the acceptance of a Zone Map Amendment Application to rezone approximately .39 acres at 40 Oak St Pierce Township, Ohio 45102 from Amelia Suburban Business (AS) to Residential R-1, submitted by applicant and owner(s) Adam and Courtney Huber. The Board discussed setting a public hearing for the proposed amendment.

Mr. Huber discussed the renovation project taking place at 40 Oak Street, and the goal to renovate the building into a Single-Family Dwelling.

ADDITIONAL BUSINESS

Mr. McCarthy discussed the upcoming "Pike with a Purpose" project taking place over a three-day period, which is a joint project launched between Pierce and Batavia Township to promote community input regarding cohesive development across the State Route 125 corridor.

ADJOURNMENT

Mr. Stitt made a motion to close the meeting at 6:17pm, seconded by Ms. Neal. Roll call on motion, all aye.

Donna Cann, Chair
Pierce Township Zoning Commission

Date

DRAFT

**Pierce Township
Zoning Commission
April 2, 2024
Case Number: ZC2024-001**

Morse House Map Amendment

Summary: A request for a Zone Map Amendment to rezone the property located at 40 Oak Street Pierce Township, Ohio 45102 (PID 290108.060.) from Amelia Suburban Business (AS), to – Residential (R-1). The site is known as the Morse House and is an historic structure built over 170 years ago. The site was utilized as a dwelling and the present owner intends to restore the structure and occupy the site as a residence.

Owner/Applicant: Adam and Courtney Huber

Property Location: 40 Oak St Pierce Township, Ohio 45102

Action Required: The Zoning Commission shall;

- 1) Consider the Planning Commission recommendation and read said recommendation into the record
- 2) Make a recommendation to the Board of Trustees regarding approval/denial/approval with conditions of the foregoing Map Amendment application in accordance with 3.06 of the Pierce Township Zoning Resolution.

Planning Commission Recommendation:

At their March 26th, 2024 meeting, the Clermont County Planning Commission voted to approve Case No. ZC2024-001 with the following condition(s):

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

Prepared By: Eddie F. McCarthy, Director of Community Development and Planning

Existing Conditions



A. Subject Property & Adjoining Zoning:

Site Area: .435 acres in area

Zoning: The subject site is presently zoned Amelia Suburban Business (AS)

Adjoining Site(s) Zoning: The site is bounded by R-2 (Amelia Residence), R-1 (Amelia Residence) and Amelia Suburban Business (AS) zoned properties

B. Subject Property & Adjoining Use(s):



Current Use: Vacant

- The site(s) to the north, west and east are vacant, while the site directly across the street is a Credit Union (Banking Facility).

C. Proposal:

The applicant/owner proposes to rezone the property from Amelia Suburban Business (AS) to R-1 (Amelia Residence) and utilize the site as a single-family dwelling. The applicant/owner has stated that they intend on living in the structure and restore the historic character of the site.

Uses permitted within the R-1 Zoning District are detailed in the Use Table, below:

**Pierce Township
Zoning Commission
April 2, 2024
Case Number: ZC2024-001**

TABLE 19.04-01: RESIDENTIAL USE TABLE			
Use	Zoning Districts		
P = Permitted Use PC = Permitted with Conditions CUP = Conditional Use Permit (Including Conditions)	R-1	R-2	Additional Regulations
Active Park and Recreational Facilities	PC	PC	4.04 A), 4.04 I)
Agricultural Uses	PC	PC	4.04 B), 20.30, 20.31
Bed and Breakfast Establishments	PC		4.04 C)
Cemeteries	PC	PC	4.04 D)
Conservation Subdivisions	PC	PC	Article 8
Day Care Homes (Type-B Family)	P	P	
Educational Facilities		PC	4.04 E), 20.24
Essential Services and Utilities	P	P	
Government and Public Uses	P	P	
Hospitals		PC	20.24, 20.29
Institutional Housing			4.04 F)
Passive Park and Recreational Facilities and Conservation Areas	P	P	
Private Recreational Facilities	PC	PC	4.04 I)
Recovery Housing		PC	4.04 J)
Religious Places of Worship		PC	4.04 K), 20.24
Residential Facility, Class 1		PC	4.04 L)
Residential Facility, Class 2 (Five or Fewer Individuals)		CUP	4.04 L)
Residential Facility, Class 2 (More than five individuals)		CUP	4.04 L)
Residential Facility, Class 3		CUP	4.04 L)
Single-Family Dwellings	P	P	
Telecommunication Towers	PC	PC	4.04 M)
Temporary Uses and Structures	PC	PC	9.02
Two-Family Dwellings	P	P	

Staff Analysis and Recommendation:

Staff has reviewed the foregoing application in accordance with **3.06 D) Review:**

Review Criteria: The following criteria shall be considered in decisions regarding zoning amendments:

- 1) The amendment is in accordance with the Pierce Township Land Use Plan, other adopted plans or policies of the Township, and this zoning resolution, as adopted by the Board of Trustees;
- 2) Where more than one zoning classification is available to implement the land use designation, the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon the policies of the Township.

Analysis: 1) The amendment is in accordance with the Pierce Township Land Use Plan, other adopted plans or policies of the Township, and this zoning resolution, as adopted by the Board of Trustees;

Land Use Plan Review: The 2023 Pierce Township Land Use Plan Documents generally support the aforementioned proposal.

- **Future Land Use Classification:** Suburban Commercial

The proposal is considered a “down zoning”, meaning it is being moved from a more intense classification (AS) Business that permits commercial use(s) to a less intense classification (R-1 Amelia Residence) focused primarily on residential use(s), single family dwellings etc. While the use proposed is not a suburban commercial business, 40 Oak St sits on the border of low intensity commercial use (Bank) and Residential/Vacant Site(s). This indicates that while a commercial use may have been tolerated, a residential use is lower impact and viable to invigorate the site. Activating and preserving this historic site via private investment is a suitable.

Pierce Township
Zoning Commission
April 2, 2024
Case Number: ZC2024-001

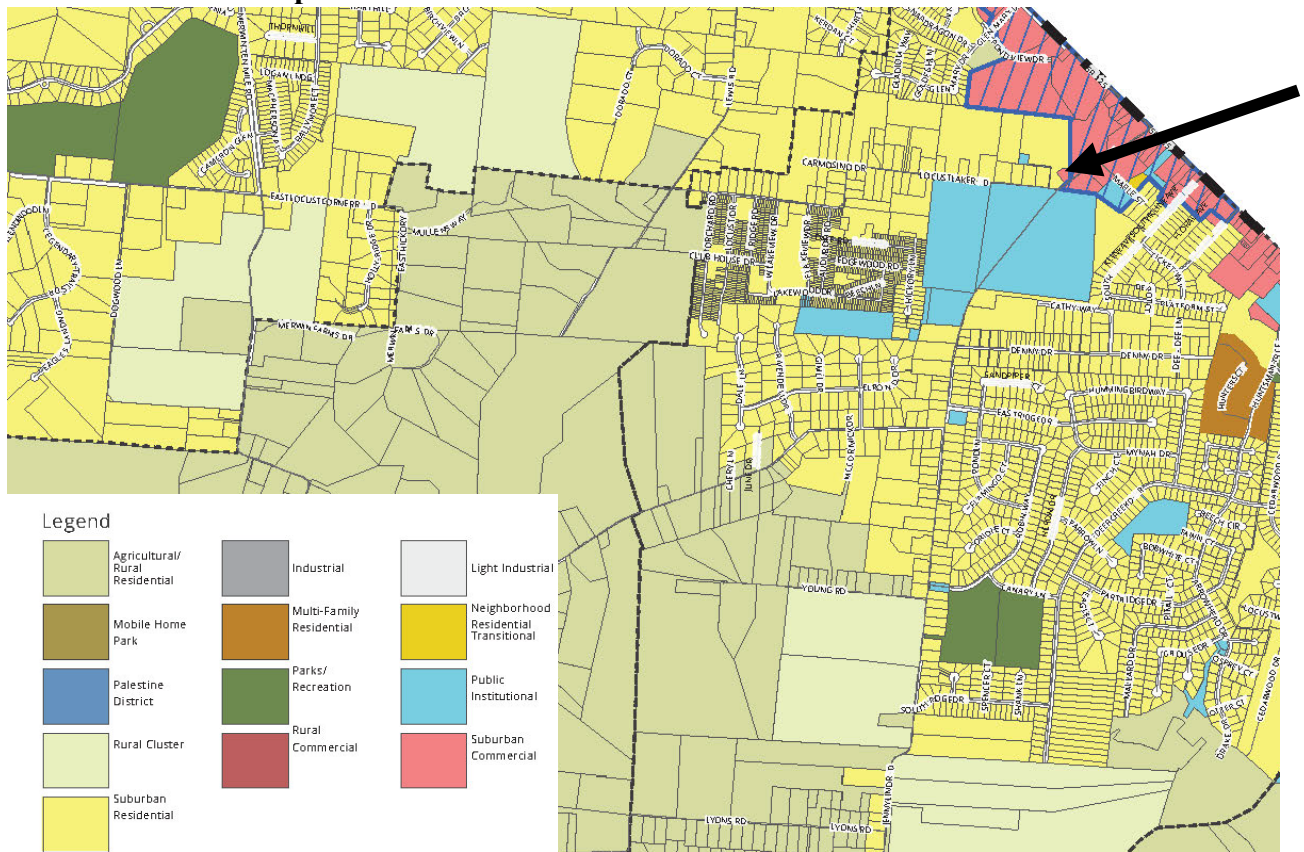
The subject site carries a Suburban Commercial designation, as do the site(s) across the street (Bank) and to the north. However, the site is also bordered by property carrying a Suburban Residential designation indicating a seamless transition.

(Morse Site) → Suburban Commercial: Land uses dedicated to commerce, including restaurants, retail, daycares, entertainment and similar uses that serve the community. These areas are intended to be walkable and prioritize serving pedestrians over vehicles. Some mixed use, including residential mixed use (6 Units/Acre) may be permitted in designated node areas, when built in conjunction with commercial uses and integrated seamlessly.

Suburban Residential: Areas predominantly single family residential in character, including appurtenant amenities and open space. Development should generally occur around 2 units/acre. Higher density development (up to 4 units/acre) may be permitted when creative design is promoted to produce additional amenities, additional natural space preservation and infrastructure permits.

**Pierce Township
Zoning Commission
April 2, 2024
Case Number: ZC2024-001**

Future Land Use Map



- **Goals/Policy/Action Compliance:**

- *Population & Housing*

- Goal: 2. Promote Development that will incorporate diverse styles and site designs.
 - Policy/Action: Support development that is creative, thematic and context sensitive
- Goal: 5. Enhance Township Branding
 - Policies/Action: 1.3 New Development will exemplify the Township's historic character

**Pierce Township
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April 2, 2024
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Land Use, Design and Economic Development

- Goal: 2. Improve Design/Aesthetics and Remove Blight
Policy: Promote high quality building architecture

Public Services

- Goal: 1. Reduce Blight and Maintain a Safe Community
Policy: Mitigate chipping paint, broken windows, deteriorating sites, roofing in disrepair et.al

Natural Resources, Environment and Preservation

- Goal: 5. Preserve and enhance the historic character of the Township
Policy/Actions: The Township will work with property owners and historical preservation organizations to identify properties, structures and areas of historical significance; initial sites may include the Morse House (The Morse House is one of a number of sites listed but is the only site listed for ease of presentation.)

Staff Comment: *The applicant/owner intends to restore the building to it's original use, while also preserving the historic character of the structure. Architecture, particularly high quality and Midwestern architecture reminiscent of the region were critical factors in the Land Use Plan. This particular proposal works to preserve and activate one of the oldest structures in the Township. Furthermore, the site is context sensitive, in that its low impact and residential character will blend seamlessly with the surrounding areas.*

While the structure in it's present form is not fully blighted, historic underinvestment and lack of use create a the risk that the structure could become blighted and a nuisance for residents.

Land Use (Other): Based upon discussion with the Emvasom team (290108.058.) (Property directly the west), there is a shared access easement (20') on site that the Emvasom team utilizes to access their property. Their preference is that access would continue to be permitted.

Analysis: 2) Where more than one zoning classification is available to implement the land use designation, the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon the policies of the Township.

Staff Comment: *The proposed classification is the least impactful designation available to site a residential use. The R-1 classification permits the least number of additional uses aside from single family residential. When compared to the R-2 District, one would note that Educational Facilities are permitted in the R-2 but not the R-1 for instance.*

It is critical to note that the site is adjacent to the proposed Zoning District, R-1, indicating that this is a seamless regulatory proposal and is in keeping with the spirit and intent of the Zoning Resolution.

Staff Summary & Recommendation:

The foregoing proposal complies with 5 Goals, as well as 5 Policies/Actions of the 2023 Land Use Plan and conflicts with none.

- Promotion of diverse styles and designs representative of the Midwest and region
- Promotion of historic preservation, specifically the Morse House as listed in the 2023 Land Use Plan
- Promotion of high quality building architecture
- Mitigation of existing/potential blight
- Promote cooperation between the Township and the community

The proposed designation of R-1 is the best suited designation to deploy a single family residence:

- The site is adjacent to an R-1 Zoning District
- The R-1 District allows the fewest uses and includes Single Family Residences

**Pierce Township
Zoning Commission
April 2, 2024
Case Number: ZC2024-001**

- The proposal to rezone in order to establish a single family is determined to have very low impact on the existing neighborhood

✓ 1) The amendment is in accordance with the Pierce Township Land Use Plan, other adopted plans or policies of the Township, and this zoning resolution, as adopted by the Board of Trustees;

✓ 2) Where more than one zoning classification is available to implement the land use designation, the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon the policies of the Township.

Staff Recommendation:

Based upon the Township Land Use Documents, review of impact(s) and character of the surrounding neighborhood, an R-1 Zoning District designation appears appropriate for this area.

Staff recommends the Zoning Commission consider recommending approving the foregoing application based on compliance with 5 Goals of the Land Use Plan, adjacency to R-1 Zoning District(s) & Suburban Residential Future Land Use (FLU) classification adjacency and including the following condition:

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

**Pierce Township
Zoning Commission
April 2, 2024
Case Number: ZC2024-001**

**Article 3: Development Review Procedures
3.06: Zoning Text and Map Amendments**

D) Review Criteria

The following criteria shall be considered in decisions regarding zoning amendments:

- 1) The amendment is in accordance with the Pierce Township Land Use Plan, other adopted plans or policies of the Township, and this zoning resolution, as adopted by the Board of Trustees;
- 2) Where more than one zoning classification is available to implement the land use designation, the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon the policies of the Township.



PIERCE Township

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Cincinnati, Ohio 45245

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APPLICATION FOR ZONING AMENDMENT

APPLICATION NUMBER: _____

NAME OF APPLICANT: Adam Huber

MAILING ADDRESS: 388 Chapel Rd Amelia OH 45102

PHONE: 513-703-0514 FAX NUMBER: _____

EMAIL: adam.m.huber@yahoo.com

If agent, please explain relationship (architect, lawyer): _____

Request zone change from: Amelia Suburban Business to Residential R1

Total Area: .435 Ac Acres

Addresses of property (if assigned): 40 Oak St Amelia OH 45102

List current owner of record, deed book and page and Auditor's parcel number of each parcel:

1. Adam and Courtney Huber, parcel number: 290108.060
2. _____
3. _____
4. _____
5. _____

Attach additional listings if needed

Applicant: Adam Huber (Adam Huber)

Owner: Adam Huber

Owner: Courtney Huber

Zoning Petition Request

We are requesting the zoning designation for the Morse House, located at 40 Oak St, Amelia, to be changed from its current status as Commercial to Single Family Residential. It is our intentions to return this historical home back to its original purpose as a residential property so that it can be put back on the tax roll as such.

Our scope of work for this project will be to make this into a three bedroom, one and half bath house. Currently there are no utilities ran to this property since it was moved in 1999. We will be tapping into city water and our scope of work includes installing a kitchen and half bath on the first floor and turning one of the second floor rooms into a full bath. Although there are no historical easements attached to this property, it is our intentions to approach this project as if there were. We will be restoring all of the original features of this home, and replicating the profiles of the trim and cabinetry where needed to repair or replace. The design scheme and color selection for this project will be time appropriate to this home's age of 174 years. We will be analyzing paint swatches and wood species left behind in the home, to incorporate into our final design selections.

It is our belief, that this historical building is best suited as a residential property and it will bring more value to the community and municipalities as such. We would greatly appreciate your consideration to change the Morse House designation.

7280-0044

P.L.N. NO.
29-01-08-058

Approved By: *Armen V. Vazir*
Resurrection # 2005-04 P-2-05
Armen V. Vazir
Mayor, Newark, Ohio

P.L.N. 28-28-078-113
RESURVEYED
08-12-80 PG.113

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E 147823.187

6" (PROJ)

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Clermont County GIS



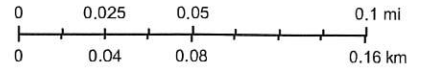
1/31/2024, 9:02:55 AM

Road Record

- State Highway Esmt
- Township Road
- Township Road Esmt
- Vacated
- Historical Markers
- East Fork Trails
- Back Pack Trail
- Kelly nature trails
- Mountain Bike Trail
- East Fork State Park
- Batavia-Williamsburg Bike Path
- Township

- Parcels
- Major Streams
- Lakes
- Streams
- Ponds

1:2,257



Clermont County Ohio
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Emvasom Inc
Mailing address: 224 West Main St
Amelia Oh, 45102
Parcel # 290108.058 40 Oak St
7.2 ac
Zoned R2
Deed book 2779
Deed page 2240
Transfer # 3759

Emvasom Inc
Mailing address: 224 West Main St
Amelia Oh, 45102
Parcel # 290108.012 34 Oak St
6.08 ac
Zoned R1
Deed book 2779
Deed page 2236
Transfer # 3781

Clermont County Teachers Federal Credit Union
Mailing address: po box 488
Amelia Oh, 45102
Parcel # 290108.031 39 Oak St
1.45 ac
Zoned commercial 444-C
Transfer #2459

Mark Oberton
Mailing address: 2889 S Dunham Rd
Amelia Oh, 45102
Parcel # 290108.042 35 Oak St
.93 ac
Zoned residential 520-R two family dwelling
Transfer # E2524

Adam and Courtney Huber
Mailing address: 388 Chapel Rd
Amelia Oh, 45102
Parcel # 290108.060 40 Oak St
.435 ac
Zoned Amelia Suburban Business
Deed book 2960
Deed page 4735
Transfer # 482



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON MARCH 26, 2024

CASE NO. ZC2024-001

REPORT DATE: 2024-03-21

APPLICANT:

Adam Huber
388 Chapel Road
Amelia, OH 45102

PROPERTY OWNER:

Adam Huber
388 Chapel Road
Amelia, OH 45102

PARCEL ID:

290108.060

ADDRESS OF REQUEST:

40 Oak Street, Amelia, OH 45102

REQUEST:

Requesting to rezone a parcel (290108.060) consisting of +/- 0.4 acres from the "AS" Amelia Suburban Business District to the "R-1", Amelia Residence 1 District.

HISTORY:

The current parcel houses the Morse House, which is one of the oldest buildings in Amelia, and was originally an inn, and a store.

CONTENTS OF REPORT:

Attachment A: Township Application
Attachment B: Parcel Map
Attachment C: Zoning Map
Attachment D: Proposal Map
Attachment E: Portion of the Pierce
Township Zoning Resolution

DEVELOPMENT PROPOSAL:

Per the application, the property owner (Adam Huber), requests to rezone a parcel (290708.060) consisting of +/- 0.4 acres from the "AS" Amelia Suburban Business District to the "R-1", Amelia Residence 1 District. The proposed zoning change is for the purposes of restoring the historic "Morse House" into a single family residential use. The applicant states their intent is to return this historical home back to its original purpose as a residential property. The Morse House was originally an inn and a store, it is important to the application that the proposed use of the structure is for a single-family residential dwelling unit. The piece of land has access to Oak Street.

The subject property is proposed to be a single-family residential use and is compatible with the adjacent land uses in the area on the same side of Oak Street. The subject property is wedged in between the R-1 and R-2 zoning districts, which both allow single-family and two-family dwellings as permitted uses. The R-1 zoning district also allows bed and breakfast establishments as a permitted use with conditions, which would allow for a similar use of the original use of the structure as an inn without a store. Across the street, the land is in the AS Amelia Suburban Business District.

The surrounding land is composed of single-family residential, a retail financial institution, and vacant forested land. The land is located approximately 0.2 miles away from State Route 125 which is the location of the old Amelia Village Center and includes many commercial land uses.

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

Pierce Township has their 2023 Land Use Plan which designates this area as suburban commercial but outside of the Downtown Overlay District. The proposed change in the zoning district would align this land with the suburban residential area located just outside of the Downtown Overlay District.

The subject property is located in the Amelia Neighborhood of the Township and is suburban in nature but is slightly denser than many other neighborhoods in the area. A guiding principle for the Township is that housing design variety should be emphasized in both architecture and supply for varied ages and groups. The conversion of the Morse House to a single-family residence will be a unique style of homes in the area in terms of its historical nature.

The subject property is located in the suburban commercial area of the Township, but is adjacent to the suburban residential area according to the Future Land Use Map. The language for these areas is below:

Suburban Residential: Areas predominantly single family residential in character, including appurtenant amenities and open space. Development should generally occur around 2 units/acre. Higher density development (up to 4 units/acre) may be permitted when creative design is promoted to produce

additional amenities, additional natural space preservation and infrastructure permits.

Suburban Commercial: Land uses dedicated to commerce, including restaurants, retail, daycares, entertainment and similar uses that serve the community. These areas are intended to be walkable and prioritize serving pedestrians over vehicles. Some mixed use, including residential mixed use (6 Units/Acre) may be permitted in designated node areas, when built in conjunction with commercial uses and integrated seamlessly.

One of the goals of the Population and Housing section of the plan is to promote walkable neighborhoods that blend with nature. This piece of land is next to a key site in Pierce Township called the Emvasom site, which is identified as an opportunity to create a mixed use development which should be designed to be walkable and pedestrian oriented. In this case, with the subject property being located adjacent to this site and closer than a quarter of a mile from the Downtown Overlay District, it would be fairly walkable by the location alone. This key site calls for residential mixes and the renovated Morse House would create a unique residence on the border of the Downtown Overlay and Suburban Residential areas of the Township.

A goal in the Land Use, Design, and Economic Development section of the Land Use Plan is to “Promote commercial development in key nodes areas. This goal would not be met if the subject property would be rezoned to a residential zoning district. The Future Land Use Map does indicate this as a Suburban Commercial area, so it is possible that this conversion to residential will contradict the future land use plan from 2023. An alternative to the rezoning of the parcel, would be a text amendment to allow some residential uses in the “AS” Amelia Suburban Business District as conditional uses, this would require some significant changes to the zoning resolution and would require conditions to be met and a public hearing regarding any residential land uses being proposed in Amelia, it could also create a more walkable “downtown” feel to the Amelia Neighborhood.

In the Pierce Township Zoning Resolution, the “R-1” and “R-2” zoning districts both allow one and two family dwellings as permitted uses by right. The “R-1” and existing “AS” zoning districts allow bed and breakfast establishments as permitted uses with conditions where the “R-2” does not. Finally, the “AS” zoning district does not allow any residential uses at all. The proposed land use of a single-family residential dwelling is compatible with the Future Land Use Plan and some goals of the 2023 Land Use Plan, however, the zoning resolution is not as flexible in terms of residential land uses.

A SEGMENT OF THE PIERCE TOWNSHIP ZONING RESOLUTION:

Pierce Township Zoning Resolution **Article 18: Historical Amelia Zoning Districts**

18.04: R-1 Amelia Residence I District (R-1)

- A. *Size of Lots. The area of any lot or parcel of land shall not be less than:*

1. *Single Family: 21,780 square feet*
 2. *Two Family: 15,000 square feet/unit*
- B. *Yards. There are three classifications of yards - front, rear and side:*
1. *Front. There shall be a front yard of 25 feet minimum depth.*
 2. *Rear. There shall be a rear yard of 40 feet minimum depth for principal structures*
 3. *Side. There shall be side yards a minimum of 20 feet in width for principal structures*
- C. *Max Building Height: 35'*
- D. *Minimum Lot Frontage: 25'*
- E. *Lot width at the building line: Minimum of 100'*

The rest of Article 18 is located as an additional attachment.

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)		
Soil and Water Conservation District (SWCD)		
Ohio Department of Transportation (ODOT)		
School District		

REFERRAL AGENCIES' COMMENTS:

Community and Economic Development Comments:

-

Engineer's Office Comments:

- Engineering has no objections or comments at this time.

Water Resources Department Comments:

- No comments.

Water Management & Sediment Control Comments:

ODOT Ohio Department of Transportation Comments:

- The subject property is not located on a state route.

STAFF ANALYSIS:

Following a comprehensive analysis, staff has evaluated Pierce Township Zoning Map Amendment Case ZC2024-001 and its request to rezone a parcel (290108.060) consisting of +/- 0.4 acres from the "AS" Amelia Suburban Business District to the "R-1", Amelia Residence 1 District. While the request meets some of the goals of the 2023 Pierce Township Land Use Plan, it does not meet others. If the commission were to rezone the parcel it would the proposed renovation to the Morse House would be permitted, as well as other residential land uses. Due to the proximity of the R-1 District in the area, this may not be out of place, however, the Land Use Plan indicates this area as on the edge of the Suburban Commercial Area and Suburban Residential Area. A rezone to the "R-1" zoning district would allow for the current proposal as a single-family dwelling, the current "AS" zoning district may be more in line with the Future Land Use Plan of the Township. Due to the current proposal and renovation of the historical structure, staff sees this as a possibility to redevelop a property that would work well with the surrounding land uses currently, and in accordance with future developments.

STAFF RECOMMENDATION:

Based on the staff analysis in the following report, the following motion is recommended, **RECOMMEND APPROVAL WITH CONDITIONS** of Pierce Township Zoning Map Amendment Case ZC2024-001 requesting to rezone a parcel (290108.060) consisting of +/- 0.4 acres from the "AS" Amelia Suburban Business District to the "R-1", Amelia Residence 1 District.

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

Attachment A



PIERCE Township

950 Locust Corner Road
Cincinnati, Ohio 45245

(513) 752.6262
Fax # (513) 752.8981
www.piercetownship.org

APPLICATION FOR ZONING AMENDMENT

APPLICATION NUMBER: _____

NAME OF APPLICANT: Adam Huber

MAILING ADDRESS: 388 Chapel Rd Amelia OH 45102

PHONE: 513-703-0514 FAX NUMBER: _____

EMAIL: adam.m.huber@yahoo.com

If agent, please explain relationship (architect, lawyer): _____

Request zone change from: Amelia Suburban Business to Residential R1

Total Area: .435 Ac Acres

Addresses of property (if assigned): 40 Oak St Amelia OH 45102

List current owner of record, deed book and page and Auditor's parcel number of each parcel:

1. Adam and Courtney Huber, parcel number: 290108.060
2. _____
3. _____
4. _____
5. _____

Attach additional listings if needed

Applicant: Adam Huber (Adam Huber)

Owner: Adam Huber

Owner: Courtney Huber

Note: Application is not complete until all information is received as required by the Zoning Resolution and Ohio Revised Code

Zoning Petition Request

We are requesting the zoning designation for the Morse House, located at 40 Oak St, Amelia, to be changed from its current status as Commercial to Single Family Residential. It is our intentions to return this historical home back to its original purpose as a residential property so that it can be put back on the tax roll as such.

Our scope of work for this project will be to make this into a three bedroom, one and half bath house. Currently there are no utilities ran to this property since it was moved in 1999. We will be tapping into city water and our scope of work includes installing a kitchen and half bath on the first floor and turning one of the second floor rooms into a full bath. Although there are no historical easements attached to this property, it is our intentions to approach this project as if there were. We will be restoring all of the original features of this home, and replicating the profiles of the trim and cabinetry where needed to repair or replace. The design scheme and color selection for this project will be time appropriate to this home's age of 174 years. We will be analyzing paint swatches and wood species left behind in the home, to incorporate into our final design selections.

It is our belief, that this historical building is best suited as a residential property and it will bring more value to the community and municipalities as such. We would greatly appreciate your consideration to change the Morse House designation.



 **CLERMONT COUNTY OHIO**
Grow here

PROPERTY INFORMATION:
Parcel Numbers: 290108.060
Total Site Area: +/- 0.4 ac.

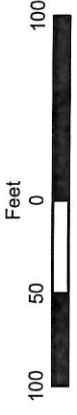




PROPERTY INFORMATION:

Parcel Numbers: 290108.060

Total Site Area: +/- 0.4 ac.



Clermont County GIS



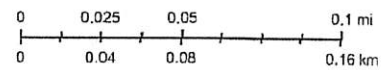
1/31/2024, 9:02:55 AM

1:2,257

Road Record

- State Highway Esmt
- Township Road
- Township Road Esmt
- Vacated
- Historical Markers
- East Fork Trails
- Back Pack Trail
- Kelly nature trails
- Mountain Bike Trail
- East Fork State Park
- Batavia-Williamsburg Bike Path
- Township

- Parcels
- Major Streams
- Lakes
- Streams
- Ponds



Clermont County Ohio
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User
 Community

Emvasom Inc

Mailing address: 224 West Main St
Amelia Oh, 45102

Parcel # 290108.058 40 Oak St

7.2 ac

Zoned R2

Deed book 2779

Deed page 2240

Transfer # 3759

Emvasom Inc

Mailing address: 224 West Main St
Amelia Oh, 45102

Parcel # 290108.012 34 Oak St

6.08 ac

Zoned R1

Deed book 2779

Deed page 2236

Transfer # 3781

Clermont County Teachers Federal Credit Union

Mailing address: po box 488
Amelia Oh, 45102

Parcel # 290108.031 39 Oak St

1.45 ac

Zoned commercial 444-C

Transfer #2459

Mark Oberton

Mailing address: 2889 S Dunham Rd
Amelia Oh, 45102

Parcel # 290108.042 35 Oak St

.93 ac

Zoned residential 520-R two family dwelling

Transfer # E2524

Adam and Courtney Huber

Mailing address: 388 Chapel Rd
Amelia Oh, 45102

Parcel # 290108.060 40 Oak St

.435 ac

Zoned Amelia Suburban Business

Deed book 2960

Deed page 4735

Transfer # 482

Article 18: Historical Amelia Zoning Districts

18.01: Zoning Districts Created

A. The following zoning districts are hereby created:

- R-1 - Amelia Residence 1
- R-2 - Amelia Residence 2
- API – Amelia Public Institutional District
- AN-Amelia Neighborhood Business District
- AS-Suburban Amelia Business District
- AI – Amelia Industrial District
- PUD – Planned Unit Development
- PUD-R – Residential Planned Unit Development
- D-OD – Downtown Overlay District

These districts are shown on the Official Zoning Map which is part of the zoning resolution.

- B. Overlay districts.** Overlay districts are zoning tools used for dealing with unique situations or accomplishing special planning and zoning goals. Overlay districts may be created where the land use regulations and associated development standards of the underlying zoning districts are deemed inadequate to be effective. As the name implies, overlay zoning districts are "overlaid" on top of base zoning districts. The overlay district alters or adds to the zoning requirements of the base zoning district or districts. Overlay districts are shown on the official Zoning Map as dashed lines labeled with the overlay map designation or with the overlay district name. Overlay districts shall be given a two-letter designator that follows the designation of the underlying base zoning district. For example, a lot located in the Amelia Neighborhood Business District and in the Downtown Overlay District shall have the zoning designation of AN-DO.

- D-OD – Downtown Overlay District

18.02: Compliance with Regulations

The regulations for each district set forth by this chapter shall be a minimum regulation and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

- A.** No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except conformity with all of the regulations herein specified for the district in which it is located;
- B.** No building or other structure shall be erected or altered;
 - 1)** To provide for greater height or bulk;

- 2) To accommodate or house a greater number of families;
 - 3) To occupy a greater percentage of lot area;
 - 4) To have narrower or smaller rear yards, front yards, side yards, or other open spaces; than herein required, or in any other manner by contrary to the provisions of this chapter.
- C. No yard or lot existing at the time of passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this chapter shall meet at least the minimum requirements set forth herein.
- D. Names for subdivisions and streets shall neither duplicate nor too closely approximate, phonetically or in spelling, the name of any other subdivision or street in the service area of the Amelia Post Office. The Zoning Commission reserves the right to restrict the use of historic place names or other names which should be restricted for public use.

18.03: Official Schedule of District Regulations Adopted

District regulations shall be as set forth in Article 18 hereby adopted and declared to be part of this chapter and in the chapter, "Historical Amelia Supplementary District Regulations."

18.04: R-1 Amelia Residence 1 District (R-1)

- A. *Size of Lots.* The area of any lot or parcel of land shall not be less than:
- 1) Single Family: 21,780 square feet
 - 2) Two Family: 15,000 square feet/unit
- B. *Yards.* There are three classifications of yards - front, rear and side:
- 1) *Front.* There shall be a front yard of 25 feet minimum depth.
 - 2) *Rear.* There shall be a rear yard of 40 feet minimum depth for principal structures
 - 3) *Side.* There shall be side yards a minimum of 20 feet in width for principal structures
- C. Max Building Height: 35'
- D. Minimum Lot Frontage: 25'
- E. Lot width at the building line: Minimum of 100'

18.05: R-2 Amelia Residence 2 District (R-2)

- A. *Size of lots.* The area of any lot or parcel of land shall not be less than:
- 1) Single Family: 21,780 square feet

- 2) Two Family: 10,000 square feet/unit
- B. Yards.** There are three classifications of yards - front, rear and side.
- 1) Front. There shall be a front yard of 25 feet minimum depth.
 - 2) Rear. There shall be a rear yard of 40 feet minimum depth for principal structures
 - 3) Side. There shall be side yards a minimum of 20 feet in width for principal structures
- C. Height.** Single Family and Two-Family Structures shall not exceed 45'
- D. Minimum Lot Frontage:** 25'
- E. Lot width at the building line:** 100'

18.06: Amelia Public Institutional (API)

- A. Purpose:** The intent of this district is to allow for public and semi-public uses such as governmental buildings, parks, natural spaces(s) and limited intensity institutions such as libraries and museums. Uses in this classification are intended to serve the general public as communal facilities.
- B. Size of lots.** N/A
- C. Yards.** The classification for yards shall be as follows:
- 1) Front. There shall be a front yard 25 feet in depth. The front yard depth may be reduced by the Zoning Commission in accordance with the Comprehensive Plan, where area improvements have been or are proposed to be made.
 - 2) Rear. There shall be a rear yard of 40 feet in depth.
 - 3) Side. There shall be no side yard requirements. However, side yard setbacks shall be a minimum of 15 when adjacent to a residential use or equal to the side yard setback in the abutting residential district, whichever is greater.
- D. Height.** No building shall exceed three stories or 45 feet in height.
- E. Minimum Lot Frontage:** 25'

18.07: Amelia Neighborhood Business District (AN)

- A. Purpose:** The Amelia Neighborhood Business District is intended to accommodate a variety of commercial uses generally serving the local and regional community, public use and limited residential uses above the first story in a pedestrian oriented setting, featuring numerous access points and routes. Vertical mixed-use is emphasized in this district.

- B. Size of lots. The area of any lot or parcel of land shall not be less than 43,560 square feet, unless sewer is utilized on site.
- C. Yards. The classification for yards shall be as follows:
 - 1) Front. There shall be a front yard 25 feet in depth.
 - 2) Rear. There shall be a rear yard of 40 feet in depth.
 - 3) Side. There shall be no side yard requirements. However, side yard setbacks shall be a minimum of 15' when adjacent to a residential use or equal to the side yard setback in the abutting residential district, whichever is greater.
- D. Height. No building shall exceed three stories or 45 feet in height.
- E. Minimum Lot Frontage: 25'

18.08: Amelia Suburban (AS)

- A. Purpose: The Amelia Suburban District is intended to allow for more regional focused commercial uses along the periphery of the downtown core area(s).
- B. Size of lots. The area of any lot or parcel of land shall not be less than 43,560 square feet
- C. Yards. The classification for yards shall be as follows:
 - 1) Front. There shall be a front yard not less than 25 feet in depth.
 - 2) Rear. There shall be a minimum rear yard of 20 feet in depth. However, no commercial building shall be closer than 50' to a residential use or residential zone
 - 3) Side. There shall be no side yard requirements. However, no primary commercial building(s) shall be closer than 50' to any residential use or residential zone;
- D. Height. No structure shall exceed four stories or 60 feet in height.
- E. Minimum Lot Frontage: 50'

18.09: Amelia Industrial District (AI)

- A. Purpose: The Amelia Industrial District (AI) is intended to provide for areas of land where the principal uses are industrial uses that require special buffering and setback regulations to mitigate adverse impacts including noise, odors, and related impacts.
- B. Yards. All structures in the AI shall comply with the following:
 - 1) Front. There shall be a front yard not less than 25 feet in depth.
 - 2) Rear. There shall be a rear yard of 40 feet in depth for all structures.

- 3) Side. There shall be no side yard requirements. However, no industrial building, including accessory structures may be located within 100 feet of an adjacent residential district.
- C. Green belt. In addition to the above yard requirements the Zoning Administrator may require a green belt as a buffer on the perimeter of the industrial use when abutting residential or commercial uses. If required, the green belt will be maintained with no driveways or parking permitted in the green area. The green belt may contain mounding, planting and fences as screening for the industrial use.
- D. Height. No structure shall exceed 60'; There shall be an additional 1' setback in the front, side and rear for each 2' above 45'.
- E. Minimum Lot Frontage: 50'

18.10: Downtown Overlay District

A. Purpose.

- 1) To enhance property values, protect property rights, stabilize and improve downtown and adjacent neighborhoods, and increase economic and financial benefits to Historical Amelia businesses and inhabitants.
- 2) To create a vibrant community focal point through innovative and creative site design and architecture consistent with the previously adopted Township Plan(s).
- 3) To encourage new development at appropriate locations in a manner consistent with desired architectural and urban design guidelines.
- 4) To promote developments where the physical, visual and spatial characteristics are established and reinforced through the consistent use of compatible urban design and architectural design elements.
- 5) To prohibit or restrict uses that are disruptive to pedestrian activities and have as their principal function the sale and services of motor vehicles, such as automobile service stations, auto parts retail stores, car washes, new and used motor vehicle sales or service establishments.
- 6) To discourage residential uses in a primarily business district and environment.

B. Creation and boundaries. The boundaries of the district are depicted on the Official Zoning Map

C. Effect of Downtown Overlay Designation. The Downtown Overlay District regulations apply in combination with the underlying base zoning district regulations and all other applicable standards of this Zoning Resolution. When Downtown Overlay District standards conflict with the underlying base zoning district regulations and other standards of this Zoning Resolution, the regulations of the Downtown Overlay District will apply.

- D.** Permitted uses. Within the Downtown Overlay District, no building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for uses permitted in the underlying zoning district with the following additional provision:
- 1) Residential uses, as a component of mixed usage, are permitted on the 2nd floor and above in all underlying districts in compliance with 20.25 and 20.34
- E.** Prohibited uses. The following uses are prohibited in the D-0 Downtown Overlay District including:
- 1) *Vehicle sales, rental and services.*
 - 2) *Equipment sales, rental and services.*
 - 3) *Auto repair and body shops.*
 - 4) *Automobile washing facilities.*
 - 5) *Automobile service stations.*
 - 6) *Vehicle storage.*
 - 7) *Residential uses on the first floor*
 - 8) *Outdoor sales or storage.*
 - 9) *Gas stations.*
 - 10) *Bars/night clubs.*
 - 11) *Industrial Use(s)Storage facilities*
- F.** Grandfathered uses. Any building (residential or commercial) may be rebuilt on its original footprint as noted prior to adoption of the Downtown Overlay district. Exterior of any rebuild should conform with the aesthetics portion of the Overlay district and must be approved by the Zoning Commission to ensure compatibility with current standards wherever feasible.
- G.** Development standards. Good urban design is paramount to the success of the Downtown Overlay District. Particular attention must be paid to the architecture, scale and placement of buildings in mixed use environments. Downtown Overlay District developments must incorporate the reasonable site development standards articulated in this section.
- 1) Building placement.

- a) New buildings may have at least a 20-foot front setback or build to line. Zoning Commission may allow relief from the front yard setback requirement when the street or sidewalk is already widened or when a formal pedestrian plaza or sidewalk is provided in accordance with the Comprehensive Plan.
 - b) The minimum side yard setback requirement is zero feet to allow for a continuous downtown street wall.
- 2) Maximum floor area. The gross floor area of any single structure or single business space shall not exceed 10,000 square feet, or an area deemed appropriate by the Zoning Commission through site plan review.
- 3) Building architecture.
- a) Franchise architecture. No building or addition constructed in the Downtown Overlay District should be designed with or modeled after franchise-or formula-based architecture. All buildings and/or new structures are encouraged to be an original design unique only to the Downtown Overlay District. This development standard does not prohibit the use of franchise trademarks, symbols or standard signage.
 - b) Building materials. As a way of creating a unifying visual appearance for the district, the design of newer buildings with dominant masonry materials is desired along the front and sides of the building, or any façade that can be easily seen from a street that the building has frontage on. Additions to existing structures should match the building materials and colors of the existing structures to the extent possible. Materials such as split, burnished, or smooth concrete masonry units, stucco, wood, or metal should be used only to accent the architectural character of the building.
 - c) Fenestration. All facades visible from the street should be glazed with transparent glass. The ground level should be transparent with a minimum of 50% clear glass. Upper floors should have a minimum of 25% and a maximum of 60% clear glass. Butt-joint glazing is prohibited.
 - d) Roof Forms. Mixed-use structures of two or more stories should be consistent with the roof form of existing historical multistory structures. New one-story structures should have a pitched roof to add height to the structures and fit in better with the neighborhood. Unusual roof forms such as mansards that do not already exist should be avoided. Decorative parapets shall be incorporated on any façade facing a public street when a flat roof is utilized.
 - e) Building rhythm and Articulation.

- i. Buildings should be designed to reflect the characteristic rhythm of traditional facades with repetitive use and positioning of building materials that provide discrete bay appearances. The façade can be treated with breaks, indentations, or façade recesses or protrusions that help to break up the mass of the building at an interval of 40 feet or less.
 - ii. Proper spacing of windows and doors, recesses and protrusions, columns and pilasters or other elements should be used to further break-up the massing of building elevations facing public streets.
 - iii. Building proportion is the relationship of width to height. The proportions of a new building should be respectful of the overall proportions in the immediate vicinity.
 - iv. The size and proportion of window and door openings should be consistent with traditional multi-story, mixed-use buildings.
 - v. The composition of the building's facade (that is, the organization of its parts) should incorporate the traditional commercial building elements of storefront and upper façade.
- 4) Parking.
 - a) Location. Off-street parking areas should be located in side and rear yards. Limited Front Yard parking may be permitted but will be reviewed by the Zoning Commission on a case-by-case basis.
 - b) Screening. Parking lots located in any side or rear yard that are visible from adjacent road rights-of-way should be screened by a 30-inch-high decorative masonry wall, dense evergreen landscaping or ornamental fence such as wrought iron.
 - c) Size. No off-street parking lot area shall exceed one acre in size.
- 5) Equipment placement and screening. Equipment that is needed to support common business operations may be integrated into the building design as long as such items can be screened from the public realm.
 - a) Mechanical equipment such as transformers, compressors, HVAC systems, chillers and communications equipment shall be located on the top or rear of buildings and appropriately screened from pedestrian rights-of-way, adjacent property, and road rights-of-way.
 - b) Ground- or wall-mounted equipment shall be screened with planting beds, evergreen plantings, low masonry walls, or any combination thereof. Roof-mounted equipment shall be screened from public view and from adjacent property. The screening treatment shall be integrated with the overall building design with the use of complementary materials, colors and architectural style.
 - c) Window air-conditioning units shall not be allowed on any building wall visible from a public street.

- d) Pipes, conduit, and cables are limited to the back facade of buildings if conditions do not allow for them to be enclosed within the building itself. They shall be located as far away from public view as practical.
 - e) Trash receptacles shall be located in rear yards only and be completely screened with evergreen landscaping, an opaque fence, a masonry wall, or a combination thereof.
- 6) Signage. No sign shall be erected in the Downtown Overlay District unless it meets the requirements of Article 22 and in accordance with the following
- a) Pole sign(s) shall not permitted
 - b) Billboards shall not be permitted
- H. The Zoning Commission may waive or vary regulations, excluding expressly prohibited use(s), when the following are found:
- 1) The waiver enables a proposal to better comply with adopted Township Planning Documents.
 - 2) The health, safety and welfare of the community are protected and/or enhanced.

18.11: Planned Unit Development District(s)

- A. The Planned Unit Development(s) set forth in Article 7, including district types, standards procedures et.al of this Zoning Resolution shall apply to all parcels located in a Historical Amelia Zoning District however;
- B. Any Preliminary Development Plan approved prior to November 25, 2019 shall continue to develop under the applicable standards and processes set forth under this zoning resolution and shall remain valid for a period of 2 years beginning upon August 12, 2020.
- C. In the event a valid Preliminary Development Plan expires under the Amelia Zoning Code standards, the expired Plan shall be considered for an extension consistent with Article 7 of this zoning resolution.
- D. In the event a valid Final Development Plan expires under the Amelia Zoning Code standards after a one-year period, the expired Final Development Plan shall be considered null and void.
- E. The zoning moratorium time period enacted on November 13, 2019 by the Pierce Township Trustees shall not be included in the calculation of the expiration period. Upon the removal of the zoning moratorium, the expiration time shall continue to run.
- F. In the event of any expired Preliminary Development Plan, an applicant may submit a new Preliminary Development Plan in accordance with Article 7 of the Pierce Township Zoning Resolution.

