



**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

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***TOM ARISS***

***PAT ARNOLD SOUTH***

***DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS  
WARREN COUNTY, OHIO**

**MINUTES: Regular Session – April 5, 2011**

The Board met in regular session pursuant to adjournment of the March 29, 2011, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - present

Tina Davis, Clerk - present

- 11-0466      A resolution was adopted to approve Appointment and Reappointment to the Warren County Convention and Visitors Bureau. Vote: Unanimous
- 11-0467      A resolution was adopted to approve and enter into Waterline & Appurtenance Easement Agreements for the Lebanon Area-Deerfield Hamilton Area Interconnecting Waterline. Vote: Unanimous
- 11-0468      A resolution was adopted to Transfer the following listed equipment to the Warren County Agricultural Society. Vote: Unanimous
- 11-0469      A resolution was adopted to approve Change Order #MP-04 with S&D Osterfeld Mechanical Contractors Inc. relevant to the Warren County Common Pleas Court Building Energy Efficiency Improvement Project at 500 Justice Drive Common Pleas Court Building. Vote: Unanimous
- 11-0470      A resolution was adopted to approve Reallocation of Funds within the FY 2009 Community Development Block Grant Program. Vote: Unanimous
- 11-0471      A resolution was adopted to approve and authorize the President of the Board to enter into a Youth Worksite Agreement on behalf of Workforce One of Warren County. Vote: Unanimous

- 11-0472 A resolution was adopted to Waive Site Plan Review Application Fee for Hunter Pizzeria in Franklin Township. Vote: Unanimous
- 11-0473 A resolution was adopted to affirm "Then and Now" Requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 11-0474 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 11-0475 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 11-0476 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign Change Order #1 relative to the FY 2009 Village of Morrow Main Street Improvements Community Development Block Grant (CDBG) Project. Vote: Unanimous
- 11-0477 A resolution was adopted to enter into Erosion Control Bond Agreement with Morelia Construction, LLC for improvements in Arbor Square Lot 29 situated in Deerfield Township. Vote: Unanimous
- 11-0478 A resolution was adopted to approve a Street and Appurtenances Bond Release for 741 Associates, Ltd for completion of improvements in Clearcreek Estates situated in Clearcreek Township. Vote: Unanimous
- 11-0479 A resolution was adopted to approve Estates Court in Clearcreek Estates for public maintenance by Clearcreek Township. Vote: Unanimous
- 11-0480 A resolution was adopted to approve Appropriation Decreases within various Funds. Vote: Unanimous
- 11-0481 A resolution was adopted to approve an Expense Adjustment from Garage Revenue Fund 101-1620 to County Construction Project Fund #497.  
Vote: Unanimous
- 11-0482 A resolution was adopted to approve an Expense Adjustment from Sewer Revenue Fund 580 to Water Revenue Fund 510. Vote: Unanimous
- 11-0483 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101-1112 into Child Support Enforcement Agency Fund #263.  
Vote: Unanimous
- 11-0484 A resolution was adopted to approve Supplemental Appropriation within Building Services Fund #497. Vote: Unanimous
- 11-0485 A resolution was adopted to approve Supplemental Appropriation within Building Services Fund #498. Vote: Unanimous

- 11-0486 A resolution was adopted to approve Appropriation Adjustment within Common Pleas Fund #101-1220. Vote: Unanimous
- 11-0487 A resolution was adopted to approve Appropriation Adjustment within Commissioners Fund #101-1110. Vote: Unanimous
- 11-0488 A resolution was adopted to approve Appropriation Adjustment within County Court Fund 274. Vote: Unanimous
- 11-0489 A resolution was adopted to approve Appropriation Adjustment within Emergency Services/ Communications Center Fund #101-2850. Vote: Unanimous
- 11-0490 A resolution was adopted to approve SubFund Adjustments in Juvenile Court Fund #247. Vote: Unanimous
- 11-0491 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 11-0492 A resolution was adopted to approve Rezoning Application of Mid-Western Children's Home, Barry Boverie, agent (Case #10-06), to rezone 156.13 acres from General Business "B-2" to Rural Residence "R-3" as a Planned Unit Development in Harlan Township. Vote: Unanimous

#### DISCUSSIONS

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On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

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Susan Spencer, Personnel Officer, was present to introduce the new employees hired within the last few months.

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Chris Brausch, Sanitary Engineer, was present along with Chris Wojnicz and Patti Solinski and discussed the following matters:

1. Village of Waynesville would like the Board to consider an assessment project on their behalf for a waterline extension along Bellbrook and Chenowith Road to benefit approximately twenty homes. The proposed 8" line is approximately 4000' long and would be an assessment of approximately \$10,000 per benefitted property. Upon discussion, the Board requested an official request from the Village of Waynesville prior to proceeding with the assessment process.
2. The North/South Interconnecting Waterline Project is in need of an easement from Ms. Froehlich along SR 48 in Hamilton Township. The easement value has been appraised at \$7,300 and Ms. Froehlich would like \$11,300 for the easement (an addition \$4000 for the cost of one tap-in fee). Upon discussion, the Board stated they do not desire to pay more than the appraised value for the easement.

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PUBLIC HEARING  
REZONING APPLICATION OF BARRY BOVERIE, AGENT FOR MID WESTERN  
CHILDREN'S HOME, TO REZONE 156.13  
ACRES IN HARLAN TOWNSHIP FROM GENERAL BUSINESS "B-2" TO  
RURAL RESIDENCE "R-3" AS A PLANNED UNIT DEVELOPMENT

The public hearing to consider the rezoning application of Barry Boverie, Agent for Mid Western Children's Home, owner of record, to rezone 156.13 acres in Harlan Township was convened this 5<sup>th</sup> day of April 2011, in the Commissioners' Meeting Room.

Mike Yetter, Zoning Supervisor, stated that the Regional Planning Commission and the Rural Zoning Commission both unanimously recommended approval with twelve conditions.

Stan Williams, Executive Director of the Regional Planning Commission, stated that the project is consistent with the Harlan Township Comprehensive Plan.

Commissioner South questioned why this property was not rezoned long ago as this has been the use for many years.

Barry Boverie, agent for owners, stated that this was not done before for lack of understanding of the process. He stated that he has learned a lot about zoning from this endeavor.

Commissioner Young requested Mr. Boverie to give a short explanation of what the Mid Western Children's Home does and commended them for the tremendous job they do with the area youth in need.

Upon further discussion, the Board resolved (Resolution #11-0492) to approve the rezoning application of Barry Boverie, Agent, to rezone 156.13 acres in Harlan Township from General Business "B-2" to Rural Residence "R-3" as a planned unit development subject to the following conditions:

1. Approval of a planned unit development (PUD) overlay shall only mean approval of land uses and shall not include approval of a site plan.
2. Mr. Barry Boverie shall be the spokesperson for the PUD in correspondence with Warren County; however, this role may be delegated to a single individual upon notice to the Zoning Inspector.
3. The applicant shall submit a final detailed site plan for approval in accordance with the procedure set forth in Section 18.07 of the Warren County Rural Zoning Code.
4. Compliance with the Warren County Commissioners' conditions and requirements that may be set forth by resolution granting the PUD overlay and compliance with the requirements of Chapter 18 of the Warren County Rural Zoning Code.
5. Road improvements shall be designed and installed per Requirements and Standards for the Design and Construction of Streets and Roadway Facilities, as determined by the Warren County Engineer and/or the Ohio Department of Transportation (ODOT), as applicable and the proposed access complies with the Warren County Access Management Regulations.
6. Cumulative development the results in more than 100 peak hour trips shall be subject to a traffic impact study.
7. Proposed development is subject to the Parking and Loading, of the Warren County Rural Zoning Code, with all parking confined only to the area approved for that purpose on the final site plan.
8. Stormwater drainage shall be developed in compliance with the Rules and Regulations for the Design of Storm Sewer and Stormwater Management Systems as determined to the satisfaction of the Warren County Engineer.
9. The applicant retains and maintains the perimeter buffer (existing tree line) along the western, northern and southern portions of the site.
10. The development within the PUD must comply with the County's guidelines for stream setbacks and no further development is allowed within the 500-year floodplain. At a minimum, a 75-foot buffer of undisturbed natural vegetation should be maintained along the stream banks, with an additional 15-foot impervious surface setback (no impervious surfaces within 90 feet) and a further 10-foot-wide structure setback (no structures within 100 feet).
11. The applicant submits a concept plan that delineated areas for non-residential development and open space.
12. That residential development along the perimeter and visible from Roachester-Cozaddale Road or Long-Spurling Road be of similar height, bulk and scale to a single-family residential structure or neighboring structures.

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Mike Yetter, Zoning Supervisor, was present along with Stan Williams, Regional Planning Commission, Bruce McGary, Assistant Prosecutor, various members of the Rural Zoning Commission and numerous concerned residents for a work session to discuss the proposed Warren County Rural Zoning Code Re-write.

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Upon motion the meeting was adjourned.


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Pat Arnold South, President



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David G. Young



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Tom Ariss

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on April 5, 2011, in compliance with Section 121.22 O.R.C.



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Tina Davis, Clerk  
Board of County Commissioners  
Warren County, Ohio