



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

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***TOM GROSSMANN  
SHANNON JONES  
DAVID G. YOUNG***

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

**MINUTES: Regular Session – March 28, 2017**

The Board met in regular session pursuant to adjournment of the March 21, 2017, meeting.

Tom Grossmann – present

Shannon Jones – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the March 21, 2017, meeting were read and approved.

- 17-0457      A resolution was adopted to authorize County Administrator to sign settlement agreement on behalf of the Warren County Board of Commissioners and Warren county Dispatch Association and Jesse Madden, Emergency Services Communications Operator. Vote: Unanimous
- 17-0458      A resolution was adopted to amend and rename classification specification for CAD/RMS Manager to Public Safety Systems Manager within the Telecommunications Department. Vote: Unanimous
- 17-0459      A resolution was adopted to amend and rename the classification specification for Telecommunications Trainer to Telecommunications Communications Manager within the Telecommunications Department. Vote: Unanimous
- 17-0460      A resolution was adopted to designate Family and Medical Leave of Absence to Nancy Machulskiy, Leads Coordinator, within the Emergency Services Department. Vote: Unanimous
- 17-0461      A resolution was adopted to designate Family and Medical Leave of Absence to Jennifer Parrett, Eligibility Referral Specialist II, within the Department of Job and Family Services, Human Services Division. Vote: Unanimous

- 17-0462 A resolution was adopted to designate Family and Medical Leave of Absence to Dallas Cupp, Custodial Worker, within the Facilities Management Department. Vote: Unanimous
- 17-0463 A resolution was adopted to accept resignation of Ava Campbell Emergency Communications Call Taker, within the Warren County Emergency Services Department, effective April 12, 2017. Vote: Unanimous
- 17-0464 A resolution was adopted to authorize the posting of the "Court Liaison" position, within the Department of Job and Family Services, Children Services Division, in accordance with the Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 17-0465 A resolution was adopted to hire Cassie Hammons, Protective Services Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 17-0466 A resolution was adopted to approve lateral transfer of Aimee Burke from the position of Protective Services Supervisor to Alternative Response Supervisor within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 17-0467 A resolution was adopted to promote Kelly Carpenter to the position of Protective Services Supervisor within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 17-0468 A resolution was adopted to hire Nolin Hamlin as a summer intern on behalf of the Board of Commissioners. Vote: Unanimous
- 17-0469 A resolution was adopted to authorize the Board to enter into agreement with Mobilcomm, Inc. on behalf of Warren County Telecommunications. Vote: Unanimous
- 17-0470 A resolution was adopted to approve agreements and addendums with various providers relative to home placement and related services on behalf of Warren County Children Services. Vote: Unanimous
- 17-0471 A resolution was adopted to approve and authorize the President of the Board to enter into an On-the-Job-Training Agreement on behalf of OhioMeansJobs Warren County. Vote: Unanimous
- 17-0472 A resolution was adopted to amend Resolution #16-1784 to extend the date for the County Engineer to file necessary surveys, plans, profiles, cross-sections, estimates of cost, and specifications, together with the estimated cost of assessments for road improvements on State Route 741 along the frontage of the Estates of Keever Creek Subdivision in Turtlecreek Township. Vote: Unanimous



- 17-0473 A resolution was adopted to enter into a Temporary Entrance and Work Agreement with Cold Springs Association, Inc. for the Cold Springs Road Culvert Replacement Project. Vote: Unanimous
- 17-0474 A resolution was adopted to set and advertise Public Hearing #2 to designate projects Warren County intends to fund for the FY 2017 Community Development Block Grant (CDBG) Urban Entitlement Program. Vote: Unanimous
- 17-0475 A resolution was adopted to waive permit fees associated with the Butterfly Walk for Cancerfree Kids Event in Deerfield Township. Vote: Unanimous
- 17-0476 A resolution was adopted to approve increase in the mileage reimbursement rate relative to witness in a civil or criminal case in the Common Pleas Court, County Court and County Operated Municipal Courts. Vote: Unanimous
- 17-0477 A resolution was adopted to approve and authorize OhioMeansJobs Warren County to prepare and submit a request for proposal relative to the contracting of One-Stop Operator and Career Services. Vote: Unanimous
- 17-0478 A resolution was adopted to enter into contract with Freeze Underground LLC for the State Route 73 Watermain Extension Project. Vote: Unanimous
- 17-0479 A resolution was adopted to approve various refunds. Vote: Unanimous
- 17-0480 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.419D)(1). Vote: Unanimous
- 17-0481 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 17-0482 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement release for M/I Homes of Cincinnati, LLC for Roberts Park, Section 2 Block "A" in Deerfield Township. Vote: Unanimous
- 17-0483 A resolution was adopted to approve a Subdivision Public Improvement Performance and Maintenance Security Agreement Release for M/I Homes of Cincinnati, LLC for Roberts Park, Section 3 in Deerfield Township. Vote: Unanimous
- 17-0484 A resolution was adopted to approve a street and appurtenances (including sidewalks) bond release for Trails of Shaker Run Holdings, LLC, for completion of improvements in Trails of Shaker Run, Section 8, in Turtlecreek Township. Vote: Unanimous

- 17-0485 A resolution was adopted to approve Prairie Clover Drive and Yellow Prairie Drive in Trails of Shaker Run, Section Eight for public maintenance by Turtlecreek Township. Vote: Unanimous
- 17-0486 A resolution was adopted to enter into Erosion Control Bond Agreement for Modern Real Estate Sales, LLC for completion of improvements in Hopkins Commons situated in Hamilton Township. Vote: Unanimous
- 17-0487 A resolution was adopted to approve the following records plats.  
Vote: Unanimous
- 17-0488 A resolution was adopted to approve appropriation decreases within various funds. Vote: Unanimous
- 17-0489 A resolution was adopted to approve operational transfer from Commissioners Fund #101-1112 into Child Support Enforcement Agency Fund #263.  
Vote: Unanimous
- 17-0490 A resolution was adopted to approve supplemental appropriation into Sheriff's Office Fund #295. Vote: Unanimous
- 17-0491 A resolution was adopted to approve supplemental appropriation into Warren County Transit Fund #299. Vote: Unanimous
- 17-0492 A resolution was adopted to approve appropriation adjustment within Telecommunications Department Fund #631. Vote: Unanimous
- 17-0493 A resolution was adopted to approve appropriation adjustments within Child Support Enforcement Agency Fund #263, Building & Zoning Fund #101-2300, Treasurer's Office Fund #249, and Engineer's Office Stormwater Fund #590.  
Vote: Unanimous
- 17-0494 A resolution was adopted to authorize payment of bills. Vote: Unanimous
- 17-0495 A resolution was adopted to acknowledge payment of bills. Vote: Mrs. Jones – abstain, Mr. Grossmann – yea, Mr. Young – yea
- 17-0496 A resolution was adopted to approve appointments to the Board of Trustees of the New Community Authority of Union Village. Vote: Unanimous
- 17-0497 A resolution was adopted to urge state legislators to take immediate action as part of the biennial budget process to protect counties and transit authorities against the loss of Medicaid Managed Care Organization (MCO) sales tax revenue.  
Vote: Unanimous



- 17-0498 A resolution was adopted to close administrative hearing relative to the Warren County Sports Park at Union Village (Special District 5) Stage 2 PUD in Turtlecreek Township and render a decision April 11, 2017 at 10:4 A.M.  
Vote: Unanimous
- 17-0499 A resolution was adopted to continue administrative hearing relative to the site plan review application of Otterbein Home relative to the Warren County Sports Park at Union Village (Special District 5) PUD in Turtlecreek Township.  
Vote: Unanimous
- 17-0500 A resolution was adopted to grant a variance required for an access permit for parcel #1715100035 located along Foster Maineville Road in Harlan Township, Warren County, Ohio for Ronald T. and Jenny E. Sanzone, owners of record.  
Vote: Mrs. Jones – nay, Mr. Grossmann – yea, Mr. Young – yea

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DISCUSSIONS

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

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On motion, bids were closed at 9:00 a.m. this 28<sup>th</sup> day of March and the following bids were received, opened and read aloud for the Fairgrounds Bldg. A Renovation Project for the Warren County Agricultural Society:

K T Construction Franklin, Ohio	\$312,500.00 – w/exceptions
Conger Construction Group Lebanon, Ohio	\$420,543.00 – no exceptions
Commercial Development Solutions Middletown, Ohio	\$247,114.05 – no exceptions

The Warren County Agricultural Society will review bids for recommendation at a later date.

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ADMINISTRATIVE HEARING  
WARREN COUNTY SPORTS COMPLEX AT UNION VILLAGE STAGE 2 PUD  
IN TURTLECREEK TOWNSHIP

The Board met this 28<sup>th</sup> day of March, 2017, in the Commissioners' Meeting Room to consider the Warren County Sports Complex at Union Village Stage 2 PUD in Turtlecreek Township.

Commissioner Grossmann administered the oath to those present desiring to give testimony relative to the Stage 2 PUD application.

Matt Obringer, Regional Planning Commission, presented the attached PowerPoint reviewing the process, project overview, proposed use of the property, location, and reviewed the proposed site plan.

Mr. Obringer stated the plan proposes twelve soccer/lacrosse fields on the western portion of the property and six baseball/softball fields on the eastern portion as well as two soccer/lacrosse fields and also includes a concession/restroom facility and a maintenance facility. He reviewed the signage location and presented the Regional Planning Commission Executive Committee's recommendation to approve the Stage 2 PUD subject to the attached Union Village Special District 5 PUD Stage 2 standards.

Mr. Obringer reviewed the proposed changes to the plan since the original review of the Executive Committee. He then pointed out new signage, a roundabout, pedestrian paths, a relocated concession stand, parking expansion and modifications to the entrance to tie into Turtlecreek Township's park with three proposed entrances along Greentree Road and three proposed along State Route 741. He discussed the updated lighting plan then proposed options for the Board to choose relative to LED signage.

There was discussion relative to the LED signage relative to Option 1 which prohibits LED signs and Option 2 which prohibits LED signage on Greentree Road only.

Mr. Obringer stated that the Turtlecreek Township Trustees prefer no LED signage.

Craig Honkomp, Kleingers Group, representing the applicant, clarified the additional parking will be bid as an alternate to the project due to cost.

Commissioner Young questioned if the applicant is in agreement with the conditions recommended by the Regional Planning Commission.

Mr. Honkomp affirmed their agreement.



Al Wolfson, Warren County Airport representative, stated his concerns relative to the proposed lighting interfering with the airplanes landing at night as well as concern with construction equipment obscuring landings due to height of equipment and lighting. He informed the applicant of the need to file a permit with the FAA prior to any construction.

Nick Sargent, New England Way resident, stated his objection to the plan, particularly the east portion. He stated his concern of the six ball fields and two soccer fields disrupting their quiet residential area. He stated that even with screening, there will be an intrusion of noise and traffic. He stated a concern with a decline in property value and informed the Board that he currently hears announcements from Armco Park which is a mile away. He then stated his desire for the Board to consider relocating the sports complex away from Greentree Road.

Mary Ann Thompson, New England Way resident, stated her concern with noise pollution, traffic, property value decline, and safety. She stated there are currently no speed limit signs and cars speed and wreck on the road frequently. She then questioned how the project is being paid for and the need.

Commissioner Young stated that speed limits are controlled by the Ohio Department of Transportation (ODOT) and requested Neil Tunison, County Engineer, to discuss the concerns.

Mr. Tunison stated that that as the project develops, he will continue to review the safety along Greentree Road and work with ODOT on the necessary restrictions and roadway improvements.

Larry Williams, New England Way resident, stated his concern with traffic and noise.

Brad and Lori Beam, New England Way residents, stated their concern relative to the time of this public hearing and the lack of information relative to the project.

Mr. Beam stated the address listed on the notice was a State Route 741 address and the last proposal they saw had the sports complex located on State Route 741, not along Greentree Road.

Mrs. Beam stated her safety concerns for her family playing outside and the potential for her street to become a "turn around" for people who miss the park entrance.

Paul Fischer, New England Way resident, stated his concerns with safety, including speeding problems and the number of cars that have been stuck in his pond from using their road as a "turn around". He then stated his concern with lighting, emergency response times and also questioned what improvements will be done to Greentree Road.

Kurt Weber, Deputy County Engineer, stated that a traffic impact study will determine what the required improvements will be along Greentree Road.

Barry Nuss, New England Way resident, requested the fields be moved 100 yards and require a buffer to be installed as well as eliminate the proposed entrance closest to their residential subdivision.

Mr. Wolfson informed the Board that ODOT does not look at the lighting when reviewing relative to the airport, only the height of the light poles.

Brian Trapp, Emmons Road resident and business owner at the Warren County Airport, questioned what caused the change in location of the sports complex as well as his concern with traffic along Greentree Road.

Mr. Honkomp stated that this is the location that his company has always planned and was established during the initial zoning approval for Union Village.

Mr. Fischer stated that the original plan she saw for Union Village showed the sports complex along SR 63 and SR 741.

Mr. Beam stated that on the Kleingers website, the proposed complex does not show anything along Greentree Road.

Mr. Honkomp stated that the information on their website is outdated and that proposal was not accepted during the rezoning process.

There was discussion relative to why the sports complex is being proposed at this location.

Mr. Young stated that this is the location where Otterbein chose to donate the property.

Mr. Honkomp stated that they have already received FAA approval for the lighting towers and will apply for the second phase at construction. He then stated they are completing a traffic study at this time and are working with Union Village representatives as well as the County Engineer.

Commissioner Jones questioned what the alternative would be if the property is not transferred for a sports complex.

It was clarified that approximately 400 residential homes would be constructed on those parcels.

Commissioner Jones then clarified that there will be future development on their land regardless of whether it is a sports complex or not.

Commissioner Young stated his appreciation for all of the comments, especially the New England Way residents. He stated there will always be isolated concerns but he also must look at the "big picture" of the entire county. He stated that the property is being developed regardless and the fall back will be hundreds of homes on the site. He then stated the following:

1. Something will happen on this property
2. Tourism is the #1 industry in Warren County and provides for sales tax revenue that would otherwise have to come from the residents to provide necessary services
3. The sports complex will be paid for using the lodgings tax.



There was then discussion relative to if there was any investigation into relocating the lighted ball fields away from the residents.

Mr. Honkomp stated that the proposed layout is the only way the fields will fit on this property.

Commissioner Young questioned if there was any discussion relative to swapping the Turtlecreek Township parkland for some of this land and relocating the fields away from the residents.

Mr. Honkomp stated the acreage would not be large enough to fit all of the fields.

Mr. Grossmann then questioned if it would be better to have the sports complex contiguous and not split into two separate areas. He then suggested that Otterbein consider locating the eastern area along SR 741.

Commissioner Young stated the need for investigation into the land swap.

Dan Jones, Turtlecreek Township Trustee, stated he appreciates the Board's question relative to the park and stated they have not been asked to consider a land swap but he personally does not have a problem with it. He then clarified that he was not a planner but if it were possible, now would be the time to do it.

There was additional discussion relative to a "land swap".

Bruce McGary, Assistant Prosecutor, reviewed the legal complications relative to any changes to the location of the sports complex as well as the concern with the required timeline stated within the original zoning relative to the land transfer.

There was discussion relative to the desire of the New England Way resident to be kept informed on the process.

There was discussion relative to the LED signage.

Mr. Jones stated that the township would not have a concern with an LED sign similar to Armco Park

Tammy Boggs, Turtlecreek Township Administrator, stated clarification that the LED signage may be acceptable along SR 741 but not Greentree Road.

Commissioner Grossmann then asked the applicant procedural questions relative to this quasi-judicial process.

Upon further discussion, the Board resolved (Resolution #17-0498) to close the administrative hearing, deliberate in private and render a decision on April 11, 2017, at 10:40 a.m.

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ADMINISTRATIVE HEARING

SITE PLAN REVIEW APPLICATION OF  
OTTERBEIN HOME RELATIVE TO THE  
WARREN COUNTY SPORTS PARK AT UNION VILLAGE  
IN TURTLECREEK TOWNSHIP

The administrative hearing to consider the site plan review application of Otterbein Home was convened this 28<sup>th</sup> day of March 2017, in the Commissioners' Meeting Room.

Upon discussion, the Board resolved (Resolution #17-0499) to continue the administrative hearing to April 11, 2017, at 10:45 a.m.

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ADMINISTRATIVE HEARING

CONSIDER VARIANCE REQUIRED FOR AN ACCESS PERMIT FOR  
PARCEL#1715100035 (RONALD T. AND JENNY E. SANZONE, OWNERS OF RECORD)  
FILED BY STEPHEN HUNT, ATTORNEY FOR PROPERTY OWNERS, LOCATED ON  
FOSTER MAINEVILLE ROAD IN HAMILTON TOWNSHIP

The administrative hearing to consider the Request for Variance and Appeal of Conditions Required for an Access Permit filed by Stephen Hunt, attorney for Ronald and Jenny Sanzone, owners of record for access to Parcel #1715100035) located on Foster Maineville Road in Hamilton Township was convened this 28<sup>th</sup> day of March, 2017 at 10:15 a.m. in the County Commissioners Meeting Room, 406 Justice Drive, Lebanon, Ohio.

Tina Osborne, Clerk of Commissioners, read into the record the required procedural information relative to this administrative hearing.

Commissioner Grossmann administered the oath to all those present desire to give testimony during today's administrative hearing.

Neil Tunison, County Engineer, stated that a driveway was installed without a permit and reviewed the background information relative to the variance being requested. He then presented the Engineer's Report (attached) and stated that the property is landlocked without the approval of the variance but the property owner refused to sign a waiver of liability during the negotiations prior to this hearing.



Commissioner Young clarified that the property does not meet current regulations for the County Engineer to approve a driveway permit but the applicant said no to the negotiated offer.

Mr. Tunison stated the County Engineer's willingness to work with the property owner if they relocate the driveway as far left as possible and sign the waiver of liability.

Bruce McGary, Assistant Prosecutor, stated that the County Engineer cannot grant a driveway permit because it does not meet the Access Management Regulations. He then stated that only this Board has the ability to approve a variance in order to allow the County Engineer to grant the permit.

Mr. McGary then stated he had discussion with Mr. Tunison relative to the applicant's refusal to sign a waiver of release and it is his preference for the county to issue a writ of mandamus to grant access to the property rather than issue a permit without a written release.

There was discussion relative to immunity of the county relative to liability.

Steve Hunt, attorney for the property owners, stated that the curb cut that is currently there is only temporary for construction purposes. He stated that he would not allow his client to sign the release. He stated that his client did not create this hardship and if the county denies the variance, they are in essence taking their land. He then pointed out the numerous driveways that currently exist in the area that also do not comply with the regulations.

There was discussion relative to the grandfathering of properties that existed prior to the Access Management Regulations being adopted.

There was discussion relative to the lot split that was necessary due to Hamilton Township Zoning Regulations which removed the grandfathering of this property from the Access Management Regulations.

Tim Hensley, builder for the owners and also adjacent property owner, stated that Mr. and Mrs. Sanzone are constructing a \$2 million home back in the woods. He stated he has lived across the street from this property since 1994 and there has never been an accident. He then requested the Board to approve the variance.

Commissioner Grossmann questioned when this property was purchased vs. when the regulations were adopted.

There was discussion relative to the desire to locate the driveway in the current location as the temporary driveway due to the existence of trees and a telephone pole in the location suggested by the County Engineer.

Mr. Weber stated that the location desired by the Engineer's Office is the safest spot on the property for a driveway.

Commissioner Jones stated her desire to approve the request as long as the best possible site distance location is utilized.

Commissioner Grossmann stated he concurs with the request of the applicant due to the circumstances surrounding the need for a variance.

Commissioner Young also stated his concurrence with the applicants request including the desire locations due to property owner rights.

Upon further discussion, the Board resolved (Resolution #17-0500) to grant the variance to Ronald T. and Jenny Sanzone required for an access permit for access to Parcel #1715100035) located on Foster Maineville Road in Hamilton Township as requested with Commissioner Jones voting nay.

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Tina Osborne, Clerk of Commissioners, informed the Board of a Type I annexation petition that was filed from Union Township to the City of Mason, Richard Paolo, Attorney with Aronoff, Rosen and Hunt, Agent.

Robert Fox, Warren County Engineer's Tap Map Department, stated that the map and legal description are inaccurate and will change due to the right of way within the map.

Stephen Hunt, Attorney with Aronoff, Rosen and Hunt, waived the requirement within the Ohio Revised Code relative to the approval at the next county commissioner meeting due to the acreage inaccuracy.

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The Board acknowledged receipt of an expedited type 2 annexation petition to annex 9.2466 acres within Hamilton Township to the Village of Maineville, Richard Paolo, Agent.

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On motion, upon unanimous call of the roll, the Board entered into executive session at 12:00 p.m. to discuss pending litigation (Frede v. Frede EtAl) pursuant to Ohio Revised Code Section 121.22 (G) (3) and exited at 12:15 p.m.

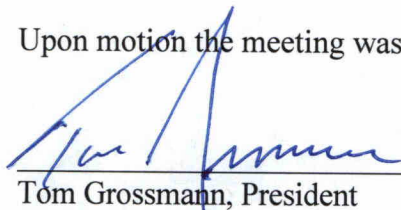
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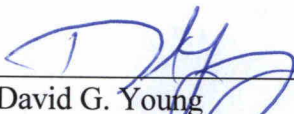


On motion, the Board authorized Tiffany Zindel, County Administrator, to represent Warren County as Pro Se in Frede v. Freed EtAl litigation filed in Jefferson County, Indiana.

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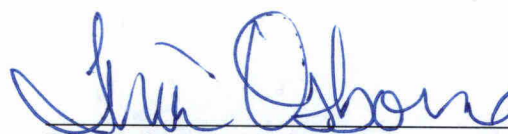
Upon motion the meeting was adjourned.

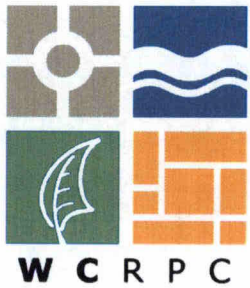
  
\_\_\_\_\_  
Tom Grossmann, President

  
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David G. Young

  
\_\_\_\_\_  
Shannon Jones

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 March 28, 2017, in compliance with Section 121.22 O.R.C.

  
\_\_\_\_\_  
Tina Osborne, Clerk  
Board of County Commissioners  
Warren County, Ohio



# **W.C. Sports Park at Union Village**

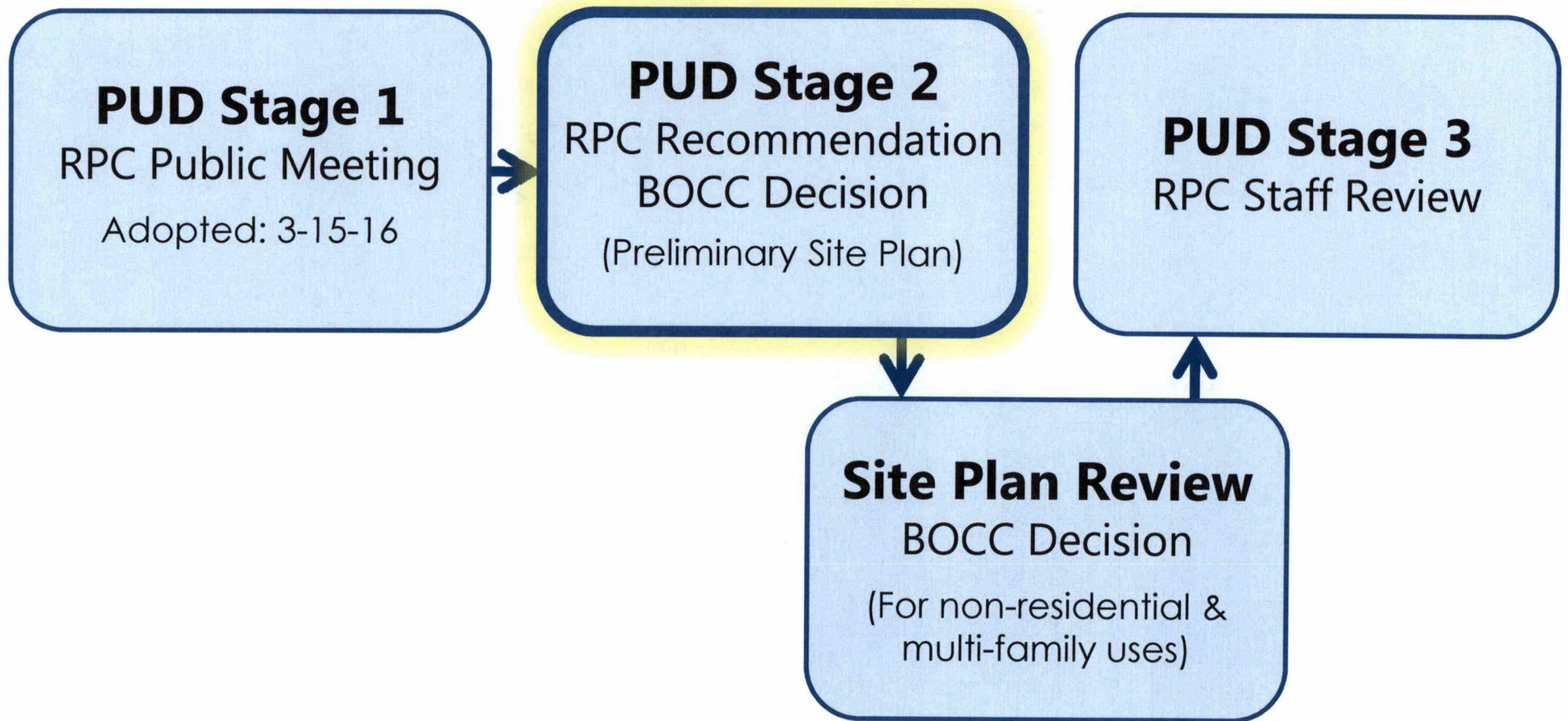
## **PUD Stage 2**

Prepared for the  
Warren County Board of County Commissioners

Public Hearing: March 28, 2017



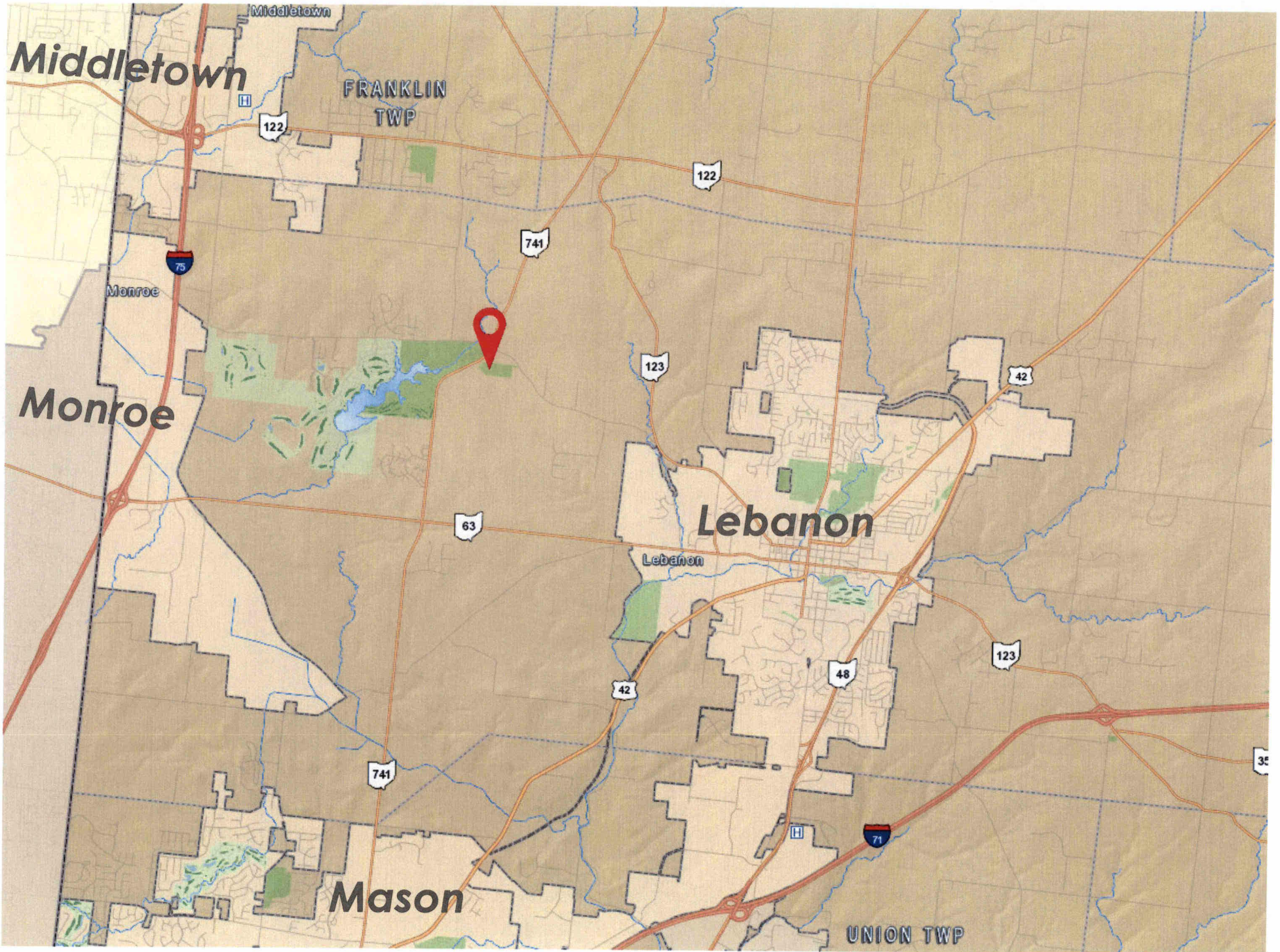
# Union Village PUD Process



# Project Overview

<b>Property Owner</b>	Otterbein Home
<b>Planner/Engineer</b>	The Kleingers Group
<b>Site Area</b>	109.365 acres
<b>Current Zoning</b>	Union Village PUD
<b>Proposed Use</b>	Regional ball fields







Armco Park

Warren County Airport

Otterbein

Turtlecreek Township Park

Warren County Armco Park

741

Turtlecreek TWP

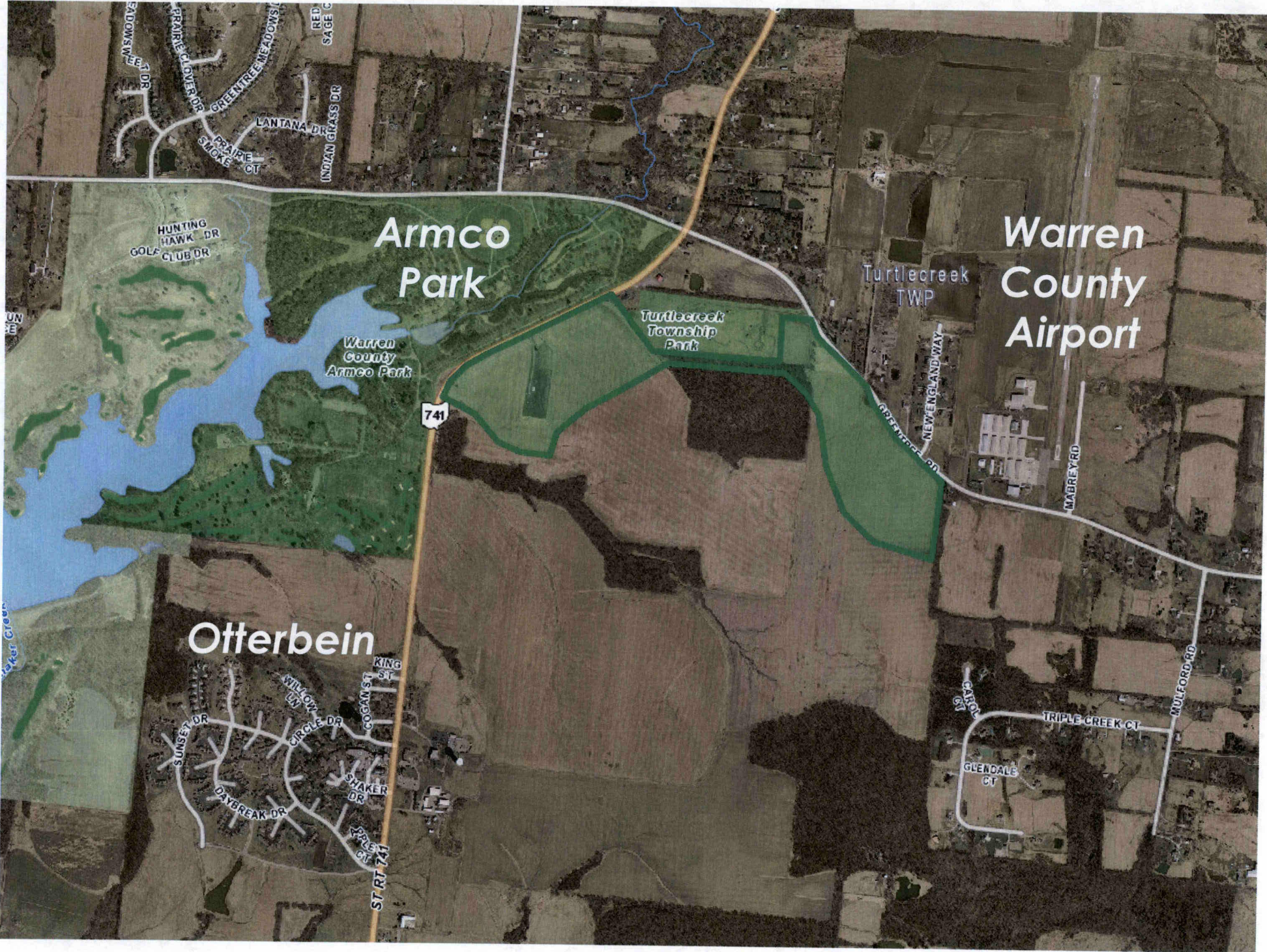
HUNTING HAWK DR  
GOLF CLUB DR

SAIDONS WAY  
PRAIRIE PLOVER DR  
GREENTREE MEADOWS  
RED SAGE CT  
LANTANA DR  
PRAIRIE SMOKE CT  
INDIAN GRASS DR

SUNSET DR  
DAYBREAK DR  
WILLOW LN  
JINGLE DR  
SHAKER DR  
POPS CT  
KING ST  
COGAN ST  
ST RT 741

NEW ENGLAND WAY  
MABREY RD

SCHOOL ST  
TRIPLE CREEK CT  
GLENDALE CT  
MULFORD RD



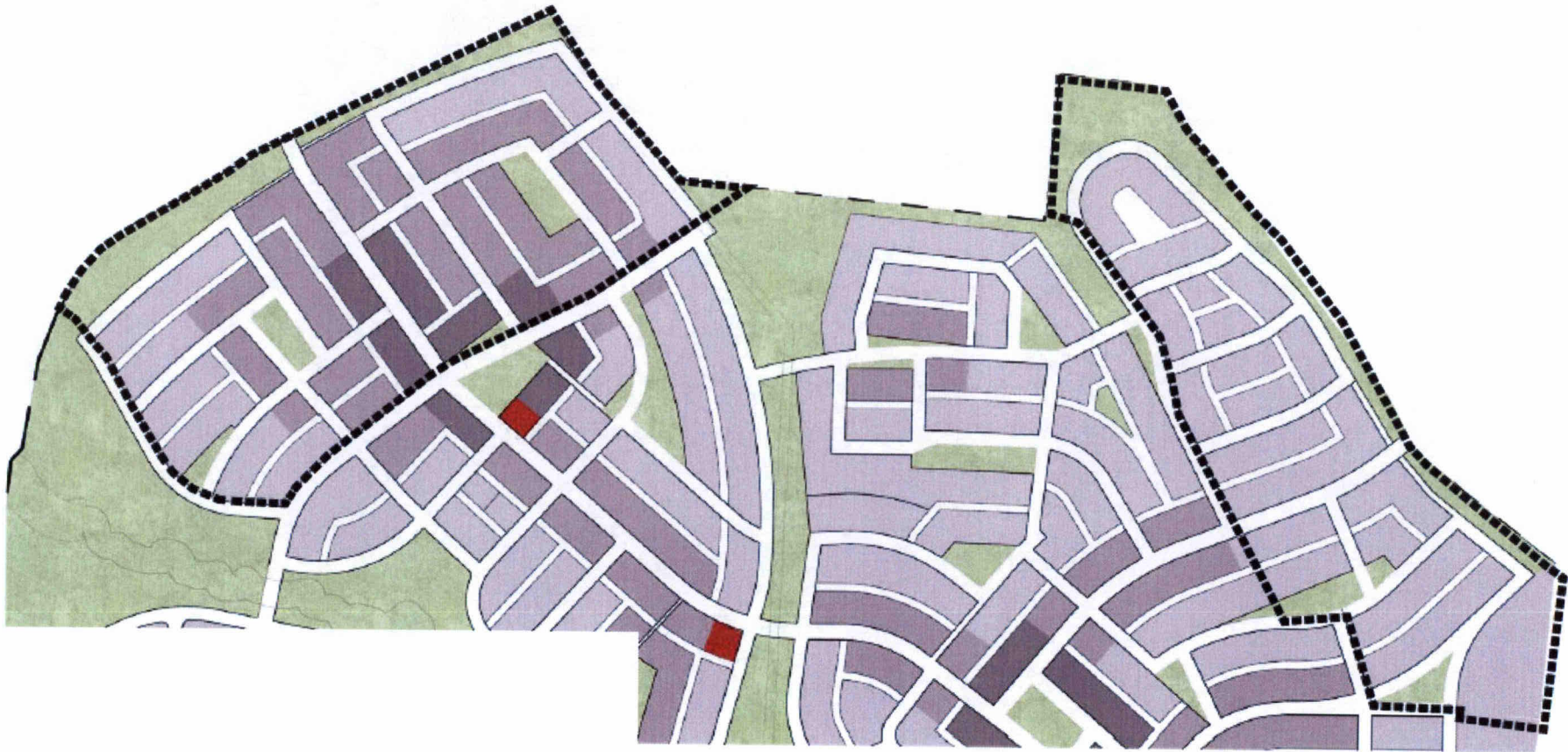


# Union Village Regulating Plan



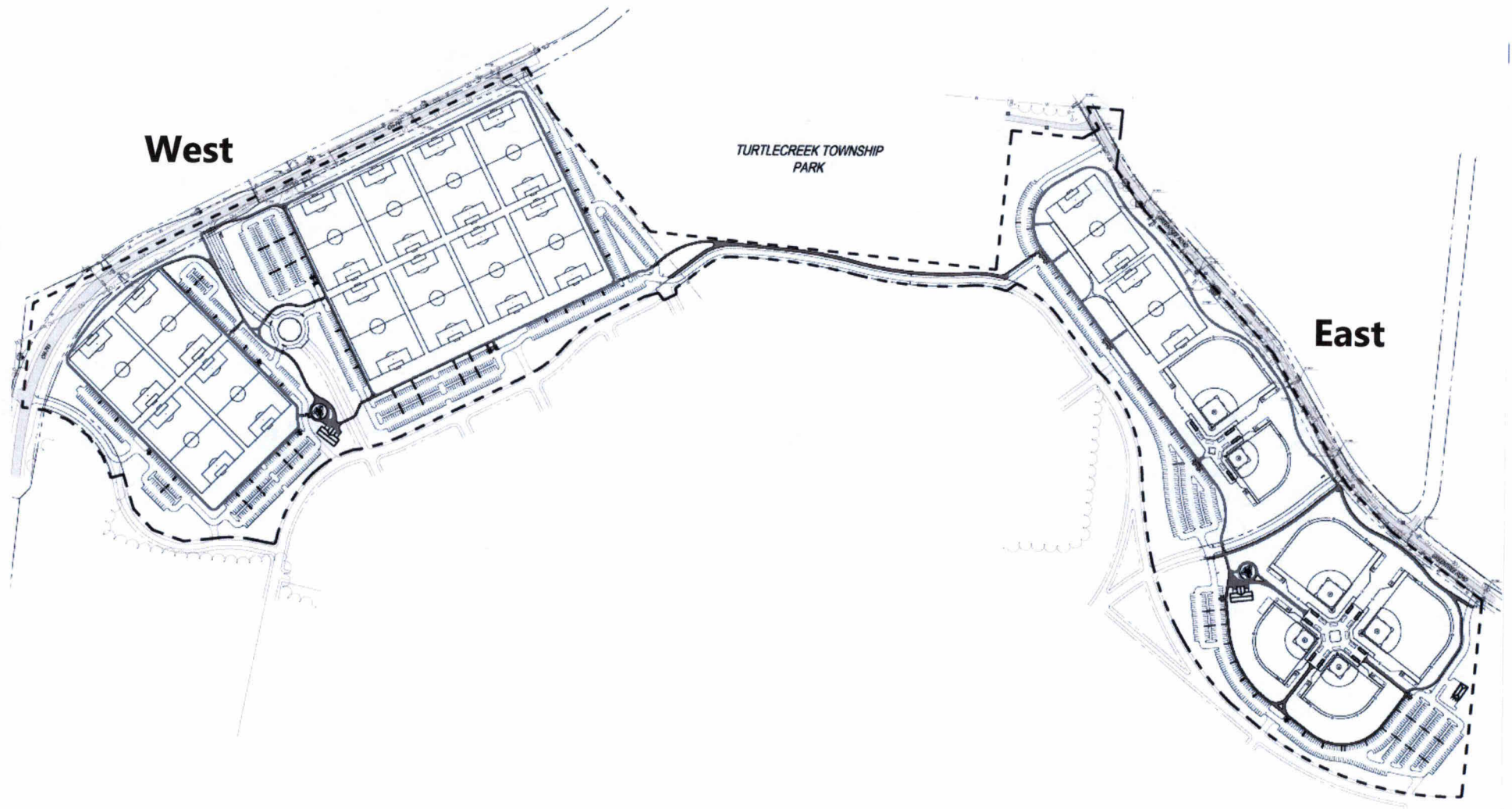


# Union Village Residential Alternative

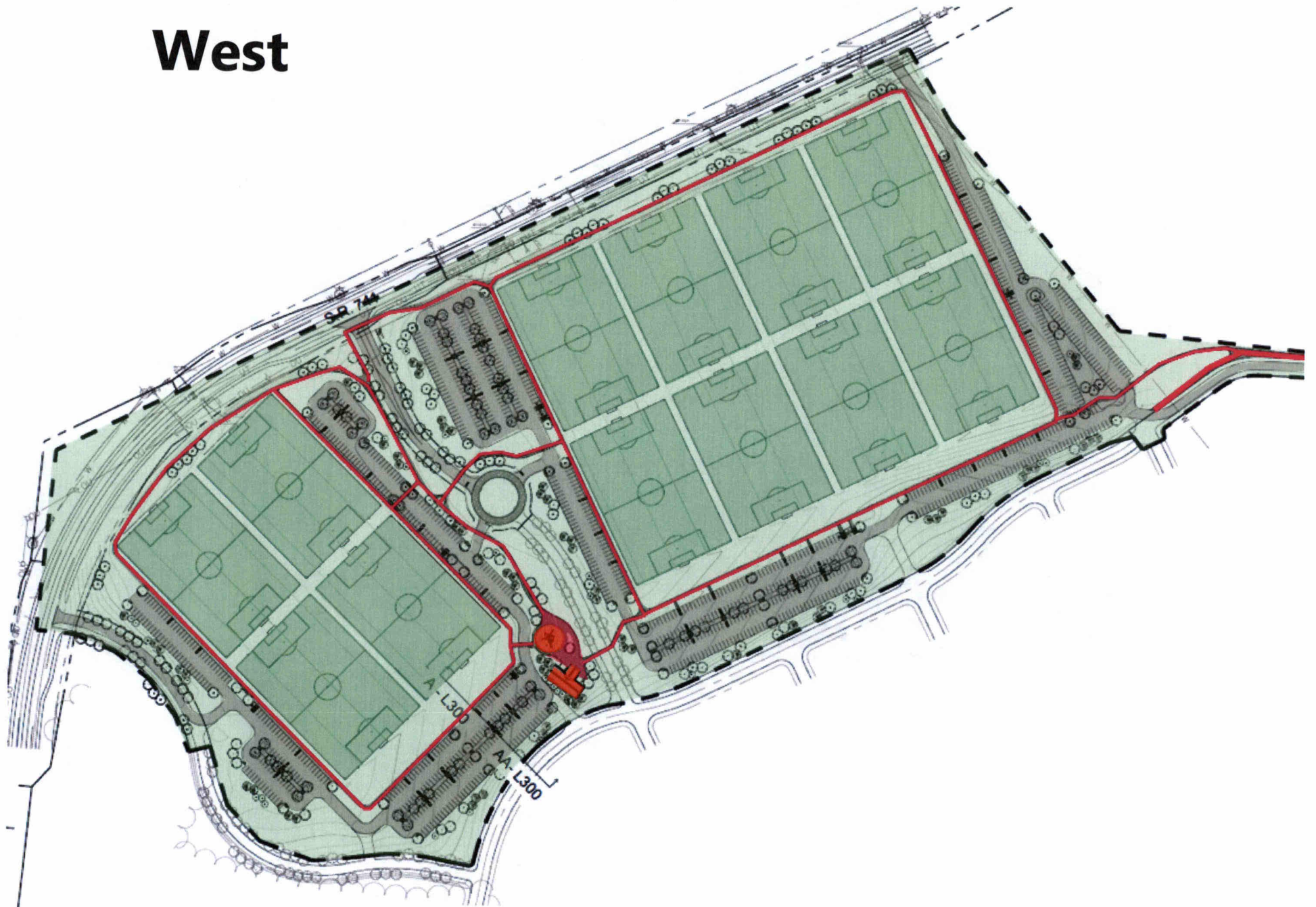




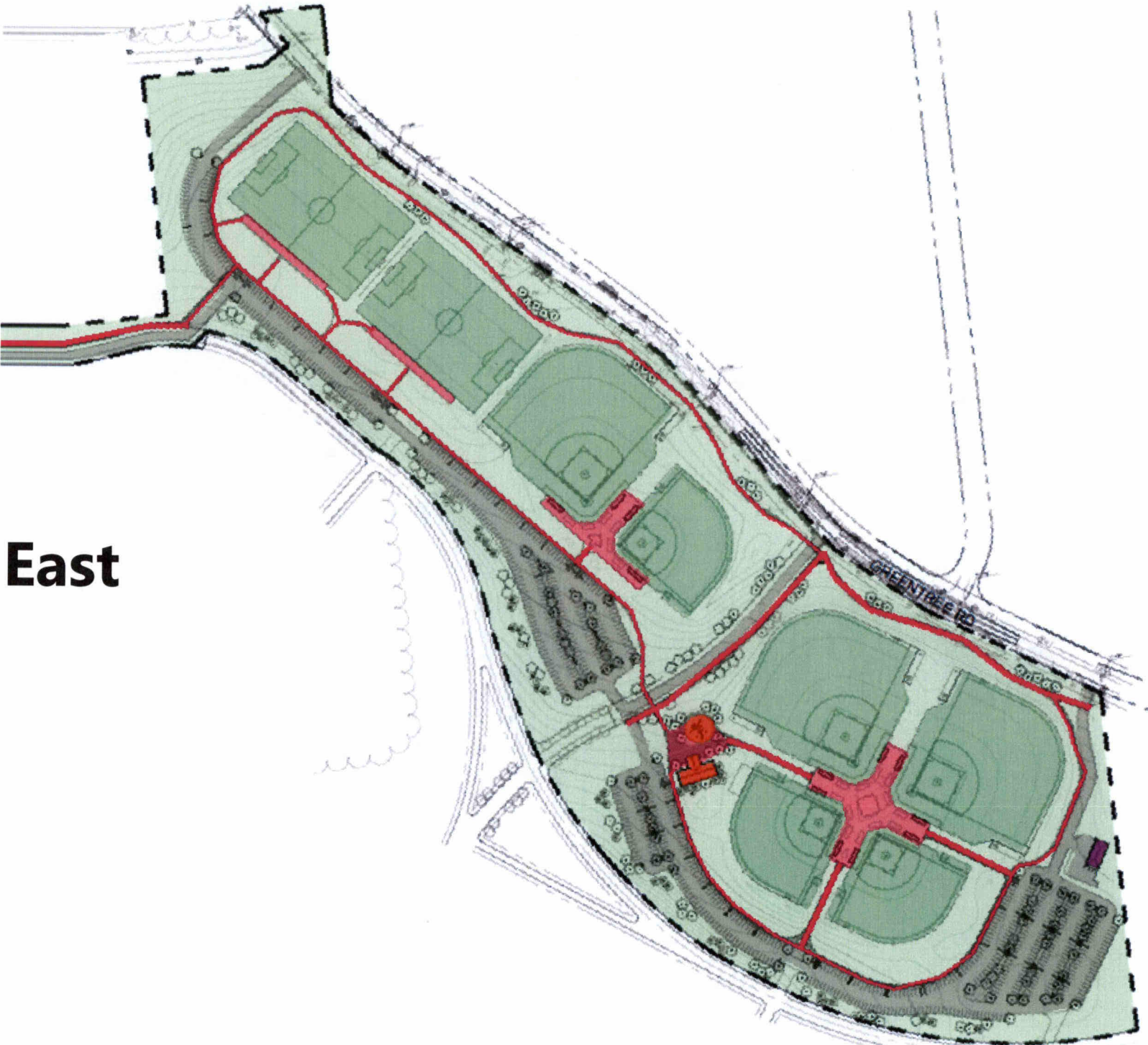
# Proposed Plan (Original)



# West



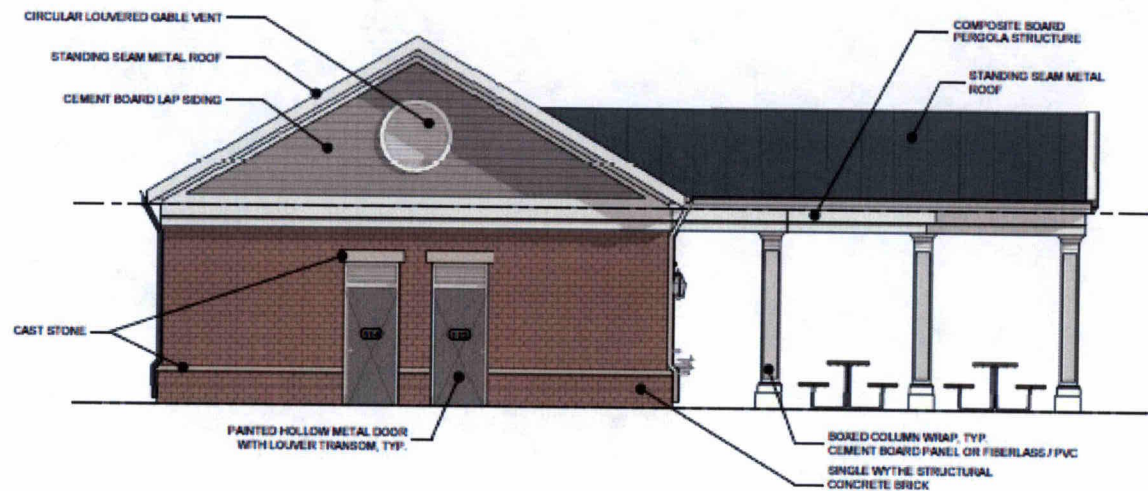




**East**



# Concession/Restroom Facilities



# Maintenance Facility



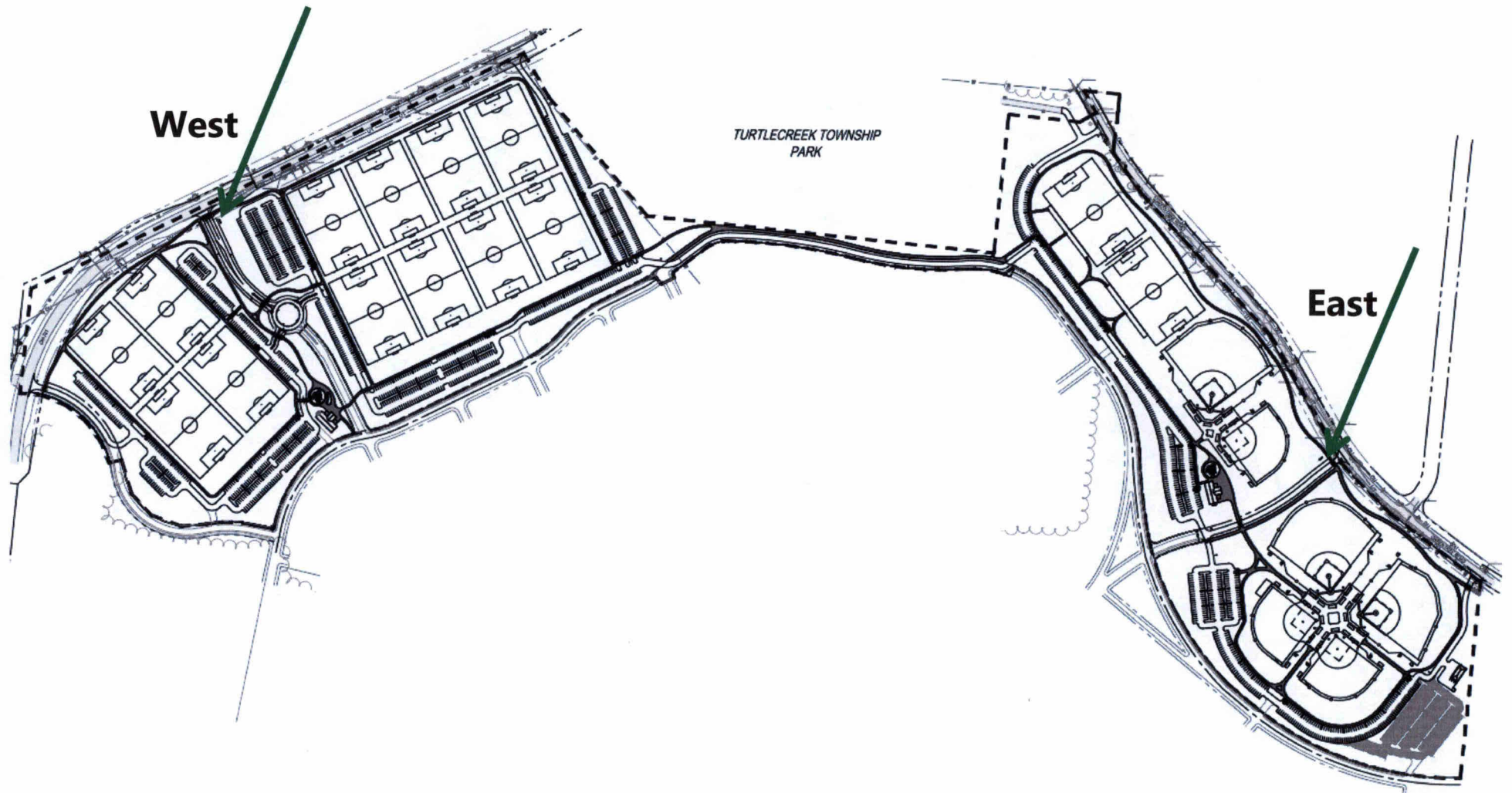


# Maintenance Facility





# Signage





# Signage (Original)





## RPC Recommendation

**Approve** the

Warren County Sports Park  
PUD Stage 2,

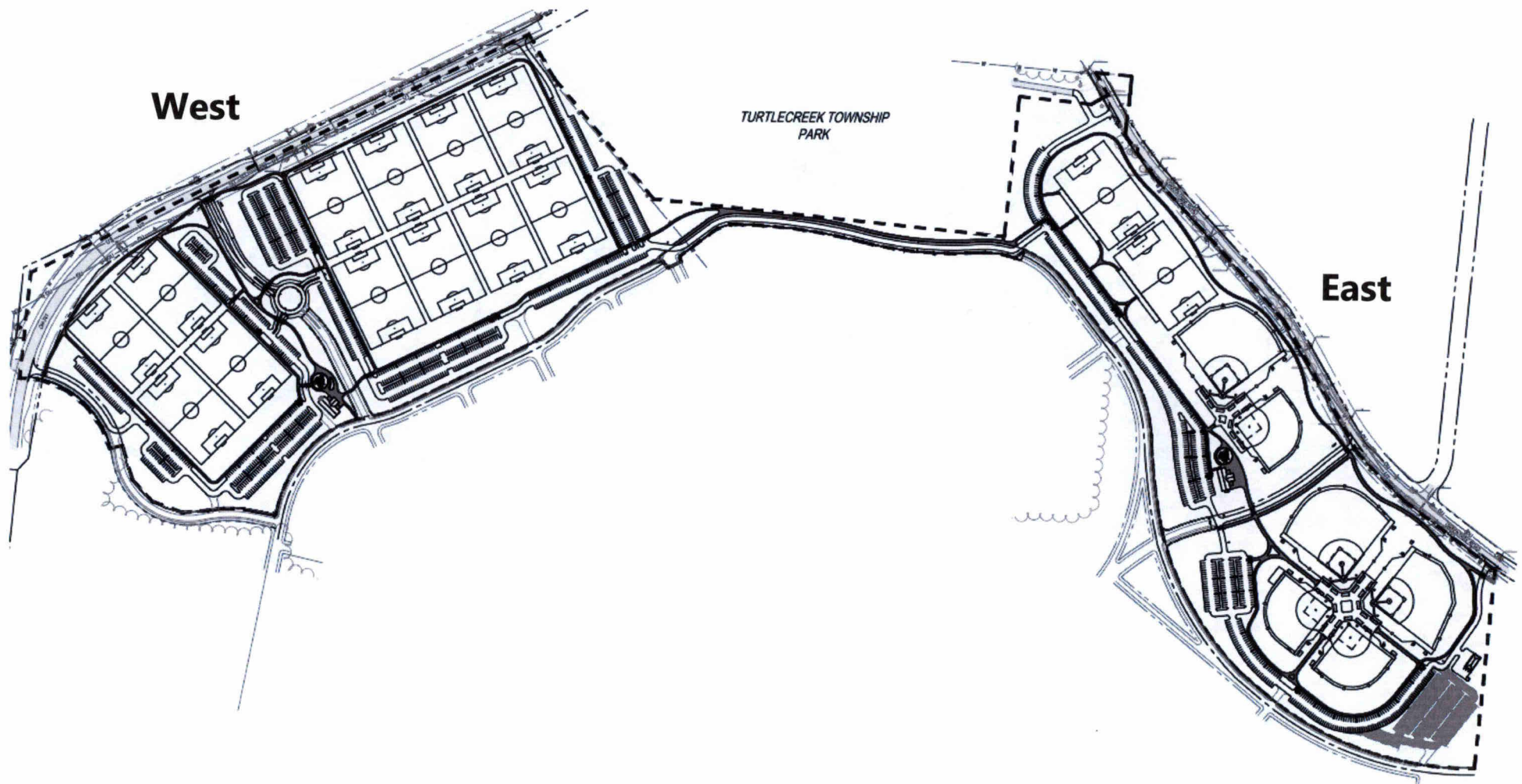
subject to the "Union Village  
Special District 5 PUD Stage 2  
Standards."

# RPC Recommendations – PUD Standards

- Sections 1 & 2:** Applicability & Purpose
- 3:** Residential Alternative Plan
- 4:** Roadways
- 5:** Access Drives and Parking Areas
- 6:** [Pedestrian] Paths
- 7, 8, 9:** Landscaping, Lighting, Signage
- 10:** Design Standards
- 11:** Miscellaneous
- 12:** Criteria for Modifications
- 13:** Studies & Approvals



# Proposed Plan (Updated)



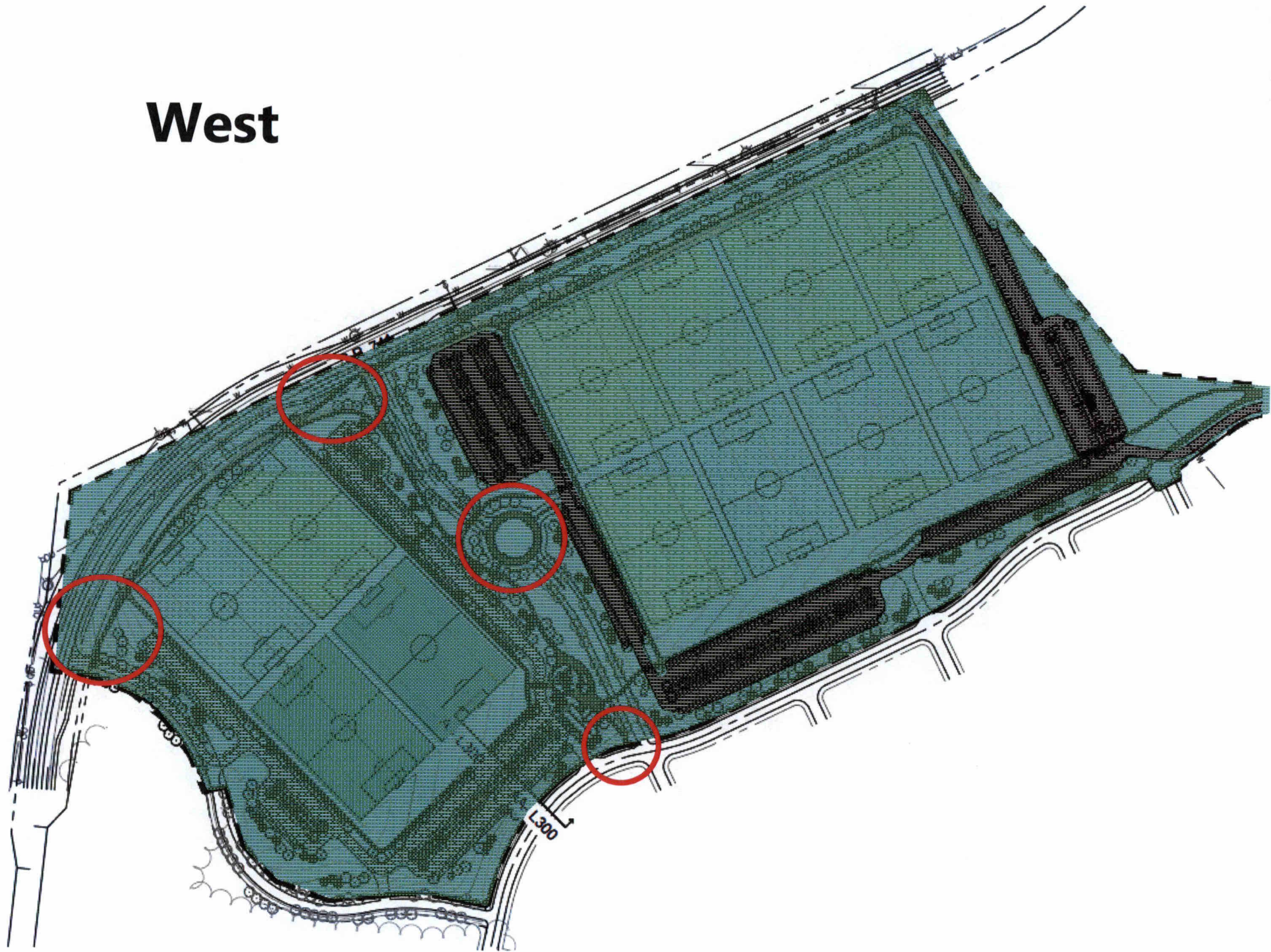


# Signage (Updated)

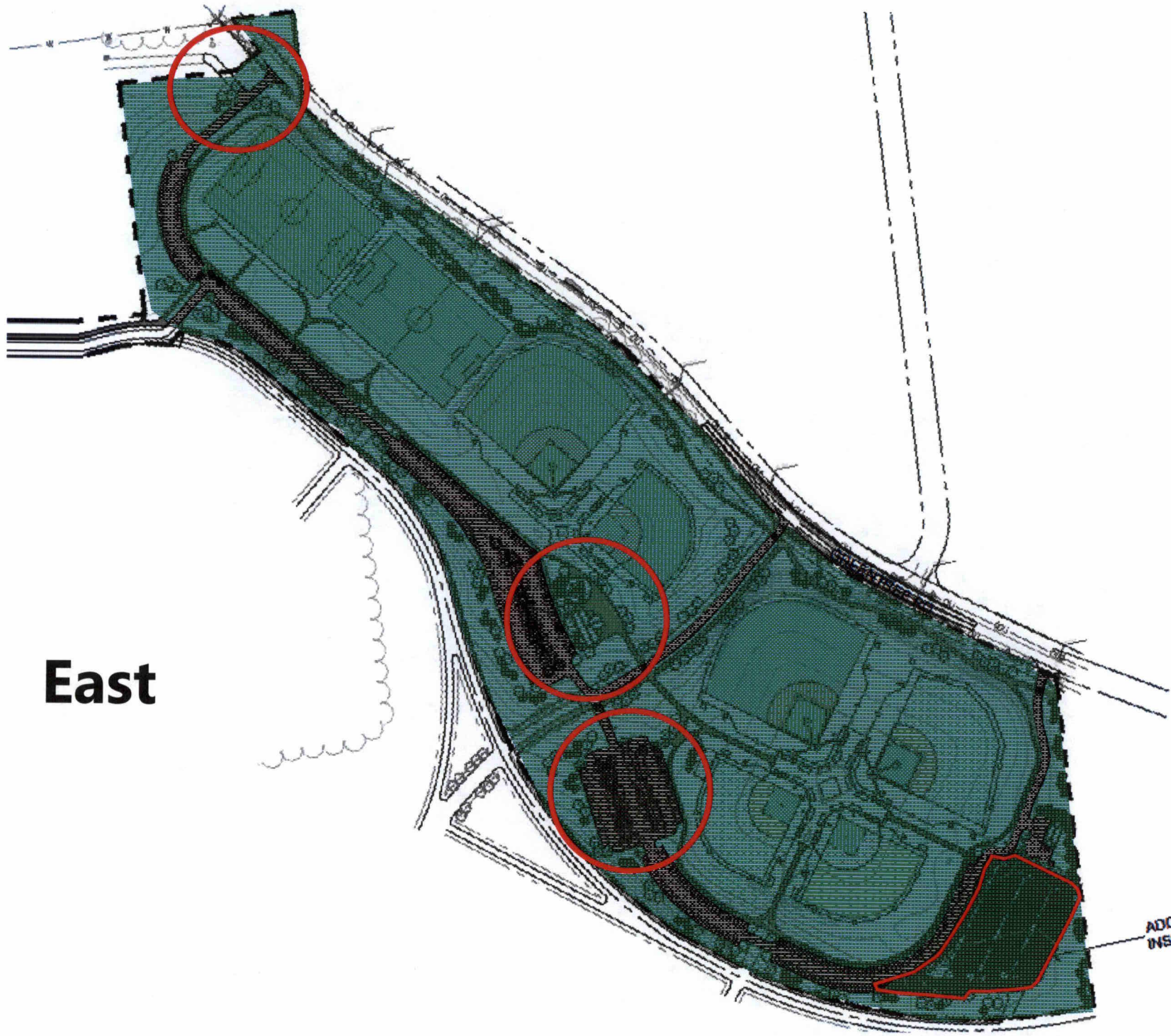




**West**





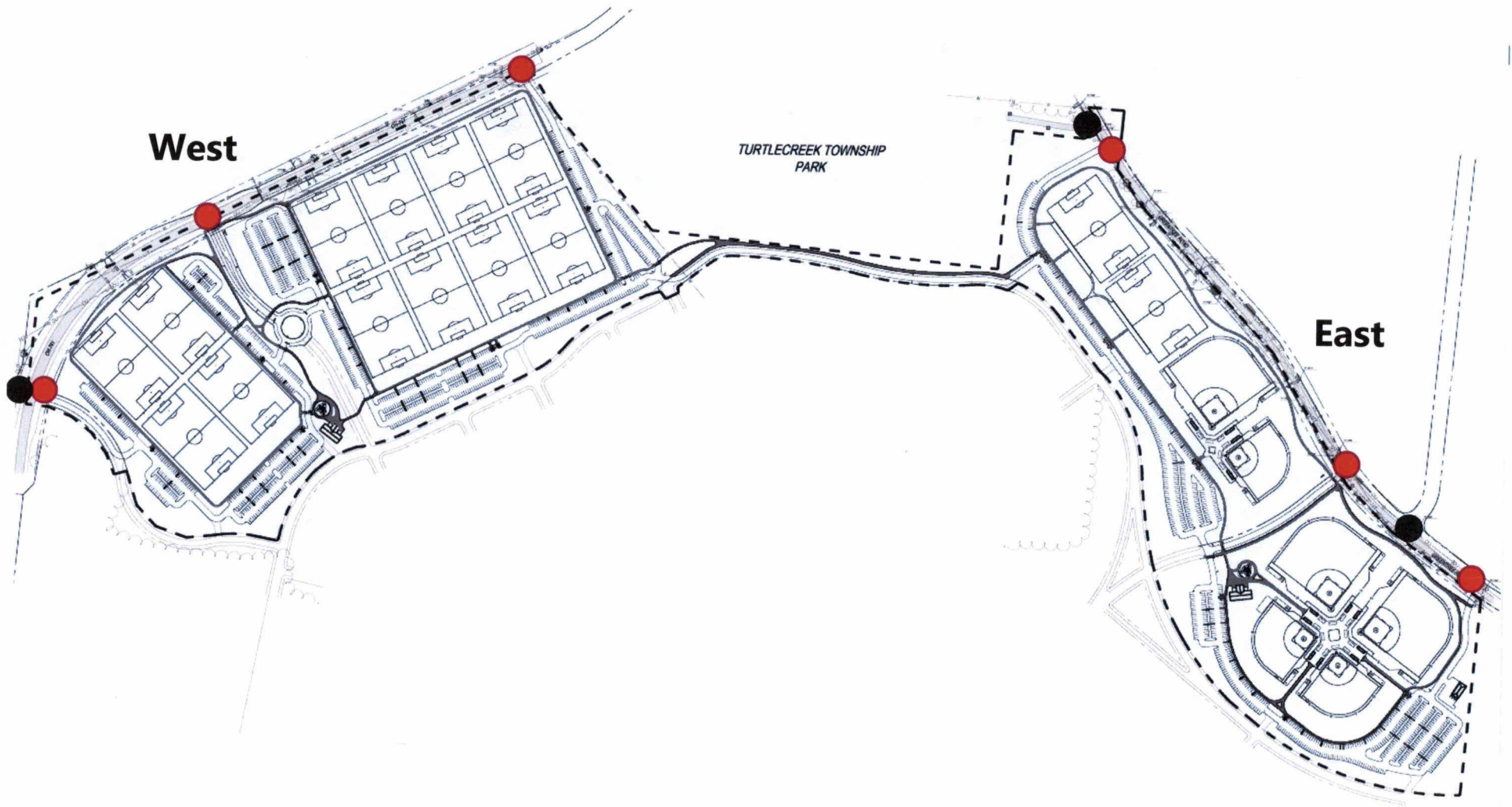


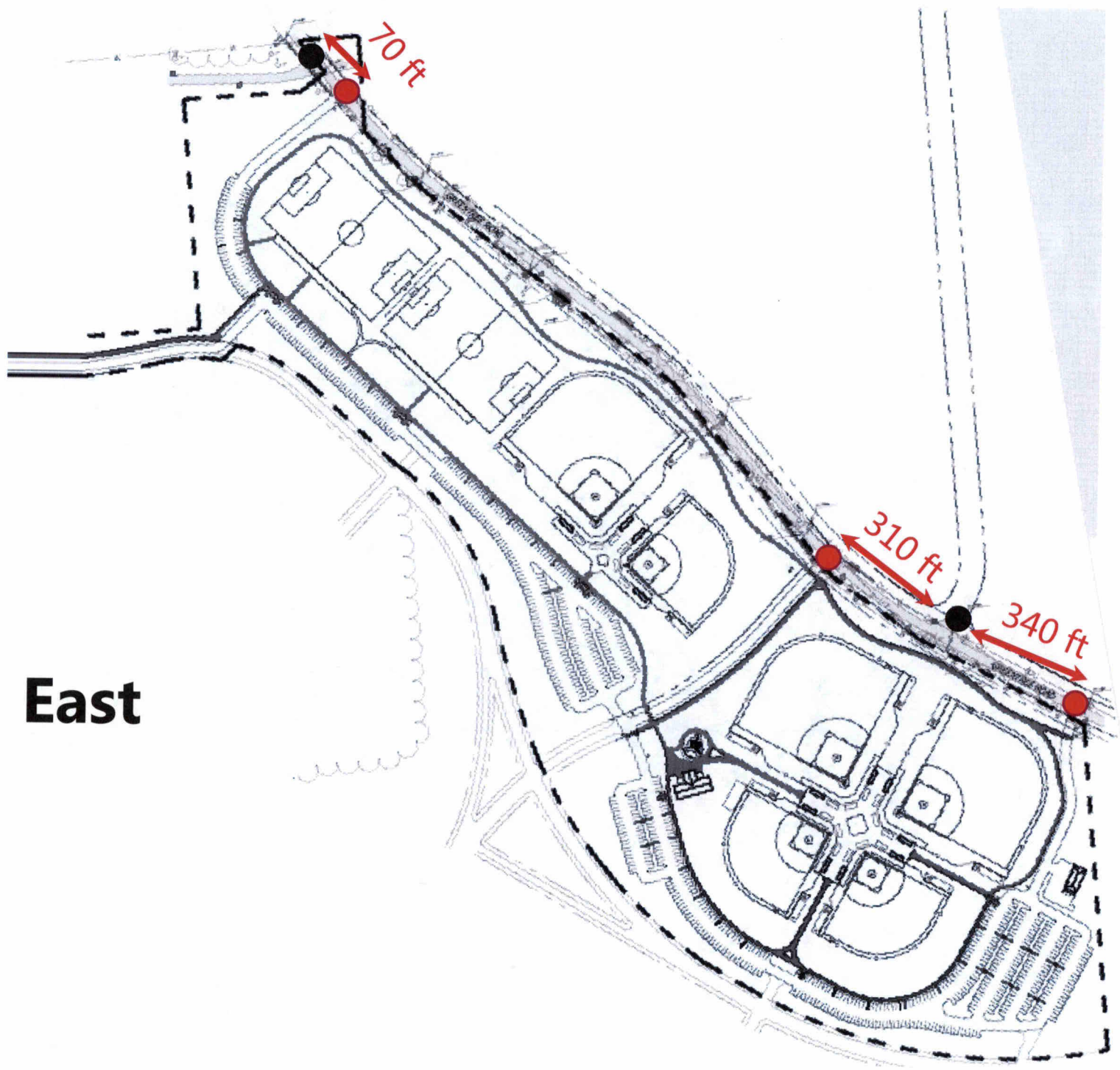
**East**

ADD ALTERNATE #  
INSIDE DASHED LI



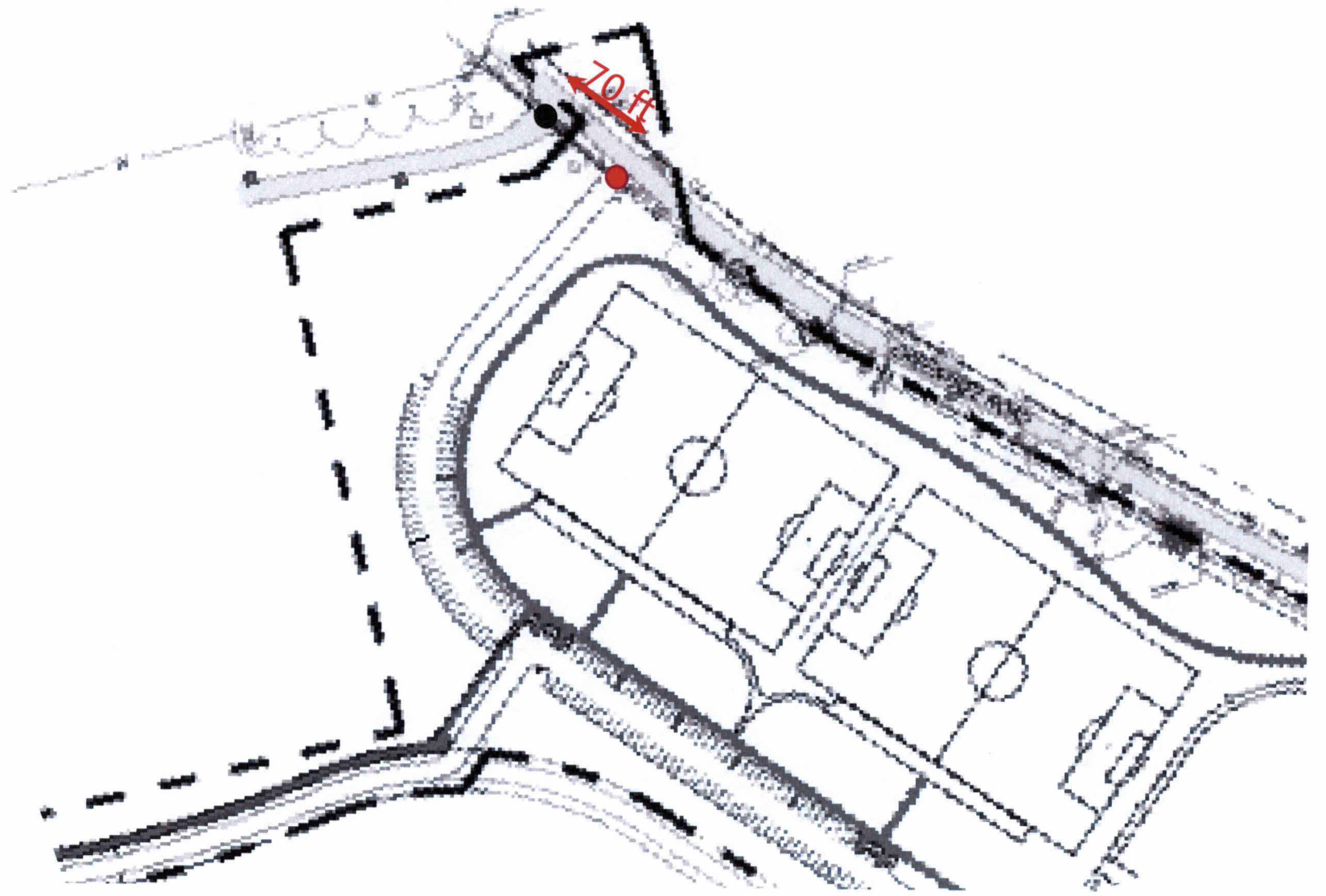
# Access Points (Original Plan)

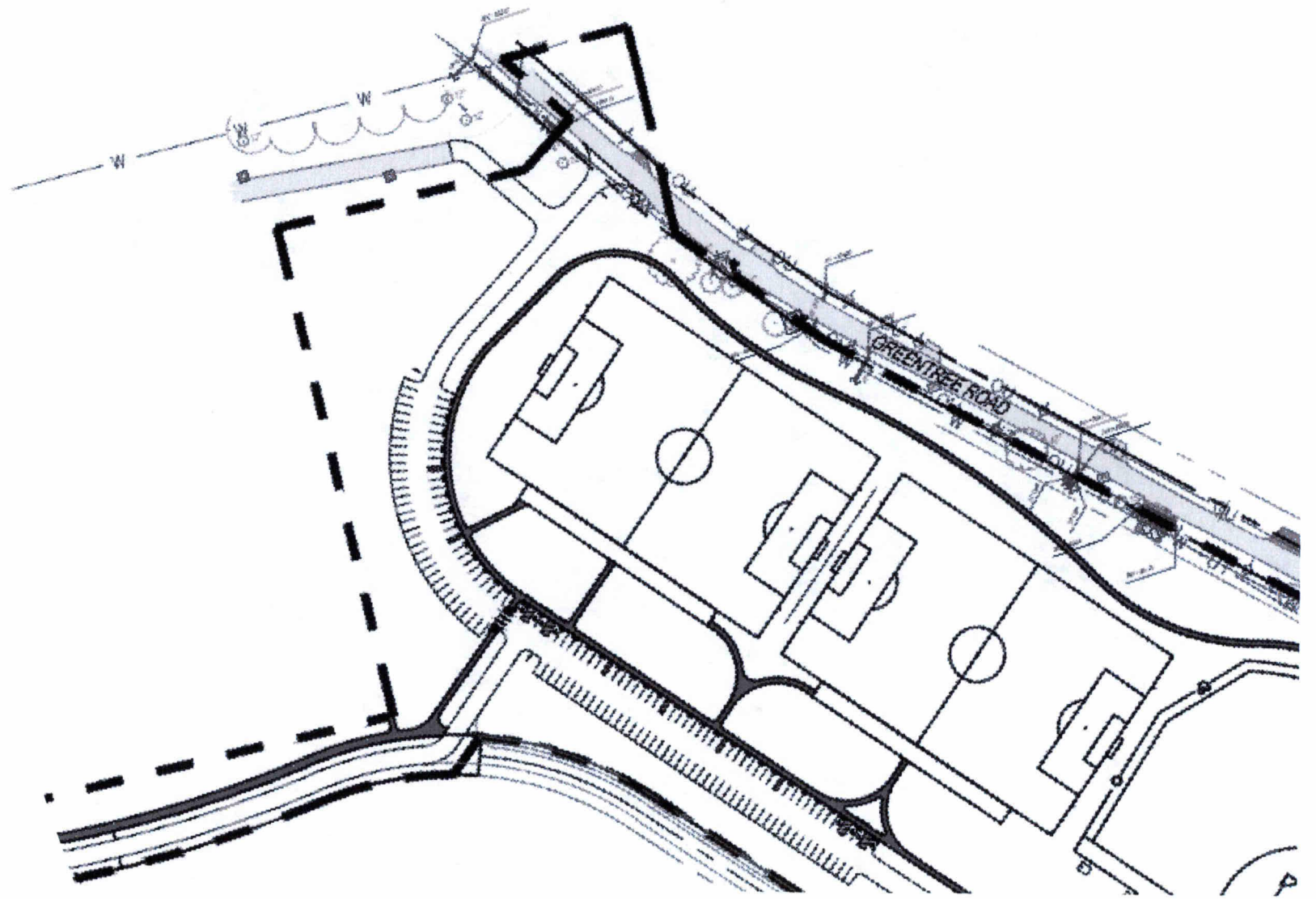




**East**

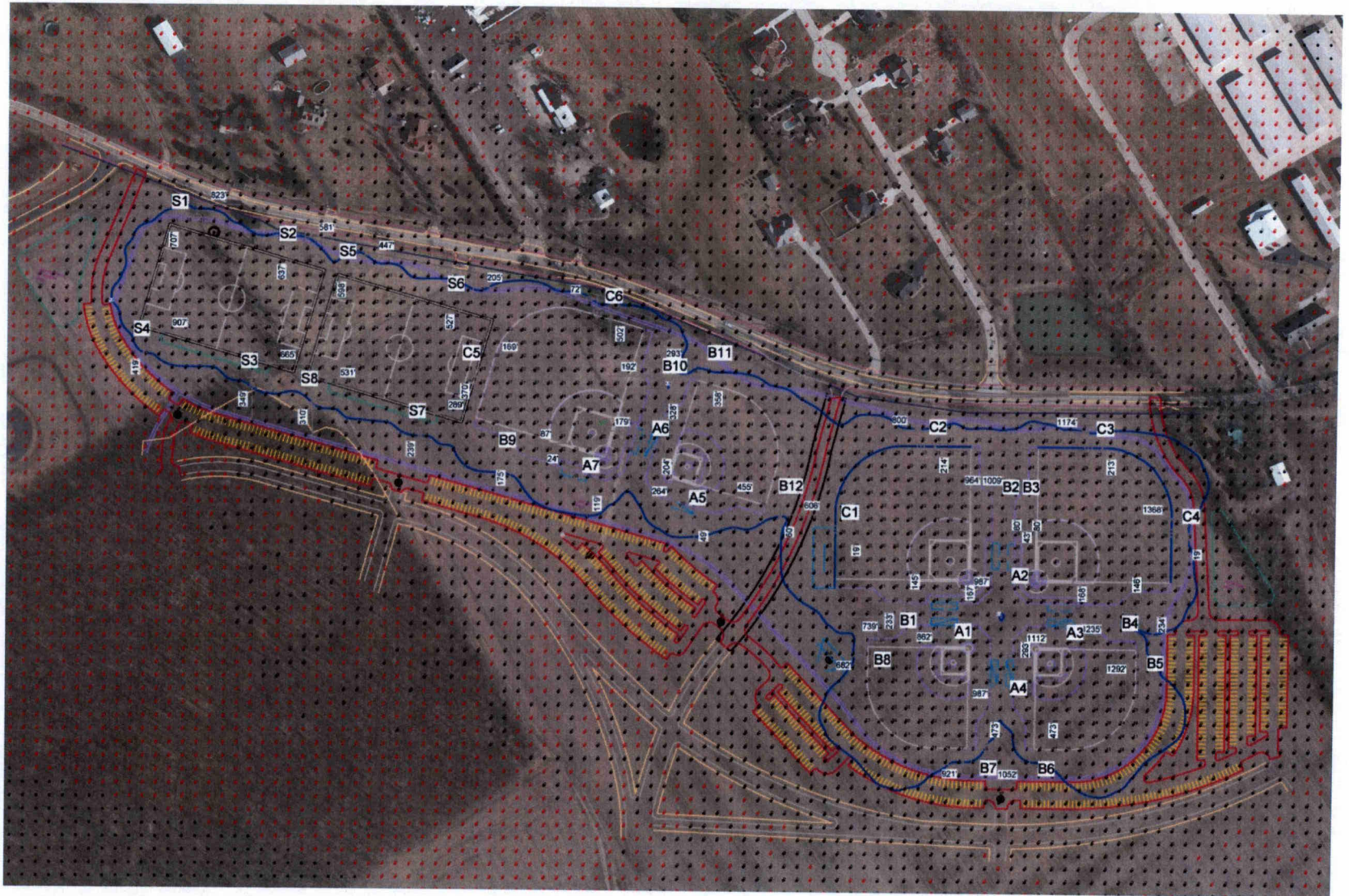








# Lighting

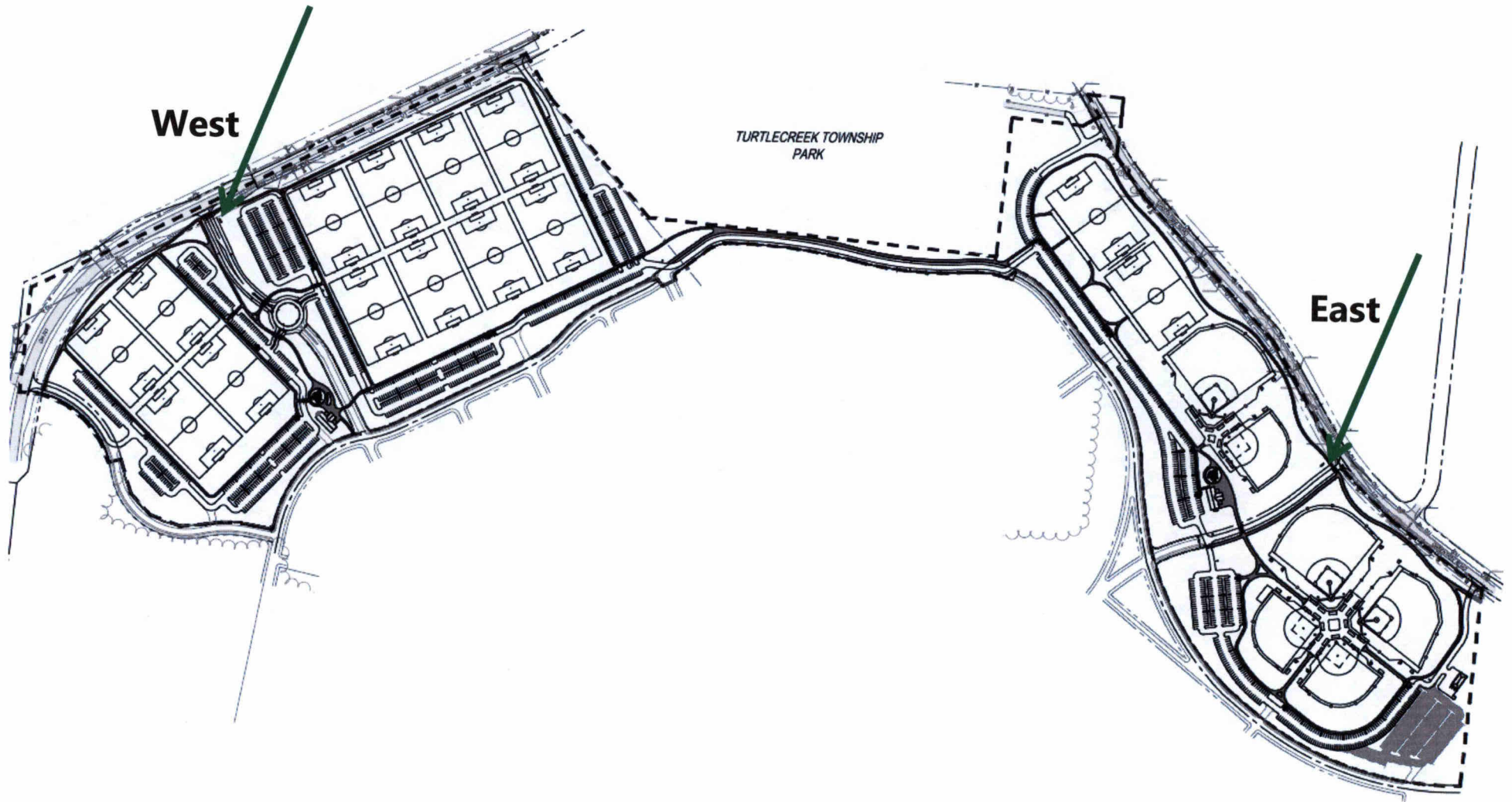


# Staff Recommendations – PUD Standards

- Sections 1 & 2:** Applicability & Purpose
- 3:** Residential Alternative Plan
- 4:** Roadways
- 5:** Access Drives and Parking Areas
- 6:** [Pedestrian] Paths
- 7, 8, 9:** **Landscaping**, Lighting, **Signage**
- 10:** Design Standards
- 11:** **Miscellaneous**
- 12:** **Criteria for Modifications**
- 13:** **Studies & Approvals**



# Signage





# Signage (Original)



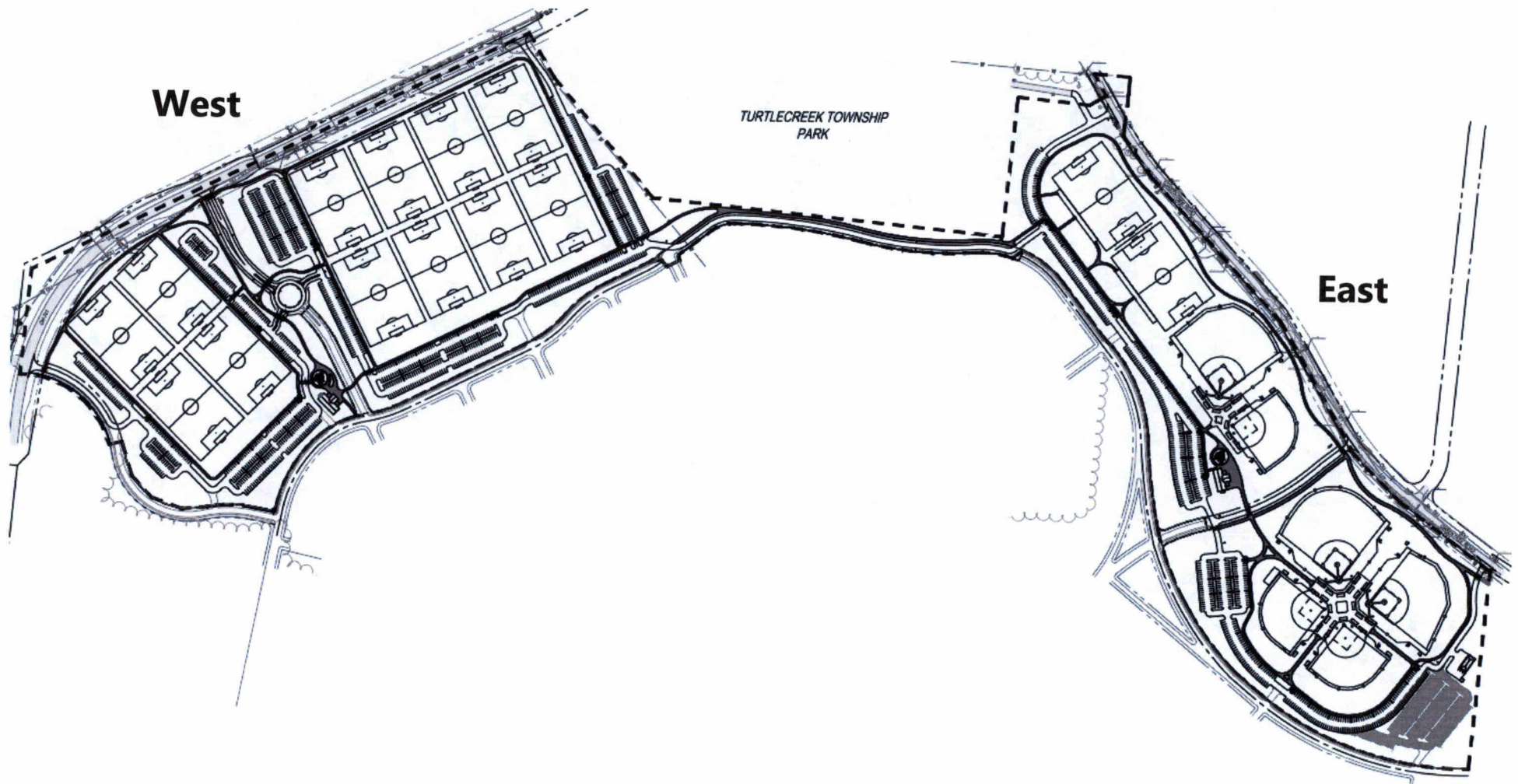


# Signage (Updated)



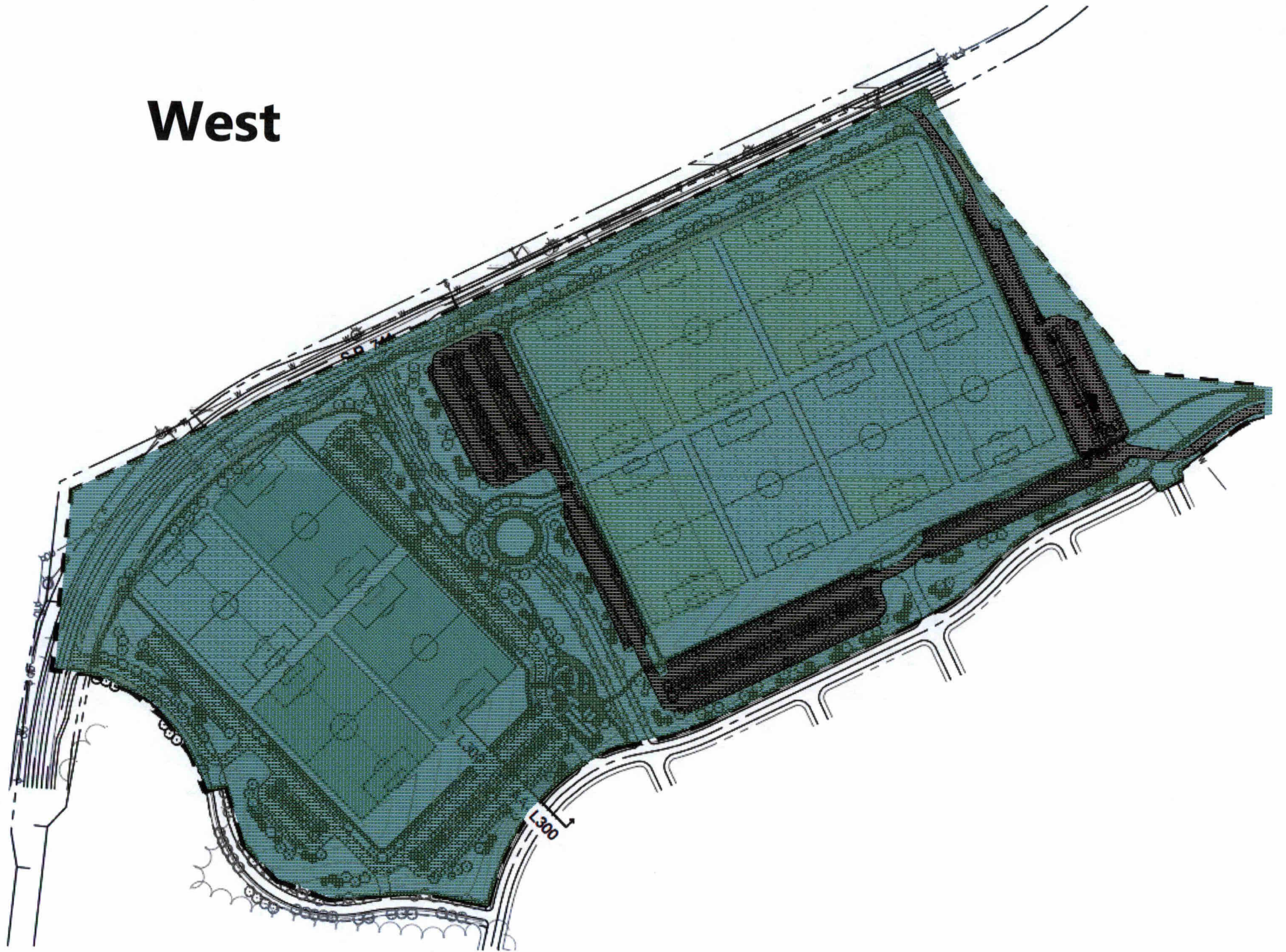


# Updated Plan



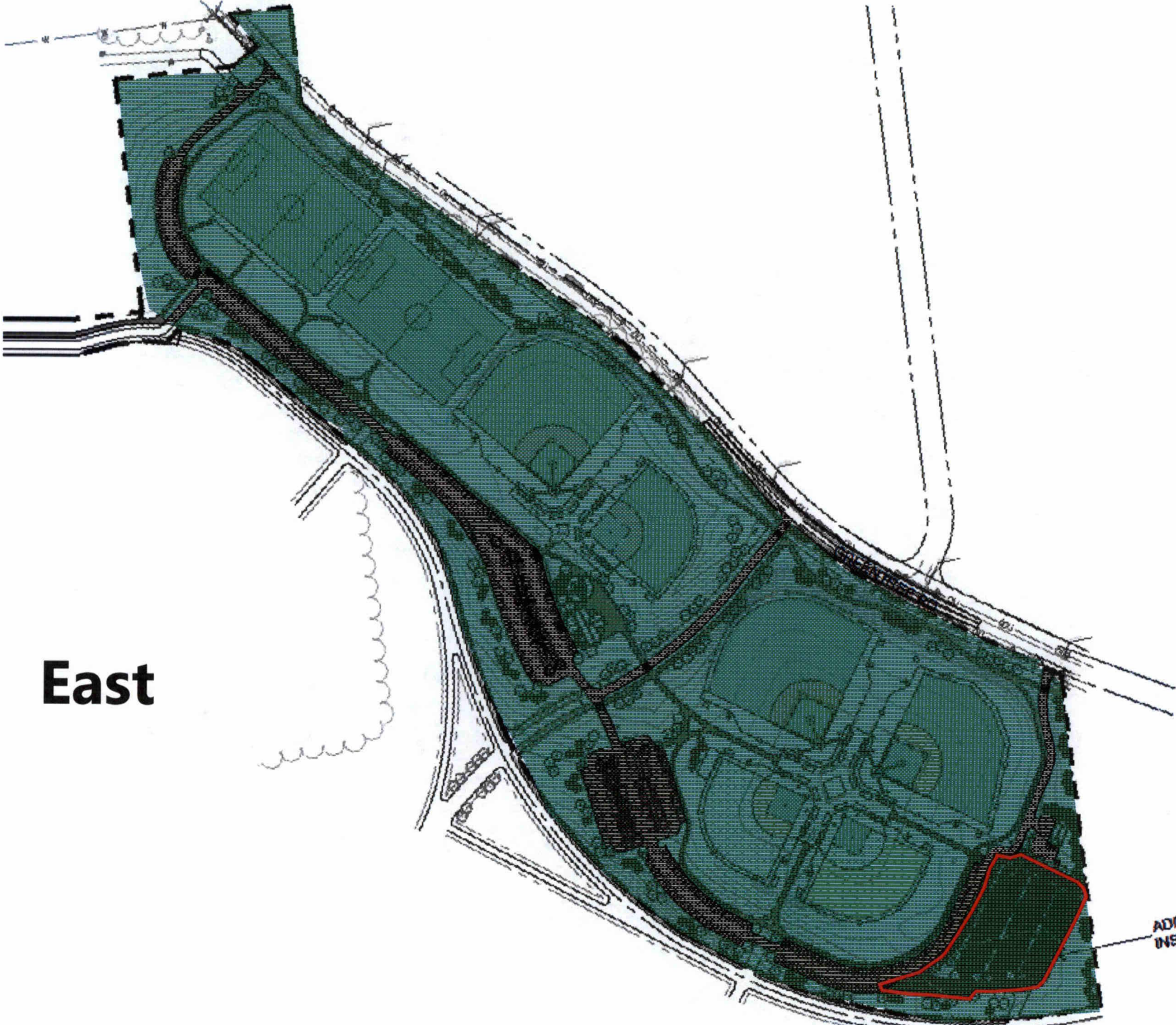


# West





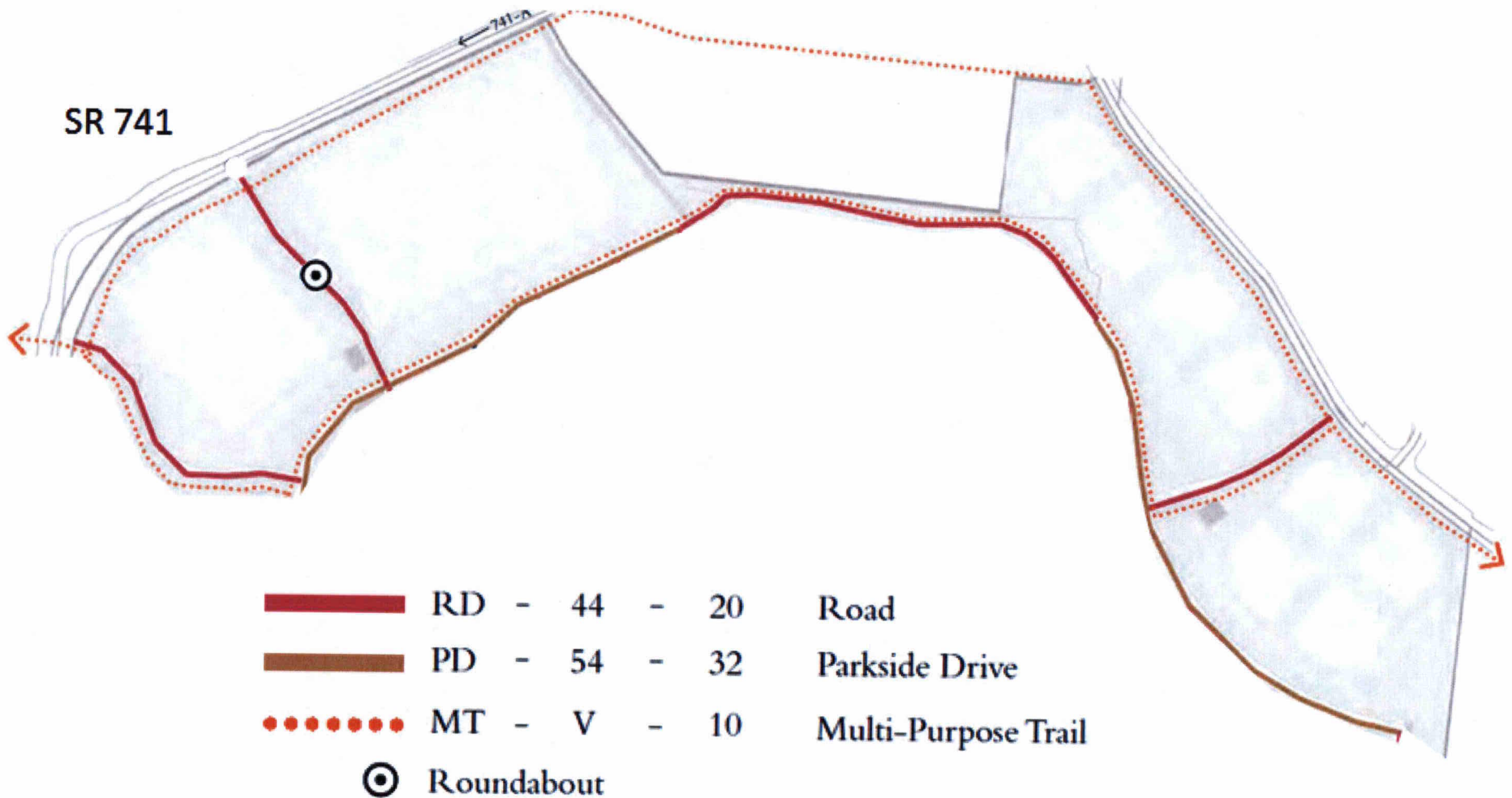
**East**



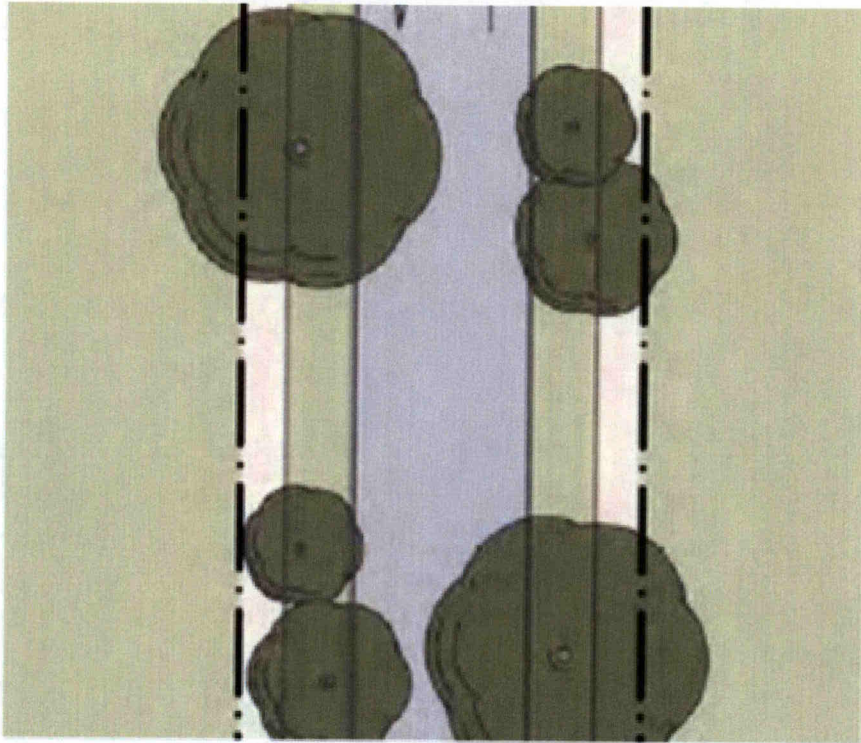
ADD ALTERNATE #  
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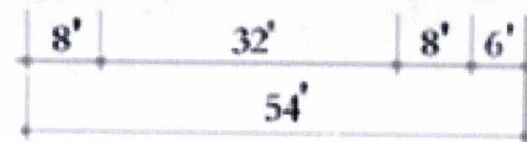
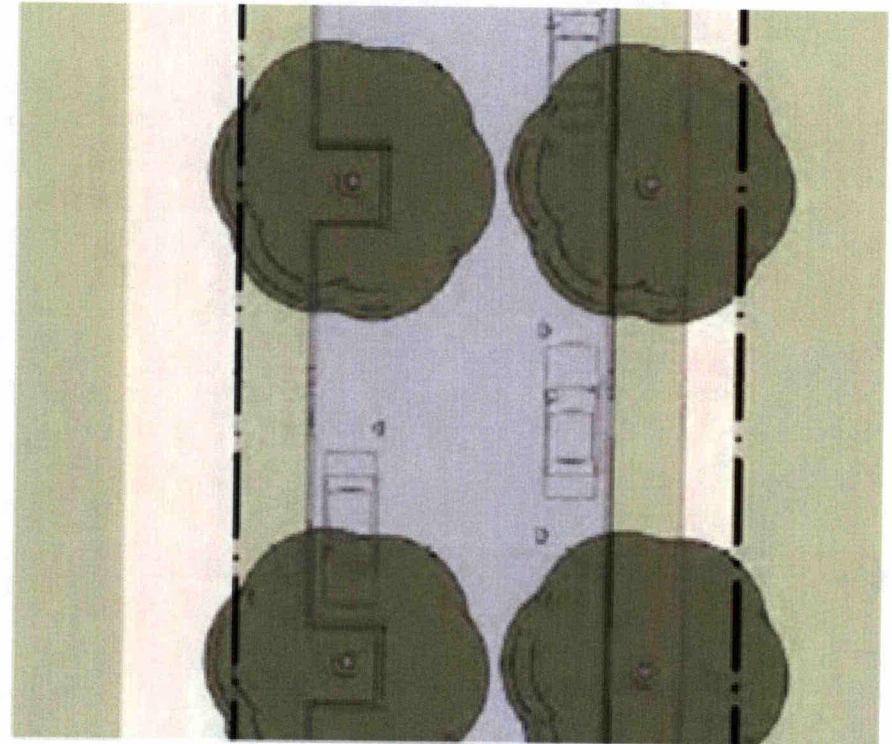
# Thoroughfare Types



# Thoroughfare Types



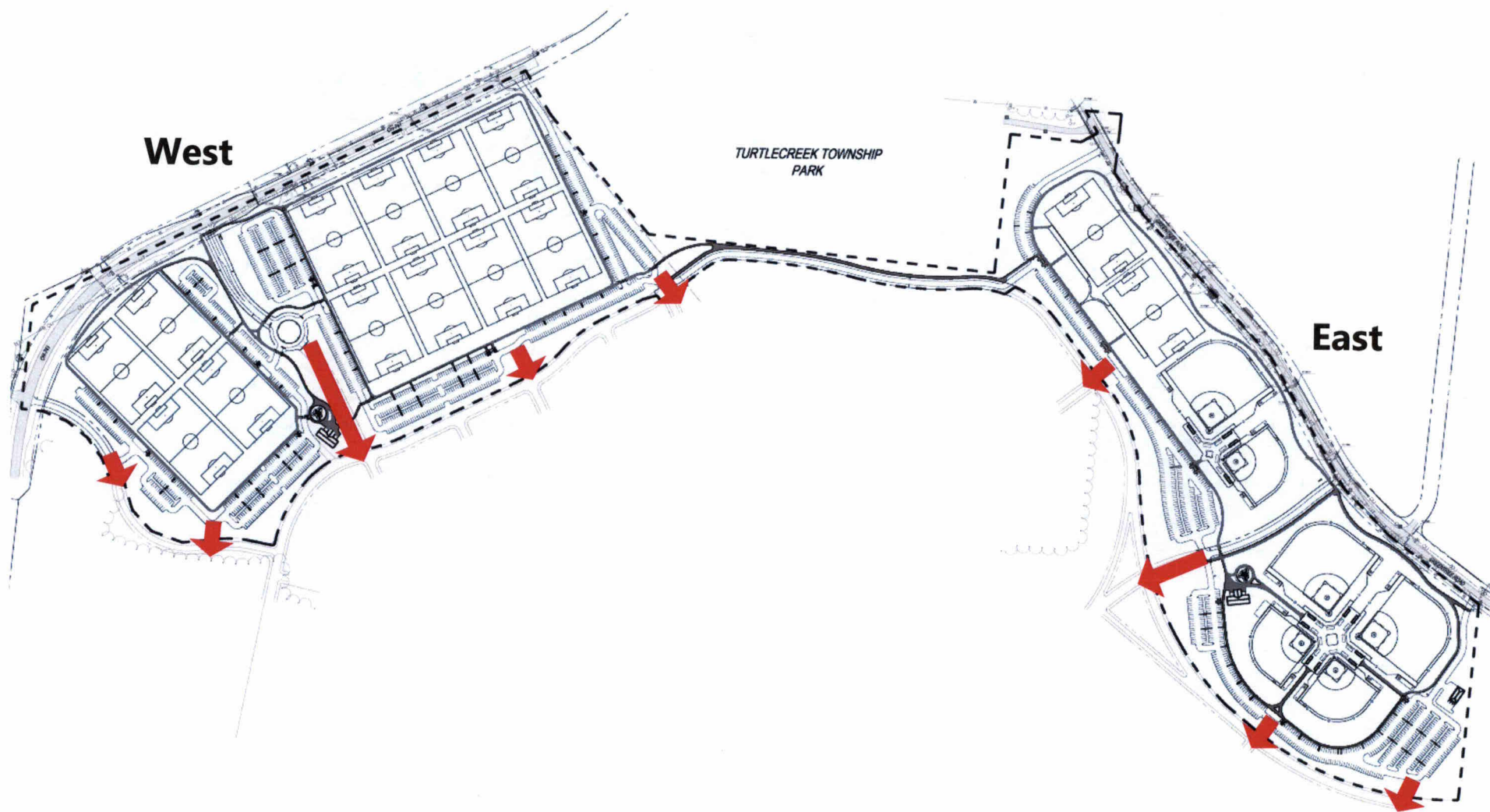
RD-44-20 a, b, or c



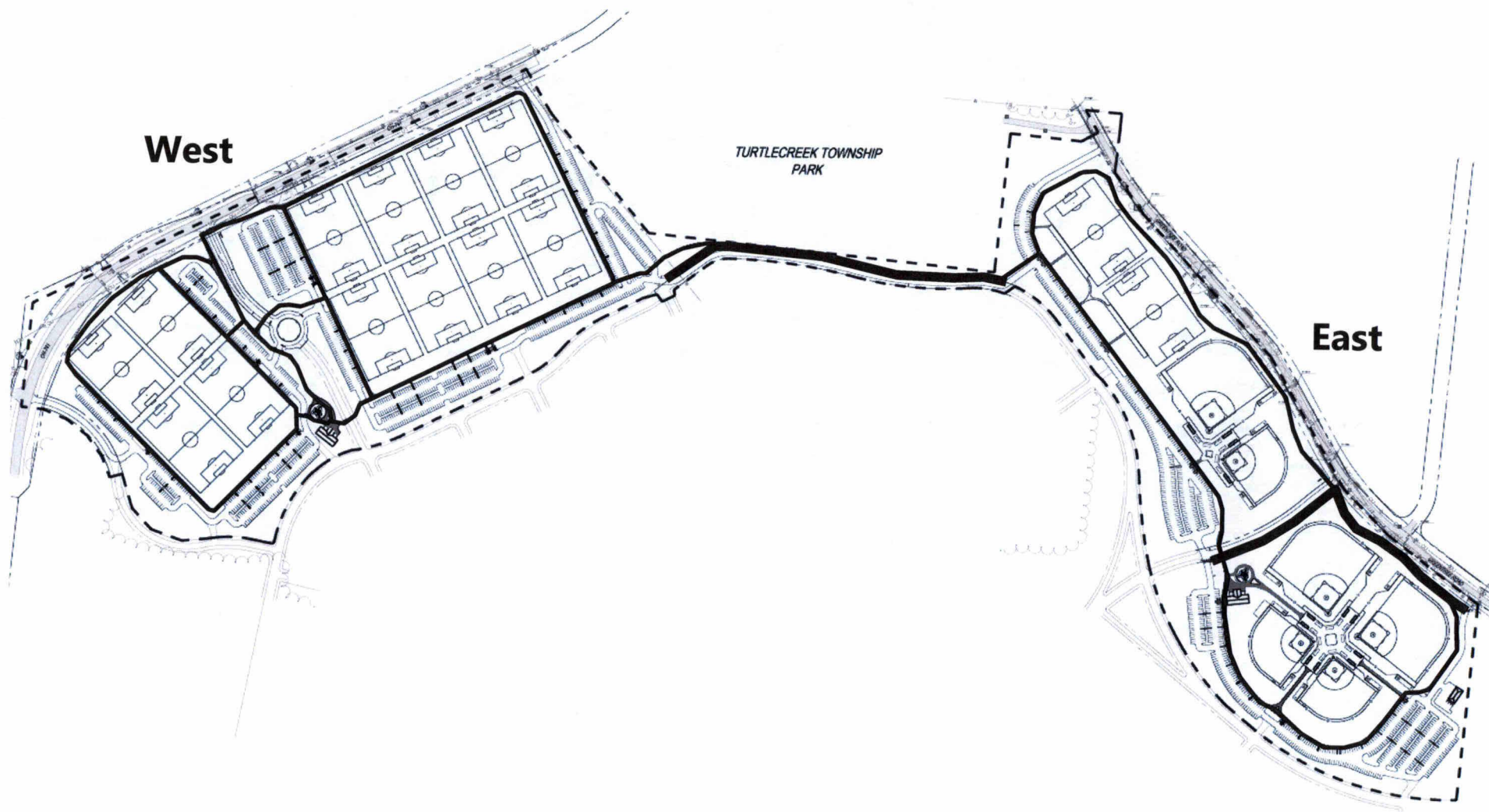
PD-54-32



# Future Points of Access

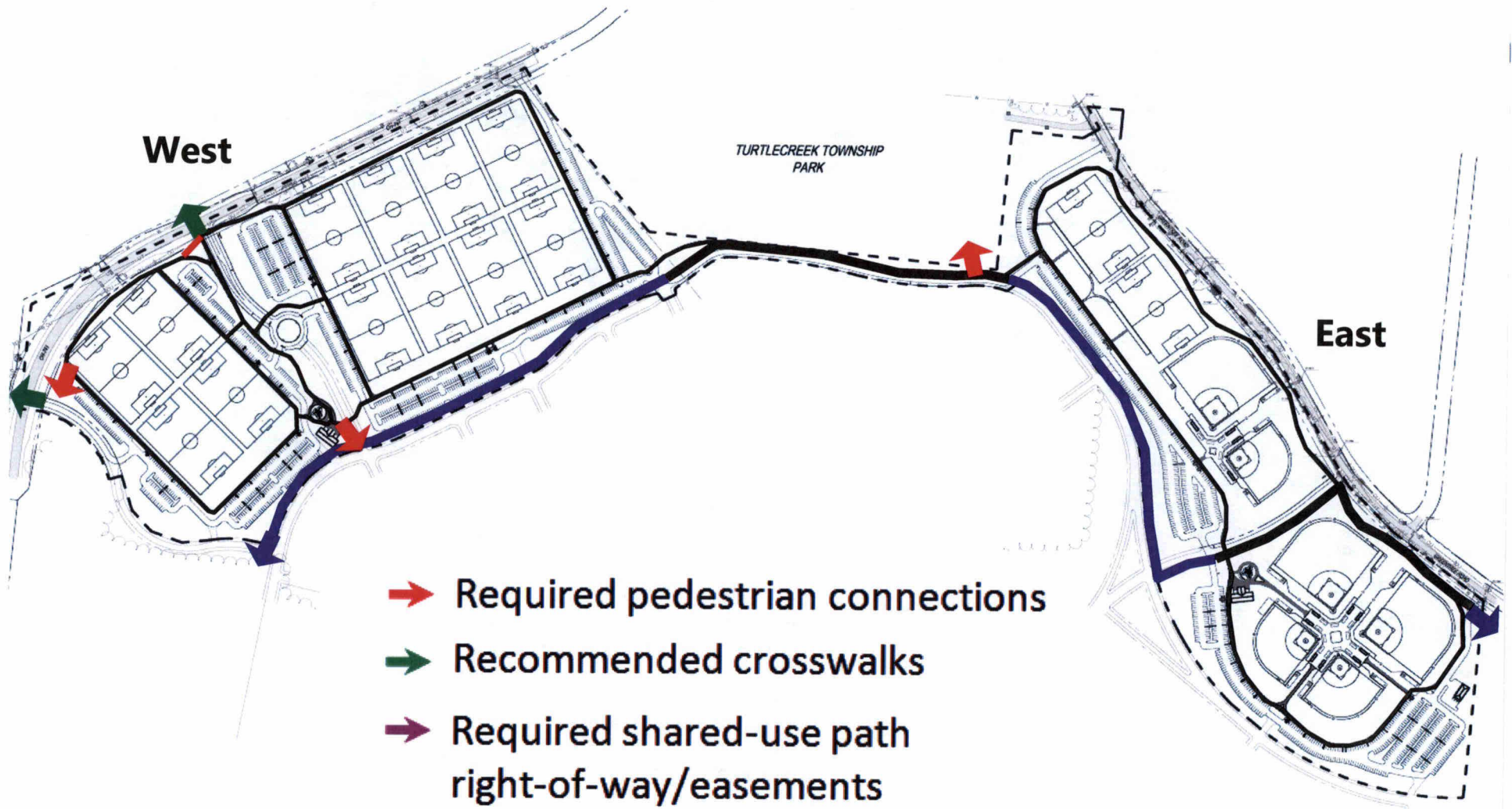


# Walking and Shared-Use Paths





# Walking and Shared-Use Paths









## **Access Management Variance Hearing - Sanzone Appeal**

### **County Engineer Report**





















#### **Parcels 17151000352 and 17151000350 - Foster-Maineville Road**

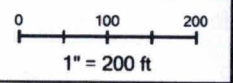
**601.4** In the granting of variances in accordance with the standards set forth in Section 601.2 herein, the Board should consider the following factors:

1. Whether not granting the variance would deny all reasonable access.
  - a. Yes
2. Whether granting the variance would endanger the public safety.
  - a. Minimum sight distance requirements are not met.
3. Whether the hardship was self-created by the appellant or his agent.
  - a. We denied granting of a driveway east of the requested driveway location to run to a landlocked parcel. It was constructed without our permission. The owner of both parcels then consolidated the two parcels into one parcel which required Hamilton Township Zoning approval. Township zoning required the consolidated lot to be split into two parcels with frontage on Foster-Maineville Road. This led to our lot split access management review and denial. A variance appeal ensued.
4. Whether granting the variance would hinder traffic movement or the proper operation of the public road.
  - a. A variance would lead to inadequate sight distance for left turn traffic entering and traffic leaving.
5. Whether granting the variance would be consistent with the purpose of these regulations.
  - a. A variance would lead to inadequate sight distance for left turn traffic entering and left turning traffic leaving.
6. Whether all feasible access options except granting a variance have been considered.
  - a. County is willing to grant a driveway on the western parcel with granting of an access easement to the eastern parcel. We recommend requiring the applicant to submit to signing a liability release form that the property owners acknowledge that the driveway does not meet minimum sight distance requirements.



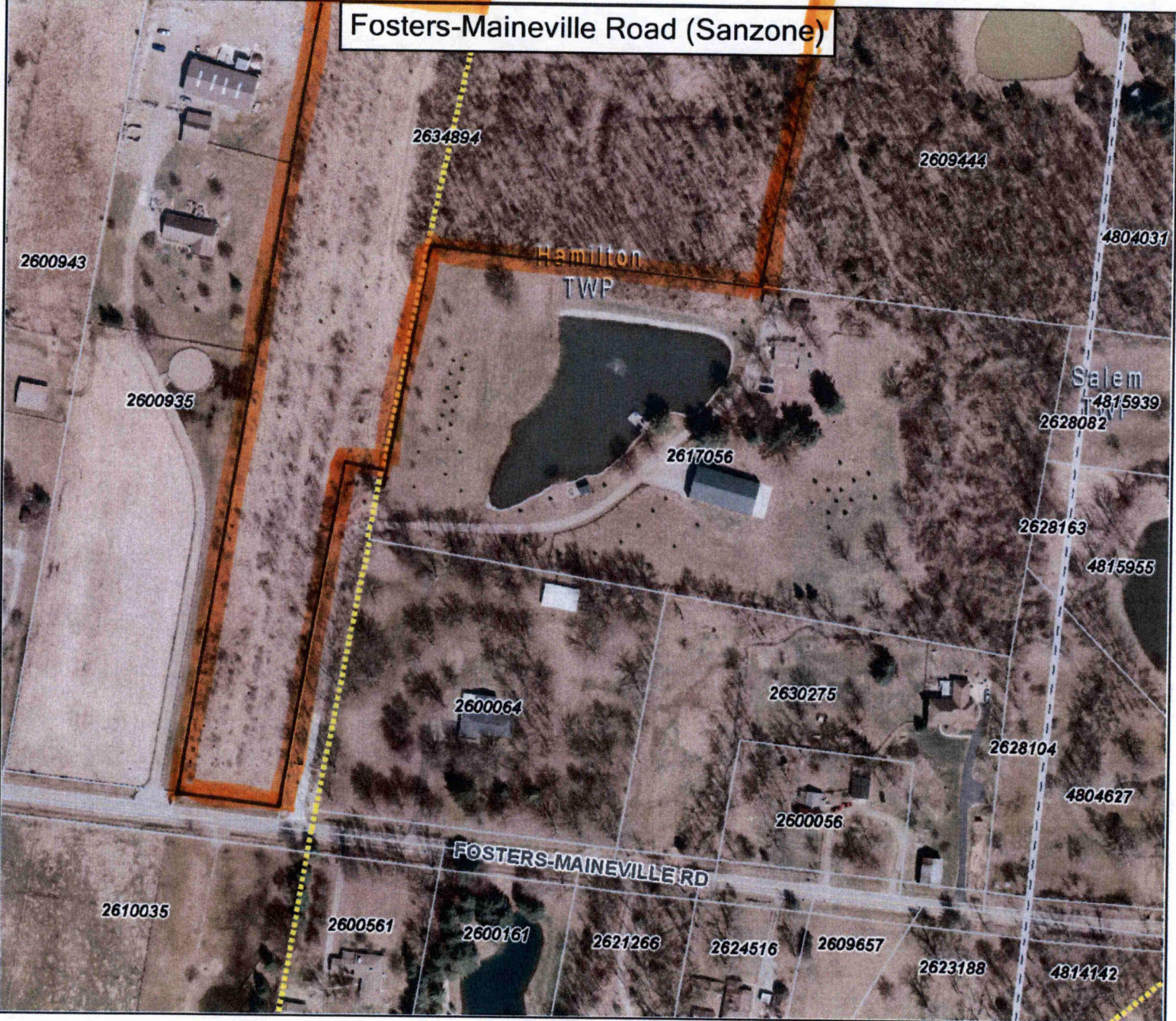
Warren County Legend

-  Interstate
-  US Route
-  State Route
-  Local Road
-  County Boundary
-  Auditors Tract Line
-  Civil Township Line
-  Corporate Line
-  Overpass Line
-  Parcel Line
-  ROW Unknown Width
-  Road ROW
-  School Line
-  Section Line
-  Subdivision Limit
-  Subdivision Lot Line
-  Township & Range
-  Tract Line
-  VMS Line
-  Vacated Road Line



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PERMIT No. \_\_\_\_\_ DATE: \_\_\_\_\_  
BLDG PERMIT No. \_\_\_\_\_  
ROAD/STREET NAME: \_\_\_\_\_  
SUBDIVISION NAME: \_\_\_\_\_  
LOT No. \_\_\_\_\_ HOUSE No. \_\_\_\_\_  
PARCEL No. \_\_\_\_\_  
(form rev. 03/2005)

**Waiver, Release and Assumption of Risk**

I/We, the undersigned desire that the Warren County Engineer issue a driveway culvert permit and do further acknowledge and represent the following facts:

- 1) I/We filed an application for a driveway culvert permit in the Office of The Warren County Engineer; and,
- 2) I/We warrant that I/We am/are all of the owner(s) of the real estate described in the driveway culvert permit application; and,
- 3) I/We affirm that I/We erected field stakes of the location that I/We desire the driveway culvert to be located in conjunction with filing the driveway culvert permit application; and,
- 4) I/We acknowledge that the Office of the Warren County Engineer field checked My/Our staked location desired for the driveway culvert in relation to the public roadway; and,
- 5) I/We acknowledge that the Office of the Warren County Engineer field checked the sight distance for all the roadway frontage for the above referenced property in relation to the public roadway; and,
- 6) That My/Our staked location desired for the driveway culvert does not meet the Ohio Department of Transportation's ("ODOT's") stopping sight distance requirements as promulgated in Section 201.2 & 201.2.1 of the most current version of the ODOT Location & Design Manual; and,
- 7) Nor does any of the roadway frontage along for the above referenced property meet ODOT's stopping sight distance requirements as promulgated in Sections 201.2 & 201.2.1 of the most current version of the ODOT Location & Design Manual; and,
- 8) Based on advice of legal counsel, the Warren County Engineer's Office is required to provide the above referenced property with a driveway culvert to access the public roadway, and the Warren County Engineer's Office has determined the safest placement of the driveway culvert under the circumstances, conditions the issuance of the driveway culvert permit on the My/Our acknowledgment of the foregoing and My/Our waiver, release and assumption of risk.



Accordingly, for and in consideration of the issuance of a driveway culvert permit, granted by and through the Warren County Engineer, the undersigned, for Myself/Ourselves and My/Our successors and assigns, hereby assume all risks, and agree to hold harmless, indemnify, and forever release Warren County, Ohio, the Warren County Engineer, and their employees, agents and third party indemnifiers, as following:

- 1) I/We, acknowledge the placement of the driveway culvert entails known and unanticipated risks that could result in property damage, physical injuries, emotional injuries, paralysis, even death; and,
- 2) I/We expressly acknowledge, agree, fully know and understand, and accept and assume all of the risks relating to or arising out of the placement of the driveway culvert, and that My/Our use of the driveway culvert is undertaken with full knowledge and in spite of all risks, both known and unknown; and,
- 3) I/We, hereby voluntarily waive, release, forever discharge, and agree to hold harmless, indemnify, and release Warren County, Ohio, the Warren County Engineer, and their employees, agents and third party indemnifiers from any and all claims, demands, or causes of action, which are in any way connected with My/Our use of the driveway culvert or as a result of My/Our or any third parties' use of the driveway culvert, including such claims which allege failure to warn, negligent acts, or omissions of Warren County, Ohio, the Warren County Engineer, and their employees and agents. Should Warren County, Ohio, the Warren County Engineer, and their employees, agents and third party indemnifiers acting on their behalf, be required to incur attorney's fees and costs to enforce this agreement, I/We agree to indemnify and hold them harmless and to reimburse them for all such fees and costs.
- 4) I/We, agree that I/We will not file or cause to be filed any claim, lawsuit or litigation regarding this agreement or the use of the driveway culvert by Myself/Ourselves or third parties. If any litigation does arise, I/We agree that such litigation will be maintained in or transferred to Warren County, Ohio, and that the substantive law of Ohio shall apply and govern the provisions of this agreement, controversy arising out of or related to the use of the driveway culvert, and any legal action, without regard to the conflict of law rules; and,
- 5) I/We agree that if any portion of this agreement is found to be void or unenforceable, the remaining portions shall remain in full force and effect; and,
- 6) By signing this agreement, I/We acknowledge that if I/We or anyone else is injured, or property is damaged during My/Our use of the driveway culvert or as a result of My/Our or any third parties' use of the driveway culvert, I/We may be found by a court of law to have waived my right to maintain any claim or lawsuit against Warren County, Ohio, the Warren County Engineer, or their employees, agents and third party indemnifiers, on the basis of any claim released herein.

**IN EXECUTION WHEREOF**, I/We acknowledge that I/We have had a sufficient opportunity to read this entire document; that I/We have read and understood it; and, that I/We agree to be bound by its terms.

**WITNESSETH:**

WITNESS' SIGNATURE: \_\_\_\_\_  
WITNESS' PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

WITNESS' SIGNATURE: \_\_\_\_\_  
WITNESS' PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

WITNESS' SIGNATURE: \_\_\_\_\_  
WITNESS' PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

WITNESS' SIGNATURE: \_\_\_\_\_  
WITNESS' PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

**OWNER(S):**

SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_  
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