



**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 – February 26, 2019**

The Board met in regular session pursuant to adjournment of the February 19, 2019, meeting.

Shannon Jones – present

Tom Grossmann – present

David G. Young – present

Tina Osborne, Clerk – present

Minutes of the February 12, 2019 and February 19, 2019 meetings were read and approved.

- 19-0241 A resolution was adopted to accept resignation of Jacqueline Pettis, Eligibility Referral Specialist II, within the Warren County Department of Job and Family Services, Human Services Division, effective March 1, 2019. Vote: Unanimous
- 19-0242 A resolution was adopted to hire Rhonda Day as Cashier Receptionist, within the Water and Sewer Department. Vote: Unanimous
- 19-0243 A resolution was adopted to hire Arron Tate as Water Distribution Worker II, within the Water and Sewer Department. Vote: Unanimous
- 19-0244 A resolution was adopted to hire Jonathan Young as Water Distribution Worker I, within the Water and Sewer Department. Vote: Unanimous
- 19-0245 A resolution was adopted to hire Andrew Caldwell as Business Manager, within the Water and Sewer Department. Vote: Unanimous
- 19-0246 A resolution was adopted to hire Jodi Davis as Assistant Business Manager, within the Water and Sewer Department. Vote: Unanimous
- 19-0247 A resolution was adopted to hire Melinda Callahan as Protective Services Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous

- 19-0248 A resolution was adopted to hire Jacob Watts as Custodial Worker I, within the Facilities Management Department. Vote: Unanimous
- 19-0249 A resolution was adopted to authorize the President of the Board to sign the revised Change Order No. 7 with TriTech Software Systems on behalf of Warren County Telecommunications. Vote: Unanimous
- 19-0250 A resolution was adopted to approve and enter into adoption assistance agreements with [REDACTED] on behalf of Ohio Department of Job and Family Services Children Services Division. Vote: Unanimous
- 19-0251 A resolution was adopted to cancel regularly scheduled Commissioners' meeting of Thursday, February 28, 2019. Vote: Unanimous
- 19-0252 A resolution was adopted to remove Chris Brausch from the Tax Incentive Review Council due to scheduling conflicts and appoint Chris Wojnicz as said replacement. Vote: Unanimous
- 19-0253 A resolution was adopted to set administrative hearing to consider Variance and Appeal of Conditions Required for an Access Permit of St. Margaret of York in Deerfield Township. Vote: Unanimous
- 19-0254 A resolution was adopted to enter into contract with Rumpke Consolidated Companies for solid waste services for various Warren County building locations. Vote: Unanimous
- 19-0255 A resolution was adopted to enter into professional service contract with Clinton County relative to building inspection services. Vote: Unanimous
- 19-0256 A resolution was adopted to declare various items within Board of Elections, County Court, Clerk of Courts-Legal, Facilities Management, Sheriff's Office, and Telecommunications as surplus and authorize the disposal of said items. Vote: Unanimous
- 19-0257 A resolution was adopted to enter into contract with Layne Christensen Company for the RAR Water Treatment Plant Filter Rehabilitation Project. Vote: Unanimous
- 19-0258 A resolution was adopted to approve notice of intent to award bid to Triton Services Inc. for the FY18 Maineville – ADA Restroom Upgrade CDBG Project. Vote: Unanimous
- 19-0259 A resolution was adopted to approve notice of intent to award bid to Rack and Ballauer Excavating for the Warren County Fairgrounds Paving Project. Vote: Unanimous

- 19-0260 A resolution was adopted to approve certification of delinquent water and/or sewer accounts – Warren County Water and Sewer Department. Vote: Unanimous
- 19-0261 A resolution was adopted to approve and enter into a lease agreement with Pitney Bowes. Vote: Unanimous
- 19-0262 A resolution was adopted to authorize the Director of Warren County Telecommunications to order services with Spectrum (FKA Time Warner Cable). Vote: Unanimous
- 19-0263 A resolution was adopted to authorize Warren County Sanitary Engineer or Deputy Sanitary Engineer to prepare and submit a nomination form to participate in Water Supply Revolving Loan Account (WSRLA) Program for 2020 for the Warren County Water Treatment Plant Membrane Softening Upgrades Project. Vote: Unanimous
- 19-0264 A resolution was adopted to acknowledge payment of bills. Vote: Unanimous
- 19-0265 A resolution was adopted to approve a subdivision public improvement performance and maintenance security agreement release for Grand Communities, Ltd. for the Lakeside at Shaker Run, Section One situated in Turtlecreek Township. Vote: Unanimous
- 19-0266 A resolution was adopted to approve a street and appurtenances bond reduction for Savannah Farms, LLC for completion of performance of construction of improvements and enter into the maintenance security for Savannah Farms in Clearcreek Township. Vote: Unanimous
- 19-0267 A resolution was adopted to approve various record plats. Vote: Unanimous
- 19-0268 A resolution was adopted to approve supplemental appropriation into Sheriff's Office fund #2286. Vote: Unanimous
- 19-0269 A resolution was adopted to approve supplemental appropriations into Common Pleas Court Community Based Corrections fund #2289. Vote: Unanimous
- 19-0270 A resolution was adopted to approve appropriation adjustment from Commissioners General fund #11011110 into Office of Management and Budget fund #11011115. Vote: Unanimous
- 19-0271 A resolution was adopted to approve text amendments to alter various sections of the Warren County Rural Zoning Code. Vote: Unanimous



DISCUSSIONS

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

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PUBLIC HEARING

CONSIDER TEXT AMENDMENT TO THE WARREN COUNTY RURAL ZONING CODE  
INITIATED BY THE BOARD OF COMMISSIONERS

The public hearing to consider text amendments to the Warren County Rural Zoning Code initiated by this Board was reconvened this 26<sup>th</sup> day of February 2019, in the Commissioners' Meeting Room.

Greg Orosz, Regional Planning Commission, presented the attached PowerPoint presentation reviewing the proposed text amendments and the process leading up to today's hearing. He then focused his review on the Conditional Use portion relative to a wedding venue locating within the RU, R1A and R1 zones.

Commissioner Grossmann confirmed that a wedding venue is a Conditional Use, not a permitted use, within the residential zone and the review criteria that must be met in order for a Conditional Use to be approved.

There was discussion relative to the minimum acreage required for a wedding venue conditional use to be approved.

Mr. Orosz stated that the proposed minimum acreage within a residential zone is 5 acres however the Board of Commissioners have the flexibility to make changes to the proposed amendment that include increasing that minimum acreage to 10 acres.

Commissioner Young discussed the balancing act of the expectation of property use within a zoning classification relative to property owner rights.

Bruce McGary, Assistant Prosecutor, explained the background on how Conditional Use became a part of the Warren County Rural Zoning Code during the zoning re-write process that was approved in 2012.

Robert Ware, Regional Planning Commission, stated that throughout historical zoning, the majority of Warren County townships have been classified as Rural Residence "R-1".



There was discussion relative to the pending litigation associated with the approval of a Conditional Use for a wedding venue being located along Robinson-Vail Road in Franklin Township having no impact from the zoning text amendments being proposed during today's public hearing.

Commissioner Grossmann stated his opinion that the proposed amendments are better than what the current zoning code includes. He stated he will address the resident initiated text amendments when it comes before this Board. He then stated he will vote to approve the text amendments being considered today.

Commissioner Young stated that the 5 acre minimum for a wedding venue to locate within a residential zone is too small and should be amended to require a minimum of 10 acres.

Commissioner Grossmann stated his concern relative to the amendments being vetted with the 5 acre minimum and stated any changes should be required to go through the process, providing input from those people who are experts on this subject.

Larry Pockras, Robinson-Vail Road resident, presented information to the question that Commissioner Grossmann requested during the last public hearing relative to how surrounding political subdivisions address wedding venues.

John Phillips, attorney for 26 residents along Robinson-Vail Road, stated his opinion that the wedding venue portion of the proposed amendments will cause the erosion of the residential designation by allowing commercial use within the residential zone.

Commissioner Grossmann stated that the Conditional Use of a wedding venue has been an allowable use and this amendment is "cleaning up" the language by applying review criteria to the process. He then stated he is opposed to any use changes under the present amendments but will consider those changes when they consider the resident initiated amendments.

On motion, the public hearing was closed.

Commissioner Young stated he does not like the 5 acre minimum required for a wedding venue to locate within a residential zone and would look favorably on the amendments if the minimum acreage is amended to 10 acres.

Commissioner Grossmann questioned making changes without those changes going through the process.

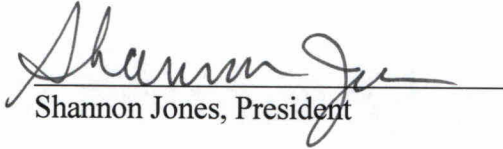
Mr. Orosz stated that those minimums were discussed during the process and staff concurs with the minimum acreage being changed from 5 acres to 10 acres.

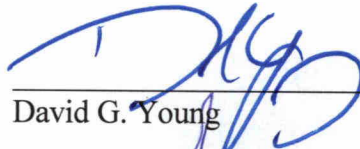
Commissioner Jones questioned if there is a desire to amend the minimum required acreage from 5 acres to 10 acres.

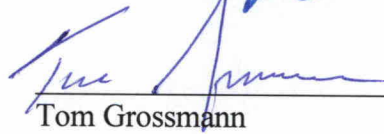
Upon further discussion, the Board concurred to amend the minimum acreage.

On motion, upon unanimous call of the roll, the Board resolved (Resolution #19-0271) to approve text amendments to alter various sections of the Warren County Rural Zoning Code.


Upon motion the meeting was adjourned.

  
Shannon Jones, President

  
David G. Young

  
Tom Grossmann

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 February 26, 2019, in compliance with Section 121.22 O.R.C.

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



**Warren County  
Zoning Department**

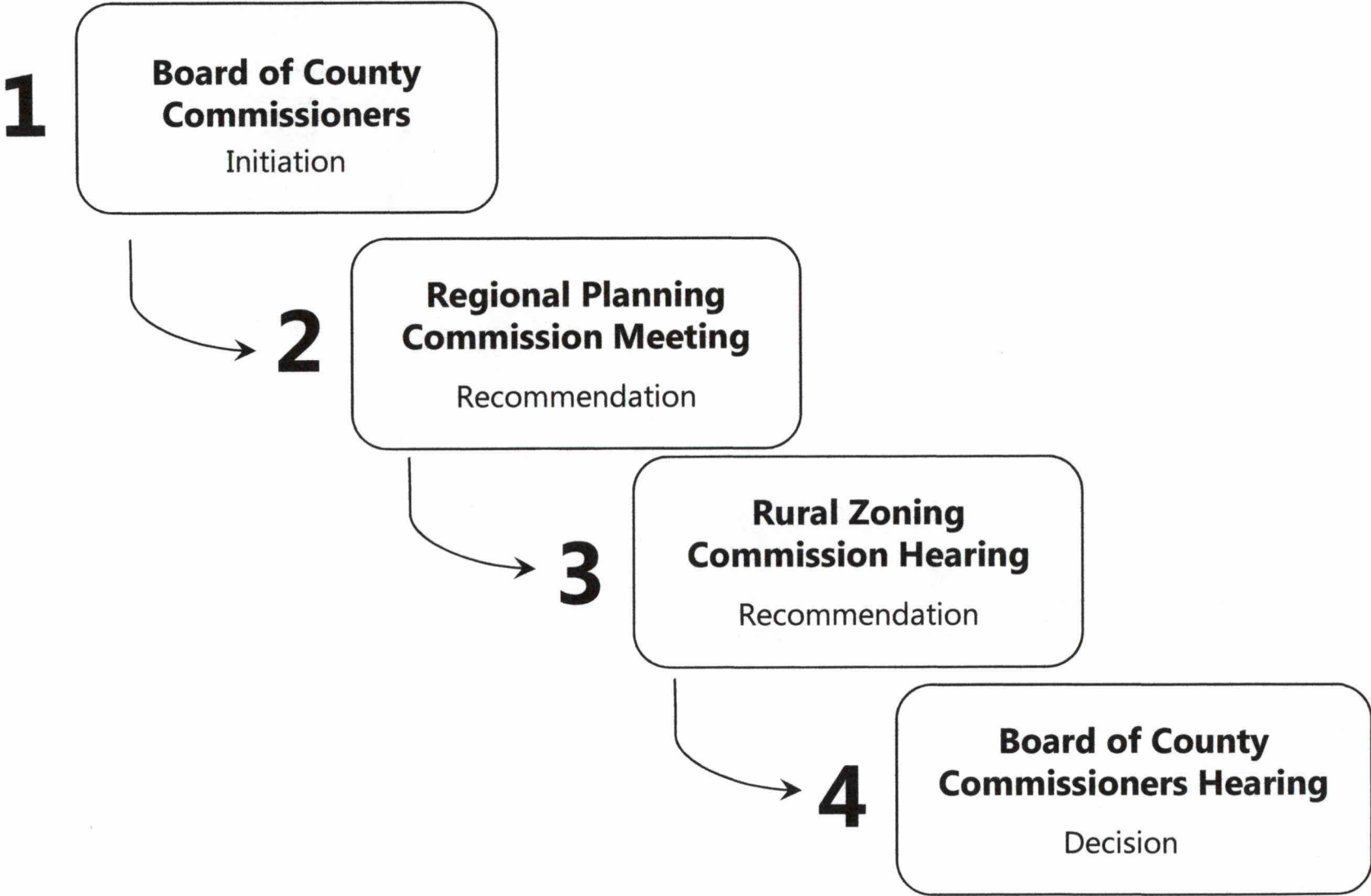
# **Warren County Rural Zoning Code Text Amendments**

Prepared for the  
Warren County Board of Commissioners

Meeting Date: February 26, 2019



# Text Amendment Process



# Amendment Topics

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- 1) Administrative Procedures
- 2) Mixed Use Zone (MXU) Regulations
- 3) Wedding Facility, Event Center
- 4) Community Facilities & Essential Services
- 5) Caretaker Dwelling
- 6) Residential Principal Buildings
- 7) Agricultural Uses in Subdivisions
- 8) Access Management

# Wedding Facility, Event Center



## Conditional Use:

RU (5 acre)

R1A (3 acre)

R-1 (2 acre)

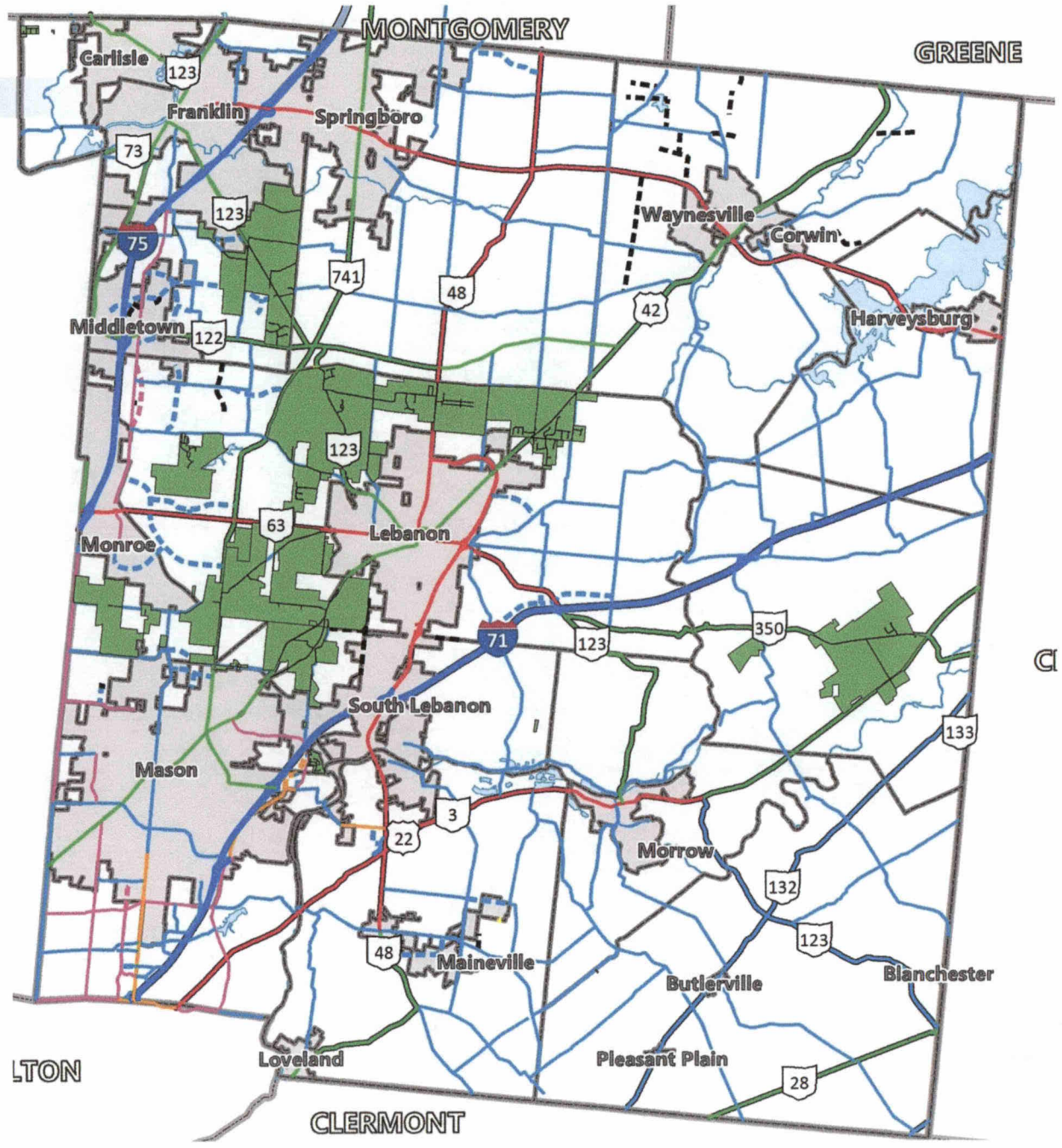
With specific standards for “Wedding Facility, Event Center” and the ability to add additional standards based on each site.

Rationale behind R-1 Zone (most dense of the three) as dictated by the residents during the rezoning of the County in 2012:



# R1 Zone Sites

 R1 Zoning



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## Allowable Uses - R1

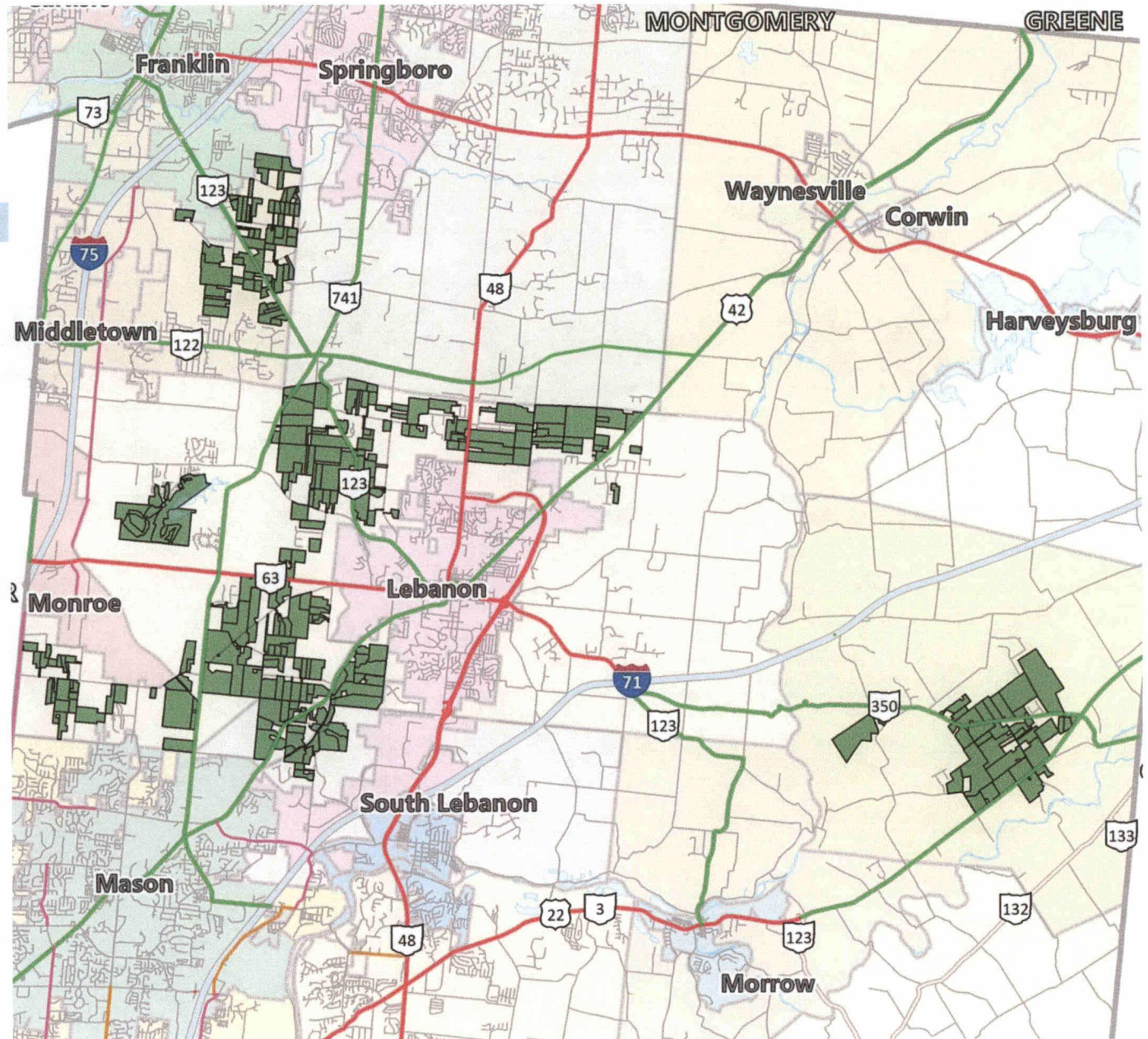
- Golf Courses, Driving Range - C
- Bed & Breakfast - C
- Agri-tourism - S
- Kennel - C
- Institutional Care Facilities - C
- Churches - C
- Civic Clubs - C
- Animal Hospital - C
- Funeral Home - C
- Indoor Recreation Facility - C
- Halls & Lodges - C
- Camp & Retreat Center - C
- Post Office - S
- Libraries, Museums, Arts Center - S
- Hospital, Clinic - S
- Rehab Facility - C
- Public Works Maint. Yards - C
- Schools, Career Center - C
- College Universities - C
- Cell Towers - S

**C** - Conditional Use      **S** - Permitted use subject to BOCC approval of Site Plan



# R1 properties 10 acres and greater

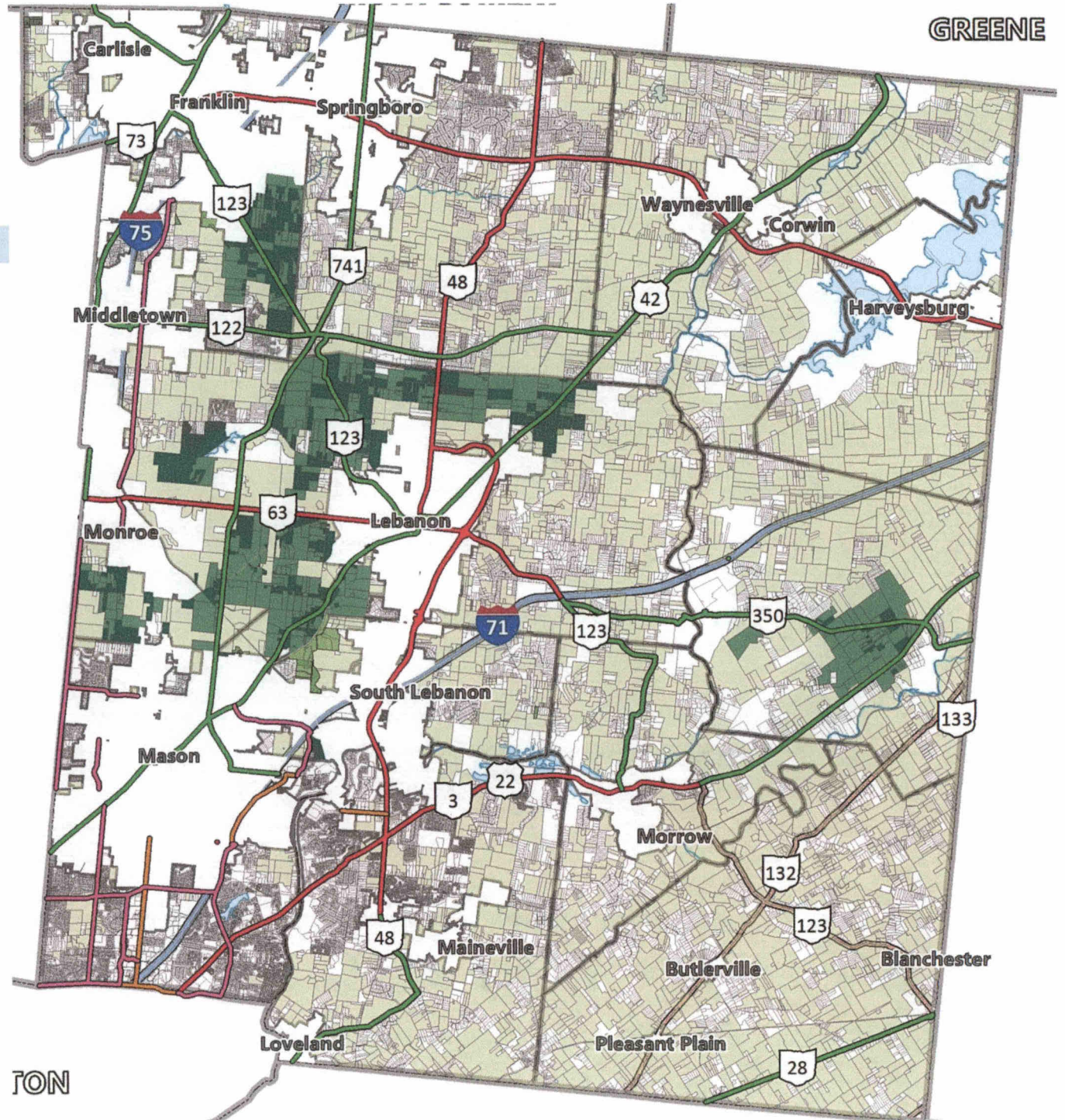
 R1 Properties 10 Acres Plus





# CAUV Properties within R1 Zone

CAUV Properties



# Wedding Facility, Event Center [New Use]

## ARTICLE IV CHAPTER 1 – DEFINITIONS

**Wedding Facility, Event Center** – A building or group of buildings where weddings; retreats; seminars; community events; private parties; and similar events are conducted in exchange for compensation. This use may include, but is not limited to, facilities for food preparation and serving, parking facilities, a caretaker residence, and administrative offices



# Summary of Use Specific Standards

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## Minimum Site Area

**Residential:** Five (5) acres   **Commercial:** Two (2) acres

Minimum Setbacks from Residential: 100 feet

Landscaping: Buffer Type D required adjacent to residential.

Design: Harmonious with character.

Maximum Occupancy: 300



# Summary of Use Specific Standards

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**Hours of Operation:** Maximum 12 hours per day.

**Sounds:** No outside amplified music.

**Signage and Lighting:** Comply with Zoning Code.

**Traffic Circulation:** Review and approved by the Engineer's Office.

# List of Sections by Topic

## Administrative Procedures

- Sections: 1.204.4, 1.303.5(C), 1.303.5(D), 1.303.6, 1.304.6(A), 1.304.6(B), 1.305.4(A), 1.305.4(B), 1.305.10(A), 1.306.1, 1.306.3, 1.306.5, 1.307.4, 2.202, 2.203(A), 1.312 \*per Warren County Prosecutor's Office

## Mixed Use Zone (MXU) Regulations

- Sections: 2.407.3(B), 2.407.5, 2.407.7

## Wedding Facility, Event Center

- Sections: 2.205, 3.206.17, 4.103

## Community Facilities & Essential Services

- Sections: 2.201, 2.205, 3.205, 3.206.12-3.206.16, 4.103

# List of Sections by Topic (Cont.)

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- Caretaker Dwelling
  - Sections: 3.206, 3.207.1, 3.208(A), 4.103
  
- Residential Principal Buildings
  - Sections: 3.203.1
  
- Agricultural Use in Subdivisions
  - Sections: 3.101
  
- Access Management
  - Sections: 3.304, 4.103



# (1) Administrative Procedures

- These amendments were mainly drafted by the Prosecutor's Office
- Clarify the following:
  - Quasi-judicial deliberations may be held in private
  - Public comments are only considered during hearings, not prior
  - Zoning amendments take effect 30 days from the date of the BOCC's verbal vote (referendum period)

# (1) Administrative Procedures (Cont.)



- All PUDs are subject to the updated process and procedures of the new Code
- Sets an expiration (1 year) for RPC Executive Committee recommendations on PUD Stage 2
- BZA decisions are “motions” not “resolutions,” and 30-day appeal window begins when decision is mailed
- Restructure conditional use review criteria
  - Making criteria more objective and definitive

## **(2) Mixed Use Zone (MXU) Regulations**

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- Remove Multiple-Family Dwelling Units from the MXU districts
- Limit number of units per structure to 4
- Limit conventional developments to 1-acre density single-family residential
- Eliminate commercial requirement for small lots and lots not fronting on a major road in the MXU-C district



## (3) Wedding Facility, Event Center

- Add and define new land use “Wedding Facility, Event Center”
- Add use-specific standards for “Wedding Facility, Event Center”



## **(4) Community Facilities & Essential Serv.**



- Distinguish clearly between Community Facilities & Essential Services (current description lumps the two together)
- Restructure the Use Table to reflect new distinction of Community Facilities & Essential Services

## (5) Caretaker Dwelling

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- Allow caretaker dwelling as an accessory use for non-residential uses
- Define "Caretaker Dwelling" and "Caretaker"



## **(6) Residential Principal Buildings**



- Clarify that only one principal building, residential or non-residential, is permitted per lot

## **(7) Agricultural Uses in Subdivisions**

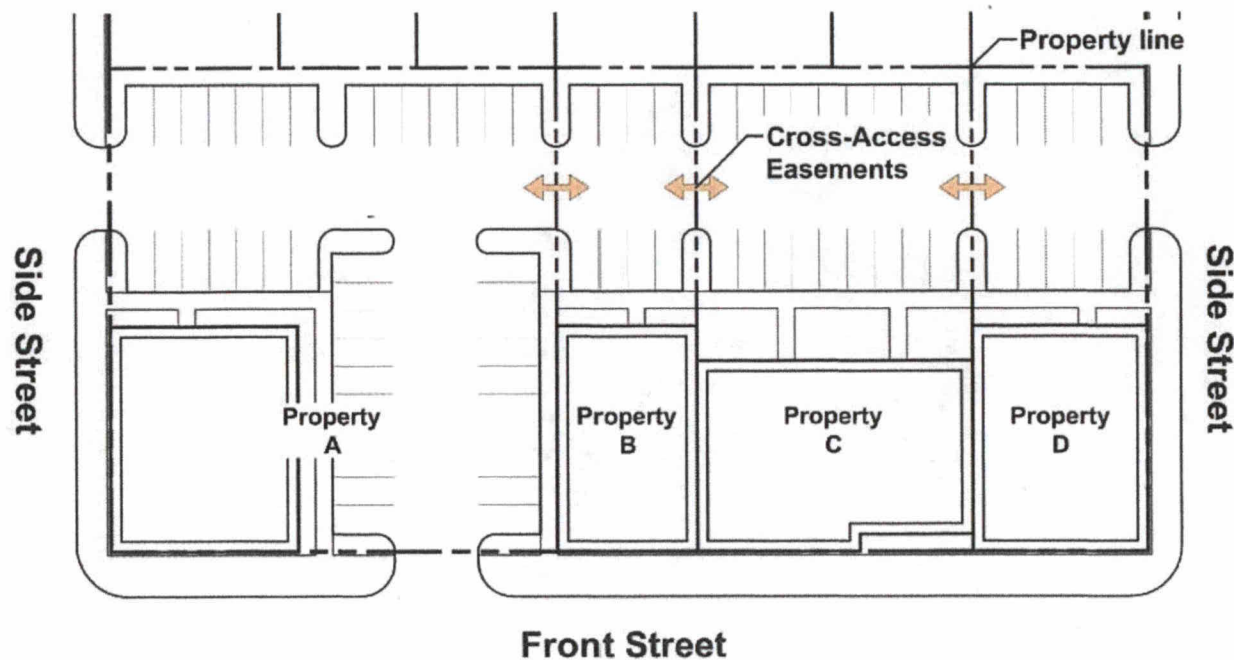
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- Add changes to agricultural regulations at the request of Washington Township
- Allow chickens and other limited agricultural uses on subdivided lots in the RU district

## (8) Access Management











- Require joint and/or cross access between parcels for all non-residential and multi-family uses, unless otherwise determined by the Engineer's Office based on certain factors

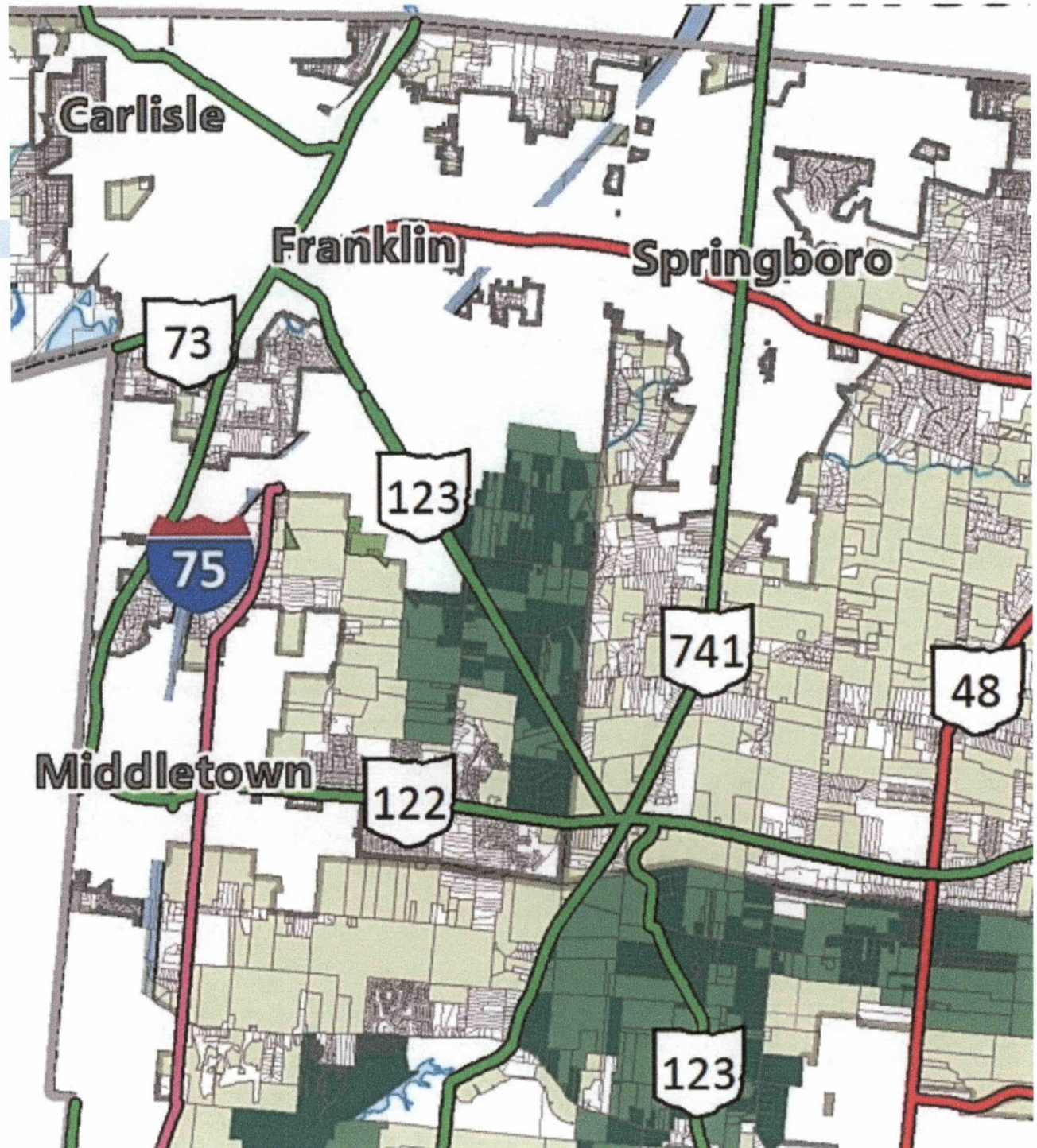




# CAUV Properties within R1 Zone

## Legend

-  Major Collector/Distributor
-  Primary Collector/Distributor
-  Secondary Arterial
-  Primary Arterial
-  Municipal Land \*
-  Parcels \*
-  CAUV Properties
-  R1 Frontage Properties
-  R1 Zoning
-  Political Subdivisions \*





# R1 Zoning District Roadways

- St. Rt. 123
- St. Rt. 741
- St. Rt. 122
- St. Rt. 350
- St. Rt. 48
- St. Rt. 63
- St. Rt. 42
- Butler Warren Road
- Columbia Road

- Major Collector/Distributor
- Primary Collector/Distributor
- Secondary Arterial
- Primary Arterial

