

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 5:00 p.m., on the 8th day of April, 2014, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Dennis P. Deters, Melinda Rinehart, Jeffrey F. Ritter,

Mr./Ms. Deters introduced the following resolution and moved its adoption:

RESOLUTION NO. 20-14

Case No. ZA2014-01

COUNTRY WOODS VILLAGE

**Approval of a Major Modification to a Final Development Plan
Parcel Nos. 510-440-29 and 387**

WHEREAS, the Applicant, Wesselpark Corp. II, Inc. proposes a Major Modification to a Final Development Plan; and,

WHEREAS, the Hamilton County Regional Planning Commission heard the case, and on February 6, 2014 voted unanimously to recommend approval of the requested Major Modification to a Final Development Plan; and,

WHEREAS, the Colerain Township Zoning Commission conducted its public hearing on the case on February 18, 2014, and after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted 4-0 to recommend approval of the application for a Major Modification to a Final Development Plan with conditions and variances; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on April 8, 2014, and after consideration of the recommendation of the Regional Planning Commission, the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted 4-0-0 to approve the application for a Major Modification to a Final Development Plan with conditions and variances as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation of the Colerain Township Zoning Commission for a Major Modification to a Final Development Plan, and that the Board of Trustees does hereby approve the request for parcel nos. 510-440-29 and 387, designated as Planned District-Residential, for the reason that the Major Modification to a Final Development Plan would be in the best interest and would promote the health, safety, morals and general welfare of the Township and the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and,

BE IT FURTHER RESOLVED that the Final Development Plan shall be subject to the conditions and variances set forth below:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution are to be considered complimentary and what is required by one shall be as

binding as if required by all.

2. Prior to submission to the Board of Trustees for final approval, the following revised Final Development Plan shall be submitted to the Zoning Administrator:

Conditions:

1. A revised Final Development Plan is submitted depicting the secondary fire access lane and designated common open space;
2. A revised Landscape Plan is submitted showing appropriately sized Lilac trees and an acceptable revised detail of typical foundation plantings;
3. The applicant shall participate in the payment-in-lieu of sidewalks program;

Variances:

1. §12.9.4 - Outdoor lighting shall be permitted to be in excess of 2.0 foot-candles as shown on photometric plan.
2. §9.3.7 (C) (1) – Ownership of Common Open Space – That the applicant shall maintain the intent of the Zoning Resolution, but due to the unique characteristics of this particular parcel, the variance is granted.

3. Construction Permits

- 3.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:

- A. A Final Development Plan in compliance with Section 2 above, has been received and approved by the Colerain Township Zoning Commission, and
- B. Construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.

- 3.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

4. Maintenance of Improvements

- 4.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Inspector.

1. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.


2. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
3. That this Resolution shall be effective at the earliest date allowed by law.

Mr./Ms. Ribler seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

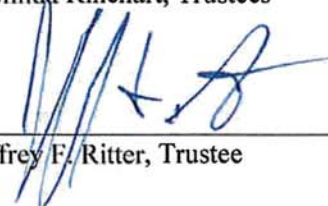
Vote Record: Mr. Deters aye, Ms. Rinehart aye, Mr. Ritter aye

ADOPTED this 8 day of April, 2014.

BOARD OF TRUSTEES:


Dennis P. Deters, Trustee


Melinda Rinehart, Trustees


Jeffrey F. Ritter, Trustee

Attest:


Heather E. Harlow
Colerain Township Fiscal Officer

Resolution approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040



(513) 583-4200

Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer
this 8th day of April, 2014.



Heather E. Harlow

Colerain Township Fiscal Officer