

RESOLUTION # 10-67

Case No. ZA2006-09

**OLD COLERAIN**

**Approval of the rezoning of 18 parcels on Old Colerain Avenue in the Vicinity of West Kemper Road and Yeatman Road from B-1 Neighborhood Business to R-2, Estate Residential District.**

**WHEREAS**, the Colerain Township Zoning Commission, on September 19, 2006, by motion, initiated a zone change for the parcels identified on Exhibit A, attached hereto; and

**WHEREAS**, The adoption of the new zoning code in August 2006 included changes in permitted uses in various districts. In particular, single family residences are no longer permitted in business districts; and

**WHEREAS**, This former E-Retail district on Old Colerain became B-1 Neighborhood Business. This area is predominantly residential, with extremely limited potential for business development in the foreseeable future. To the south, the numerous existing and retail and service uses, as well as those currently under construction, make the location of neighborhood businesses at this location unlikely; and

**WHEREAS**, Without this change, residential properties in this district were considered nonconforming uses, and owners would have to go before the Board of Zoning Appeals for additions, rebuilding, or new houses; and

**WHEREAS**, the Hamilton County Regional Planning Commission heard the case, and on November 2, 2006 voted 3-2, therefore failing to recommend approval; and

**WHEREAS**, the Colerain Township Zoning Commission conducted its public hearings on the case on November 21, 2006, and, after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted unanimously to recommend approval of the application as presented; and

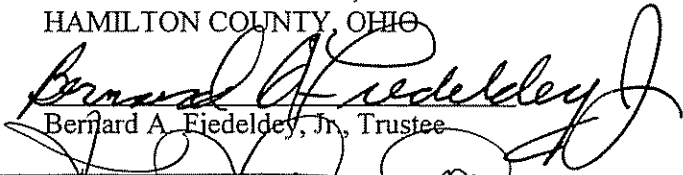
**WHEREAS**, the Colerain Township Board of Trustees conducted its public hearing on the case on December 12, 2006, and, after consideration of the recommendation of the Regional Planning Commission, the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted unanimously to approve the application as presented.

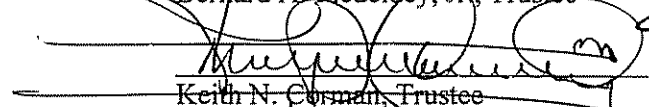
**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees accepts the recommendation of the Colerain Township Zoning Commission that the application for zone amendment be approved, and the Board of Trustees does hereby approve the said amendments as set out on Exhibit A, attached, for the reason that the amendments would be in the best interest of the Township and the public and are in keeping with good land use planning.

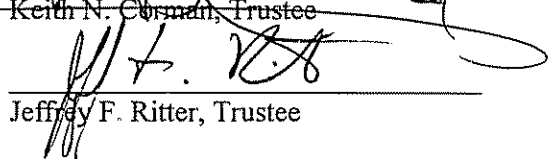
**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Colerain Township Zoning Commission, the office of the Colerain Township Zoning Inspector, the Department of the Building Commissioner, the County Engineer Permit Department, and the Metropolitan Sewer District.

Adopted in regular session on this            day of            , 2007.

BOARD OF TRUSTEES  
COLERAIN TOWNSHIP,  
HAMILTON COUNTY, OHIO

  
Bernard A. Fiedeldej, Jr., Trustee

  
Keith N. Corman, Trustee

  
Jeffrey F. Ritter, Trustee

CERTIFICATE OF ADOPTION

This resolution was adopted at a regularly scheduled meeting of the Board of Township Trustees of Colerain Township, Ohio, in session the 13<sup>th</sup> day of MARCH, 2007, and shall become effective at the earliest time permitted by law.

Mr. Corman Aye

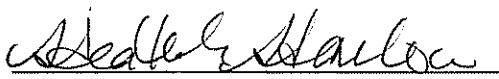
Mr. Fiedeldej Aye

Mr. Ritter Aye

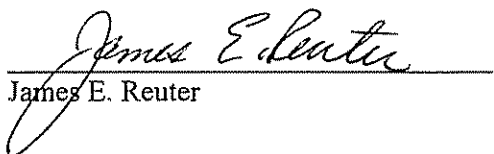
CERTIFICATE OF FISCAL OFFICER

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by this Board of Trustees in session this 13<sup>th</sup> day of March, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the Board of Trustees of Colerain Township, Ohio, this 13<sup>th</sup> day of March, 2007.

  
Heather E. Harlow, Fiscal Officer  
Colerain Township Board of Trustees

Approved as to form:

  
James E. Reuter

## Exhibit A

### Case ZA2006-09

Location: Old Colerain in the vicinity of Kemper Road and Yeatman Road

Parcel ID	Area (acres)
510-160-02	0.73
510-160-20	0.27
510-160-38	1.97
510-160-39	1.13
510-160-42	0.79
510-160-45	0.12
510-160-62	1.05
510-160-63	0.65
510-160-64	0.51
510-160-65	0.32
510-160-66	0.31
510-160-67	0.31
510-160-68	0.31
510-160-94	0.11
510-160-155	0.66
510-160-208	0.58
510-160-227	0.71
510-160-242	0.72