

The Board of Trustees of Colerain Township, County of Hamilton, Ohio, met in regular session at 7:00 p.m., on February 8, 2011, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Mr. Dennis P. Deters; Mr. Jeffrey F. Ritter; and Mr. Joseph R. Wolterman

Mr. Wolterman introduced the following resolution and moved its adoption:

RESOLUTION NO. 18 -11

A RESOLUTION ADOPTING TEXT AMENDMENTS TO THE COLERAIN TOWNSHIP ZONING RESOLUTION TO CONFORM WITH H.B. 562

WHEREAS, the Ohio General Assembly, in House Bill 562, enacted certain amendments to ORC Sec 519.12 to provide that if the Board of Trustees denies or modifies the recommendation of the Zoning Commission, a majority vote (rather than a unanimous vote) of the Board of Trustees shall be required; and

WHEREAS, the effective date of these statutory amendments is September 23rd, 2008; and

WHEREAS, the Board of Trustees desires to conform its Zoning Resolution to these statutory amendments; and

WHEREAS, said text amendment was initiated by the Colerain Township Board of Trustees at its meeting on August 12th, 2008; and

WHEREAS, said amendment was considered following a public hearing by the Colerain Township Zoning Commission on September 16th, 2008; and

WHEREAS, by motion and vote at its regular meeting on September 16th, 2008, the Zoning Commission unanimously recommended approval of said text amendment; and

WHEREAS, the Board of Trustees held a public hearing on October 28th, 2008 and, at the conclusion of the public hearing, voted to accept the recommendation of the Zoning Commission as set out in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio:

- 1) The Board does hereby adopt the amendment to the Colerain Township Zoning Resolution attached hereto as Exhibit A; and

- 2) 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; and
- 3) That this Resolution shall be effective at the earliest date allowed by law.

Mr. Jeffrey F. Ritter seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Deters aye, Mr. Ritter aye, Mr. Wolterman aye

ADOPTED this 8th day of February, 2011.

BOARD OF TRUSTEES:

Jeffrey F. Ritter
Jeffrey F. Ritter, Trustee

Dennis P. Deters
Dennis P. Deters, Trustee

Joseph R. Wolterman
Joseph R. Wolterman, Trustee

Attest:

Heather E. Harlow

Heather E. Harlow,
Fiscal Officer

Prepared by and approved as to form:

James E. Reuter

James E. Reuter (0011414)
3025 W. Galbraith Road
Cincinnati, Ohio 45239-4222
(513) 521 - 8400
Attorney for Board of Trustees

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Fiscal Officer, this day of

8th February, 2011



Heather E. Harlow,
Colerain Township Fiscal Officer

EXHIBIT A
ZA2008-03 text amendment – H.B. 562

Replace 4.3.2 (G) and 4.5.2 (H) with the revised text as follows:

4.3 Text and Map Amendments

4.3.2 Review Procedure

(G) Step 7 – Decision

Within 20 days after its public hearing (Step 6), the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Trustees denies or modifies the recommendation of the Zoning Commission, a **majority vote** of the Board of Trustees shall be required.

4.5 Planned Development (PD) District Review

4.5.2 Review Procedure

(H) Step 8 – Decision on Map Amendment and Preliminary Development Plan

- (1) Within 20 days after its public hearing (Step 7), the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Trustees denies or modifies the recommendation of the Zoning Commission, a **majority vote** of the Board of Trustees shall be required.