



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON DECEMBER 21, 2021

TATE TOWNSHIP CASE 101RW2021

APPLICANT: Jim Carver & Sons Home Improvement
3664 State Route 125
Bethel, OH 45106

OWNER #1: Iva J. Crum
3662 State Route 125
Bethel, OH 45106

OWNER # 2: Jim Carver & Sons Home Improvement
3664 State Route 125
Bethel, OH 45106

REQUEST: Tate Township Zoning Map Amendment Case 101RW2021
Requesting to rezone two parcels, one is a .3856 acre portion of parcel 323015H157 to be rezoned from A – Agricultural District & R-1 – Residential District to C-2 – Commercial District and the other parcel 323015H104 consists of .606 acres from C-1 – Commercial District to C-2 – Commercial District.

LOCATION: The subject properties are located on SR125, 580 ft. west of Spring Grove Road and 1.4 miles east of the Village of Bethel.

ZONING: **Current Zoning:** C-1 – Commercial District (323015H104) & R-1 – Residential District & A – Agricultural District (323015H157)

Proposed Zoning: C-2 – Commercial District

North: A – Agricultural District
East: C-1 – Commercial District
South: R-1 – Residential District
West: R-1 – Residential District

LAND USE: **Existing Land Use:** Existing commercial business with two structures located on parcel 323015H104.

The .3856 acre portion of parcel 323015H157 is currently vacant.

Proposed Land Use: Expand existing commercial warehouse to include onsite storage.

HISTORY: Currently, no project history can be found for the property involved in this particular petition for zoning map amendment.

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

As submitted it appears this request is compatible with the C-2 – Commercial District regulations within the Township’s Zoning Resolution (Section 6).

Section 6 Commercial “C-2” District

A. Permitted Uses

1. Any use or structure permitted and as required in the “C-1” District, except as hereinafter modified.
2. Gasoline filling stations with underground storage tanks;
3. Neighborhood shopping centers as permitted and regulated in “C-1” District;
4. Automobile, truck, trailer and farm implement establishments, for display, hire, sale and major repair, including sales lots, provided all operations other than display and sale shall be within a completely enclosed building;
5. Animal hospital, veterinary clinic or kennel;
6. Trade or business schools, provided machinery used for instructional purposes is not objectionable due to noise, fumes, smoke, order or vibration;
7. Carpenter, paper hanging, electrical, plumbing, heating, printing or lithographing shops;
8. Funeral Homes or mortuary;
9. Hardware and building material stores provided that all sales are retail and no materials are stored outside of fully enclosed buildings; and
10. Theaters and movie houses excluding drive-ins.

B. Uses Permitted as Conditional Uses

The following uses shall be considered conditional uses and will require written approval of the Board of Appeals.

1. Drive-in eating and drinking establishments, summer gardens and roadhouses including entertainment and dancing under the following conditions:
 - a. All permitted establishments must comply with the conditions established in Article VI, Section 8, B, 2 for Motor Vehicle Oriented Businesses.
2. Commercial baseball field, swimming pools, golf driving ranges or similar open air commercial recreational uses and facilities if located at least two hundred (200) feet from any recreational district.
3. Hotel, motels, and motor hotels subject to the following conditions:
 - a. No vehicular entrance to or exit from any hotel or motel, wherever such may be located, shall be within two hundred (200) feet along streets from any school, public playground, church, hospital, library or institution for dependents or for children, except where such property is in another block on another street which the premises in question does not abut.

- b. *Any lot used for motel shall not be less than one (1) acre in area and shall contain not less than one thousand (1000) square feet per sleeping unit. All buildings and structures shall be distant at least fifty (50) feet from a rear lot line and at least twenty-five (25) feet from the front and side lot lines. The buildings and structures on the lot shall not occupy in the aggregate more than twenty-five (25) percent of the area of the lot. When a motel is part of a major shopping area with combined parking, or exceeds two stories in height, the land area may be reduced to seven hundred-fifty (750) square feet per sleeping unit.*
 - c. *All area not used for access, parking, circulation, buildings and services shall be completely and permanently landscaped and the entire site maintained in good condition.*
 - d. *Signs shall be limited to two (2) indirectly illuminated signs with a total area of not more than forty (40) square feet; no part of the building shall be outlined or otherwise decorated with electric lights.*
 - e. *Driveways and parking areas shall be graded for proper drainage and surfaced with an asphaltic or Portland cement binder placement so as to provide a durable and dustless surface.*
 - f. *Off-street parking shall be provided at a ratio of one and one-half (1 ½) spaces for each room offered for rent and one (1) space for each employee on the minimum shift. Each space shall have a minimum of nine (9) feet in width and twenty (20) feet in length and shall be so arranged and marked as to provide for orderly and safe parking and storage of vehicles.*
4. *Bar, cocktail lounge, night club, billiard and pool halls, bowling alley, dance hall, roller skating rink and similar establishments.*
- C. *Uses Prohibited*
- 1. *All residential buildings and uses except those for transients and permitted in this section.*
 - 2. *All other uses not specifically permitted by this Section are prohibited in Commercial "C-2" District.*
- D. *Dimensions and Area Regulations for Lots and Structures.*
The regulations or dimensions and areas for lots and structures are set forth e in the Schedule in Appendix A.

DEVELOPMENT PROPOSAL:

Per the application, the applicant is requesting to rezone two parcels, one is a .3856 acre portion of parcel 323015H157 from A – Agricultural District & R-1 – Residential District to C-2 – Commercial District and the other parcel 323015H104 consists of .606 acres to be rezoned from C-1 – Commercial District to C-2 – Commercial District.

This would be to allow the existing facility to expand by 2,592 sq. ft. for onsite storage of building materials.

SITE ACCESS:

Site access would continue to be from SR 125. We have received no objections or additional comments from the Ohio Department of Transportation (ODOT).

STAFF ANALYSIS:

The applicant owns the existing facility on parcel 323015H104 and would like to purchase .3856 acres of the adjoining parcel 323015H157 for a total site area of +/- .9916 acres. The applicant requests that these two parcels have mirroring zoning districts so that the two parcels can be consolidated.

Staff agrees with the assertion that this relatively small area in question, would not create a spot-zoning issue the proposed rezoning and eventual consolidation of these two parcels would resolve an existing split-zoning issue, which qualifies this zoning map amendment request as a positive step to resolving the issue. Additionally, the proposed map amendment would permit the landowner a reasonable use of his lands in that they could develop the property in its entirety.

Clermont County Community & Economic Development Comments:

- The “Site Plan” submitted is lacking the required information per Appendix B, Section V:
 1. All property lines, shape and dimension of the lot to be built upon showing directional bearings and distances, adjacent land ownership and streets, and location with reference identifiable street intersection;
 2. Name of development, legal description of property, north arrow scale, acreage name and address of record owner and engineer, architect or land planner, or the person responsible for preparing the site plan.
 3. Vicinity Map Location;
 4. Present zoning of the subject property and all adjacent properties;
 5. Existing topography, and approximate delineation of any topographical changes shown by contour with appropriate intervals to ensure accurate review;
 6. For commercial developments, location and dimensions of all curb cuts, driving aisles, off-street parking, and loading and/or unloading spaces including several spaces and stalls
 7. Location of proposed pedestrian walkways, identifying approximate dimensions;
 8. Location of all existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipes sizes. The indication should also be given regarding the provision of electric and telephone service;
 9. Identification of the soil types and geologic formations on the subject property, indicating anticipated problems and proposed methods of handling said problems;

Clermont County Community & Economic Development Comments: Cont.

10. Existing and proposed location(s) of outdoor lighting, signs, screen plantings, fences, and landscaping. Any existing woodlands of mature vegetation, and any other significant natural features, such as water bodies, drainage sources, wetlands, and wildlife habitats, must be included, and every good faith effort made to preserve, maintain and enhance same;
 11. For commercial developments, location and screening or other description to indicate control and handling of solid waste. Indicate dumpster pad where dumpster is to be used.
 12. A schedule of development;
 13. Elevations of all faces of buildings;
 - a. Heights of buildings and structures
 - b. Roofs and overhangs
- A consolidation plat for the .3856 acre portion of parcel 323015H157 shall be submitted to Clermont County Permit Central.
 - The Ohio Department of Transportation (ODOT) will need to be consulted regarding potential impacts or access to SR 125.

The Ohio Department of Transportation (ODOT) Comments:

- No comments or conditions have been received at this time.

The Clermont County Water Resources Department Comments:

- No comments or objections at this time.

STAFF RECOMMENDATION:

Based on the Staff Analysis, request a motion to **RECOMMEND APPROVAL** of Tate Township Zoning Map Amendment Case 101RW2021 requesting to rezone two parcels, one is a .3856 acre portion of parcel 323015H157 from A – Agricultural District & R-1 – Residential District to C-2 – Commercial District and the other parcel 323015H104 consists of .606 acres to be rezoned from C-1 – Commercial District to C-2 – Commercial District with the following condition:

1. That all site plan requirements in Appendix B, Section V be provided to Tate Township.
2. Consolidate the .3856 acre portion of parcel 323015H157 into parcel 323015H104.
3. Consult with The Ohio Department of Transportation (ODOT) regarding access to SR 125.