

# PLANNING COMMISSION AGENDA



**Planning Commission Meeting**  
**Tuesday, September 5<sup>th</sup>, 2017 at 6:00 p.m.**

**Village Administration Building**  
**99 High Street**  
**South Lebanon, Ohio 45065**

	Agenda Item
1.	<b>Call to Order</b>
2.	<b>Pledge of Allegiance</b>
3.	<b>Roll Call</b>
4.	<b>Open Forum</b>
5.	<b>Review and Approval of Minutes</b> A. Minutes of July 19, 2017
6.	<b>Public Hearing – None</b>
7.	<b>Old Business</b> A. Update
8.	<b>New Business</b> A. Case 17-08P: Application for PUD Revision for Stonelake Subdivision B. Case 17-09P. Rezoning of 383 S. Main Street from RFP to B-1
9.	<b>Communications</b>
10.	<b>Adjournment</b>

Members of the public may address the Planning Commission during the Open Forum segment of the agenda and shall be limited to five minutes each. After the speaker concludes remarks, the Planning Commission may comment or ask questions at that time. The Chairperson may at his or her discretion restrict duplicate testimony on a particular subject.

## **VILLAGE OF SOUTH LEBANON MEMORANDUM**

**TO:** Planning Commission  
**FROM:** Jerry Haddix, Village Administrator  
**RE:** Case 17-08P, Stonelake PUD Amendment Request  
**DATE:** September 5<sup>th</sup>, 2017

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On the agenda for September 5<sup>th</sup> meeting is Case #17-08P, relates to a PUD Amendment request by the Stonelake Homeowner's Association for the Village Council to transfer the streets in their development from private to public streets.

### **Background**

In 2006, the Stonelake Subdivision was approved along with the conditions of the Planned Unit Development (PUD). At that time, the planned use was for patio homes marketed primarily to retired people. As part of the PUD, at the request of the developer, 22' wide private streets were approved, as shown on the attached typical section. Subsequently, the developer, due to changing market conditions, developed the subdivision as single family homes.

Earlier this year, at the request of the Stonelake HOA, the Village Council approved an agreement to allow the HOA to amend the Declarations and Covenants to request the change of ownerships of the streets in the development.

### **Code Analysis**

Sec. 15.14.22 of the Village Zoning Code outlines the procedures for amendments to a final PUD plan for an approved development area.

### **Zoning Process**

Sec. 15.14.22 states the "At any time after the approval of a preliminary plan or a final plan of a development area, the owner or owners may request an amendment of their plans; the request of such amendment shall be filed with the zoning administrator and one (1) copy filed with the clerk of council. If such amendment, as determined by Planning Commission, represents a departure from the intent of, or a major departure from the substance of, the preliminary plan, such amendment shall then be subject to the same procedure and conditions of approval as the original application. For the purposes of this section, a "major departure from the substance of a preliminary plan" shall include, but not be limited to, an increase in or relocation of areas planned for a particular use or the addition of a use not included in the approved preliminary plan."

### **Recommendation**

Based on the existing plan and design of the existing street facilities in the Stonelake Subdivision, it is Staff's recommendation that this would be a major departure from the approved PUD.

## **VILLAGE OF SOUTH LEBANON MEMORANDUM**

**TO:** Planning Commission

**FROM:** Jerry Haddix, Village Administrator

**RE:** Case 17-09P, Rezoning of .3256 acres at 383 S. Main Street

**DATE:** September 5<sup>th</sup>, 2017

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On the agenda for September 5<sup>th</sup> meeting is Case #17-09P, is rezoning request initiated by the Village Council to rezone the property known as 383 S. Main Street consisting of .3256 acres, owned by Murcha Properties LLC, from RFP - Residential Flood Plain District to B-1 – Neighborhood Business District.

### **Background**

The building at 383 S. Main Street was constructed in 1850 and has been primarily used for business purposes. But, when the Village adopted its zoning code and map, this property was shown in the RFP zone although a business was operating out of it at that time. A business, as well as rental units, operated out of it until it was sold in 2016. The current owners purchased the property in 2016 and maintained the rental units. Because a business didn't operate after they purchased it for greater than six (6) months, this non-conforming use expired and it fell back to the actual zone on the property: RFP. Subsequently, the Village adopted the Village Comprehensive Plan which recommends this property as B-1 and the Owner is seeking a commercial tenant for the storefront portion.

### **Code Analysis**

Article 7 of the Village Zoning Code lists the procedures for Amendment or District Changes to the Village's Zoning Code.

### **Zoning Process**

The Planning Commission shall transmit its recommendation to the Village Council within sixty (60) days of the receipt of the rezoning application. The Planning Commission may recommend that the amendment be granted as submitted, recommend modifications, or recommend denial.

### **Recommendation**

These rezoning changes are consistent with the Village's Comprehensive Plan. Staff recommends that the Planning Commission recommend approval of this rezoning, as presented.

### **Attachments**

Village Council Resolution 2017-27  
Property Map of 383 S. Main St.



STAGNARO, SABA  
& PATTERSON CO., L.P.A.

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March 29, 2017

**VIA UNITED PARCEL SERVICE**

Village of South Lebanon  
Attn: Jerry Haddix, Village Administrator  
99 North High Street  
South Lebanon, Ohio 45065

**VIA UNITED PARCEL SERVICE**

Village of South Lebanon  
Attn: Clerk of Council  
99 North High Street  
South Lebanon, Ohio 45065

**Re: Stonelake at River's Bend Homeowners' Association, Inc.  
Amendments to Plan- South Lebanon Zoning Ord. § 15.14.22**

Dear Village of South Lebanon:

Please be advised that I represent the Stonelake at River's Bend Homeowners' Association, Inc. ("Stonelake"). The purpose of this letter is to request, pursuant to Section 14.14.22 of the Village of South Lebanon Zoning Ordinances, that the Planned Unit Development Plan of Stonelake ("Stonelake PUD") be amended, such that the streets in the Stonelake PUD become and be dedicated as public streets, and not private. You will recall that this matter was before the Council recently, wherein Stonelake's request to amend its governing documents in order to allow for the instant proposed amendment to the Stonelake PUD was approved by Council. At this time, no other amendments to the Stonelake PUD are being requested.

It is my understanding that the Planning Commission may have questions or desire additional information from Stonelake, as part of this review. If that is the case, please simply direct such a request to me.

Please advised if any additional information is needed, or if there is a scheduled hearing date or meeting date. Thank you for your attention to this matter. If you have any questions, feel free to contact me at the contact information provided above.

Very truly yours,

STAGNARO, SABA  
& PATTERSON CO., L.P.A.

  
Sean P. Donovan, Esq.

SPD/jfd

cc: Paul Revelson, Esq.  
Stonelake at River's Bend Homeowners' Association, Inc.

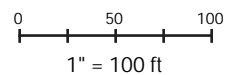


383 S. Main Street



### Warren County Legend

Interstate	County Boundary	Overpass Line	School Line	Township & Range
US Route	Auditors Tract Line	Parcel Line	Section Line	Tract Line
State Route	Civil Township Line	ROW Unknown Width	Subdivision Limit	VMS Line
Local Road	Corporate Line	Road ROW	Subdivision Lot Line	Vacated Road Line



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