



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

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TOM GROSSMANN

SHANNON JONES

DAVID G. YOUNG

BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

MINUTES: Regular Session – January 23, 2024

This is a summary of actions and discussions of the meeting. You may view this meeting through our YouTube Channel at <https://www.youtube.com/channel/UC1ELh0jGpXd4VV2DTgsuqPA> or by contacting our office.

The Board met in regular session pursuant to adjournment of the January 16, 2024, meeting.

David G. Young – present

Shannon Jones – present

Tom Grossmann – present

Krystal Powell, Clerk – present

Minutes of the January 16, 2024 meeting were read and approved.

- 24-0119 A resolution was adopted hiring Emily Turner as a Protective Services Caseworker I, within the Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 24-0120 A resolution was adopted approving multiple lateral transfers within Warren County Department of Job and Family Services, Children Services Division. Vote: Unanimous
- 24-0121 A resolution was adopted accepting resignation of Kyla New, Adoption Caseworker II, within the Warren County Department of Job and Family Services, Children Services Division, effective January 26, 2024. Vote: Unanimous
- 24-0122 A resolution was adopted administering disciplinary action against Kelly Fiebig, Emergency Communications Operator within the Warren County Emergency Services Department. Vote: Unanimous
- 24-0123 A resolution was adopted approving end of 365-day probationary period and approving pay increase for Kristina Eltzroth within the Warren County Department of Job and Family Services, Human Services Division. Vote: Unanimous

- 24-0124 A resolution was adopted amending Resolution #24-0033, adopted January 9, 2024, to reflect the correct effective date for the removal of probationary employee Jody Schenkel within Warren County Job and Family Services, Human Services Division. Vote: Unanimous
- 24-0125 A resolution was adopted approving promotion of Bo Harner to the position of Water Distribution Worker II/Locator within the Water and Sewer Department. Vote: Unanimous
- 24-0126 A resolution was adopted approving appointments and reappointment to the Criminal Justice Board of Warren County. Vote: Unanimous
- 24-0127 A resolution was adopted cancelling regularly scheduled Commissioners' Meeting of Thursday, January 25, 2024. Vote: Unanimous
- 24-0128 A resolution was adopted authorizing the Board to sign the annual County Highway System Mileage Certification. Vote: Unanimous
- 24-0129 A resolution was adopted authorizing the Warren County Administrator to sign a Grant Agreement and supporting documents with the Ohio Emergency Management Agency relative to the Emergency Management Performance Grant (EMPG) on behalf of Warren County Emergency Services. Vote: Unanimous
- 24-0130 A resolution was adopted approving professional service agreement between Elite Computer Inc. and the Workforce Development Board of Ohio's 12th Local Workforce Development Area. Vote: Unanimous
- 24-0131 A resolution was adopted approving professional service agreement between Frost, Brown Todd LLP. and the Workforce Development Board of Ohio's 12th Local Workforce Development Area. Vote: Unanimous
- 24-0132 A resolution was adopted declaring various items from the Board of Developmental Disabilities, Park Board, Records Center, Sheriff's Office, Telecom, and Workforce Investment Board as surplus and authorize the disposal of said items through internet auction. Vote: Unanimous
- 24-0133 A resolution was adopted acknowledging payment of bills. Vote: Unanimous
- 24-0134 A resolution was adopted approving appropriation adjustment from Commissioners General Fund #11011110 into Facilities Management Fund #11011600. Vote: Unanimous
- 24-0135 A resolution was adopted approving an appropriation adjustment within Prosecutor Fund 11011150. Vote: Unanimous
- 24-0136 A resolution was adopted approving an appropriation adjustment within Economic Development Fund #11011116. Vote: Unanimous

- 24-0137 A resolution was adopted approving requisitions and authorizing County Administrator to sign documents relative thereto. Vote: Unanimous
- 24-0138 A resolution was adopted approving an appropriation adjustment within Common Pleas Community Corrections Mental Health Fund #2228. Vote: Unanimous
- 24-0139 A resolution was adopted approving rezoning application of Mark and Connie Burton, Royce Machine (Case #2023-08), to rezone approximately 2.165 acres from General Industrial Manufacturing Zone "I2" to General Industrial Manufacturing Zone "I2" as a Planned Unit Development in Union Township. Vote: Unanimous
- 24-0140 A resolution was adopted re-establishing the Countywide 911 Planning Committee as the Countywide 9-1-1 Program Review Committee to amend the Countywide 9-1-1 Final Plan. Vote: Unanimous
- 24-0141 A resolution was adopted appointing members to the Countywide 9-1-1 Program Review Committee. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

PUBLIC HEARING

REZONING APPLICATION OF MARK AND CONNIE BURTON, ROYCE MACHINE, TO REZONE APPROXIMATELY 2.165 ACRES FROM "I2" GENERAL INDUSTRIAL MANUFACTURING ZONE TO "I2" GENERAL INDUSTRIAL MANUFACTURING ZONE AS A PLANNED UNIT DEVELOPMENT TO ALLOW FOR AN ADDITION TO THE SINGLE- FAMILY RESIDENCE.

The public hearing to consider the rezoning application of Mark and Connie Burton, Royce Machine, to rezone approximately 2.165 acres in Union Township from "I2" to General Industrial Manufacturing Zone to "I2" to General Industrial Manufacturing Zone as a Planned Unit Development to allow for an addition to the single-family residence was convened this 23rd day of January, 2024 in the Commissioners' Meeting Room.

Michelle Tegtmeier, Building and Zoning Director, presented the attached PowerPoint presentation stating the applicant/ owner, property size and location, current zoning, future land use designation, and requested rezoning.

Ryan Cook, Regional Planning Commission, presented the Regional Planning Commission Executive Committee recommendation to approve the rezoning request subject to eight conditions.

There was discussion relative to the current zoning of the property and the required set back.

Mark Burton, applicant/property owner, stated that the existing machine shop has been on the property since 1953. He also stated that he has not heard anything negative from Union Township or surrounding neighbors relative to the rezoning of the property.

Frank DeMoss, resident of surrounding neighborhood King Acres, stated he has heard of no objection from any property owners in his neighborhood.

Tyler Holden, Lebanon Road resident and owner of the property North of the location, stated his property is the one affected the most by the proposed rezoning. He stated the rezoning fits well into the future land use and the prohibited uses fit the need for the area.

No one was present to speak in opposition of said rezoning.

Upon further discussion, on motion, upon unanimous call of the roll, the public hearing was closed and the Board resolved (Resolution #24-0139) approving the rezoning application of Mark and Connie Burton, Royce Machine (Case #2023-08) to rezone approximately 2.165 acres from "I2" to General Industrial Manufacturing Zone to "I2" to General Industrial Manufacturing Zone as a Planned Unit Development (PUD) in Union Township to allow for an addition to the single- family residence.

Paul Kindell, Director of Telecommunications, was present for a work session to discuss the re-establishment and appointment of members to the 9-1-1 Program Review Committee.

Mr. Kindell stated changes made to the state law require the name change of the 9-1-1 Program Review Committee, formerly known as the 9-1-1 Planning Committee and the increase in number of the committee size from 5 members to 6 members. He reiterated no changes are being made to the current plan and the committee is only catching up to the required law changes.


Mr. Kindell recommended the City of Franklin Mayor, Brent Centers, be appointed to the committee as the Commissioner appointed Elected Official because the City of Franklin is one of the 9-1-1 answering points. Additionally, the appointment gives the City of Franklin representation on the committee. Mr. Kindell also recommended the appointment of Commissioner David G. Young as the chairperson of the committee. He stated Commissioner Young has previously been the Commissioner holding that position.

There was discussion relative to current appointments and members and the manner in which they are appointed to the committee.

Upon further discussion, on motion, upon unanimous call of the roll, the Board resolved (Resolution #24-0140) re-establishing the Countywide 9-1-1 Planning Committee as the Countywide 9-1-1

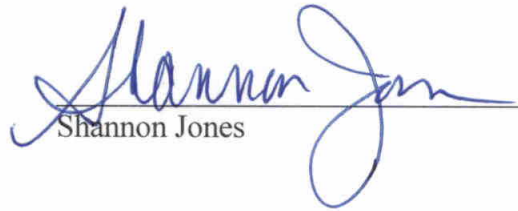
Program Review Committee to amend the Countywide 9-1-1 Final Plan and resolved (Resolution #24-0141) appointing members to the Countywide 9-1-1 Program Review Committee.

Upon motion the meeting was adjourned.



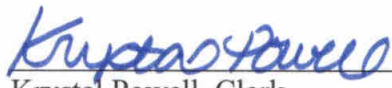
David G. Young, President

Tom Grossmann



Shannon Jones

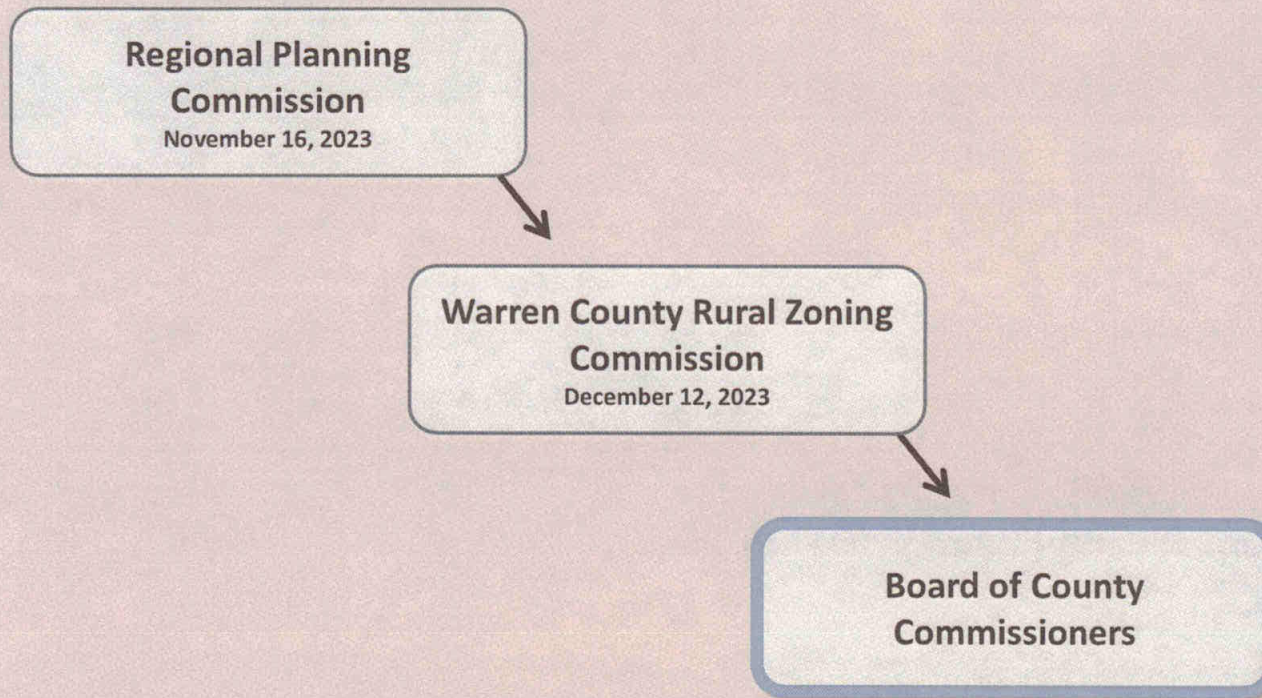
I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on January 23, 2024, in compliance with Section 121.22 O.R.C.

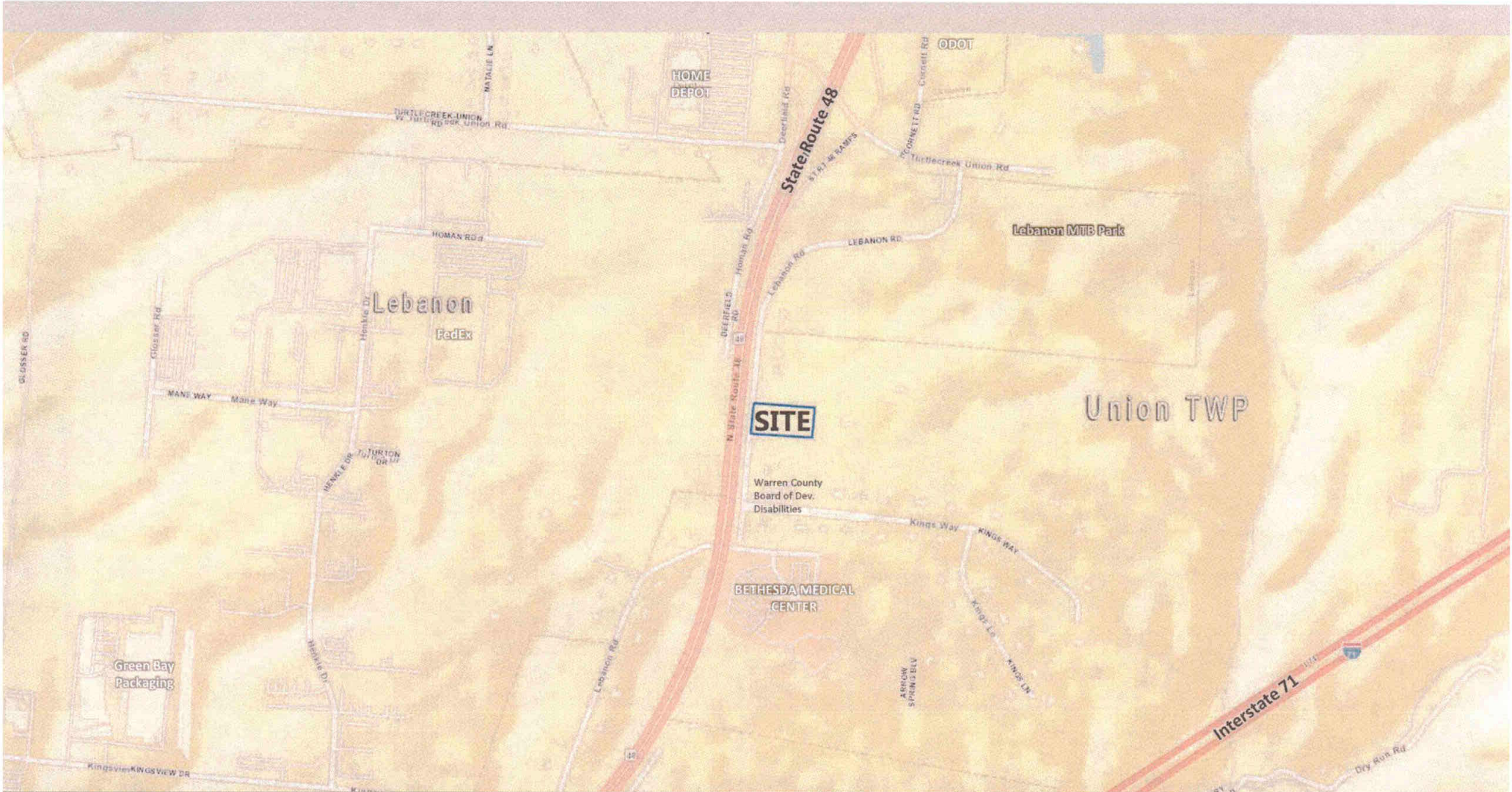


Krystal Powell, Clerk
Board of County Commissioners
Warren County, Ohio

PP EXHIBIT #1		
CASE #	2023-08	
APPLICANT/OWNER/AGENT	Mark & Connie Burton/ Royce Machine	
TOWNSHIP	Union	
PROPERTY LOCATION	ADDRESS	2358 Lebanon Rd.
	PIN	13-33-100-010-0
PROPERTY SIZE	2.165 Acres	
FRONTAGE	221.07 Feet	
CURRENT ZONING DISTRICT	"I-2" w "IHO" General Industrial Manufacturing Zone with Interstate Highway Overlay	
FUTURE LAND USE MAP (FLUM) DESIGNATION	Low Density Residential	
EXISTING LAND USE	Manufacturing with a caretaker dwelling	
ZONING REQUESTED	"I-2" General Industrial Manufacturing District With a Planned Unit Development (PUD)	
ISSUE FOR CONSIDERATION	To rezone the property from straight I-2 to an I-2 PUD for expansion of a long-time family business.	

Rezoning Process





Vicinity Map

2023-08

Surrounding Uses



FedEx

Single-Family

Blue Rock Properties, LLC

SITE

Warren County Board of Developmental Disabilities

Single-Family Kings Acres Subdivision

Medical Center

DEERFIELD RD

48

ST 691 48

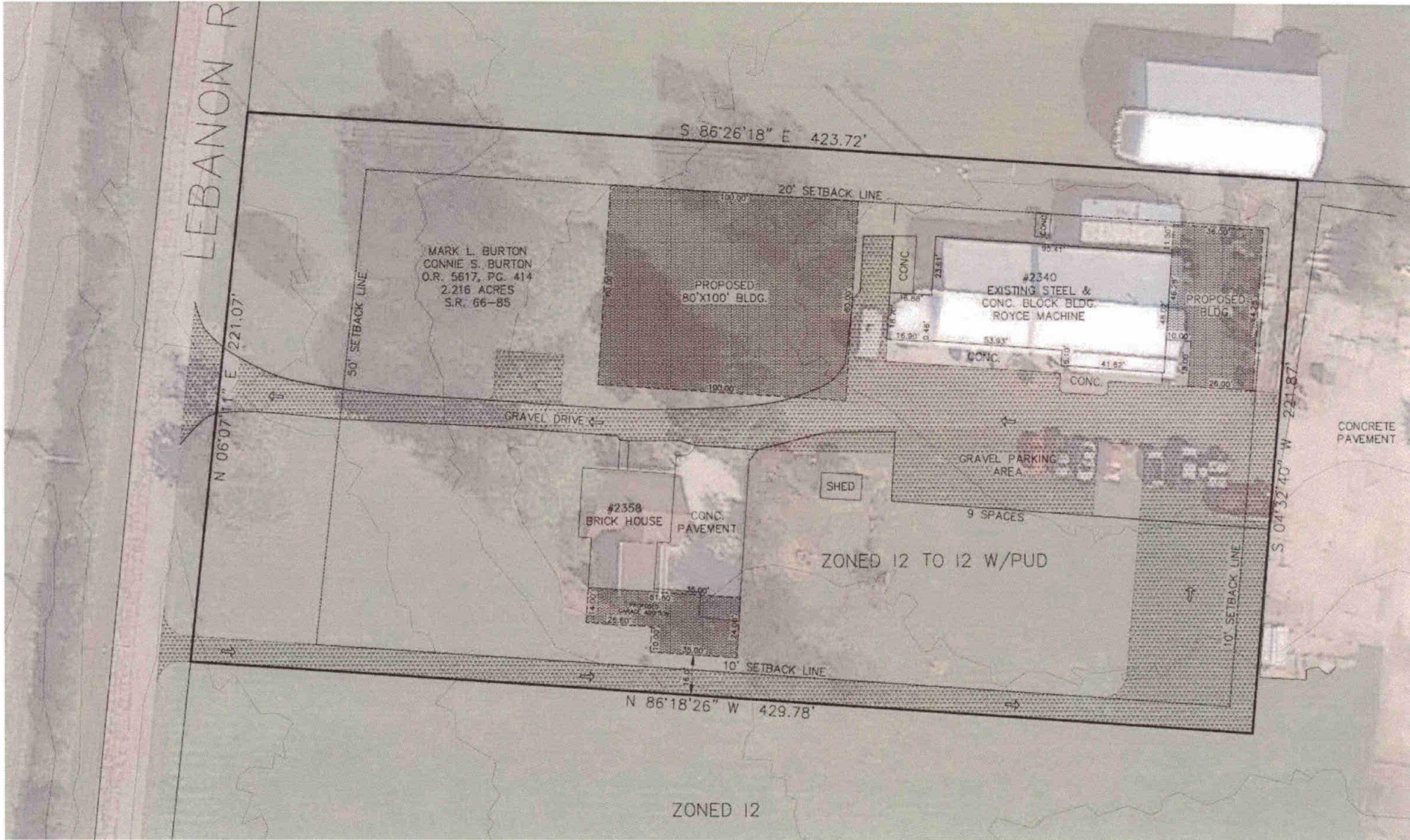
ARROW SPRING BLV

48

KINGSWAY

KINGSWAY

Proposed PUD Site Plan





LEBANON RD

221.07

6302483

592.85

428.85

Union TWP

6300561

429.68
429.78

221.64
221.87

2.16

LEBANON

S 86°26'18" E 423.72'

MARK L. BURTON
CONNIE S. BURTON
O.R. 5817, PG. 414
2.216 ACRES
S.R. 66-85

PROPOSED
80'X100' BLDG.

#2340
EXISTING STEEL &
CONC. BLOCK BLDG.
ROYCE MACHINE

PROPOSED
BLDG.

N 06°07'1" E 221.07'

50' SETBACK LINE

20' SETBACK LINE

GRAVEL DRIVE

#2358
BRICK HOUSE

CONC.
PAVEMENT

SHED

GRAVEL PARKING
AREA

9 SPACES

ZONED 12 TO 12 W/PUD

S 04°32'40" W 221.87'

CONCRETE
PAVEMENT

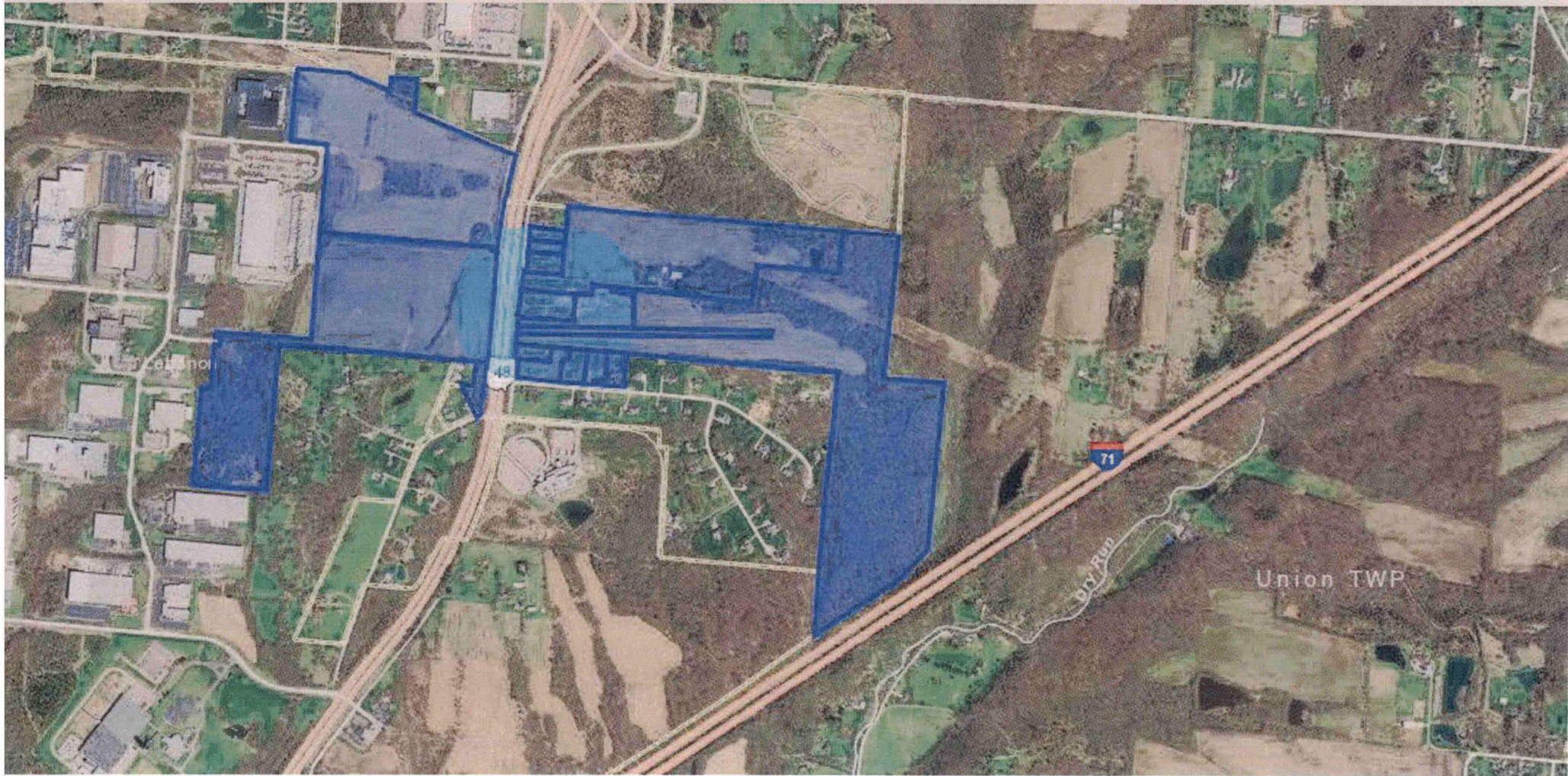
N 86°18'26" W 429.78'

10' SETBACK LINE

10' SETBACK LINE

Notification Map

2023-08




Zoning Map

2023-08

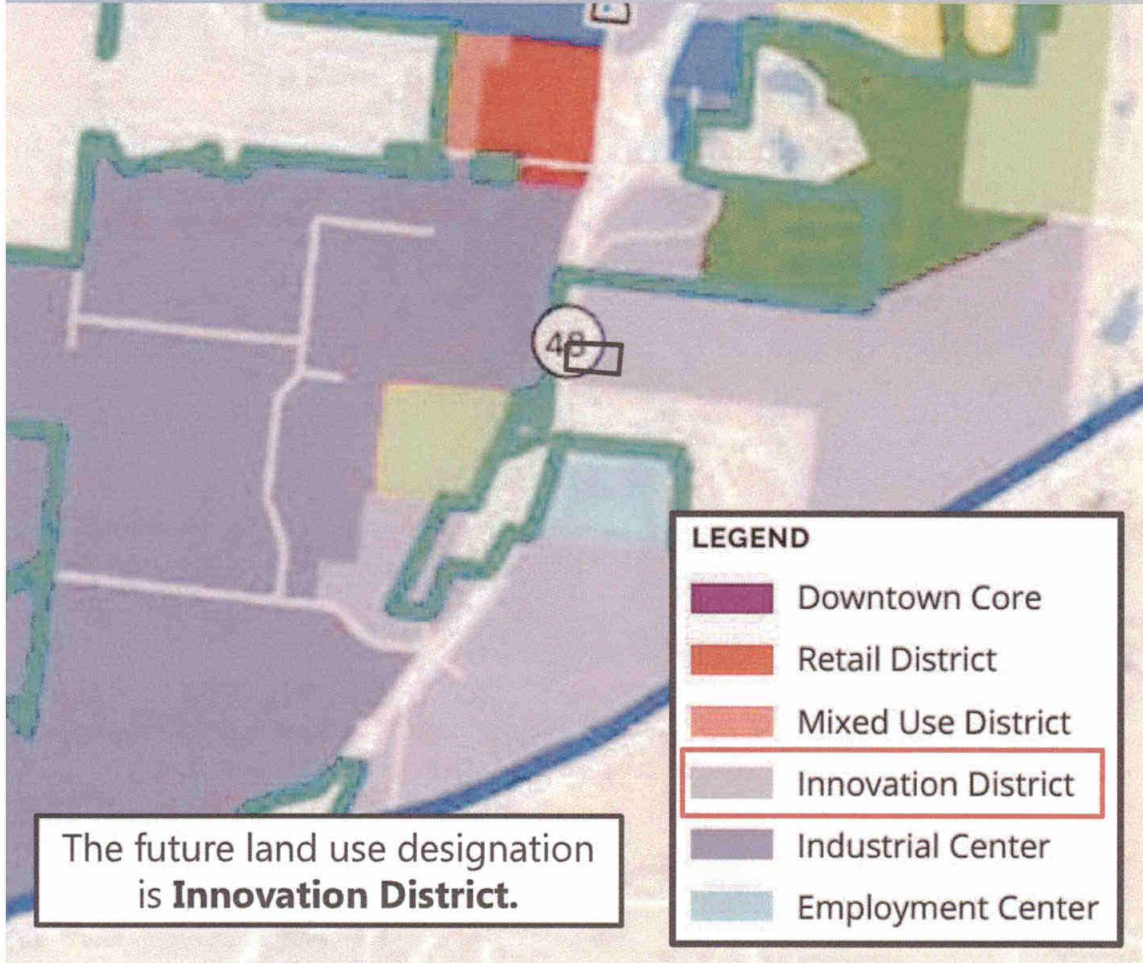


Future Land Use Map (FLUM)



 Low Density Residential

City of Lebanon Future Land Use – 2019 City of Lebanon Comprehensive Plan



INTENT

- Provide flexible space to support a variety of low-impact but high-value industrial activities
- Encourage the transition of existing industrial uses near residential areas to lower intensity use that are less likely to create negative neighborhood impacts.
- Provide buffering through landscaping and building placement where Innovation Districts are adjacent to residential areas.
- Encourage the use of higher-quality building materials and landscaping for highly-visible sites

PRIMARY USES

- Light Industrial
- Warehousing/Distribution
- Commercial/Retail
- Office

SECONDARY USES

- Civic/Institutional
- Parks and Open Space

Permitted Uses



Permitted Use Groups

- Agricultural & Related Uses
- Residential Uses
- Accessory Uses & Structures
- Temporary Uses
- Community Facilities & Essential Services Uses

Permitted Sub-Use Groups

- Commercial Business and Services Uses – Professional Office
- Industrial Manufacturing Research and Supply Services Uses – Manufacturing
- Industrial Manufacturing Research and Supply services Uses – Industrial Services

Prohibited Uses

- Applicant proposed prohibited uses
- Additional prohibited uses added

Casino	Sexually Oriented Businesses
Shooting Range	Slaughterhouse and Stockyards
Truck Terminals and Distribution Facilities	Warehousing and Depot
Mover Storage Facility	Container / POD Storage Facility
Class IV Composting Facility	Construction and Demolition Debris Disposal Facility
Energy Recycling Plant	Motor Vehicle Impound Lot
Recycling and Salvage Center	

Warren County Regional Planning Commission
Executive Committee Recommendation

At its meeting on November 16, 2023, the Warren County Executive Committee voted to recommend Approval of the **Royce Machine I2 to I2 PUD** to the Warren County Rural Zoning Commission with a vote of 12 yes, 3 no and 1 abstain, subject to the following conditions.

1. All plans and proposals of the applicant shall be made conditions of approval unless modified by one of the following conditions.
2. Compliance with the Warren County Rural Zoning Code.
3. Prior to the Board of County Commissioners review the applicant submits an updated site plan that documents the setbacks for existing structures.

Warren County Regional Planning Commission Cont.

4. Prior to the Board of County Commissioners review the applicant shall submit the following, in compliance with the application requirements of the Warren County Rural Zoning Code:
 - a. A legible map of the site, drawn at one inch (1") equals two hundred feet (200') or a different scale if specified by the Zoning Inspector, prepared by a registered architect, landscape architect, engineer, surveyor, or other professional planning consultant, which shows all existing property lines, easements, public road centerlines and rights-of-way, contour lines at suitable intervals, regulatory 20 floodplain boundaries if involved, and generalized locations of public and private utilities;

Warren County Regional Planning Commission Cont.

- b. Section 1.305.4 Application Requirements of the Warren County Rural Zoning Code (A) 2-9. For example, parking location and dimensions; land use areas and percentages; driveway dimensions and details; open space location and quantity; building setbacks and height; stormwater management areas; and community impact statement.
- c. Identification of the future 82'x100' building location.

Warren County Regional Planning Commission Cont.

5. The landscape plan submitted at PUD Stage 2 shall illustrate Buffer [Type] A adjacent to industrial zoning and uses.
6. The existing driveway shall terminate 10 feet prior to the eastern property line to install Buffer [Type] A, or the applicant shall submit a shared driveway access maintenance agreement with parcel # 13331000120.
7. Compliance with the revised PUD Standards, proposed by staff in Exhibit B.
8. Dedicate right of way in compliance with the Thoroughfare Plan, prior to PUD Stage 3.

ANY
QUESTIONS?



1.304.5 Decision-Making Determination Considerations: The approving authority shall review the proposed Zoning Amendment in the interest of public health and safety, as well as the public convenience, comfort, prosperity, or general welfare, as applicable, by considering the following factors:

- (A) Is the proposed amendment consistent with the purposes and intent of this Zoning Code?
- (B) Does the proposed amendment deviate from the suggestions of the Warren County Comprehensive Plan?
- (C) Is the proposed amendment justified because of changed or changing conditions of the surrounding area since the time the current zoning designation for the property was established, and has assumptions on, capital investments, road locations, population trends, land committed to development, density, use, or other elements changed to justify the amendment?
- (D) Is the proposed zoning compatible with the present zoning, nearby uses, and the character of the surrounding area?
- (E) Is the site suitable for the uses to which it has been restricted, or does the current zoning deprive the site of all economically viable uses?
- (F) How long has the property remained vacant as zoned and is it zoned different from an adjacent properties?
- (G) Are there available sites elsewhere in the County that are already zoned for the proposed use?
- (H) Are public central sanitary sewer, stormwater facilities, roads and other public facilities available and do they have adequate capacity to serve allowable uses?
- (I) Will approval of this amendment result in existing land uses, parcels, or structures becoming non-conforming or somehow result in conflict with any provision, restriction, or requirement of this code?

Required Landscaping

2023-08

Table 3.405-1: Lot Perimeter Buffer Type

PROPOSED USE	ADJACENT TO				
	Single-Family or Two-Family Residential District, Recorded Subdivision or lot used for single family residential purposes	Multi-Family Residential Use or District	Office Use or District	Commercial/Business Use or District	Industrial Use or District
Single-Family or Two-Family	None	None	None	None	None
Multi-Family	Buffer "C"	None	None	None	None
Commercial/Business	Buffer "D"	Buffer "C"	Buffer "A"	Buffer "A"	Buffer "B"
Office	Buffer "D"	Buffer "B"	Buffer "A"	Buffer "A"	Buffer "C"
Industrial	Buffer "D"	Buffer "D"	Buffer "C"	Buffer "B"	Buffer "A"

Buffer Type	Minimum Buffer Width	Minimum Screen Height	Minimum Plant Materials
"A"	10 Feet	None [1]	1 deciduous or evergreen tree per every 40 lineal feet as required in Note [4]
"B"	20 Feet	6 feet	1 tree per 25 lineal feet with a minimum of 40% evergreen trees as required in Note [4]
"C"	30 Feet	8 feet	1 tree per 20 lineal feet with a minimum of 50% evergreen trees as required in Note [4]
"D" [2]	50 Feet	10 feet [3]	1 evergreen, 1 deciduous tree and 1 shrub per 10 lineal feet along the residential side of the wall or fence as required in Notes [3] and [4]

PUD Standards proposed state he will meet all the requirements of the Warren County Rural Zoning Code.

Staff Summary

Location	2358 Lebanon Road, Union Township.
Parking	Meets the specifications as submitted in the PUD Standards.
Landscaping	Landscaping PUD Standards state it will conform to the zoning code requirements. Staff believes this is unattainable with the building setbacks from most property lines. Staff recommends landscaping comply around all residential lots per the Warren County Zoning Code where available.
Signage	The sign height, setback and square feet are taken from the Warren County Rural Zoning Code and will be approved under separate permit.
Lighting	Lighting proposed appears residential in nature except for 3 pole lights located in the center of the property. Maximum pole height 25'.
Service Structures	Required construction to match existing buildings and landscape buffering installed around each service structure. None are shown on existing plan.

Zoning Comparison

Comparison of Current, B1 & Proposed Zoning Standards

Zoning	I2 (Current)	I2 PUD (Proposed)	RPC Staff Recommendation
Front Yard Setback	50 ft.	50 ft.	50 ft.
Side Yard Setback (North)	50 ft.	20 ft.	20 ft.
Side Yard Setback (South)	50 ft.	5 ft.	10 ft.
Rear Yard Setback (East)	50 ft.	5 ft.	10 ft.
Maximum Impervious Surface Ratio	0.70	0.53	0.53

Proposed Lighting

2023-08

All lighting shown appears to be residential in nature except for the 3 pole lights near the center of the property.

Parking & Loading

2023-08

Section 6.4 Parking and Loading: Existing gravel space to serve as employee parking. Additional Driveway to form a U shape and exit along the south side yard setback to Lebanon Rd. planned for future as needed.

SECTION 7. NUMBER OF EMPLOYEES.

Maximum Number of Employees: 10, excluding family members.

14 Parking Spaces are shown.

Section 3.307

Industrial	
Industrial establishment including manufacturing, research and testing laboratories, printing shops, industrial services, wholesale, Warehousing, manufacturing and distribution, and agricultural research.	1 for each employee computed on the basis of the greatest number of persons to be present at any one period during the day or night

Proposed Signage

2023-08

Section 6.3 Sign Size and Standards:

- A. **Wall Signs:** The maximum sign area for wall signage for office and industrial uses shall be determined in accordance with the Warren County Rural Zoning Code. Wall signs shall be composed of individual letters and logos and may be illuminated by internal or external sources. Provided, however, that there shall be no wall signs on the facade of any building facing single-family residential uses.
- B. **Monument Signs:** Monument signs with a maximum height of eight (8) feet six (6) inches and a maximum sign area of thirty-six (36) square feet are allowed.

SEC 3.613 NON-RESIDENTIAL DISTRICT SIGNS:

(A) Quantity:

Table 3.613-1: Sign Quantities

	Wall Signs	Pole, Arch, & Ground (including LED) Signs ²	Canopy/Awning Signs ²	Projecting Signs	Signature Wall Signs
Single Building with One User	One (1) per exterior building wall, including side walls.	One (1) per street frontage	One (1) per building	One (1) per building frontage	One (1) per building greater than 45° in height on one wall that fronts an interstate.