



# PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON MAY 28, 2024

**CASE NO.** B-03-24ZPD

**REPORT DATE:** 2024-05-21

**APPLICANT:**

Drees Homes  
211 Grandview Drive  
Ft. Mitchell, KY 41017

**PROPERTY OWNER:**

Julie Ann Needels, Tr  
947 Clough Pike  
Cincinnati, OH 45245

Mary Ann Bryant  
190 Judd Road  
Amelia, OH 45102

**PARCEL ID:**

PIN 032021B062 and 032021B070

**ADDRESS OF REQUEST:**

190 Judd Road, Amelia, OH 45102

**REQUEST:**

Requesting to rezone two parcels (PINs 032021B062 and 032021B070) consisting of +/- 70.304 acres from the A, Agricultural District to a PD, Planned Development District for the purposes of developing 95 single family homes with +/- 41.5 acres of open space at a density of 1.35 lots per acre.

**ZONING:**

The existing zoning for the subject property is A, Agricultural. The surrounding properties consist of A, Agricultural District, 2 separated Residential PD Districts, and R-3, Multi-Family District. *See attached zoning map.*

Note: The County zoning map may show inaccuracies to what the Batavia Township Official Zoning Map has the property listed as.

**LAND USE:**

The subject property is currently a single family residence with farmland and agricultural structures located on it.

**HISTORY:**

No relevant history regarding previous zoning requests for the subject parcel could be established.

## **CONTENTS OF REPORT:**

Attachment A: Township Application

Attachment B: Parcel Map

Attachment C: Zoning Map

Attachment D: Proposal Map

Attachment E: The Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Highmeadow Subdivision

Attachment F: Portion of the Batavia

Township Zoning Resolution Planned Development

## **RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:**

Batavia Township Zoning Resolution Article 36 “Planned Development” goes over the requirements for an application of a Planned Development (PD). This PD is residential and includes a large portion of natural open space (59%). This area is located adjacent to existing PD zoning districts, as well as Agricultural zoned land. The proposed development creates a natural buffer to protect the entirety of this area as surrounding property is developed in the future.

The Batavia Township Growth Policy Plan identifies this area as “Existing Neighborhood and Infill Area” which recommends residential land uses in this area. This proposal is residential in nature and also includes a significant portion of open space. Language from this section of the Growth Policy Plan is below:

### ***Existing Neighborhood And Infill Area:***

*The Existing Neighborhood and Infill Areas identify locations within the Township where existing subdivision-type residential development has occurred. This land use category also identifies Infill Areas, property adjacent to or in close proximity to existing subdivision-type neighborhoods. Future residential development in Batavia Township should be guided to the areas designated as Existing Neighborhood and Infill Area to take advantage of existing public services and roads to be compatible with the current subdivision pattern developing in these areas.*

*The Existing Neighborhood areas have developed based on a combination of residential zoning classifications over the years, and lot sizes vary. The predominant density of existing single family neighborhood development in these areas is generally between 2 and 3 lots per acre. There are locations within this land use area that include single family homes on parcels of land that are several acres in size, which are not within subdivisions. There are also some subdivisions that have developed with lot sizes larger than 1 acre under Agriculture District zoning regulations. However, the predominant development pattern in this concept area is subdivision-type neighborhoods.*

*This land use category includes some attached single family developments created as part of Planned Development zoning projects, and multiple family apartment developments, demonstrating that the residential density varies. There are several schools, churches and other public or institutional uses within these areas. Public water and sanitary sewer service is generally available within the areas designated for this land use category, although infrastructure improvements may be required to service future development.*

### **Future Development Policies**

- *Allow residential development that is consistent with the densities of existing neighborhoods in the planning area – generally 2 to 3 dwelling units per acre for single family detached development*

- and 8 to 10 dwelling units per acre for multiple family or attached single family development in planned developments.*
- *Encourage use of planned development zoning regulations for residential development within the Existing Neighborhood and Infill Areas. The use of planned development regulations provide an opportunity to achieve superior site design within neighborhoods, while potentially protecting stream corridors, steep slope areas, and other sensitive terrain as part of protected open space within the neighborhood. The quality of the design, the amenities offered by the project, the amount and location of open space, and the protection of sensitive areas are all important elements for consideration when the Township evaluates planned development requests, and can be instrumental features when determining appropriate density levels.*
  - *Allow nonresidential uses that are compatible with neighborhood development, such as schools, churches and similar institutional uses.*
  - *Encourage development of a hike/bike trail system to coordinate access between neighborhoods and community facilities, and to integrate with neighborhood pedestrian walkways.*
  - *Require traffic impact studies in conjunction with the County Engineer's Office for proposed development to identify proposed improvements that may be required to mitigate the impacts of proposed development.*
  - *Encourage dedication of land for future park and recreational uses.*

The proposed PD is in alignment with the Batavia Township Growth Policy Plan. The residential and open space land is compatible with surrounding land uses.

## **A SEGMENT OF THE BATAVIA TOWNSHIP ZONING RESOLUTION:**

### ***Batavia Township Zoning Resolution***

#### ***Article 36: Planned Development***

##### ***36.01 PLANNED DEVELOPMENT OBJECTIVES***

*The Planned Development (PD) District and the associated planning and development regulations as set forth and referred to herein are designed to achieve the following objectives:*

- A. *Provide flexibility in the regulation of residential, commercial and office land development;*
- B. *Encourage a variety of housing and building types, a compatible mix of commercial and residential development, and creative site design;*
- C. *Encourage provision of useful open space, and preservation of valuable and unique natural resources;*
- D. *(Not in resolution)*
- E. *Provide a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and contributes to the ecological well being of the community;*
- F. *Promote efficiency through a more effective use of land than is generally achieved through conventional residential and/or commercial development resulting in substantial savings through shorter utilities, streets and other public services;*
- G. *Provide a residential and/or commercial development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the Batavia Township Growth Policy Plan; and*
- H. *Provide opportunities for alternate energy and utility uses, such as wind and solar energy generation uses as principal uses, to be sited, designed and operated consistent with the community character and growth policies of Batavia Township.*

##### ***36.02 USES PERMITTED***

- A. *Any use that is permitted in any zoning district may be approved within a Planned Development*

*provided that the project shall be planned, developed, and operated in accordance with an approved development plan. Specific uses, structures, and developments shall be properly integrated with the surrounding area in such a way as to promote the health, safety, morals, general welfare, and wholesome environment of the general public and of the occupants of nearby property, and to avoid nuisances to the general public or to the occupants of nearby property. All uses shall be approved by the Township as part of the development plan review process.*

- B. *Solar Energy Systems and Wind Energy Systems as a principal use of a property may be approved as a Planned Development provided that the project shall be planned, developed, and operated in accordance with an approved development plan. The Township shall review such principal use Energy Systems using the development standards in Section 36.12 Energy System Design Standards.*

*The entirety of Article 36 will be available in Attachment F of this Staff Report.*

**SITE ACCESS:**

Access is currently located via the main entrance off of Judd Road along the northern border of the land and a road circulates within the subdivision and exits the same ingress/egress point as the main entrance.

**DEVELOPMENT CHARACTER:**

The proposed development is for a 95 home residential subdivision with a large portion of open space as part of the development. This proposal is in alignment with the Batavia Township Growth Management Plan and Zoning Resolution. The surrounding area is residential and agricultural and includes lots of varying sizes. The overall size of the parcel is +/-70.304 acres, and the proposed density is total density is 1.35 lots per acre. There is proposed landscaping within the subdivision as well as the natural open space.

**AGENCY REVIEW AND NOTIFICATION:**

| AGENCY                                      | REFERRAL SENT | COMMENTS RECEIVED |
|---|---------------|-------------------|
| Township <i>(Fire/EMS/Service)</i>          |               |                   |
| Community and Economic Development (CED)    | X             | X                 |
| Engineer's Office (CCEO)                    | X             | X                 |
| Water Resources Department (WRD)            | X             | X                 |
| Water Management & Sediment Control (WMSC)  | X             |                   |
| Soil and Water Conservation District (SWCD) |               |                   |
| Ohio Department of Transportation (ODOT)    |               |                   |
| School District                             |               |                   |

**REFERRAL AGENCIES' COMMENTS:**

**Community and Economic Development Comments:**

- A Concept Plan and Design Plan application will need to be submitted in order for any subdivision of the property.
- The Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Highmeadow Subdivision refers to Warren County numerous times.
- 

**Engineer's Office Comments:**

- A Traffic Impact Study is not required as less than 100 trips are expected to be generated by the proposed development during the peak hour (95 single family homes). Our office has no objections or comments to offer at this time.

**Water Resources Department Comments:**

-

**Water Management & Sediment Control Comments:**

**ODOT Ohio Department of Transportation Comments:**

-

**STAFF ANALYSIS:**

Following a comprehensive analysis, staff has evaluated Batavia Township Zoning Map Amendment Case B-03-24ZPD and its request to rezone a portion two parcels (PINs 032021B062 and 032021B070) consisting of +/- 70.304 acres from the A, Agricultural District to a PD, Planned Development District for the purposes of developing 95 single family homes with +/- 41.5 acres of open space at a density of 1.35 lots per acre. The application is in alignment with the surrounding land uses and Batavia Township Growth Policy Plan. The area is wholly residential and agricultural and the proposed development will be compatible with the surrounding land with the inclusion of a large open space area. The PD application meets the objectives for planned developments as stated in Article 36 of the Batavia Township Zoning Resolution.

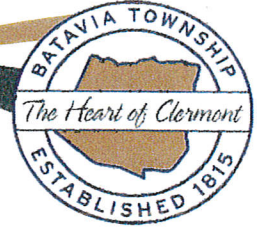
**STAFF RECOMMENDATION:**

Based on the staff analysis in the following report, the following motion is recommended, APPROVAL WITH CONDITIONS of Batavia Township Zoning Map Amendment Case B-03-24ZPD and its request to rezone a portion two parcels (PINs 032021B062 and 032021B070) consisting of +/- 70.304 acres from the A, Agricultural District to a PD, Planned Development District for the purposes of developing 95 single family homes with +/- 41.5 acres of open space at a density of 1.35 lots per acre.

1. Any future development of the site must comply with any and all regulations from Clermont County, Batavia Township, the State of Ohio, or any other applicable agency.
2. A Concept Plan and Design Plan shall be required to be applied for to Clermont County.

3. The Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Highmeadow Subdivision needs to be amended to refer to Clermont County and not Warren County.

# Attachment A



## BATAVIA TOWNSHIP PLANNING & ZONING DEPARTMENT

1535 Clough Pike Batavia, Ohio 45103  
(513)-732-3888 x2 [TCorbett@BataviaTownship.org](mailto:TCorbett@BataviaTownship.org)

SUBMITTAL DATE 4/30/24  
RESOLUTION NO. \_\_\_\_\_  
FEE \$ 2,500

CASE REVIEW NO. β-03-24ZPD  
RECEIVED BY TC

### APPLICATION FOR PLANNED DEVELOPMENT ZONING MAP AMENDMENT

#### APPLICANT INFORMATION

Applicant's Name/Firm Drees Homes Phone 859-578-4324

Applicant's Mailing Address 211 Grandview Drive, Ft. Mitchell, KY 41017

Primary Contact's Name Matt Mains Phone 859-578-4324

Email Address mmains@dreeshomes.com

\* The applicant will be responsible for any review fees that exceed the initial application filing fee.  
\*\* If the applicant is not the property owner, the owner must provide a notarized "Consent to Rezone" Statement.

#### PROPERTY INFORMATION

Property Address/Location 190 Judd Rd Amelia, OH 45102  
Julie Ann Needles, Tr.

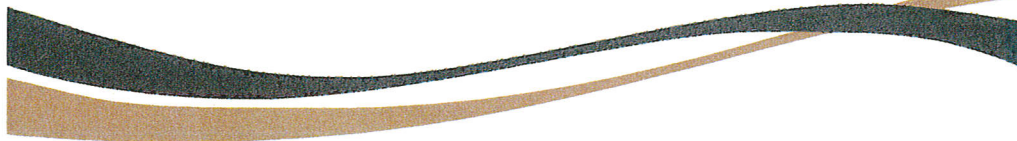
Owner's Name Mary Ann Bryant Phone \_\_\_\_\_

947 Clough Pike Cincinnati, OH 45245  
Owner's Tax Mailing Address 190 Judd Rd Amelia, OH 45102

Property Address 190 Judd Rd Amelia, OH 45102

Parcel No. (s) 032021B062, 032021B070,  
\_\_\_\_\_, \_\_\_\_\_

Total Acreage 70.304 Zoning Designation A SPO District N/A



**SUPPORTING INFORMATION**

Has this proposed Planned Development been discussed with Township Staff? YES  NO

Date of Township Staff Meeting(s): 13/21/24 & \_\_\_\_\_

The current owner acquired the property on 1987 (if lessee, please attach lease terms).

Is this property being considered for a zone change in its entirety? YES  NO

If "NO" what is the proposed acreage requesting to be rezoned? \_\_\_\_\_

Is the property located within an adjoining Township or Village? YES  NO

Is this application a request to modify an existing PD? YES  NO

If "Yes" Previous Case # \_\_\_\_\_

Minor Modification:  Major Modification:

Existing Zoning District(s) A

Proposed Zoning District PD

Existing Land Use Agriculture / Vacant Land

Proposed Land Use Single Family Residential

**Explain how the proposed zoning of the property is appropriate, considering the surrounding zoning designations and existing land uses.**

The property is located adjacent to the existing Twin Gates PD to the West and across the street from the Rosewood PD to the North. Lot sizes and setbacks are similar to these existing PD developments

**Describe the specific reasons or objectives behind the proposed zoning map amendment. What are the desired outcomes or benefits that you expect from this change?**

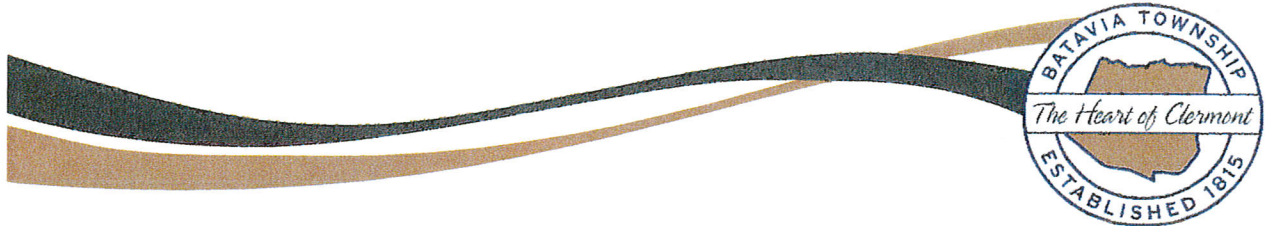
See item # 2 on the attached narrative.

**How does the proposed zoning map amendment align with the overall 2018 Batavia Township Growth Policy Plan? Consider the compatibility with the goals of the plan.**

See item # 1 on the attached narrative.

**How does the proposed zoning map amendment fit within the existing infrastructure capacity of the township? Consider factors such as transportation, utilities, and public services.**

See item # 3 on the attached narrative.



**Have you conducted any studies or assessments to evaluate the potential impacts of the proposed zoning change? This could include traffic studies, environmental impact assessments, or economic feasibility studies.**

A stream and wetland study has been completed to identify sensitive areas to be protected. Additional studies (i.e. Phase 1 environmental, Geotechnical, and traffic) are going to get started shortly. We have also completed a market analysis to understand housing prices.

**Has there been any community engagement or outreach conducted to gather feedback and input from the residents or stakeholders in the affected area? If so, please provide details on the nature and outcome of these engagements.**

No community engagement has taken place yet.

**Are there any potential conflicts or concerns from neighboring property owners or other stakeholders that you are aware of? If so, please explain and provide any relevant documentation or correspondence.**

We do not anticipate much concern from neighboring properties because of the ample buffering being maintained around the new development and the similarity to adjacent neighborhoods.

**What measures or strategies are being proposed to mitigate any potential negative impacts or conflicts resulting from the zoning map amendment? This could include buffer zones, landscaping, or other design elements.**

As previously mentioned, we are maintaining large portions of open spaces and tree lines. The frontage along Judd road will be mounded with landscaping to provide an attractive corridor.

**Are there any legal or regulatory considerations that need to be taken into account when evaluating the proposed zoning map amendment? This could include compliance with state or local zoning laws, environmental regulations, or any other relevant legal requirements.**

The PD zoning will address any zoning concerns. There may be a need to obtain an Army Corp permit for the sewer crossing the stream however we do not anticipate any issues with that process.



**ADJOINERS WITHIN 200 FEET OF 03-20-21B-062 AND -070.  
NEEDELS PROPERTY REZONING**

| <b>PARCEL NO.</b> | <b>OWNER</b>                                   | <b>ADDRESS</b>                                    |
|-------------------|--|---|
| 03-20-21A-025.    | DANIEL J. KELLY                                | 175 LUCY RUN RD. AMELIA, OH 45102                 |
| 03-20-21A-026.    | DARRELL BROUGHTON ET AL                        | 1451 CLOUGH PIKE BATAVIA, OH 45103                |
| 03-20-21A-055.    | NORMA JEAN CLAY                                | 4003 ANDORA BLVD. AMELIA, OH 45102                |
| 03-20-21A-056.    | JACK & HEATHER CRESPO                          | 4001 ANDORA BLVD. AMELIA, OH 45102                |
| 03-20-21A-057.    | MICHAEL E. & SARAH M. HACK                     | 4002 ANDORA BLVD. AMELIA, OH 45102                |
| 03-20-21A-058.    | RAYMOND L. & BETH A. CONWAY                    | 4004 ANDORA BLVD. AMELIA, OH 45102                |
| 03-20-21A-059.    | STEPHANIE L. & ALEJANDRO RODRIGUEZ             | 4006 ANDORA BLVD. AMELIA, OH 45102                |
| 03-20-21A-062.    | OLIVER R. & TERRI L. ANTHONY                   | 1233 TWIN GATE RUN AMELIA, OH 45102               |
| 03-20-21A-063.    | DAVID J. & VICTORIA L. MARCON                  | 1235 TWIN GATE RUN AMELIA, OH 45102               |
| 03-20-21A-064.    | MICHAEL & JENNIFER REED                        | 1237 TWIN GATE RUN AMELIA, OH 45102               |
| 03-20-21A-065.    | DUSTIN J. POSGAY AND JILL K. MARKUS            | 1236 TWIN GATE RUN AMELIA, OH 45102               |
| 03-20-21A-066.    | JOSHUA G. & TESSA M. JOWERS                    | 1234 TWIN GATE RUN AMELIA, OH 45102               |
| 03-20-21A-078.    | TWIN GATE HOMEOWNERS ASSOCIATION               | 500 WESSEL DR. SUITE 2B FAIRFIELD, OH 45014       |
| 03-20-21A-135.    | LAUREN & DANIEL BAGIALTSALIEF                  | 3994 IVY WOOD DR. AMELIA, OH 45102                |
| 03-20-21A-136.    | DAVID LEE & JESSICA RENEE WOOD                 | 3992 IVY WOOD DR. AMELIA, OH 45102                |
| 03-20-21A-137.    | ANDREW GOHEEN AND MOLLY BASFORD                | 3990 IVY WOOD DR. AMELIA, OH 45102                |
| 03-20-21A-138.    | TWIN GATE HOMEOWNERS ASSOCIATION               | 500 WESSEL DR. SUITE 2B FAIRFIELD, OH 45014       |
| 03-20-21A-139.    | RICHARD & JESSICA SMITH                        | 3991 IVY WOOD DR. AMELIA, OH 45102                |
| 03-20-21A-186.    | TWIN GATE HOMEOWNERS ASSOCIATION               | 500 WESSEL DR. SUITE 2B FAIRFIELD, OH 45014       |
| 03-20-21B-016.    | HILDRETH J. RECORD C/O DEBORAH RECORD VESSELLS | 4907 CHENOWETH RUN RD. LOUISVILLE, KY 40299       |
| 03-20-21B-061.    | JOHN R. JR. & JENNIFER HEINLEIN                | 246 JUDD RD. AMELIA, OH 45102                     |
| 03-20-21C-117.    | AMH 2014-3 BORROWER, LLC.                      | 23975 PARK SORRENTO SUITE 300 CALABASAS, CA 91302 |
| 03-20-21C-118.    | AMANDA LYNN & RYAN MATTHEW BERROYER            | 3861 GREENBROOK DR. AMELIA, OH 45102              |
| 03-20-21C-119.    | RODGER & ELIZABETH MAIDEN                      | 3863 GREENBROOK DR. AMELIA, OH 45102              |
| 03-20-21C-151.    | JOSHUA WEBB                                    | 3862 GREENBROOK DR. AMELIA, OH 45102              |
| 03-20-21C-152.    | RICHARD A. WILLIAMS                            | 3860 GREENBROOK DR. AMELIA, OH 45102              |
| 03-20-21D-005.    | CKN DEVELOPMENT, LLC.                          | 1768 HAPPY VALLEY DR. FAIRFIELD, OH 45014         |
| 03-20-21D-006.    | PRENTICE L. & ELLEN F. GUINN                   | 167 JUDD RD. AMELIA, OH 45102                     |
| 03-20-21D-058.    | CHARLES DURDEN & LORI GAFFNEY                  | 201 JUDD RD. AMELIA, OH 45102                     |

**ADJOINERS WITHIN 200 FEET OF 03-20-21B-062 AND -070.  
NEEDLS PROPERTY REZONING**

| <b>PARCEL NO.</b> | <b>OWNER</b>                      | <b>ADDRESS</b>                            |
|-------------------|-----------------------------------|---|
| 03-20-21D-137.    | CKN DEVELOPMENT, LLC.             | 1768 HAPPY VALLEY DR. FAIRFIELD, OH 45014 |
| 03-20-21D-138.    | CKN DEVELOPMENT, LLC.             | 1768 HAPPY VALLEY DR. FAIRFIELD, OH 45014 |
| 03-20-21E-008.    | MARIAN E. WRIGHT, TRUSTEE         | 136 JUDD RD. AMELIA, OH 45102             |
| 03-20-21E-019.    | HERMAN & VICKIE BAILEY            | 289 APPLE RD. AMELIA, OH 45102            |
| 03-20-21E-032.    | WILLIAM W. CARROLL, JR.           | 151 JUDD RD. AMELIA, OH 45102             |
| 03-20-21E-035.    | CECIL F. & LISA RADCLIFF          | 320 APPLE RD. AMELIA, OH 45102            |
| 03-20-21E-041.    | ROBERT L. PROUD AND KATHY S. KENT | 3569 TURNBERRY AMELIA, OH 45102           |
| 03-20-21E-048.    | JERRY JR. & SARAH POTTER          | 304 APPLE RD. AMELIA, OH 45102            |
| 03-20-21E-074.    | MICHAEL W. REARDON                | 145 JUDD RD. AMELIA, OH 45102             |
| 03-20-21F-022.    | BARBARA A. ROY                    | 210 APPLE RD. AMELIA, OH 45102            |
| 03-20-21F-023.    | BARBARA A. ROY                    | 210 APPLE RD. AMELIA, OH 45102            |
| 03-20-21F-049.    | KRISTINA M. & JAMES S. SANDERS    | 274 APPLE RD. AMELIA, OH 45102            |



**AFFIDAVIT**

I (we) Mary Bryant  
hereby certify that we are all of the owners of real estate, which is the subject of the pending zoning application; that we hereby consent to the Zoning Commission of Batavia Township recommending approval of a PD preliminary development plan for the subject real estate. We understand that our application will be considered and processed in accordance with the regulations as set forth by the Batavia Township Planning & Zoning Department and Zoning Resolution; that we agree to accept, fulfill and abide by those regulations and all stipulations and conditions attached to the rezoning of the property by the Board of Trustees of Batavia Township. The statements and attached exhibits are in all respects true and correct to the best of my /our knowledge and belief.

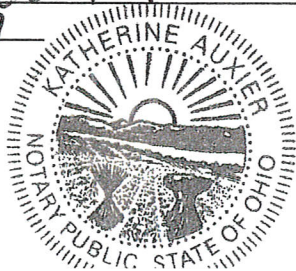
I hereby agree to make payment to Batavia Township for any professional review fees that exceed the usual and customary fees associated with the submittal of this application. I hereby attest to the truth and exactness of the information supplied herewith.

~~Applicant~~ Owner  
Mary Bryant  
Mary Bryant Print Name  
Mary Bryant Signature  
190 Juno Rd  
Amelia Oh 43102 Mailing Address  
City, State, Zip Code  
513-520-4519  
aband.t190j@aol.com Phone  
Email

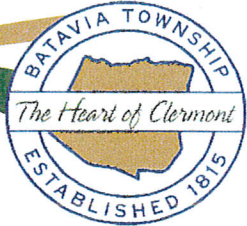
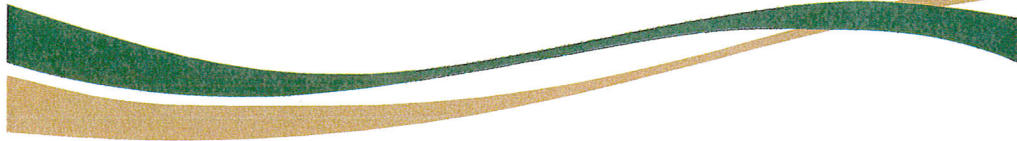
State of Ohio, County of Clermont

Subscribed and sworn to before me this 26<sup>th</sup> day of April, 2024.

Katherine W Auxler My Commission expires  
on 9-04-2027  
Notary Public



Katherine Auxler  
Notary Public  
State of Ohio  
My Commission Expires  
September 04, 2027



**AFFIDAVIT**

I (we) Laura Needels  
hereby certify that we are all of the owners of real estate, which is the subject of the pending zoning application; that we hereby consent to the Zoning Commission of Batavia Township recommending approval of a PD preliminary development plan for the subject real estate. We understand that our application will be considered and processed in accordance with the regulations as set forth by the Batavia Township Planning & Zoning Department and Zoning Resolution; that we agree to accept, fulfill and abide by those regulations and all stipulations and conditions attached to the rezoning of the property by the Board of Trustees of Batavia Township. The statements and attached exhibits are in all respects true and correct to the best of my /our knowledge and belief.

I hereby agree to make payment to Batavia Township for any professional review fees that exceed the usual and customary fees associated with the submittal of this application. I hereby attest to the truth and exactness of the information supplied herewith.

~~Applicant~~ — Owner  
Laura Needels Print Name  
Laura Needels Signature  
947 Clough Pike Mailing Address  
Cincinnati OH 45245 City, State, Zip Code  
513-300-5082 Phone  
needels@aol.com Email

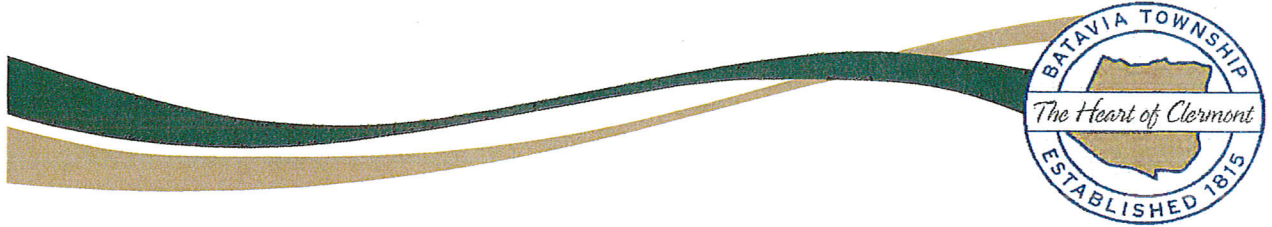
State of Ohio, County of Clermont

Subscribed and sworn to before me this 26<sup>th</sup> day of April, 2024.

Katherine Auxier My Commission expires  
on 9-04-2027  
Notary Public



Katherine Auxier  
Notary Public  
State of Ohio  
My Commission Expires  
September 04, 2027



**SUBMISSION REQUIREMENTS FOR  
PD MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN  
BATAVIA TOWNSHIP**

| FOR TOWNSHIP USE ONLY   |                               |
|-------------------------|-------------------------------|
| CASE: <u>B-03-24ZPD</u> | DATE RECEIVED: <u>4/30/24</u> |
| FEE RECEIPT #           | RECEIVED BY:                  |

PLEASE READ AND CHECK ALL INSTRUCTIONS

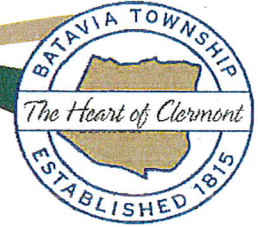
**1. GENERAL REQUIREMENTS**

- 1.1 **Pre-Application Meeting:** (Date: 3/21/24 Time: 8:45 am)

Before submitting an application packet, it is advisable for the applicant to schedule an appointment with the Planning & Zoning Department Staff and the Zoning Consultant to discuss the proposal's concept and the overall application process. Please call 513-732-3888 extension 2 to arrange a meeting. It is mandatory for the applicant or their representative to be present during the meeting. Please note that there is no guarantee, explicit or implied, regarding the final staff recommendations to the Commission. Additionally, there is a consulting fee associated with all pre-application meetings.

- 1.2 **Submission Closing Date:** (Date: 5/01/24 Time: \_\_\_\_\_)

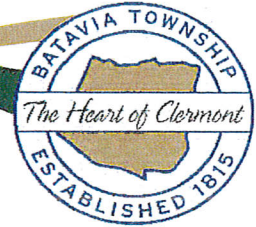
To apply for Preliminary Development Plan approval, applicants must submit their application packets to the office of the Planning & Zoning Director in accordance with the designated application filing schedule. It is advisable for applicants to review and make any necessary revisions to their proposed plans and zoning plat as guided by the Planning & Zoning Director before submission. Once the Closing Date has passed, no modifications can be made to the submitted information unless specifically requested by the staff or Zoning Commission. To ensure inclusion on the agenda and allow ample time for revisions and corrections, it is strongly recommended to submit the application early. Please note that incomplete or inaccurate applications will not be accepted for processing and will not be included on the agenda for any hearings or meetings.



1.3 **Application Fee:**

\$2,500 Make Check payable to Batavia Township  
(Breakdown: \$300 Application fee & \$2,200 Retainer)

To accompany the application, a nonrefundable payment must be made to cover the expenses related to holding the public hearing. This includes costs for personnel, legal notices required by law, or any other expenses related to the proposed amendment. If the applicant wishes to cancel the Preliminary Development Plan, written notification must be submitted to the Zoning Department. Once the application has been processed, no refunds or partial refunds will be issued. If any portion of the retainer fee for Professional Review remains unused, it will be refunded to the applicant. Any additional Professional Review fees exceeding the deposit amount will be invoiced to the applicant. Furthermore, no Final Development Plan application will be processed until full payment for the preliminary plan review has been received.



## 2. WRITTEN REQUIREMENTS

### 2.1 **Metes and Bounds Description:**

Submit on an (8 1/2"x11") paper with the following information:

- a. A metes and bounds description of the subject site.
- b. The amount of area contained within the site (Acres and Sq. Ft.)
- c. A cover letter, signed by a registered surveyor, certifying that the Legal Description of the property proposed to be developed is complete and accurate.

### 2.2 **Property Deed:**

Submit one (1) copy of the deed of the subject property as filed in the Clermont County Recorder's Office.

### 2.3 **Preliminary Development Plan Application Form:**

Submit a completed application form signed by the applicant and the owner(s) of the property and one (1) copy.

### 2.4 **Adjacent Property Owners Form:**

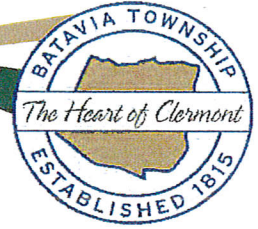
Complete and submit the Adjacent Property Owners form (provided in this Packet) containing the names, addresses and tax information of all parcels within two hundred (200) feet of the subject site.

### 2.5 **Applicant's Affidavit:**

Complete and submit the original copy of the Affidavit (provided).

### 2.6 **Checklist of Requirements:**

Submit this completed form and checklist signed by applicant or his/her representative.

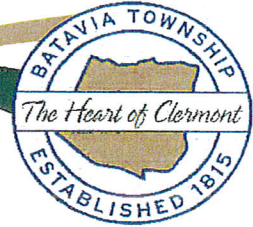


2.7 **Written Statement of Compliance with Standards for Petition Review:**

Submit a written statement that explains how the proposed PD Map Amendment Plan (or Plan Modification) complies with the standards for Petition Review (Art.36.01 R) as specified in the Batavia Township Zoning Resolution.

2.8 **Explanation of Homeowners Association:**

Submit a description of the proposed establishment of a homeowners association for the PD (as applicable).

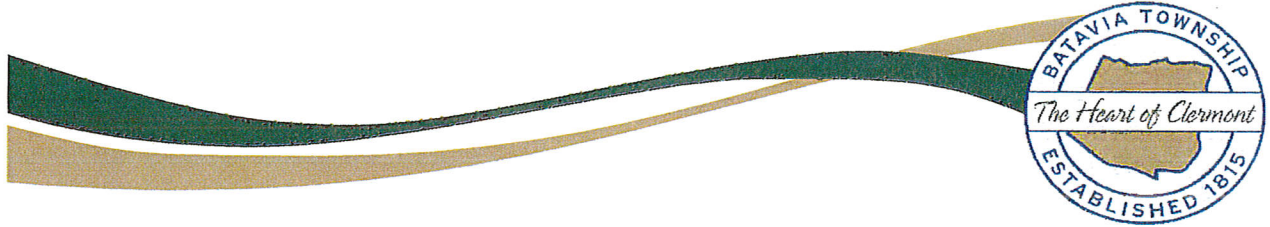


### 3. GRAPHIC REQUIREMENTS

#### 3.1 Preliminary Development Plan:

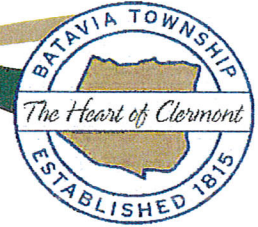
Submit seven (7) copies of the Preliminary Development Plan (drawings) at a scale of one hundred (100) feet to the inch or larger (unless approved otherwise) and one electronic copy of the application including PDF drawings of the development plans with details

- a. Project name, date, scale, north arrow (north up), map title, total sheets, and sheet number;
- b. Name and title of applicant, present owner(s) and person preparing map;
- c. Vicinity map identifying site with references to surrounding areas and existing street locations.
- d. Zone (gross) area of entire site; site (net) area excluding right-of-way;
- e. Summary table with the following information:
  - I. Proposed use of all facilities
  - n/a  II. Floor area including basements (if nonresidential)
  - III. Number of dwelling units (if residential)
  - n/a  IV. Parking spaces required by Zoning Resolution; spaces provided
  - n/a  V. Seating capacity (where appropriate)
  - VI. The density of residential uses (calculation to be prepared according to *Article 36.01 L*).
  - VII. School District(s) in which this development is located.
  - VIII. Total mileage of all proposed public roadways
- f. Existing property lines, right-of-way and utility easements for the entire tract and each parcel involved;
- g. Location of existing zone boundaries of property and up to 200 feet outside subject site;
- h. Existing contour lines (dashed) at 5-ft intervals or less on site, including 200 ft beyond, indicating data source and date.
- i. Front, side, and rear yard setbacks for all structures and parking areas;
- j. Existing structures, pavements, sanitary and storm sewers, sidewalks, curbs, and other physical and natural features indicated with approximate locations. Structures to be demolished shown in dashed lines.



- k. Base mapping of the property showing the physical features (general topography, drainage ways and water bodies, etc.) and existing land uses;
- l. Boundaries of the tract to be developed on a planned unit basis;
- m. Highways and streets in the vicinity of the tract, and ingress and egress to the tract;
- n. Location of different general land use areas proposed to be developed;
- o. Proposed density levels of each residential area and acreage and square feet of business uses;
- p. Proposed treatment of existing topography, drainage ways, and tree cover;
- q. Proposed general location of major vehicular circulation, showing how this circulation pattern relates to the primary and secondary road alignments designated by the Clermont County Thoroughfare Plan or guidance from the Clermont County Engineer's Office;
  
- n/a  r. Location of school or fire station sites, if either are proposed;
- s. Phasing plan and time schedule of the projected development if the total landholding is to be developed in stages, or if construction is to extend beyond a two-year time period.
- t. Calculation of required open space indicating compliance with the standards established in 36.01 L/6, including plans that illustrate accessibility of open space areas and plans for use of open space by future occupants of the PD.
- u. A preliminary landscape plan that illustrates proposed landscape areas, buffer yards and screening, as needed, including general information regarding amount and types of plant material.
  
- 3.3 **Reduced Preliminary Development Plan:**

Submit two (2) copies of the preliminary development plan reduced to an 11" x 17" sheet of paper for in-office copying. The information contained on the reduced version shall be the same as which is required above.



n/a  3.4 **Traffic Impact Analysis:**

Survey of proposed development's traffic impact, analysis of the existing roadway network's level of service before and after construction, and identification of necessary roadway improvements to mitigate the impact. The township follows Clermont County Engineer's Office guidelines for traffic impact analysis submission. If an analysis is required during any development stage, it must be included in the preliminary development plan application.

**INFORMATION SUBMITTED SHALL BE ASSUMED CORRECT AND THE APPLICANT AND/OR AGENT SHALL ASSUME RESPONSIBILITY FOR ANY ERRORS AND/OR INACCURACIES THAT MAY RESULT DUE TO AN IMPROPERLY SUBMITTED APPLICATION.**

*James H Weston*  
*Signature*  
*(Applicant or Representative)*

4/30/2024  
*Date submitted:*

*Last Revised: 2023-05-30*

April 29, 2024

Mr. Taylor Corbett  
Director of Planning & Zoning  
1535 Clough Pike  
Batavia OH 45103

Re: Kinsdale  
Proposed Zoning Amendment  
190 Judd Road  
Batavia, OH 45103

Dear Mr. Corbett,

Drees Homes is pleased to present the attached application for the Kinsdale PD Proposed Zoning Amendment to develop 95 single family homes on approximately 70.3 acres located in Batavia Township along Judd Road across from the Rosewood Subdivision.

The property is currently zoned (A) Agricultural and is classified as Agricultural Vacant Land. Neighboring properties zoned by Batavia Township include Rosewood, across Judd Road to the North zoned (PD) Planned Development, and Twin Gates to the West zoned (PD) Planned Development. Other properties surrounding the parcel are either zoned (R1) Single Family Residential or (A) Agricultural.

The project gross density is 1.35 lots per acre and a net density of 1.52 lots per acre. Approximately 59.0% of the project will be open space with a total of 41.5 acres.

The proposed lots are 60 feet wide at the front building line and a minimum of 8,400 square feet. Proposed front, side, and rear yard setback distances are 35 feet, 5 feet min./15 feet total, and 20 feet, respectively.

The proposed homes are expected to range in square footages from 1500 sf to over 3000 sf. Front elevations will be finished with all natural materials which include Brick, Stone, or Hardi-Board. Sample elevations have been provided showing some of the proposed products that are planned for this community.

The plan proposed herein meets all applicable Standards for Petition Review of PD Preliminary Development Plan noted in Section 36.13 (D) of the Batavia Township Zoning Resolution as demonstrated in the following analysis:



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859-578-4200 | dreeshomes.com

1. *The proposed development shall conform to the adopted Batavia Township Growth Management Plan, or represent a land use policy, which, in the Zoning Commissions' opinion, is a logical and acceptable change in the adopted Growth Policy Plan;*

Per the Batavia Township Growth Policy Plan (2018), the property is located within the Existing Neighborhood & Infill Area and complies with the Future Development Policies of the area based on the following attributes:

- The proposed net density of 1.52 homes per acre is consistent with the densities of existing neighborhoods in the planning area.
- Using the planned development zoning classification, the proposed plan is sensitive to the topography of the land and takes measures to avoid impacting streams, wooded terrain, and other natural features that improve the overall livability of the project.
- Dedicating approximately 41.5 acres of open space to be controlled by a newly created HOA.

2. *The proposed development shall conform to the intent and all regulations, requirements and standards of a PD District;*

The proposed project meets all applicable objectives for Planned Developments in Batavia Township. The clustered development footprint respects the topography, stream corridors, and wooded areas located within the site. The development is arranged in a manner that will minimize earthmoving requirements, minimize disruption of natural drainage patterns, and maximize preservation of wooded areas. Preservation of the existing features will aid in maintaining wildlife habitats, reducing erosion, improving water quality, and reducing stormwater runoff. Compliance with open space, density, transportation, and other objectives noted in Section 36.01 of the PD regulations are further discussed throughout this analysis.

3. *The proposed development shall be adequately served by public facilities and services such as but not limited to streets, police and fire protection, drainage course, water, and sanitary facilities, refuse disposal, and sidewalks; or that the persons or agencies responsible for the proposed development shall be able to properly provide such facilities and services.*

The proposed development will be adequately served by vehicular access, sidewalks, public utilities, and drainage facilities. Sidewalks are proposed along both sides of all internal streets as well as along Judd Road. Water tying into the existing facilities along Judd Road and Sewer will tie into an existing pump station at the end of Andora Boulevard in Twin Gates.



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4. *Common open space, other common properties and facilities, individual properties, and all other elements of a PD are so planned that they will achieve a unified open space and recreation area system with open space and all other elements in appropriate locations, suitably related to each other, the site and surrounding lands;*

**Planned open spaces include a pond surrounded by a walking path, a gazebo, and landscaping. Entry monumentation will be provided at the entrance off Judd Road. Substantial wooded areas, drainage courses, wild habitat, and steep slopes are protected and opportunities for passive uses are provided.**

5. *The petitioner shall have made provision to assure that public and common areas will be or have been irrevocably committed for that purpose with notations of such commitment being denoted on the record plat. Provisions shall be made for financing of improvements shown on the plan for open space and other common areas, and that proper maintenance of such improvements is assured.*

**A homeowner's association (HOA) will own and maintain open space areas. The HOA will be structured in a manner that adequately provides for the funding and maintenance of common areas. The record plat will identify common areas and will note that common areas shall remain as such in perpetuity. Although HOA documents specific to this PD have yet to be developed, a set of comparable documents are included with this submittal.**

6. *Traffic to, from, and within the site will not be hazardous or inconvenient to the project or to the neighborhood. In applying this standard the Zoning Commission shall consider, among other things; convenient routes for pedestrian traffic; relationship of the proposed project to main thoroughfares and street intersections; the construction of any roadway improvements necessary to mitigate the impact of the development, and the general character and intensity of the existing and potential development of the neighborhood;*

**The new entrance will be located directly across from the existing entrance to the Rosewood Development. An existing Eastbound turn lane into that development exist along with a striped taper. An additional westbound turn lane will be added. If required a Traffic Impact study can completed but it is typically not required for developments under 100 lots.**

7. *The mix of housing unit types and densities, or in the case of nonresidential development, the mix of uses and intensities, shall be acceptable in terms of compatibility, issues of privacy, and similar measures;*

**The proposed single-family detached lots are identical in size and setbacks to the existing Rosewood PD across Judd road. Substantial wooded areas and/or tree lines surround the**



proposed development areas providing sufficient privacy to the neighboring homes or communities.

8. *Where applicable, the convenience type retail or office development within the project shall be appropriately located within the PD such that the vehicular traffic generated by those uses does not affect adjacent neighborhoods or the residential portions of the development.*

**Not applicable.**

9. *The Zoning Commission shall determine, where applicable, that noise, odor, light, or other external effects which are connected with the proposed uses, will not adversely affect adjacent and neighboring lands and uses;*

**The residential uses proposed herein are compatible with adjoining uses, will not produce unacceptable levels of noise, odor, or light, and will not adversely affect adjacent properties.**

10. *The proposed development shall create a minimum disturbance to natural features and land forms;*

**As noted in item #2, the proposed development pattern is an efficient layout that respects the topography, stream corridors, and wooded areas located within the site.**

11. *The property shall have adequate access to public streets. The plan shall provide for logical extensions of public streets and shall provide suitable street connections to adjacent parcels, where applicable; and*

**The proposed plan will have direct access to Judd Road and create a loop with one Cul de sac.**

12. *Pedestrian circulation shall be provided within the site, and shall interconnect all use areas, where applicable. The pedestrian system shall provide for a logical extension of pedestrian ways outside the site and to the edges of the site, where applicable.*

**Sidewalks are proposed as noted in the above item #3. In addition, sidewalks will be constructed in the central park area around the pond.**

We believe this plan meets the objectives and requirements of the planned development district and offers a sensible alternative to conventional development practices. This plan provides new housing in the area identified by the Township for Neighborhood Infill while the flexibility of the PD allows for an efficient design that protects approximately 40 acres of



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environmentally sensitive land. This would not possible under strict application of typical residential zoning requirements.

Accompanying this narrative is the executed application, address list of owners within 200 feet of the site, legal description, sample elevations, and sample HOA documents.

We request the Zoning Commission's consideration of this proposal at their regularly scheduled June 13, 2024, meeting. Please proceed with a review of the attached plan and please forward the application to the Clermont County Planning Commission for consideration on their May 28, 2024, agenda. We look forward to working with Batavia Township throughout the zoning process.

Warm regards,



**Matt Mains**  
**Land Development Manager**

**Drees Homes**

211 Grandview Drive, Suite 100

Ft. Mitchell, KY 41017

P: 859.578.4324

C: 859.760.5750

[mmains@dreeshomes.com](mailto:mmains@dreeshomes.com)



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859-578-4200 | [dreeshomes.com](http://dreeshomes.com)

**DESCRIPTION FOR:** Julie Ann Needles, Tr.

**LOCATION:** Judd Road  
Batavia Township  
70.304 Acres  
Existing Zone: A - Agricultural District  
Proposed Zone: PD - Planned Development District

Situate in Thomas' Military Survey No. 1762, Clermont County, Ohio, and being part of lands as conveyed to Julie Ann Needles, Tr. by deed recorded in O.R. Volume 2954, Page 2251, Clermont County, Ohio Recorder's Office (parcel No. 032021B062) and being part of land as conveyed to Mary Ann Bryant by deed recorded in O.R. Volume 415, Page 47, Clermont County, Ohio Recorder's Office (parcel No. 032021B070) and being more particularly described as follows:

Beginning at the southeast corner of Twin Gates, Section 6 as recorded in Plat Cabinet 18, Page 166, Clermont County, Ohio Recorder's Office and a point in the north line of a 41.1948 acre tract as conveyed to Daniel J. Kelly by deed recorded in O.R. Volume 2104, Page 2185, Clermont County, Ohio Recorder's Office;

Thence with existing zoning lines, the east line of said Twin Gates, Section 6, in part the east line of Twin Gates, Section 4 as recorded in Plat Cabinet 17, Page 282, Clermont County, Ohio Recorder's Office, and in part the east line of Twin Gates, Section 1 as recorded in Plat Cabinet 14, Page 6, Clermont County, Ohio Recorder's Office, North 02°43'00" East, 1825.90 feet to point;

Thence with existing zoning lines and east lines of said Twin Gates, Section 1 for the following two (2) courses and distances:

- 1) North 84°20'00" West, 286.46 feet to a point;
- 2) North 03°38'30" East, 267.56 feet to the southeast corner of a 5.323 acre tract as conveyed to Hildreth J. Record by deed recorded in O.R. Volume 720, Page 749, Clermont County, Ohio Recorder's Office;

Thence with proposed zoning lines and the east line of said 5.323 acre tract, North 09°39'00" East, 915.80 feet to a point in the centerline of Judd Road (R/W Varies);

Thence with proposed zoning lines and the centerline of said Judd Road for the following three (3) courses and distances:

- 1) South 85°18'30" East, 957.44 feet to a point;
- 2) South 85°44'30" East, 338.50 feet to a point;
- 3) North 87°26'00" East, 99.02 feet to a point at the northwest corner of a 12.16 acre tract as conveyed to Marian E. Wright, Tr. by deed recorded in O.R. Volume 2849, Page 2766, Clermont County, Ohio Recorder's Office;

Thence with proposed zoning lines, the west line of said 12.16 acre tract, and in part the west line of a 16.371 acre tract as conveyed to Robert L. Proud and Kathy S. Kent by deed recorded in O.R. Volume 1321, Page 549, Clermont County, Ohio Recorder's Office, South 03°41'00" West, 1196.98 feet to a point

in the north line of a 7.901 acre tract as conveyed to Jerry and Sarah Potter, Jr. by deed recorded in O.R. Volume 2705, Page 1288, Clermont County, Ohio Recorder's Office;

Thence with proposed zoning lines, the north line of said 7.901 acre tract, and in part the north line of a 11.028 acre tract as conveyed to Herman and Vickey Bailey by deed recorded in O.R. Volume 2784, Page 1427, Clermont County, Ohio Recorder's Office, North 85°05'00" West, 467.56 feet to a point;

Thence with proposed zoning lines, the west line of said 11.028 acre tract, in part the west line of a 13.955 acre tract as conveyed to Kristina M. and James S. Sanders by deed recorded in O.R. Volume 2123, Page 1872, Clermont County, Ohio Recorder's Office, and in part the west line of a 12.744 acre tract as conveyed to Barbara A. Roy by deed recorded in O.R. Volume 2671, Page 2037, Clermont County, Ohio Recorder's Office, South 02°47'00" West, 1062.61 feet to a point;

Thence with proposed zoning lines, continuing with the west line of said 12.744 acre tract, in part the west line of a 4.588 acre tract as conveyed to Barbara A. Roy by deed recorded in O.R. Volume 2671, Page 2035, Clermont County, Ohio Recorder's Office, South 02°28'00" West, 722.79 feet to a point;

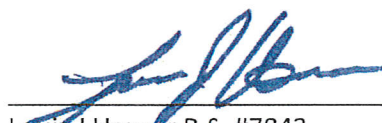
Thence with proposed zoning lines, continuing with the west line of said 4.588 acre tract, and in part a west line of a 11.123 acre tract as conveyed to Eli Broughton, Tr. by deed recorded in O.R. Volume 2944, Page 182, Clermont County, Ohio Recorder's Office, South 05°03'00" West, 46.40 feet to a point;

Thence with proposed zoning lines, continuing with the north line of said 11.123 acre tract, and in part the north line of the aforesaid 41.1948 acre tract, North 85°13'00" West, 735.63 feet to the POINT of BEGINNING.

Containing 70.304 acres of land more or less.

The above description was prepared from a Zoning Plat by McGill Smith Punshon, Inc. dated April 15, 2024. Bearings are based on Julie A. Needles, Tr. deed as recorded in O.R. Volume 2954, Page 2251, Clermont County, Ohio Recorder's Office

I hereby certify that the above description is a complete, proper and legal description of the property to be re-classified herein. The above description is based on existing deeds and plats of record and is not based on an actual field survey. Said description is to be used for the purpose of re-classification only, and is not to be used for the transfer of property.

  
Louis J Hanser P.S. #7843

Prepared by: McGill Smith Punshon, Inc.  
Date: April 15, 2024  
MSP No.: 23594.00



Transfer # 5760 Transfer Fee \$ 1.00  
Conveyance Fee \$ 0.00  
Filed with the office of  
Linda L. Fraley  
Date 10/10/23 By: APAWELKOP

202300018891  
Filed for Record in Clermont County, Ohio  
Deborah Hall Clepper, Recorder  
10/10/2023 03:47 PM Recording Fees: \$42.00  
DEED OR 2954 / p2251 - p2253

**GENERAL WARRANTY DEED**

**JULIE ANN NEEDELS, aka JULIE NEEDELS**, unmarried, Grantor, of Clermont County, Ohio, for valuable consideration paid, grants with general warranty covenants, to **DEBORAH SMITH**, Trustee, whose tax mailing address is 7913 Griffith Road, Felicity, Ohio 45120, all of her undivided interest in the following described real property:

See Exhibit A, Attached.

Parcel No.: 03-20-21B-062.  
Property Address: Judd Road, Batavia, Ohio 45103  
Prior Deed Ref.: OR Book 2715, Page 2407 of the Official Records of Clermont County, Ohio

See Exhibit B, Attached.

Parcel No.: 28-28-07D-169.  
Property Address: Lewis Road, Amelia, Ohio 45102  
Prior Deed Ref.: OR Book 2715, Page 2416 of the Official Records of Clermont County, Ohio

The real property described above is conveyed subject to, and there are excepted from the general warranty covenants, the following:

1. All easements, covenants, conditions and restrictions of record;
2. All legal highways;
3. Zoning, building and other laws, ordinances and regulations;
4. Real estate taxes and assessments not yet due and payable, thereafter;
5. CAUV recoupment, if any; and
6. Rights of tenants in possession.

Executed this 10<sup>th</sup> day of October, 2023.

Julie Needels  
JULIE NEEDELS by  
D. Smith  
DEBORAH SMITH, her Attorney in Fact

STATE OF OHIO,  
COUNTY OF CLERMONT)SS:

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of October 2023, by **DEBORAH SMITH**, as Attorney in Fact on behalf of **JULIE NEEDELS, aka JULIE ANN NEEDELS**. No oath or affirmation was administered to the signer with regard to the notarial act.



ROBERT TRUE, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 R. C.

[Signature]  
Notary Public, State of Ohio  
My Commission Expires: \_\_\_\_\_

032021B062. 65.3 AC 6M-86  
282807D169. 30.678 AC TL8-61

EXHIBIT "A"

Situated in Batavia Township, Clermont County, Ohio, in Thomas Military Survey No. 1862, and bounded and described as follows:

Beginning at a spike in the center of Judd Road, the point of beginning, said point being 2133 feet from the intersection of the center of Judd Road and the west line of Thomas Military Survey; thence along the center of Judd Road S. 85° 18' 30" E. 957.44 feet to a spike in the center of Judd Road; thence along the center of Judd Road S. 85° 44' 30" E. 338.50 feet to a point in the center of Judd Road; thence along the center of Judd Road N. 87° 26' E. 99.02 feet to a spike in the center of Judd Road; thence S. 3° 41' W. 1196.98 feet to a stone; thence N. 85° 05' W. 467.56 feet to a stone; thence S 2° 47' W. 1062.61 feet to a stone; thence S. 2° 28' W. 722.79 feet to a stake; thence S. 5° 03' W. 46.40 feet to a stake; thence N. 85° 13' W. 735.63 feet to a stone; thence N. 2° 43' E. 1825.90 feet to a stone; thence N. 84° 20' W. 286.46 feet to a stone; thence N. 3° 38' 30" E. 267.56 feet to a stone; thence N. 9° 39' E. 915.80 feet to the point of beginning; containing 70.30 acres of land more or less, and subject to all legal highways and utility easements. Description from a new survey made by Anglo J. Santoro, P.E.S., May 17, 1964.

Subject to Utility Easements as recorded in Miscellaneous Vol. 4, page 301 and Miscellaneous Vol. 5, page 284 of the Recorder's records of Clermont County, Ohio.

SAVE AND EXCEPT the following described real estate:

Situated in Thomas Military Survey #1762, Batavia Township, Clermont County, State of Ohio and being more particularly described as follows:

Beginning at the intersection of the centerline of Judd Road with the west line of Military Survey #1762, 2133 feet east along the said centerline of Judd Road to a point in the west line of a 70.30 acre tract of land; Thence continuing along said centerline S. 85° 18' 30" E. 638.95 feet to the true point of beginning; Thence continuing along said centerline S. 85° 18' 30" E. 40.05 feet to a point; Thence leaving said centerline S. 7° 41' 30" W. 286.17 feet to an iron pin; Thence S. 75° 20' 18" E. 229.54 feet to an iron pin; Thence S. 3° 41' W. 613.86 feet to an iron pin; Thence N. 57° 27' 37" W. 452.66 feet to a point; Thence N. 7° 41' 30" E. 450.00 feet to an iron pin; Thence S. 82° 18' 30" E. 100.00 feet to an iron pin; Thence N. 7° 41' 30" E. 284.08 feet to the point of beginning. Contains: 5.000 acres.

Parcel ID No.: 03-20-21B-062.  
Address of Property: Judd Road  
Prior Deed Ref.: OR Book 2715, Page 2407 of the Official Records of  
Clermont County, Ohio

EXHIBIT "B"

Situated in Pierce Township, Baylor's Military Survey No. 511, Clermont County, Ohio, and more particularly described as follows:

Beginning at the Northeasterly corner of the tract herein described, said point being northeasterly 1397.73 feet (as measured along centerline of Lewis Road) N. 80° 18' 39" W. 310.03 feet, N. 09° 18' 02" E. 434.27 feet and N. 80° 02' 04" W. 1382.32 feet from the centerline intersection of Lewis Road and Locust Lake Road; S. 12° 33' 14" W. 1092.63 feet; thence S. 01° 53' 40" E. 261.72 feet; thence S. 11° 03' 32" E. 210.00 feet; thence S. 20° 16' 47" E. 185.12 feet; thence N. 79° 48' 32" W. 1147.10 feet; thence N. 09° 50' 49" E. 1699.08 feet; thence S. 80° 02' 04" E. 977.57 feet to the point of beginning and containing 38.007 acres of land, subject to easements and legal highways of record.

**SAVE AND EXCEPT** the following:

3.053 acres added to 282807E171. on 4/6/2022 by deed to Kevin E. Padgett and Carmen Padgett recorded in OR 2916, Page 3297 and  
4.276 acres added to 282807E163. on 4/6/2022 by deed to Klaus M. Ziermaier and Pamela S. Ziermaier recorded in OR 2916, Page 3293.

|                       |   |
|-----------------------|---|
| Parcel ID No.:        | 28-28-07D-169.  |
| Address of Property:  | Lewis Road  |
| Prior Deed Reference: | OR Book 2715, Page 2416 of the Official Records of<br>Clermont County, Ohio |

031445 GENERAL WARRANTY DEED\*

14

File #: HO930694

DAVID C. VOGELGESANG AND DEBRA A. VOGELGESANG, HUSBAND AND WIFE

BOOK 415 PAGE 47

for valuable consideration paid, grant(s), with general warranty covenants, to MARY ANN BRYANT, AN UNMARRIED WOMAN

whose tax-mailing address is 190 Judd Road, Amelia, Ohio 45102

the following real property:

SITUATED IN THOMAS MILITARY SURVEY NUMBER 1762, BATAVIA TOWNSHIP, CLERMONT COUNTY, STATE OF OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF JUDD ROAD WITH THE WEST LINE OF MILITARY SURVEY NUMBER 1762, 2133 FEET EAST ALONG THE SAID CENTERLINE OF JUDD ROAD TO A POINT IN THE WEST LINE OF A 70.30 ACRE TRACT OF LAND; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 85 DEGREES 18 MINUTES 30 SECONDS EAST 638.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 85 DEGREES 18 MINUTES 30 SECONDS EAST 40.05 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE SOUTH 7 DEGREES 41 MINUTES 30 SECONDS WEST 286.17 FEET TO AN IRON PIN; THENCE SOUTH 75 DEGREES 20 MINUTES 18 SECONDS EAST 229.54 FEET TO AN IRON PIN; THENCE SOUTH 3 DEGREES 41 MINUTES WEST 613.86 FEET TO AN IRON PIN; THENCE NORTH 57 DEGREES 27 MINUTES 37 SECONDS WEST 452.66 FEET TO A POINT; THENCE NORTH 7 DEGREES 41 MINUTES 30 SECONDS EAST 450.00 FEET TO AN IRON PIN; THENCE SOUTH 82 DEGREES 18 MINUTES 30 SECONDS EAST 100.00 FEET TO AN IRON PIN; THENCE NORTH 7 DEGREES 41 MINUTES 30 SECONDS EAST 284.08 FEET TO THE POINT OF BEGINNING. CONTAINS 5.000 ACRES, MORE OR LESS. SUBJECT TO RIGHTS OF LEGAL HIGHWAYS, PUBLIC UTILITIES AND EASEMENTS AND RESTRICTIONS OF RECORD

This conveyance is made subject to all legal highways and easements, all restrictions, conditions and covenants of record, all zoning restrictions, and all taxes and assessments not yet payable.

Prior Instrument Reference: Deed Book 746, Page 286

wife (husband) of the grantor, releases all rights of dower therein.

Witness their hand(s) this 19th day of October 19 93 Signed and acknowledged in the presence of:

RECEIVED FOR RECORD  
CLERMONT COUNTY ENGINEER  
BATAVIA, OHIO  
OCT 25 AM 11 30

*Alex Aiken*  
Alex Aiken

*David C. Vogelgesang*  
DAVID C. VOGELGESANG

*David Adams*  
David Adams

*Debra A. Vogelgesang*  
DEBRA A. VOGELGESANG

State of Ohio, County of Hamilton ss.

Before me, a Notary Public in and for said County and State, personally appeared DAVID C. VOGELGESANG AND DEBRA A. VOGELGESANG, HUSBAND AND WIFE

the Grantor(s) in the foregoing Deed, and acknowledged the signing thereof to be their voluntary act and deed. In testimony thereof, I have hereunto set my hand and seal on the day and year aforesaid.

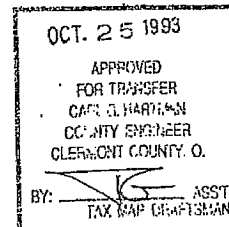
My Notarial Seal expires



GLORIA J. FOX  
Notary Public, State of Ohio  
My Commission Expires Nov. 1, 1993

#3670  
This conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.

EXEMPT  
GARY G. VOGELGESANG, County Auditor

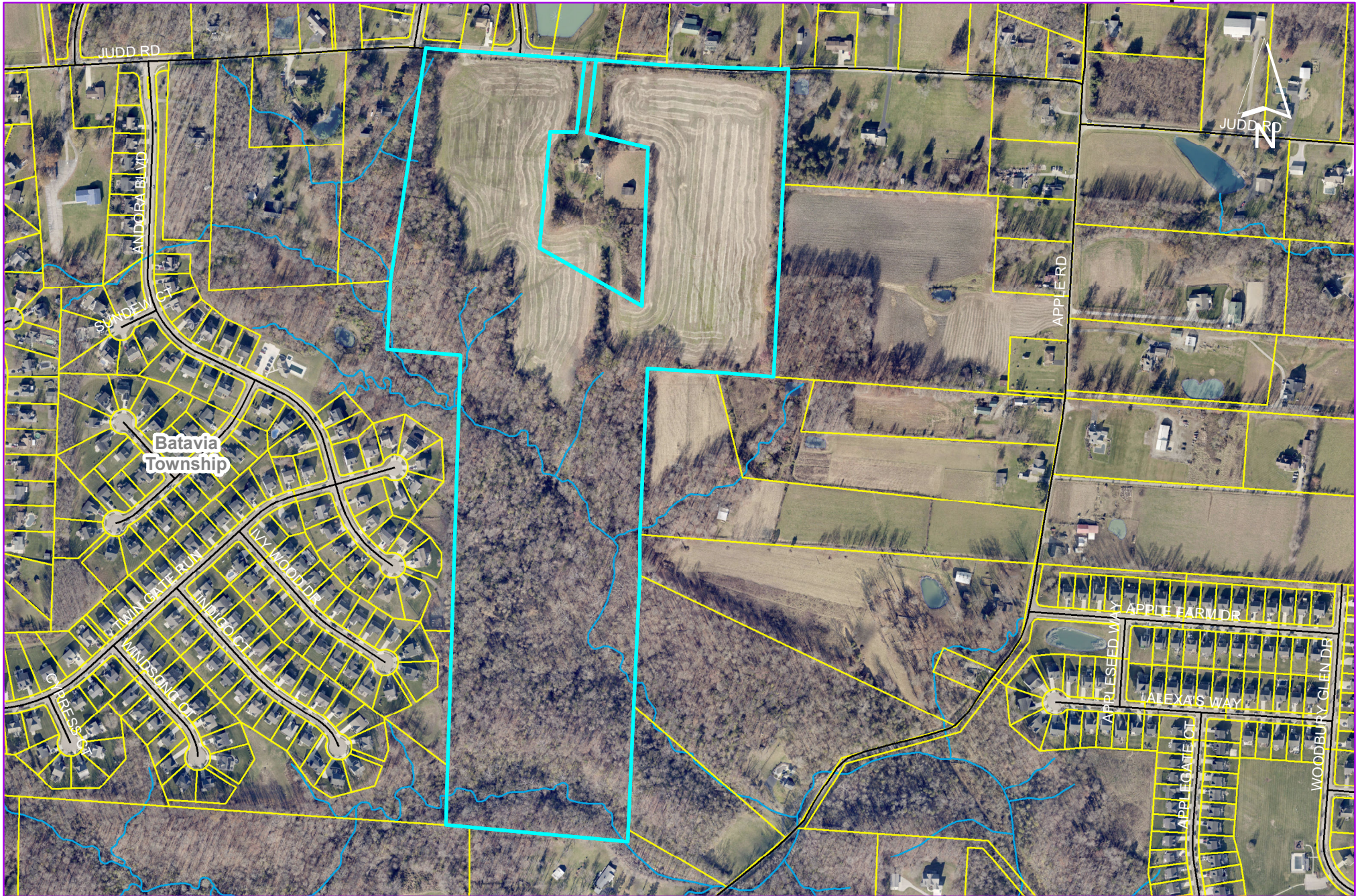


Transferred 10-25-93  
This instrument was prepared by RENNETH J. WEBNER, Attorney at Law

AUDITOR  
By *DM*

\*Statutory Form - O.R.C. § 5302.05 and 5302.06

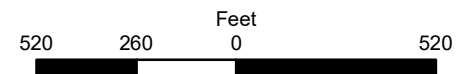
03-20-218-070

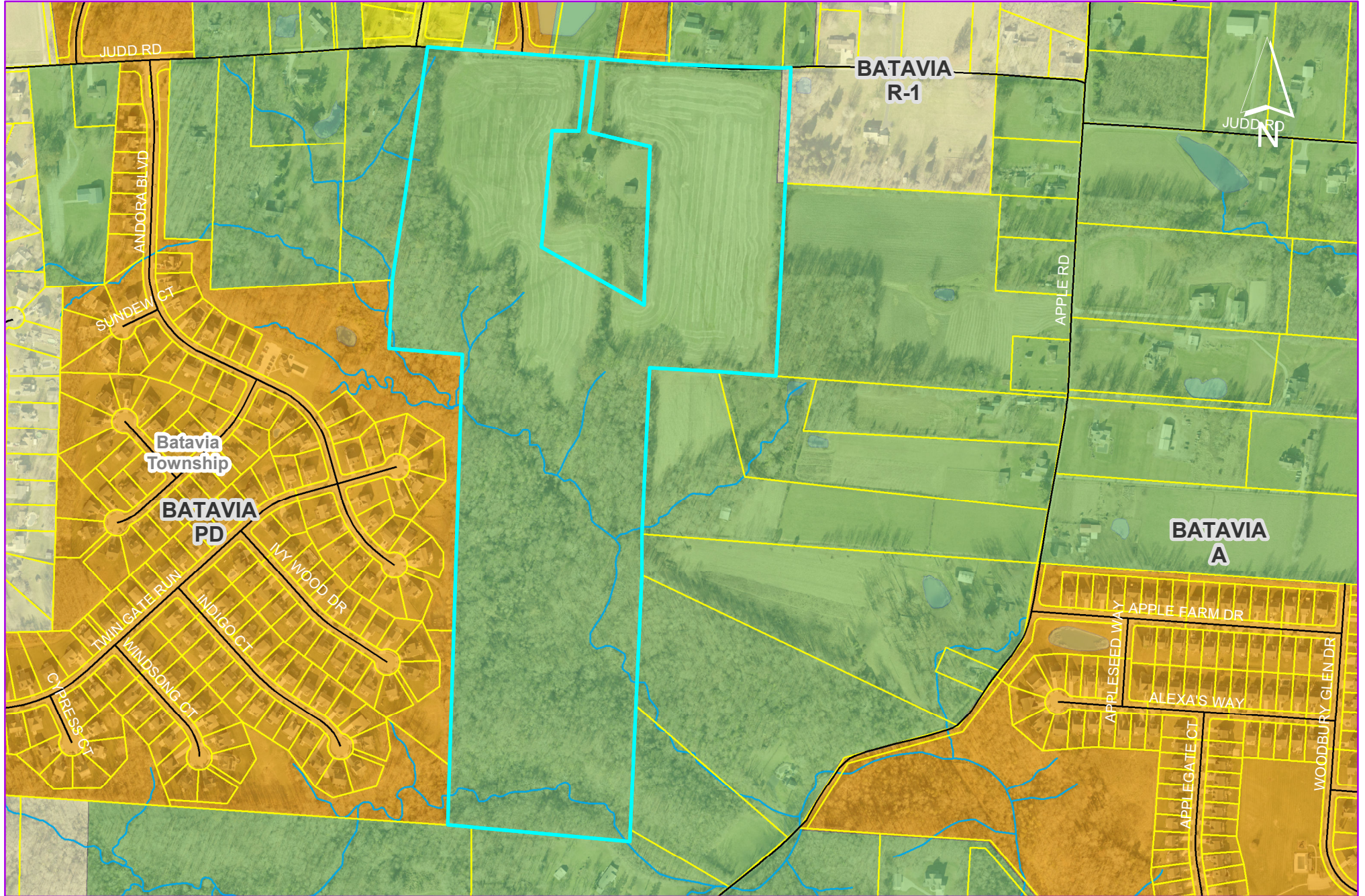


**PROPERTY INFORMATION:**

Parcel Numbers: 032021B062 and 032021B070

Total Site Area: +/- 70.304 ac.





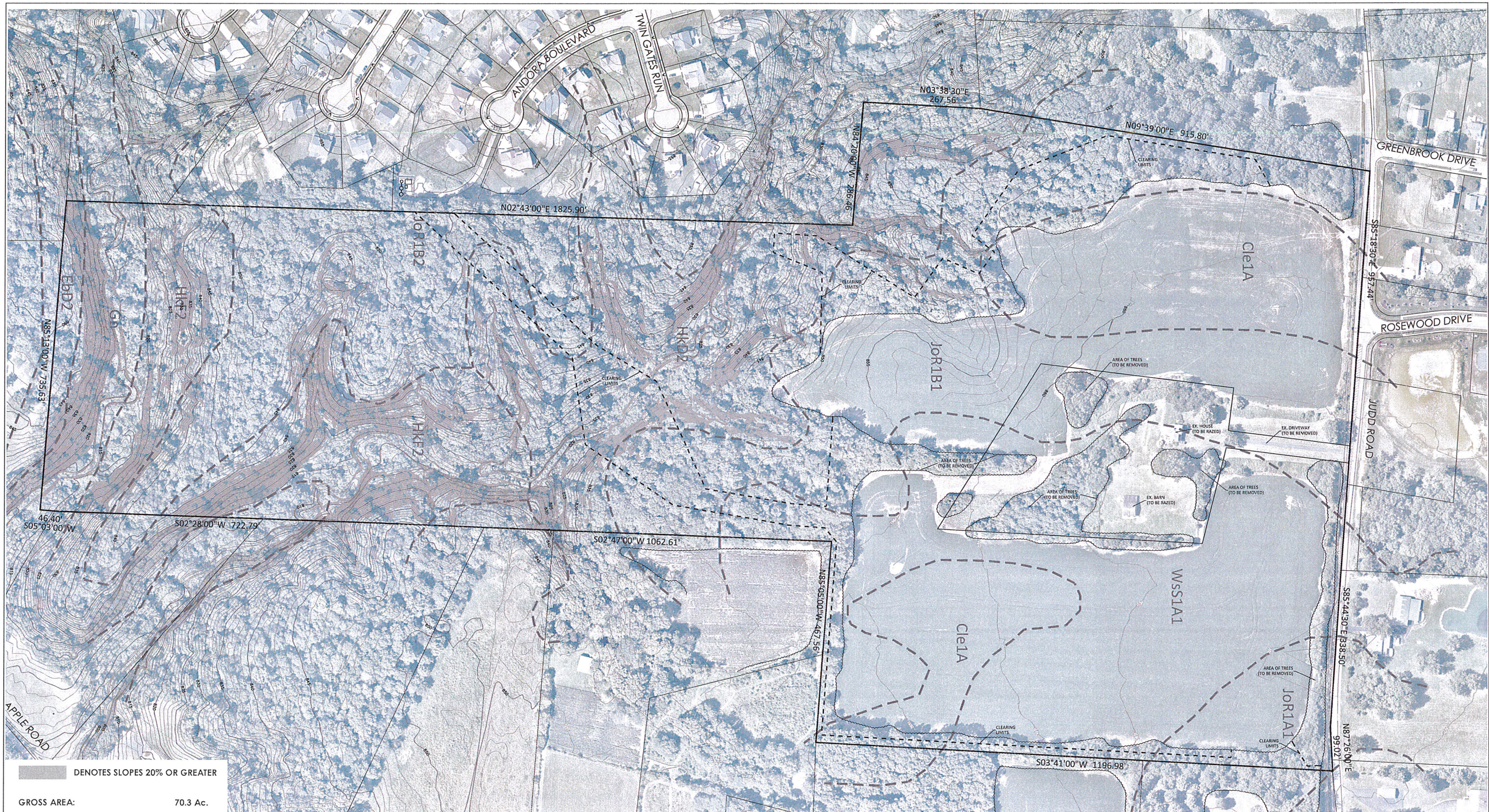
**PROPERTY INFORMATION:**

Parcel Numbers: 032021B062 and 032021B070

Total Site Area: +/- 70.304 ac.







DENOTES SLOPES 20% OR GREATER

|                          |                 |
|--------------------------|-----------------|
| GROSS AREA:              | 70.3 Ac.        |
| EX. PUBLIC RIGHT-OF-WAY: | 0.4 Ac.         |
| SLOPES 20% OR GREATER:   | 7.5 Ac.         |
| SUBTOTAL:                | 7.9 Ac.         |
| <b>NET AREA:</b>         | <b>62.4 Ac.</b> |

**SOIL LEGEND**

|        |                                      |
|--------|--------------------------------------|
| Jor1A1 | JONESBORO-ROSSMOYNE SILT LOAMS, 0-2% |
| Jor1B1 | JONESBORO-ROSSMOYNE SILT LOAMS, 2-6% |
| Jor1B2 | JONESBORO-ROSSMOYNE SILT LOAMS, 2-6% |
| Cle1A  | CLERMONT SILT LOAM, 0-1%             |
| WsS1A1 | WESTBORO-SCHAFFER SILT LOAMS, 0-2%   |
| HkF2   | HICKORY LOAN, 18-35%                 |
| Gn     | GENESEE SILT LOAM, 0-2%              |
| Ebd2   | EDENTON LOAM, 18-25%                 |



**OHIO811.org**  
Before You Dig  
811 OR 1-800-362-2764  
CALL TWO WORKING DAYS BEFORE YOU DIG  
(NON MEMBERS MUST BE CALLED DIRECTLY)



*James H. Watson*

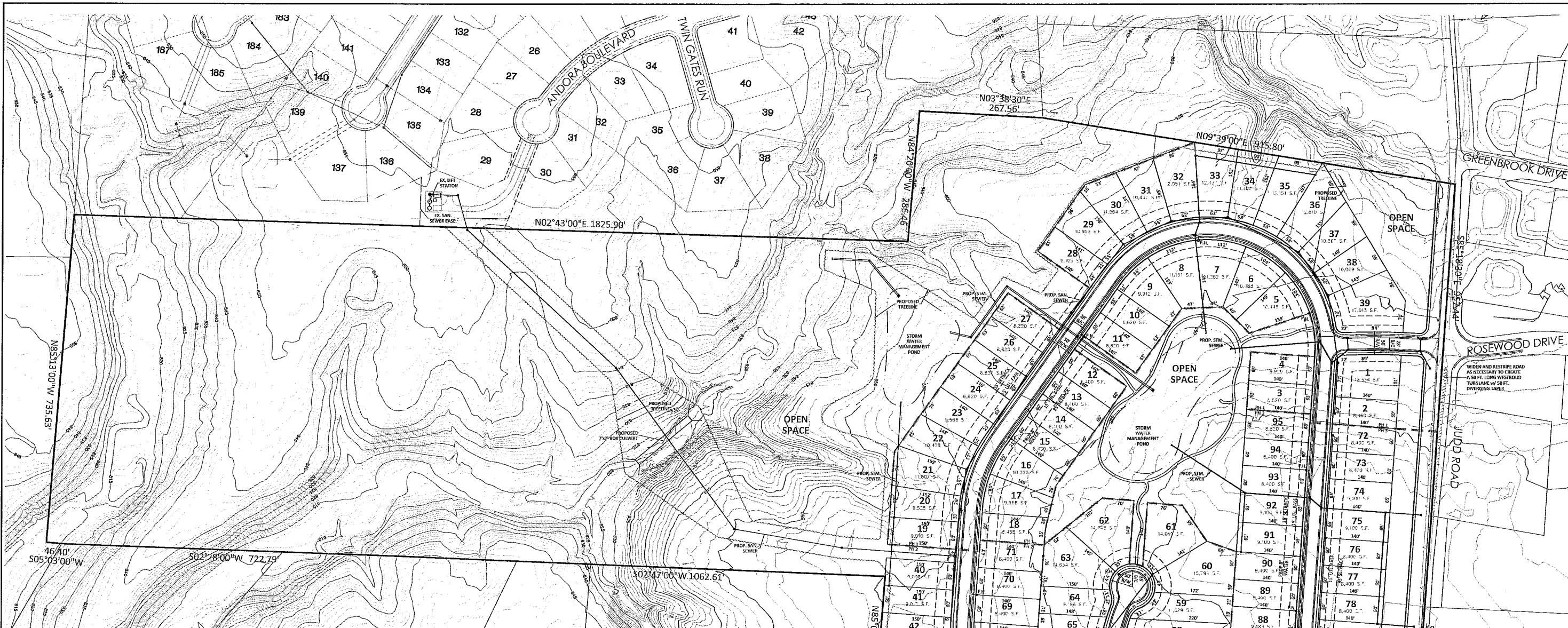
|          |    |      |
|----------|----|------|
| Revision | By | Date |
|          |    |      |

**KINSDALE**  
REQUEST FOR PLANNED DEVELOPMENT MAP AMENDMENT  
BATAVIA TOWNSHIP  
CLERMONT COUNTY, OHIO  
**EXISTING CONDITIONS**

|                 |                  |
|-----------------|------------------|
| Date            | 04/29/24         |
| Scale           | AS NOTED         |
| Drawn By        | DA Proj. Mgr. JW |
| Survey Database | N/A              |
| DWG             | 23594004-ZON-00  |
| X-Ref(s)        | 23594004-BAS     |
| Project Number  | 23594            |
| File No.        | Sheet No. C101   |

**MSP**  
DESIGN  
McGill Smith Punshon

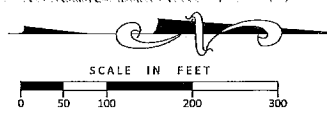
■ Architecture 3700 Park 42 Drive  
 ■ Engineering Suite 1908  
 ■ Landscape Architecture Cincinnati OH 45241  
 ■ Planning Phone 513.758.0004  
 ■ Surveying www.mspdesign.com



1. PARCEL DATA:  
0320218062 & 0320218070, 70.304 ACRES
2. PROPERTY ADDRESS - 190 JUDD ROAD, BATAVIA, OH 45103
3. PROPOSED ZONING DISTRICT: PD, PLANNED DEVELOPMENT DISTRICT
4. LOT DESIGN DATA:  
MINIMUM WIDTH AT FRONT BUILDING LINE - 60 FEET  
FRONT SETBACK - 35 FEET  
SIDE SETBACK - 5 FEET, SUM OF SIDES - 15 FEET  
REAR SETBACK - 20 FEET  
MINIMUM LOT AREA - 8,000 SQUARE FEET
5. STORM WATER DEFLECTION FACILITIES SHALL BE MAINTAINED BY HOME OWNERS ASSOCIATION OR BY PUBLIC WATERCOURSE AGREEMENT VIA DITCH PETITION (IF AVAILABLE).
6. STORMWATER MANAGEMENT FACILITIES ARE EXPECTED TO BE NORMALLY WET PONDS UNLESS GEOTECHNICAL CONDITIONS DICTATE OTHERWISE.
7. OPEN SPACE AREAS AND LANDSCAPING FEATURES SHALL BE OWNED AND MAINTAINED BY HOME OWNERS ASSOCIATION.
8. ALL UTILITIES SHALL BE UNDERGROUND.
9. PARKING SHALL BE RESTRICTED TO THE SIDE OF THE STREET OPPOSITE HYDRANTS.  
"NO PARKING" SIGNS SHALL BE INSTALLED BY THE DEVELOPER.
10. PROJECT IS LOCATED IN THE WEST CLERMONT LOCAL SCHOOL DISTRICT.
11. DETAILS FOR ENTRY MONUMENTATION AND SIGNAGE SHALL BE PROVIDED AS PART OF THE FINAL DEVELOPMENT PLAN.
12. PROJECT SPECIFIC HDA DOCUMENTS SHALL BE PROVIDED TO BATAVIA TOWNSHIP FOR REVIEW AS PART OF THE FINAL DEVELOPMENT PLAN.
13. MINIMUM DWELLING SIZE, EXCLUSIVE OF BASEMENTS AND GARAGES: 1,500 SQUARE FEET
14. MAXIMUM BUILDING HEIGHT SHALL BE 40 FEET.
15. STREET LIGHTING IS PLANNED. DOWNLIGHTING SHALL BE USED IF AVAILABLE.
16. STREET TREES ARE PROPOSED AND WILL BE LOCATED IN LOT AREAS. ONE TREE PER LOT, TWO TREES IN CORNER LOTS.
17. GEOTECHNICAL REPORTS SHALL BE REQUIRED PRIOR TO HOME CONSTRUCTION ON ANY LOTS THAT CONTAIN SENSITIVE SOILS.

**PLANNED DISTRICT DEVELOPMENT DATA**

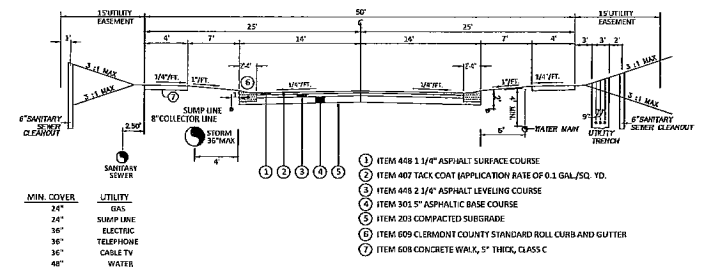
|  |               |
|--|---------------|
| GROSS AREA:  | 70.3 Ac.      |
| EX. PUBLIC RIGHT-OF-WAY:<br>SLOPES 20% OR GREATER: | 0.4 Ac.       |
| SUBTOTAL:  | 7.5 Ac.       |
| NET AREA:  | 7.9 Ac.       |
| LOT YIELD:   | 62.4 Ac.      |
| NET DENSITY:                                       | 95 LOTS       |
| GROSS DENSITY:                                     | 1.52 LOTS/AC. |
| OPEN SPACE:  | 1.35 LOTS/AC. |
| OPEN SPACE PERCENTAGE:                             | 41.5 Ac.      |
| CENTERLINE LENGTHS<br>OF PUBLIC STREETS:           | 59.0%         |
|  | 3,700 L.F.    |



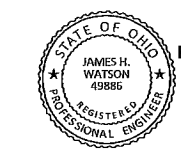
**OWNER**  
**JULIE ANN NEEDELS, TR.**  
 947 CLOUGH PIKE  
 CINCINNATI, OHIO 45245

**MARY ANN BRYANT**  
 190 JUDD ROAD  
 AMELIA, OHIO 45102

**APPLICANT & DEVELOPER**  
**DREES HOMES**  
 211 GRANDVIEW DRIVE  
 FORT MITCHELL, KY 41017  
 (859) 578-4200



**TYPICAL ROADWAY SECTION**  
 NOT TO SCALE



*James H. Watson*  
 Revision \_\_\_\_\_ By \_\_\_\_\_ Date \_\_\_\_\_

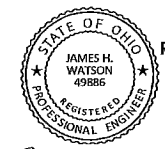
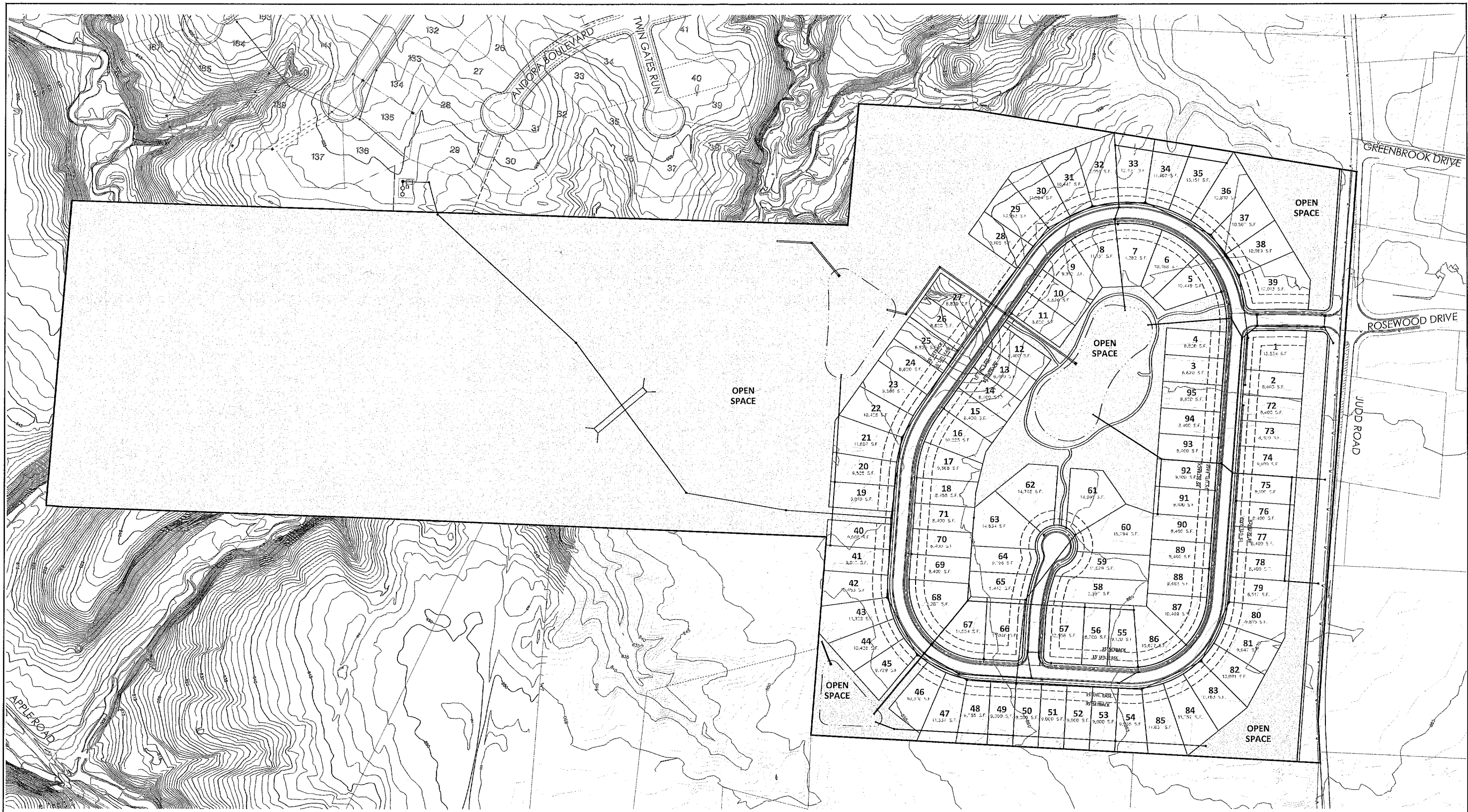
**KINSDALE**  
 REQUEST FOR PLANNED DEVELOPMENT MAP AMENDMENT  
 BATAVIA TOWNSHIP  
 CLERMONT COUNTY, OHIO

**PRELIMINARY DEVELOPMENT PLAN**

|                 |                 |
|-----------------|-----------------|
| Date            | 04/29/24        |
| Scale           | AS NOTED        |
| Drawn By        | DA              |
| Proj. Mgr.      | JW              |
| Survey Database | N/A             |
| DWG             |                 |
| X-Ref(s)        | 23594004-ZON-00 |
| Project Number  | 23594004-BAS    |
| File No.        | 23594           |
| Sheet No.       | C.102           |



3709 Park 42 Drive  
 Suite 1008  
 Cincinnati OH 45241  
 Phone 513.759.0000  
 www.mspdesign.com



James H. Watson  
 Revision \_\_\_\_\_ By \_\_\_\_\_ Date \_\_\_\_\_

**KINSDALE**  
 REQUEST FOR PLANNED DEVELOPMENT MAP AMENDMENT  
 BATAVIA TOWNSHIP  
 CLERMONT COUNTY, OHIO  
**OPEN SPACE PLAN**

Date: 04/29/24  
 Scale: AS NOTED  
 Drawn By: DA Proj. Mgr.: JW  
 Survey Database: N/A  
 DWG: 23594004-ZON-00  
 X-Ref(s): 23594004-BAS  
 Project Number: 23594  
 File No.: \_\_\_\_\_ Sheet No.: C103

**MSP**  
 DESIGN  
 McGill Smith Punshon

Architecture 3780 Park 42 Drive  
 Engineering Suite 1908  
 Landscape Architecture Cincinnati OH 45241  
 Planning Phone 513-759-0005  
 Surveying www.mspdesign.com





