



# PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON JANUARY 23, 2024

**CASE NO.** ZC-2023-001

**REPORT DATE:** 2024-01-19

**APPLICANT:**

New Housing Ohio  
2139 St Route 125  
Monroe, OH 45102

**PROPERTY OWNER:**

Phillip Church  
36 Floral Ave  
Amelia, OH 45102

**PARCEL ID:**

PIN 232609G009

**ADDRESS OF REQUEST:**

2139 State Route 125

**REQUEST:**

Requesting to rezone a parcel (232609G009) consisting of +/- 15.59 acres from A-1, Agricultural District to R-2, Multifamily Residential District.

**HISTORY:**

At the time of this report, no history was found for the subject property involved in this petition for zoning map amendment.

**CONTENTS OF REPORT:**

- Attachment A: Township Application and Proposal Map
- Attachment B: Parcel Map
- Attachment C: Zoning Map
- Attachment D: Portion of the Monroe Township Zoning Resolution Article 7

**DEVELOPMENT PROPOSAL:**

Per the application, the property owner (Phillip Church), requests to rezone a parcel (232609G009) consisting of +/- 15.59 acres from A-1, Agricultural District to R-2, Multi-Family District. The zoning change is proposed for the purposes of developing multi-family dwellings and commercial space. While these uses may be appropriate in this area along State Route 125, neither the zoning district that the subject property is currently in, nor the proposed zoning district would allow for either of the proposed uses. The zoning inspector has informed me that multi-family dwellings should be allowed in the R-2 District and that the prohibition of multi-family dwellings in that district is an error. The subject property is located along the eastbound side of State Route 125 and extends south towards a creek for approximately one-third of a mile. The site plan indicates five multi-family buildings and one commercial building. It is unknown how many dwelling units are being proposed on the entire site. The proposed development seems to utilize the entirety of the parcel. The lot has approximately 400 feet of frontage on State Route 125.

The proposed development is commercial and residential and could be considered compatible with the adjacent land uses in the area which is zoned for business uses. Multi-family uses can be considered to be a transition in between commercial land uses and agricultural land uses, however commercial uses are not permitted in the proposed R-2 Zoning District or the A-1 Zoning District as the Zoning Resolution currently exists.

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

Monroe Township does not have a comprehensive land use plan. The Zoning Map of the Township should be used to guide future land use decisions. Since this application is a rezoning application, the surrounding area should be taken into consideration of what the development could be.

The Land Use Chapter of the Clermont County Comprehensive Plan states goals and objectives that pertain to this proposal. They include:

- Encourage compatible infill, redevelopment and development in proximity to existing development and services when appropriate to avoid “leap frog” growth patterns which may result in higher service costs.
- Discourage strip development along existing or new thoroughfares. This practice creates an undesirable development pattern and causes traffic and access issues, as well as preventing access from major corridors to large tracts of land that may be developed at a later time.
- Encourage the preservation of private open space by supporting the use of conservation and open space easements to preserve land use in each Land Use Group/Classification, provided such easements do not adversely impact planned infrastructure or the pattern of development in the area.
- Encourage new developments to provide vegetated stream buffers to preserve the flood way, which will provide storage during high flows and help prevent flooding and stream-bank erosion problems downstream.

The proposed development may be considered compatible infill as it is located in between businesses along State Route 125. The surrounding zoning districts are business districts so the uses of commercial and multi-family could be appropriate and transitional land uses between agricultural and commercial land uses. It is unknown the type of commercial development that is being proposed, however, strip development along State Route 125 should be discouraged per the Comprehensive Plan. The land is primarily green space, and the conceptual drawing shows the entire site being developed with impervious surfaces including structures and parking lots. This includes the crossing of a stream that flows through the parcel.

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

### ***Monroe Township Zoning Resolution***

#### ***Article 7: Agricultural and Residential Districts***

##### ***07(1) DISTRICTS AND SPECIFIC PURPOSE STATEMENTS***

(A) *The purpose of the "A-1" Agricultural District is to preserve and protect the supply of available land in Monroe Township for agricultural uses: to conserve the rural character in Monroe Township for agricultural uses: to conserve the rural character of the township and: to control the indiscriminate mixing of land uses which could conflict with agricultural pursuits.*

(B) *R-1 Rural Residential District*

*The purpose of the "R-1" Rural Residential District is to provide areas for low density single-family detached housing in those areas of Monroe Township which are not served by public or private water systems and must depend on on-site individual water collection and sewage disposal.*

(C) *R-2 Multi-Family Residential District*

*The purpose of the "R-2" Multi-Family Residential District is to provide for the development of attached housing projects as an alternative to single-family detached housing where appropriate infrastructure is available.*

(D) *M-1 Manufactured Housing Park District*

*The purpose of the "M-1" Manufactured Housing Park District is to provide areas in Monroe Township for the establishment of Mobile Home Parks which meet all the requirements of the Ohio Revised Code and Sanitary Code.*

##### ***(2) PERMITTED USES***

*Table 7-2-1 below sets forth the uses allowed within the relevant zoning district. The abbreviations used in the table are described as follows:*

(A) *Principal Uses*

*A "P" in a cell indicates that a use category is allowed by-right in the respective zoning district. Principal uses are subject to all other applicable regulations of this Resolution, including, but not limited to provisions in Articles 4, 11, and 12.*

(B) *Principal Uses with Conditions*

*A "P/C" in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the numerically reference sections. Principal uses with conditions are subject to all other applicable regulations of this Resolution, including, but not limited to provisions in Articles 4, 11, and 12.*

(C) *Conditional Uses*

*A "C" in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use, in accordance with the Conditional Use review procedures of Article 3, Section (5).*

(D) *Accessory Uses*

An "A" in a cell indicates that a use category is allowed as an accessory use in the respective zoning district if it meets all of the accessory use regulations outlined in Article 9.

**(E) Prohibited Uses**

A blank cell indicates that a use is prohibited in the respective zoning district.

**(F) Numerical References**

The numbers contained in the Additional Regulations are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply in all zoning districts unless otherwise expressly stated.

**Article 7: Agricultural and Residential Districts**

Uses	Districts				Additional Regulations
	A-1	R-1	R-2	M-1	
Commercial recreational uses	C				Art. 9, Sec. (1)(D)
Educational facilities	C	C			Art. 9, Sec. (1)(E)
Elderly housing		C			
Forests and conservation areas	P	P			
Hospitals	C	C			Art. 9, Sec. (1)(I)
Passive public park and recreational areas	P	P			
Public buildings	C	C			
Religious places of worship	C	C			
<b>Accessory Uses</b>					
Employee housing	A				Art. 9, Sec. (2), (3), and (5)
Common storage units for residents			A	A	
General farm buildings	P		A		Art. 9, Sec. (2), (3), and (5)
Home occupations	A	A	A	A	Art. 9, Sec. (3)
Laundry facilities for residents			A	A	
Recreational areas for residents	A	A	A	A	
Agricultural and Residential accessory uses	A	A	A	A	Art. 9, Sec. (2), (3), and (5)
Signs	A	A	A	A	Article 13

The rest of Article 7 can be found in the attached Exhibit.

**AGENCY REVIEW AND NOTIFICATION:**

AGENCY	REFERRAL SENT	COMMENTS RECEIVED
Township (Fire/EMS/Service)		
Community and Economic Development (CED)	X	X
Engineer's Office (CCEO)	X	X
Water Resources Department (WRD)	X	
Water Management & Sediment	X	

Control (WMSC)		
Soil and Water Conservation District (SWCD)		
Ohio Department of Transportation (ODOT)	X	
School District		

**REFERRAL AGENCIES' COMMENTS:**

**Community and Economic Development Comments:**

- The submittal packet does not go into detail of the commercial use indicated and the underlying zoning district nor the proposed zoning district will permit commercial use without a variance of use from the Township if that is permitted.
- The total number of dwelling units should be included in this application.
- The type of commercial uses should be included in this application.
- A zoning type that would allow for both of these land use should be applied for, rather than one where commercial land uses are not permitted.

**Engineer's Office Comments:**

- ODOT should also be consulted regarding potential impacts and/or access to SR 222/125. Our office has no other objections or comments to offer at this time.

**Water Resources Department Comments:**

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**Water Management & Sediment Control Comments:**

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**ODOT Ohio Department of Transportation Comments:**

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**STAFF ANALYSIS:**

Following a comprehensive analysis, staff has evaluated Monroe Township Zoning Map Amendment Case ZC-2023-001 and its request to rezone a parcel (232609G009) consisting of +/- 15.59 acres from A-1, Agricultural District to R-2, Multifamily Residential District. With the proposed development enclosed in this application, as it is submitted it is partially in alignment with the County Comprehensive Plan and the proposed land uses are compatible with surrounding commercial existing land uses, although the proposed zoning district does not allow for commercial uses.

This submittal leaves a lot of questions for the development and proposes a development that does not align with all of the land use goals and objectives in the Clermont County Comprehensive Plan Land Use Chapter and currently proposes a land use that is not permitted in either the current or proposed zoning districts. The application should

communicate with both ODOT and the Clermont County Water and Sewer, Building, and other agencies as applicable regarding any development of this land.

While the land uses proposed are compatible to the location in Monroe Township, the submitted application does not have enough information in order to recommend approval of this map amendment.

**STAFF RECOMMENDATION:**

Based on the staff analysis in the following report, the following motion is recommended, **RECOMMENDATION OF DENIAL** of Monroe Township Zoning Map Amendment Case ZC-2023-001 requesting to rezone a parcel (232609G009) consisting of +/- 15.59 acres from A-1, Agricultural District to R-2, Multifamily Residential District.

# Attachment A

## APPLICATION FOR TOWNSHIP ZONING AMENDMENT

MONROE TOWNSHIP ZONING COMMISSION

FEE \$400.00

PAYABLE TO MONROE TOWNSHIP OR EXACT CASH

NUMBER ZC-2023-001

FILING DATE 10-18-23

**NOTE: This request must be typewritten and filed with the Township Zoning Inspector.**

Applicant: New Housing Ohio \_\_\_\_\_

Address: 2139 St Route 125 \_\_\_\_\_

Owner of premises affected: Phillip Church \_\_\_\_\_

Address: 2139 St Route 12 \_\_\_\_\_

Lessee of premises affected: None \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: 513-623-5185 \_\_\_\_\_

### TO THE TOWNSHIP ZONING COMMISSION AND BOARD OF TOWNSHIP TRUSTEES:

I hereby make application and request the Township Zoning Commission to consider and petition Township Trustees to amend the Zoning Resolution as herein after requested,

Dated: October 19<sup>th</sup>, 2023 \_\_\_\_\_.

Premises affected are situated on the 2139 \_\_\_\_\_ side of St Route 125 \_\_\_\_\_ (St./Road)

And known as parcel number 232609G009 \_\_\_\_\_, \_\_\_\_\_ (St./Road)

The parcel or parcels have a frontage of 435 feet \_\_\_\_\_ feed and a depth of 1739 \_\_\_\_\_ feet. The premises is presently in the A-1 \_\_\_\_\_ district.

It is requested that the premises be rezoned to R-2 \_\_\_\_\_ district.

The following are all the individuals, firms, or corporations owning property adjacent to both side and rear, and the property in front of (across the street from) the premises which are the subject of this request. (Check from the tax record, in the Clermont County Courthouse if not known). Use additional sheet(s) if required:

NAME	ADDRESS
1. GAV PROPERTIES INC	St Route 125 _____
2. MOUNT HOLLY CHRISTIAN CHAPEL INC	2141 STATE ROUTE 125 _____
3. REAM MICHAEL RAYMOND	3078 LINDALE MOUNT HOLLY RD _____
4. STATE OF OHIO	STATE ROUTE 125 _____
5.	_____
6.	_____
7.	_____
8.	_____
9.	_____
10.	_____

The reason(s) for requesting reclassification is as follows: (Use additional pages of necessary)

Would like to reclassify parcel 232609G009 from A-1 to R-2 so we can do commercial space and apartments buildings on this lot. There would be a road with multiple single story apartments and 1 single story commercial space. All buildings would be slab on grade with no basements. We would need the ability to tie into utilities for these buildings at State route 125

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Please attach a plat map showing the property involved in the proposed change from A-1 district to R-2 district and locate by name on the map the respective lots/parcels of those before mentioned properties affected by this request. The map should also contain the dimensions of properties shown and a North arrow, and the category of existing development of those before mentioned lots/parcels, and the district boundary line.

Applicants Signature



Proposed site layout generic and very preliminary



2139 SR 125 parcel # 232609G009. zoning

Clermont County Engineer Mapping

Clermont County Engineer Website GIS Data Download Map

Address Search

Map Tools: Search, Home, Full Screen, Print, Layers, Measure, Info

Parcel ID: 232609G009

Acres: 15.59

Parcel Owner: CHURCH PHILLIP TR

Tax Owner: CHURCH PHILLIP TR

Property Address: 2139 STATE ROUTE 125

Property Village/Twp & Zip: MONROE 45102

Tax Mailing Address: 36 FLORAL AVE

Tax Mailing City/State/Zip: AMELIA OH 45102

Property Profile: [More Info](#)

School District: W Clermont LSD

Elementary School (Only available for West Clermont): Holly Hill Elementary

Map Labels: 2073, 2070, 2000, 2000, 2000, 2000

Scale: 40m / 200ft

To: Adjacent property owners

Subject: Zoning amendment request

2139 SR 125, parcel # 232609G009.

Date: October 30, 2023

To whom it may concern:

A request for a zoning amendment hearing by New Housing Ohio with the Monroe Township Zoning Commission has been scheduled for Wednesday December 6<sup>th</sup>, 2023, at 7:00 pm at the Monroe Township Firehouse #32, it is located at 2828 State Route 222 Bethel, Ohio 45106. The request application is enclosed for your review. Please let me know if you have any questions.

Serving Monroe Township,

Mike Boots

Zoning Inspector

513-987-7275

To: New Housing Ohio

Subject: Zoning amendment request

2139 SR 125, parcel # 232609G009.

Date: October 27, 2023

To whom it may concern:

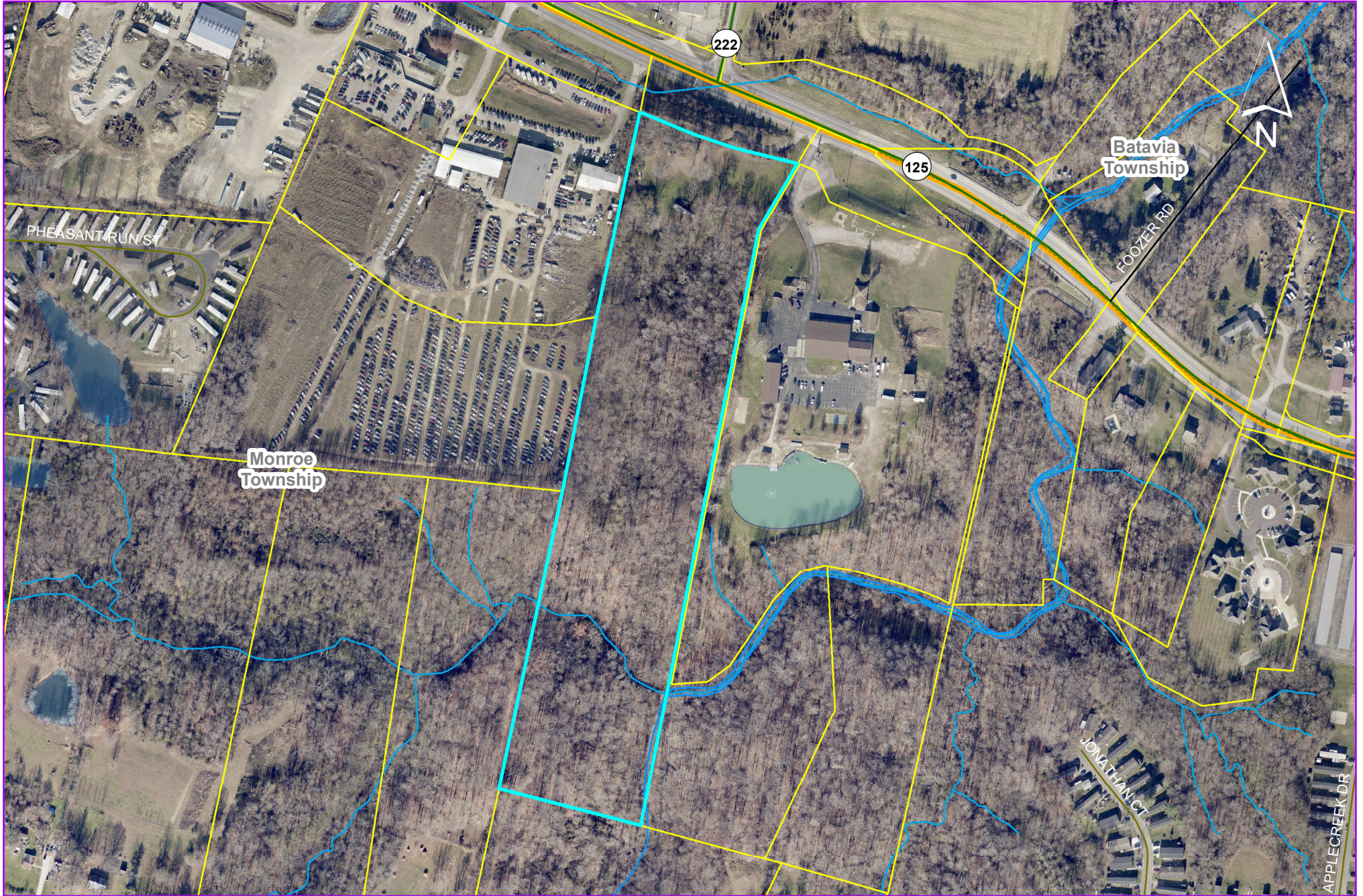
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Zoning Inspector

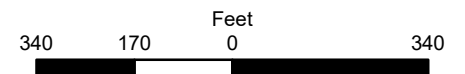
513-987-7275

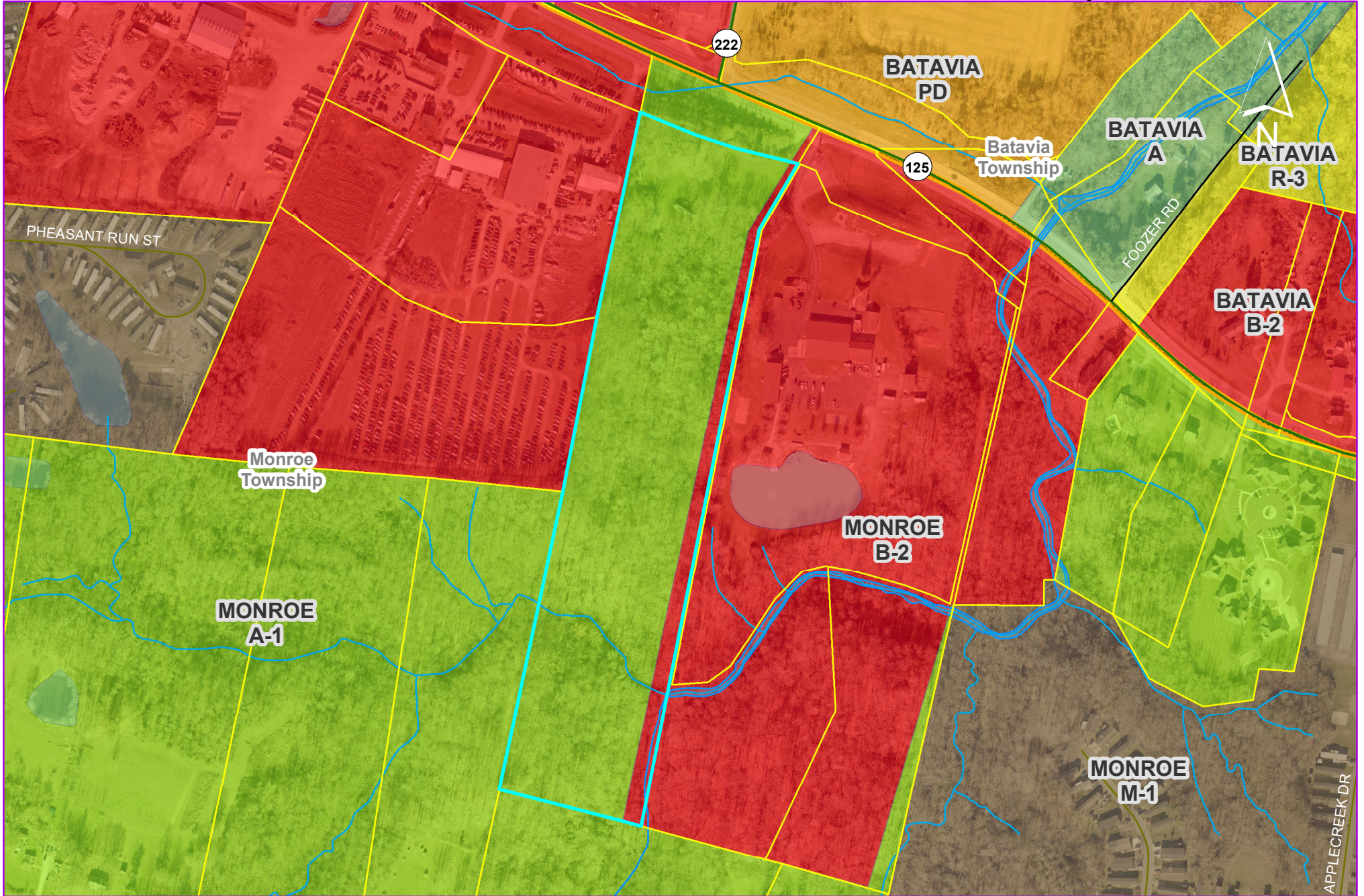


**PROPERTY INFORMATION:**

Parcel Numbers: 232609G009

Total Site Area: +/- 15.59 ac.





**PROPERTY INFORMATION:**

Parcel Numbers: 232609G009

Total Site Area: +/- 15.59 ac.



# Attachment D

## ARTICLE 7: AGRICULTURAL AND RESIDENTIAL DISTRICTS

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### (1) DISTRICTS AND SPECIFIC PURPOSE STATEMENTS

#### (A) A-1 Agricultural District

The purpose of the "A-1" Agricultural District is to preserve and protect the supply of available land in Monroe Township for agricultural uses: to conserve the rural character in Monroe Township for agricultural uses: to conserve the rural character of the township and: to control the indiscriminate mixing of land uses which could conflict with agricultural pursuits.

#### (B) R-1 Rural Residential District

The purpose of the "R-1 " Rural Residential District is to provide areas for low density single-family detached housing in those areas of Monroe Township which are not served by public or private water systems and must depend on on-site individual water collection and sewage disposal.

#### (C) R-2 Multi-Family Residential District

The purpose of the "R-2" Multi-Family Residential District is to provide for the development of attached housing projects as an alternative to single-family detached housing where appropriate infrastructure is available.

#### (D) M-1 Manufactured Housing Park District

The purpose of the "M-1" Manufactured Housing Park District is to provide areas in Monroe Township for the establishment of Mobile Home Parks which meet all the requirements of the Ohio Revised Code and Sanitary Code.

### (2) PERMITTED USES

Table 7-2-1 below sets forth the uses allowed within the relevant zoning district. The abbreviations used in the table are described as follows:

#### (A) Principal Uses

A "P" in a cell indicates that a use category is allowed by-right in the respective zoning district. Principal uses are subject to all other applicable regulations of this Resolution, including, but not limited to provisions in Articles 4, 11, and 12.

#### (B) Principal Uses with Conditions

A "P/C" in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the numerically reference sections. Principal uses with conditions are subject to all other applicable regulations of this Resolution, including, but not limited to provisions in Articles 4, 11, and 12.

#### (C) Conditional Uses

**Article 7: Agricultural and Residential Districts**

A “C” in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use, in accordance with the Conditional Use review procedures of Article 3, Section (5).

**(D) Accessory Uses**

An “A” in a cell indicates that a use category is allowed as an accessory use in the respective zoning district if it meets all of the accessory use regulations outlined in Article 9.

**(E) Prohibited Uses**

A blank cell indicates that a use is prohibited in the respective zoning district.

**(F) Numerical References**

The numbers contained in the Additional Regulations are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply in all zoning districts unless otherwise expressly stated.

**Table 7-2-1**

Uses	Districts				Additional Regulations
	A-1	R-1	R-2	M-1	
<b><i>Agricultural Uses</i></b>					
Animal husbandry and veterinarian establishments	P/C				Art. 9, Sec. (1)(B)
General agriculture	P	P			
Farm markets	P/C	P/C		P/C	Art. 9, Sec. (1)(G)
<b><i>Residential Uses</i></b>					
Adult family homes	P	P			
Single family dwellings	P	P			
Manufactured housing park				P	
Multi-family dwellings				P/C	Art. 9, Sec. (1)(Q)
<b><i>Business Uses</i></b>					
Bed and breakfast establishments	P/C	P/C			Art. 9, Sec. (1)(C)
Commercial recreational uses	C				Art. 9, Sec. (1)(D)
Extraction of sand, soil, gravel, or fill	C				Art. 9, Sec. (1)(F)
Outdoor Advertising Signs (Billboards)	P				Art. 13, Sec. (10)
<b><i>Public/Quasi-Public Uses</i></b>					
Active public park and recreational areas	C	C			
Cemeteries	P	C			

**Article 7: Agricultural and Residential Districts**

Uses	Districts				Additional Regulations
	A-1	R-1	R-2	M-1	
Commercial recreational uses	C				Art. 9, Sec. (1)(D)
Educational facilities	C	C			Art. 9, Sec. (1)(E)
Elderly housing		C			
Forests and conservation areas	P	P			
Hospitals	C	C			Art. 9, Sec. (1)(I)
Passive public park and recreational areas	P	P			
Public buildings	C	C			
Religious places of worship	C	C			
<b>Accessory Uses</b>					
Employee housing	A				Art. 9, Sec. (2), (3), and (5)
Common storage units for residents			A	A	
General farm buildings	P		A		Art. 9, Sec. (2), (3), and (5)
Home occupations	A	A	A	A	Art. 9, Sec. (3)
Laundry facilities for residents			A	A	
Recreational areas for residents	A	A	A	A	
Agricultural and Residential accessory uses	A	A	A	A	Art. 9, Sec. (2), (3), and (5)
Signs	A	A	A	A	Article 13

**(3) SITE DEVELOPMENT STANDARDS**

All buildings and lots shall meet the minimum site development standards set forth in Table 7-3-1 unless otherwise specified in the Additional Regulations identified in Table 7-2-1.

**Table 7-3-1**

Standards	Districts			
	A-1	R-1	R-2	M-1
<b>Minimum Lot Area (square feet)</b>				
Lot Area	87,120 (2 acres)	43,560 (1 acre)	See Maximum Density	217,800 (5 acres)
<b>Maximum Density in R-2</b>				
The maximum gross density for multi-family dwelling uses in the R-2 District shall be as follows: One bedroom units – 8 units per acre – Maximum of 2 principal buildings per acre Two bedroom units – 6 units per acre – Maximum of 2 principal buildings per acre Three bedroom units – 6 units per acre – Maximum of 2 principal buildings per acre				
<b>Lot Width (feet)</b>				
Lot Width	200	150	200	200
<b>Minimum Yard Setbacks (feet)</b>				
Front Yard	70	50	50	Not applicable
Side Yard	30	20	25	Not applicable
Rear Yard	50	40	50	Not applicable
<b>Minimum Floor Area (feet)</b>				
Minimum Floor Area	1,350	900	600 for 1 bedroom 800 for 2 bedrooms 1,200 for 3 bedrooms	1,350

**(4) ADDITIONAL REQUIREMENTS FOR PERMANENTLY SITED MANUFACTURED HOMES**

- (A) The structure shall be installed upon and properly attached to a foundation system that provides adequate support of the structure's vertical and horizontal loads and transfers these and other imposed forces, without failure, from the structure to the undisturbed ground below the frost line.
- (B) The site shall have manufactured skirting installed around the perimeter of the mobile homes and to be installed within thirty days of final disposition of said homes.