

**APPLICATION FOR
FINAL DEVELOPMENT PLAN
FAIRFIELD TOWNSHIP**
6032 Morris Road
Fairfield Township, OH 45011
(513) 887-4400

FOR OFFICE USE ONLY

Case No. FTZC24-1C Final PUD
Date Filed 2-20-24 Fees 350.00
Meeting Date 3-19-2024

FINAL PUD PLAN APPROVAL PROCEDURE

Per section 615.5 of the Fairfield Township Zoning Resolution

- (a) Once the R-PUD or B-PUD Zoning District and the Preliminary PUD Plan have been approved by the Fairfield Township Trustees, the owner/developer(s) shall proceed with the preparation of the detailed Final PUD Plan(s). The detailed Final PUD Plan(s) must be reviewed and approved by the Board of Fairfield Township Trustees prior to the issuance of any zoning certificates by the Zoning Inspector.
- (b) The detailed Final PUD Plan(s) shall be in accordance with the approved Preliminary PUD Plan; shall be prepared for the owner/developer(s) by a professionally competent urban planner, professional engineer, architect or landscape architect; and shall include the following;
- (c) Survey of the tract to be developed showing existing physical features (general topography, drainage ways and tree cover) and streets, easements and utility lines.
- (d) Site plan showing lot lines, building outlines, off-street parking spaces, pedestrian walkways, vehicular circulation.
- (e) Preliminary building plans, including floor plans and exterior elevations.
- (f) Landscaping plans including quantity, size and variety of landscaping.
- (g) Specific engineering plans, including site grading, street improvements, drainage, soil testing if required, utility improvements, and extensions as necessary.
- (h) All necessary legal documentation relating to the incorporation of a Homeowner's Association in the case of an R-PUD or other similar association in the case of a B-PUD for the purpose of maintaining the specified common open space of common tenant space within the Planned Unit Development.
- (i) Copies of any restrictive covenants that are to be recorded.

PLEASE PROVIDE TEN COPIES OF THIS FORM AND ALL MATERIALS

I. PROPERTY INFORMATION

Address 2866 Menards Blvd. Hamilton, OH 45011,

Tax Parcel Number (PIN#) A0300025000087

II. PROPERTY OWNER INFORMATION

Property Owner Name Tom O'neil /Menard's

Contact person who is a regular employee or officer of property owner

Contact person phone 715-876-2532

Mailing Address 5128 Old Mill PLZ, Eau Claire WI 54703

III. APPLICANT INFORMATION (if same as property owner, check here _____ and skip to next section)

Applicant Contact Person Cathy Stephenst Phone 330.327.1023

Company Permit Solutions

Relationship to Owner Agentt

Mailing Address 100 North Ave. Suite 103-164 Tallmadge OH 44278

IV. PLEASE ATTACH A PAGE DESCRIBING THE PROPOSED PLAN

V. PLEASE ATTACH WRITTEN AUTHORIZATION FROM THE OFFICES OF THE BUTLER COUNTY ENGINEER; AND THE BUTLER COUNTY WATER AND SEWER DISTRICT CONFIRMING THAT THE AMENDMENTS CONFORM TO THEIR REGULATIONS

I hereby request the above Final Planned Unit Development Plan governing this property. I certify that I am duly authorized by the property owner to submit this application.

Cathy Stephens

Applicant Signature

Cathy Stephensp

Print name

**FINAL PUD APPROVAL
SUBMISSION REQUIREMENTS**

 X **FINAL DEVELOPMENT PLAN APPLICATION FORM:**
Complete and submit the original and one (1) copy of the Zoning Commission Hearing Application form (provided in the packet)

 X **PROPERTY DEED:**
Submit one copy of the deed to the subject property as filed in the Butler County Recorder's Office

 X **ADJACENT PROPERTY OWNERS:**
Submit (1) copy of the Adjacent Property Owners include the property owner name, Tax Mailing Address, and Parcel Number of all parcels within two hundred (200) feet of the subject site

 X **FINAL PUD PLAN:** Per section 615.5 of the Fairfield Township Zoning Resolution (10 copies and 1 reduced 11" x 17" maximum) Electronic version to be Zoning Administrator.

 X **APPLICANT'S AFFIDAVIT:**
Complete and submit the original and one (1) copy of the Affidavit (provided in this packet)

 X **CHECKLIST OF REQUIREMENTS:**
Submit this checklist, fully completed

PROPERTY OWNERS AFFIDAVIT

STATE OF ~~OHIO~~ WISCONSIN
COUNTY OF ~~BUTLER~~ EAU CLAIRE

I (we), Thomas O'Neil, Real Estate Manager, on behalf of Menard, Inc.,

Hereby certify that we are all of the owners and of the real estate which is subject of the pending zoning application; that we hereby consent to the Fairfield Township Board of Trustees acting on my/our request for the subject real estate. I/we understand that our application will be considered and processed in accordance with the regulations as set forth by the Fairfield Township Zoning Department and Zoning Resolution; that we agree to accept, fulfill, and abide by those regulations and all stipulations and conditions attached to the decision by the Fairfield Township Board of Trustees. As owner(s) of the real estate which is the subject of the pending zoning application, I hereby consent to the Fairfield Township Zoning Department temporarily placing a sign advertising the zoning request on the subject property. The statements and attached exhibits are in all respects true and correct to the best of my/our knowledge and belief.

Thomas O'Neil
Signature REAL ESTATE MANAGER, MENARD, INC.
THOMAS O'NEIL

Printed Name
5101 Menard Drive

Mailing Address
EAU CLAIRE, WI 54703

City, State, Zip Code
715 - 876 - 2532

Telephone

Subscribed and sworn before me this 15th day of February 20 24.

Timothy Enyeart
Notary Public
My Commission is Permanent.



**EXHIBIT A****Legal Description****Parcel I**

Situated in Section 25, Town 2, Range 3, in Fairfield Township, butler County, Ohio and being Lot 9150, being a replat of Lot 8898 of Menards Crossings of Fairfield Township as recorded in Official Record Volume 8803, Page 287, Butler County, Ohio Records.

For Information Purposes
Parcel No. A0300025000079, 79T

Parcel II

Situated in Section 25, Town 2, Range 3, in Fairfield Township, Butler County, Ohio and being Lot 9152, being a replat of Lots 8901 and 8902 of Menards Crossings of Fairfield Township as recorded in Official Record Volume 8853, Pages 1564 and 1565, Butler County, Ohio Records.

For Information Purposes
Parcel No. A0300025000081, 81T

Parcel III

Situated in Section 25, Town 2, Range 3, in Fairfield Township, butler County, Ohio and being Lot 9162, being a replat of Lot 9157 of Menards Crossings of Fairfield Township as recorded in Official Record Volume 8980, Pages 1569 and 1570, Butler County, Ohio Records.

For Information Purposes
Parcel No. A0300025000087, 87T

TRANSFERRED
DATE JAN 7, 2020
CONVEYANCE 201
FEE \$ 2100.00 (900000)
EXEMPT reynolds

Roger Reynolds, Butler Co. Auditor
This conveyance has been examined and the
grantor has complied with Sec. 319.202 of the ORC.



Recorded: 01/08/2020 03:11 PM Page: 1 of 4
File # 2020-00001055 Fee Amt: \$70.00
BUTLER County, Ohio DANNY N. CRANK, Recorder
BK **9388** PG **209**

LIMITED WARRANTY DEED
(Statutory Form*)

LORVEN MENARDS LLC, an Ohio limited liability company, for valuable consideration paid, grants with limited warranty covenants to **MENARD, INC.**, a Wisconsin corporation, whose tax mailing address is 5101 Menard Drive, Eau Claire, WI 54703 the following real property:

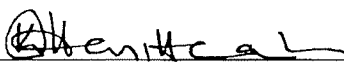
SEE EXHIBIT A ATTACHED

The real property is conveyed subject to, and there are hereby excepted from the limited warranty covenants, all encumbrances, easements and restrictions listed on the attached Exhibit B, the lien for real estate taxes and assessments not yet due and payable, rights-of-way, legal highways, plats, building setback lines, and all applicable laws, regulations, statutes, and ordinances applicable to the Property or the use thereof.

Prior Instr. Reference: 2018-00023826 of the Deed Records of Butler County, Ohio.

Executed this 5th day of December, 2019.

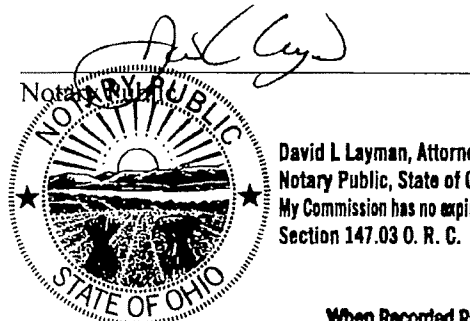
Lorven Menards LLC,
an Ohio limited liability company

By: 
Harihara K. Rao, its Manager

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 5th day of December, 2019 by Harihara K. Rao, the Manager of Lorven Menards LLC, an Ohio limited liability company, on behalf of the limited liability company.

This instrument prepared by:
David L. Layman, Esq.
3080 Ackerman Boulevard, Suite 320
Kettering, OH 45429
Phone: (937) 296-0365
*Ohio Revised Code Sections 5302.07 and 5302.08



David L. Layman, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 O. R. C.

When Recorded Return To: KE
First American Title Insurance Company
National Commercial Services
121 South 8th Street, Suite 1250
Minneapolis, MN 55402
File No: NCS-975100



EXHIBIT B

Permitted Encumbrances

Developers Service Agreement regarding Fairfield Township TIF zone recorded in Official Record Volume 7395, Page 920 of Butler County Records.

Amendment to Hamilton-Indian Springs Joint Economic Development District Contract recorded in Office Record Volume 7395, Page 41 of Butler County Records.

Matters Disclosed in Plat recorded in/as Book 8232, Page 1223 of Butler County Records.

Matters Disclosed in Plat recorded in/as Book 8803, Page 287 of Butler County Records.

Matters Disclosed in Survey plat recorded in/as Plat Volume 52, Page 127 of Butler County Records.

Matters Disclosed in Plat recorded in/as Book 8938, Page 899 of Butler County Records.

Matters Disclosed in Plat recorded in/as Book 8980, Page 1569 of Butler County Records.

Easement for Highway Purposes from Michael Sorber, Trustee and Michael Sorber to The Butler County Transportation Improvement District recorded July 28, 1997 in/as OR Book 6132, Page 1722 of Butler County Records.

Sanitary Sewer Easement from Karen D. Sawyer, Administrator of the estate of Michael Sorber to Sharon Sue Roth recorded March 06, 2002 in/as OR Book 6780, Page 2410 of Butler County Records.

Surface Water Detention Easement from Karen D. Sawyer, Administrator of the estate of Michael Sorber to Sharon Sue Roth recorded March 06, 2002 in/as OR Book 6780, Page 2413 of Butler County Records.

Easement for Sanitary Sewer and Appurtenances from Michael Sorber and Michael Sorber to The Board of County Commissioners, Butler County, Ohio recorded April 25, 2002 in/as OR Book 6811, Page 2142 of Butler County Records.

Grant of Anchor Easement from Rickey D. Joseph and Wendy M. Joseph, for their joint lives, remainder to the survivor of them One-Half (1/2) interest; and to Stone Chapel Holdings Ltd., One-Half (1/2) interest to Duke Energy Ohio, Inc. recorded August 06, 2007 in/as OR Book 7925, Page 2125 of Butler County Records.

Easement(s) disclosed by document recorded October 10, 2008 in/as OR Book 8055, Page 1028 of Butler County Records.

Declaration of Reciprocal Easements and Operating Agreement by and between Menard, Inc., a Wisconsin corporation and Stone Chapel Holdings Ltd., an Ohio limited liability company and Future Farms Ltd, an Ohio limited liability company recorded October 10, 2008 in/as OR Book 8055, Page 1033 of Butler County Records.



Amendment No. 1 to the Declaration of Reciprocal Easements and Operating Agreement recorded September 06, 2016 in/as OR Book 8938, Page 886 of Butler County Records.

Amendment No. 2 to the Declaration of Reciprocal Easements and Operating Agreement recorded April 27, 2017 in/as OR Book 9026, Page 1814 of Butler County Records.

Assignment of Developer's Rights under Declaration of Reciprocal Easements and Operating Agreement recorded June 27, 2018 in/as OR Book 9177, Page 816 of Butler County Records.

Declaration of Reciprocal Easements and Operating Agreement by and between Global New Millennium Partners, Ltd., a Texas limited liability company and Stone Chapel Holdings Ltd., an Ohio limited liability company recorded September 06, 2016 in/as OR Book 8938, Page 1071 of Butler County Records.

Assignment of Developer's Rights under Declaration of Reciprocal Easements and Operating Agreement recorded June 27, 2018 in/as OR Book 9177, Page 822 of Butler County Records.

Amendment to Declaration of Easements and Restrictions recorded June 27, 2018 in/as OR Book 9177, Page 826 of Butler County Records.

Matters disclosed in Plat recorded in Book 8853, Page 1564 of Butler County Records.

ADJACENT PROPERTY OWNERS: Property Owners within 200" of subject site. (property owner name, Tax Mailing Address, and Parcel Number)

- 1) PN: A0300025000080
Address: 2862 MENARDS BLVD
Mailing Name: HALLE PROPERTIES LLC
Address: 20225 NORTH SCOTTSDALE RD
SCOTTSDALE AZ 85255
- 2) PN:A0300025000078
Address: 2865 PRINCETON
Mailing Name: MENARD INC
Address: 47777 MENARD DR ADDRESS EAU
CLAIRE WI 54703
- 3) PN:A0300025000093
Address: 2874 JOSEPH DR
Mailing Name : MARIANA JAIME ESTRADA
Address: 3879 HAMILTON MASON RD.
FAIRFIELD TWP. OH 45011
- 4) PN: A0300025000088
Address: 2870 MENARDS BLVD
Mailing Name : PRINCETON VENTURES LLC
C/O UAN CARLOS ESPINOZA HERNANDEZ
Address: 3879 HAMILTON MASON RD.
FAIRFIELD TWP OH 45011
- 5) PN: A0300026000088
Address: 6590 WALDEN PONDS CIR
Mailing Name :WALDEN PONDS COMMUNITY CHURCH OF
THE NAZARENE
Address: 6590 WALDEN PONDS CIR
FAIRFIELD TOWNSHIP OH 4501
- 6) PN: A0300026000105
Address: 6570 WALDEN PONDS CIR
Mailing: EXCHANGERIGHT NET LEASED PORTFOLIO 43DST
C/O EXCHANGERIGHT REAL ESTATE LLC
Address: PO BOX 60308 PASADENA CA 91116
- 7) PN: A0300133000043
Address: 2727 URMSTON AVE
Mailing Name: ADAM DANIEL RILEY
Address: 2727 URMSTON AVE
HAMILTON OH 45011 050
- 8) PN: A0300025000086
Address: GILMORE RD
Mailing Name : LORVEN MENARDS LLC
Address: 7106 CORPORATE WAY
DAYTON OH 45459

PROPOSED PLAN:

To build a new 3694 s.f. McDonald's Restaurant with double drive-through lanes and 47 parking spaces.