

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 17- 28**

RESOLUTION TO APPROVE, AS RECOMMENDED BY THE FAIRFIELD TOWNSHIP ZONING COMMISSION, THE REQUESTED ZONE CHANGE BY LIBERTY FAIRFIELD LLC, AS SET FORTH IN ZONING CASE NO. FTZC17-1C.

WHEREAS: Liberty Fairfield LLC on January 20, 2017, filed an application for a major change to the PUD; and

WHEREAS: The Fairfield Township Zoning Commission met and heard this case, FTZC17-1C, on February 15, 2017 and voted (3 for and 1 against) to recommend approval of the requested major change to the PUD; and

WHEREAS: On February 22, 2017, the Fairfield Township Board of Trustees set a Public Hearing for March 8, 2017, to consider the change requested by Liberty Fairfield LLC, Case No. FTZC17-1C; and

WHEREAS: On March 8, 2017, the Fairfield Township Board of Trustees held a public hearing to consider the change requested by Liberty Fairfield LLC, Case No. FTZC17-1C, and the case was continued until March 22, 2017 at 6:30 P.M.;

NOW, THEREFORE, BE IT RESOLVED, by the Trustees of Fairfield Township, Butler County, Ohio, as follows;

SECTION 1: The Board of Trustees, does hereby approve as recommended by the Fairfield Township Zoning Commission, the requested Liberty Fairfield LLC plan, Case No. FTZC17-1C, and approves the zone change for the subject property, incorporating the Staff recommendations in Exhibit "A".

SECTION 2: The Trustees of Fairfield Township do hereby dispense with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and do authorize the adoption of this resolution upon its first reading.

SECTION 3: This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

SECTION 4: That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 5: This resolution shall take effect at the earliest period allowed by law.

Adopted: March 22, 2017

Board of Trustees

Shannon Hartkemeyer: Shannon Hartkemeyer

Joe McAbee: Joe McAbee

Susan Berding: Susan Berding

Vote of Trustees

yes

no

yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed, and filed with the Fairfield Township Fiscal Officer this 22nd day of March, 2017.

ATTEST:

Nancy A. Bock
Nancy Bock, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L.E. Barbieri
Lawrence E. Barbieri, Township Law Director



**STAFF REPORT
FAIRFIELD TOWNSHIP ZONING COMMISSION
PUBLIC HEARING**

CASE: FTZC17-01
APPLICANT: Liberty Fairfield LLC
LOCATION: Fairfield Falls Subdivision
Liberty Fairfield Road
Lot # 8798
Parcel ID A0300-165-000-043
Fairfield Township
CURRENTLY ZONED: R-PUD (Residential Planned Unit Development)
REQUEST: Revised R-PUD
DATE: February 15, 2017

DESCRIPTION OF REQUEST

The applicant is requesting revised PUD approval for the re-development of lot 8798, to modify the approval recently given for five (5) multi-family buildings of three (3) units each, for a total of 15 units. They are requesting that this area be revised to allow for 12 single family lots. The new homes would be detached dwelling units. The project is located on the south side of River Ridge Drive. The developer only built one multi-family three (3) unit building on the property.

FAIRFIELD TWP. ZONING CODE REQUIRES THE FOLLOWING FOR APPROVAL OF A FINAL PUD PLAN:

- 13.8.2 That the proposed detailed Final PUD Plan(s) for the individual section(s) of the overall R-PUD or B-PUD District are in conformance with the approved Preliminary PUD Plan, and the Land Use Plan Map and text of Butler County.
- The current proposal is not consistent with the original case # FTZC12-5C because they are decreasing the density of the development.
- 13.8.3 That each individual unit of the development can exist as an independent unit, which is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained.
- The project will include 12 new single family homes that are consistent with the southern portion of the development.
 - The general construction will be consistent with what is already established in this neighborhood.

13.8.4 That any part of the Planned Unit Development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Fairfield Township Zoning Commission, left in its natural state.

- The total open space calculation for the site is 16.128 acres or 37.6% of the site which is more than the required open space requirement of 20%.
- The area completely surrounding the development will be left in its natural state which is wooded.

13.8.5 That any exception from the standard resolution requirements is warranted by the design and amenities, incorporated in the detailed Final PUD Plan(s), in accordance with the adopted policy of the Fairfield Township Zoning Commission and the Board of Fairfield Township Trustees.

13.8.6 That the internal streets and thoroughfares proposed are suitable and adequate to accommodate the anticipated traffic within and through the development.

- There are existing streets in the development.

13.8.7 That the Final PUD Plan(s) is consistent with the intent and purpose of this Resolution to promote public health, safety and general welfare of the residents of Fairfield Township, Butler County.

- This final plan is consistent with the intent to promote the general welfare of the residents of Fairfield Twp. The current builder plans to lower the density of the current development.

13R.2 Principal Permitted Uses – One family detached dwellings.

13R.4 Design Standards – All lots are a bit smaller than what is required in the R-4 District. The setbacks and square footage is as follows:

- Width – 56'-0" compared to 55'-0" in the R-4 District.
- Front Yard – 25'-0" compared to 25'-0" in the R-4 District.
- Sides – 5'-0" each compared to 8'-0" and 18'-0" total.
- Rear – 15'-0" compared to 35'-0" in the R-4 District.
- Square footage – average 5,656 sf compared to 6,500 sf in the R-4 District.
- These lots are compatible with what is already being built or is already built across the street. The only difference is that there is a 0'-0" rear yard setback due to the open space directly behind those lots.

13R.4.1 Minimum Lot Area and Maximum Density – These new lots will be less than what was allowed previously. The current plan allows for five (5) additional 3 unit buildings for a total of 15 units. The developer is asking to reduce that to 12 units. All units will be detached from each other.

13R.4.1.5 Maximum Density – Max density cannot exceed 12 dwelling units per acre. The Gross acreage of the entire property is 42.915 acres. There are 118 previously

approved units. The original development was approved for 2.75 units per acre. The new density will be 115 units which will lower the density to 2.68 dwelling units per acre. The revised area is 2.130 acres in size.

13R.4.2 Yards – Please see 13R.4 Design Standards above.

13R.4.3 Common Open Space – The developer does not plan to change the open space that was originally approved for this development. The open space will remain at 16.128 acres or 37.6%.

COMPLIANCE WITH THE FAIRFIELD TOWNSHIP VISION PLAN:

The parcel(s) proposed are contained within the area identified as Planned Residential.

Surrounding Zoning & Situation of Property

The surrounding area is currently being used for residential purposes both on the Fairfield Township side of Liberty Fairfield Road and in Liberty Township. There are multiple parcels of land that are still undeveloped to the south and the Metro Parks owns and uses the parcel to the west and south as parkland.

STAFF RECOMMENDATION:

Based on the findings of fact & submitted proposal, Staff recommends approval of these proposed changes to the original R-PUD plan with the following conditions:

1. All applicable findings and conditions of case # FTZC12-5C shall remain in effect and are required for Final PUD approval.
2. Sidewalks shall be provided for all lots along River Ridge Drive.
3. All new houses shall have the same standard building requirements as the other single family homes in the Block A portion of the development.

ACTION REQUIRED:

In accordance with Section 13.8.1 through 13.8.7, the Fairfield Twp. Zoning Commission shall approve, modify or deny the plan(s) on the basis of; (1) that all requirements have been satisfied, and (2) finding that any specific conditions are fully required.

Kimberly Lapensee
Zoning Administrator, Fairfield Township