



**MEETING MINUTES
PLANNING COMMISSION
TUESDAY, August 10, 2021
7:00 P.M.**

I. Call to Order

Those members present: William Snavelly, Steve Dana, Shana Rosenberg, Richard Keebler, Carla Blackmar, and Corey Watt

Those members excused: Jason Bracken

Staff members present: Sam Perry, Zachary Moore, Ben Mazer, and Eunike Miller

Staff members excused: None

II. Approval of Agenda

Mr. Watt entertained a motion to approve the agenda as presented. Mr. Dana made a motion to approve the agenda. Mr. Snavelly seconded the motion. All were in favor.

III. Approval of Minutes of July 13, 2021

Ms. Rosenberg made a motion to approve the minutes as written. Mr. Snavelly seconded the motion. All were in favor.

IV. Public Comments Related to Items Not on the Agenda

There were no comments from the public.

V. Reports from Commissions, Boards, Committees & Staff

Ms. Blackmar reported that the Oxford Parking & Transportation Advisory Board did not have a meeting last month. She reminded everyone about the OATS meeting coming up on August 11th at 12 PM.

Mr. Dana had no news to report on CIC meeting.

Ms. Rosenberg said that the HAC met last month and reported that the Tiny Houses Project is still going. She was not able to attend the Steering Committee meeting.

Mr. Dana thought the Steering Committee meeting was productive. Mr. Dana asked Mr. Perry to provide an update on the Steering Committee meeting.

Mr. Perry stated there were already two meetings and another one is going to take place in late August or early September. Potential elements and topics within the Plan have been discussed along with doing an analysis. They are also working on the survey that will reach the public soon.

Mr. Snavelly had nothing new to report.

Mr. Watt said the HAPC meeting was scheduled for tomorrow. Due to having no agenda items, the meeting has been cancelled.

VI. New Business

PC-2021-21, 5158 College Corner Pike, CONDITIONAL USE, McGuffey Montessori High School, Norman Butt, AIA, Applicant/Agent

Mr. Snavelly made a motion to enter into public hearing. Mr. Keebler seconded the motion. All were in favor

Mr. Moore started his presentation by giving summarized details about the case including the type of application, the location, the applicant, and the current zoning (GB).

Mr. Moore stated that this particular case is a re-occupancy of a tenant space within a shopping center. Total occupancy of 5, 3 students, and 2 instructors. Due to Covid-19, the staff administratively allowed the school to use the building on a temporary basis.

Areal map of the location was displayed showing the boundaries of the property. Zoning classification was also displayed. The main campus is close by on Westgate Drive.

Recently taken site photos were next displayed along with a Bird's Eye View. The Submitted site plan was then displayed showing the interior space.

Timeline was presented:

- July 7, 2020: application to authorize the change of use as school.
- Aug 11, 2020: temporary zoning approval until January 31, 2021 which was extended to June 1, 2021.
- Time limited Certificate of Occupancy issued until June 1, 2021

Mr. Snavelly wanted clarification whether the school will be able to occupy the building before the final decision.

Mr. Moore said that administratively they will be allowed to use the space temporarily to start school.

Mr. Moore displayed the 3 staff recommendations for approval:

- 1) The school shall be limited to no more than 5 occupants. It is the applicant's proposal.
- 2) The requested Conditional Use shall be allowed to continue indefinitely.
- 3) Within 14 days of Council approval, the applicant shall apply for a Building permit, which has already been submitted.

Questions from the Commission members:

Mr. Watt was in favor of recommendation#2 but would the conditional use be indefinite for the school only or not.

Ms. Rosenberg wanted to know whether the number of students can be raised, preventing more bureaucratic action this way. Mr. Moore said it would not be a problem.

Mr. Keebler inquired whether there was any problems during the current temporary use. Mr. Moore stated there were none.

Mr. Butt came up to start his presentation. In 2019, Nancy Hawthorne contacted him to discuss to consider changes in facilitating students. The attendance in lower grade students has increased. The existing area is already at capacity so they want to find another area that is close by to expand. Mr. Butt wanted to make sure they comply with code when it comes to the school and life safety. The limited number of students (5) are in compliance with the Ohio Building Code. Six could be considered a business occupancy. There were discussions about where the students are from, and traffic flow, and Mr. Butt and Ms. Hawthorne concluded that this location would be a good fit.

Ms. Hawthorne came up to speak. Ms. Hawthorne stated since the high school students weren't on the main campus last year there was enough space to move the students around. Ms. Hawthorne reported there was no Covid spread in the school. In 2018-19, piloting high school students was approved by the School Board. It was started with one student. Now three high school students are expected, and another one is waiting, so they would love to have wiggle room in the number of students allowed. Ms. Hawthorne elaborated on other details such as the number of rotating teachers, how the students get to school. Ms. Hawthorne mentioned that the student would be able to walk between the College Corner Pike building and the main building.

Questions from the Commission members:

Ms. Blackmar inquired what the reasonable upper limit would be for student occupancy. Ms. Hawthorne said 7-8 would be great. Ms. Hawthorne explained there were times during the day when two classes were in session. So having a higher occupancy limit would be very good. Mr. Butt made a comment that last year, when the Ohio Building Code was approved by the building official they indicated that occupancy could be up to 14 persons. Mr. Butt added that such high number was never their intent.

Mr. Watt invited the public to comment on this agenda item

Melanie Ward, 5175 Westgate Drive

Ms. Ward's house is located behind the proposed building for school. Ms. Ward was concerned because there are already lots of foot traffic in the alley, garbage accumulation, and their fence had to be replaced. Ms. Ward was also concerned about the safety of the students. Ms. Ward wanted clarification on the occupancy. Ms. Ward was in favor of the proposal to limit numbers.

Mr. Snively made a motion to adjourn public hearing. Mr. Dana seconded the motion. All were in favor.

The Commission's Discussion

Mr. Snively agreed to use the building for school. Mr. Snively suggested that the maximum limit would be 10, so there would be room for fluctuation. Mr. Snively elaborated on the expiration of the conditional use stating that it should be allowed until the school discontinues the use of the building. Mr. Moore commented on it saying that the code provides a 12-month time frame. If the use ceases for a period of one year the right to the conditional use goes away. Mr. Snively recommended this condition for approval.

Mr. Keebler wanted to know if the conditional use is for only this building space. Mr. Perry said if there is any type of changes it may not go to a full discussion but they will have to talk about it what would be the best route to take.

Mr. Keebler suggested there should be item #4 stating that the conditional use expires when the building is vacated by McGuffey Montessori School. Mr. Keebler reasoned on the topic saying there is no concerns about kids playing in the parking lot when the high school students occupying the building. On the other hand, if a different school would occupy the building with young kids, like kindergarten, there is no playground, no space to play, but under the conditional use this would be ok. Mr. Keebler suggested that this conditional use should expire when vacated by McGuffey Montessori School.

Mr. Mazer commented that such a condition could be imposed, but it is also possible that it could get challenged. Mr. Mazer added if the space is not used properly according to the conditions then it could expire, or lapse. Mr. Mazer further explained that in his understanding there is a condition in Oxford that allows for the revocation of a conditional use if it poses a substantial risk to public health, safety, and welfare. However, ordinarily the conditional use granted runs with the land, and continues with the new owner purchasing the property if the condition doesn't expire otherwise.

Mr. Watt agreed with Mr. Keebler.

Mr. Dana supported the proposal and the upper limit on the number of students.

Ms. Blackmar wanted to know if there were additional units become available the applicant would have to go through the same long process. Mr. Moore stated the school understands the scope of the matter. If the intensity or scope would change in the future, it could be a shorter process, it could be handled administratively.

Mr. Snively suggested whether staff can look into the neighbors' concerns. Perhaps the new code enforcement officer could look into it.

Mr. Dana wanted an explanation on decision criteria N, B-Business classification.

Mr. Snively made a motion to approve the Conditional Use application by raising the number of occupants from 5 to 10 and taking out the wording "as proposed by the applicant", and by adding Condition #4, that the Conditional Use expires when McGuffey Montessori school vacates the building. Mr. Dana seconded it.

Roll call was taken.

AYE: Ms. Blackmar, Mr. Dana, Mr. Keebler, Ms. Rosenberg, Mr. Snively, Mr. Watt (6)

NAY: None (0)

ABS: None (0)

Motion PASSED.

CONCEPT REVIEW, 4450 Trenton-Oxford Road, Woodland Country Manor, Bayer Becker, Etta Reed

Mr. Snively made a motion to enter into public hearing. Ms. Rosenberg seconded it. All were in favor.

Mr. Perry started his presentation. Mr. Perry explained that Staff has met with Ms. Reed, the owners of Woodland Country Manor, and some consultants to potentially convert a property that was formally the Tech Park property, located on the corner of SR 73 and Oxford-Milford Road and re-zoning it.

Ms. Reed introduced the Woodland Country Manor family and their spokesman.

Mr. Cameron Auer 8784 Simpson Court, Mason, OH 45040

Mr. Auer gave his speech.

Ms. Reed started her presentation by displaying a concept plan of the site. There are 110 units for assisted living. The vacant side is left for future development depending on the market.

Ms. Reed then further explained what other types of buildings are in the design.

- 18 rear entry townhomes
- 58 rear entry single family homes
- 30 traditional single family homes
- 2 commercial outparcels. These could be retail centers with a hair salon, a medical office, dry cleaners that the residents could use. There has been discussions about a daycare for employees.

The development has amenities, a pond, and benches. Ms. Reed pointed out that their intention is to preserve the existing tree line on the property. In the center, there is the Village center with a lawn area for different events. There are two pocket parks as well. Woodland Country Manor would maintain all the roads and the lawn.

Questions from the Commission members:

Ms. Blackmar wanted to know whether the units include parking, and the traffic flow and the access to off-site amenities. Ms. Reed stated there are three access points on Oxford Milford Road. On-site parking and garages for the detached homes will be provided. They also plan to provide shuttle service.

Ms. Blackmar noted that the site is close to a portion of the Trail System but that SR 73 does not have a walkway to access the trail. Ms. Blackmar inquired whether there is a plan to provide access to the trail. Ms. Reed answered that there is a plan to provide sidewalks along the frontages of the property but not to connect to the trail.

Mr. Snively thought it would be very good to put a path along 73 that accommodate bikes as part of a multi-connectivity model. Mr. Snively also noted that the design is important since this is the east gateway to town. Mr. Snively was concerned about the commercial outparcel backing up to the road and he would like to see these buildings protected from the road to look better. Mr. Snively was pleased to hear about the planned use of the outparcels which would benefit the community. Mr. Snively noted that the concept needs to be a PUD so there would be more control over what would occupy the outparcels. Mr. Snively encouraged Ms. Reed to think more about the conservation design, like solar panels, to be well received by Council. Mr. Snively was in favor of the concept.

Mr. Dana agreed with Mr. Snively on the attractive features. Mr. Dana pointed out there is no existing sewer on the property. Mr. Dana wanted to know how this issue would be solved or handled. Mr. Dana added that the site slopes downhill and adding and extending a sewer system will be very expensive and difficult.

Ms. Reed explained that the sewer is located down by Four-Mile Creek. The matter has been looked into and it's possible to accomplish but not easy. Providing the sewer system could open up the possibility of connecting to the sewer for those lands that are not currently on sewer.

Mr. Dana wanted to know how they would achieve to connect to the sewer. Ms. Reed said they would go under Four-Mile Creek and up on 73 or through the Springwood Subdivision to get to the property.

Mr. Watt invited the public to comment on the topic. There were none.

Mr. Dana made a motion to close public hearing. Mr. Snively seconded it. All were in favor.

Discussion of the Commission members

Mr. Keebler thought this is a catch 22. Mr. Keebler shared his positive experience of Woodland nursing home care. Mr. Keebler liked the design, the 3 entrances and exits. On the other hand Mr. Keebler disagreed on the

tax comments. According to Mr. Keebler the only tax income would be the employees' payroll. Mr. Keebler was concerned about the ability of serving the planned area with EMS and Fire services. Mr. Keebler pointed out that a big volume of calls come in from the existing nursing homes. He also added that EMS and Fire are already understaffed and it is a struggle to serve the multiple calls that come in at the same time with four people on duty during day time and six in the evenings/night and on the weekends. Mr. Keebler stated there is a need to hire four more full time people which is more money. Mr. Keebler stressed that the income would be very minimal as opposed to keeping the land zoned as industrial for businesses.

Ms. Blackmar wanted to know what happened with the industrial office park planned in this property. Mr. Perry said it was zoned in hopes of creating an industrial office park, that was somewhat tied to a road project that didn't happen.

Ms. Rosenberg mentioned the rezoning for Wildberry. Mr. Dana stressed not that much land for industrial are available. Mr. Dana was in favor of the project but he also mentioned that Mr. Keebler's concerns are very valid.

Ms. Rosenberg agreed with Mr. Snavelly and Ms. Blackmar and though it's a good project. Ms. Rosenberg restated the importance of creating a way to connect to the OATS Trail, especially from the point of physically active senior citizens.

Mr. Dana agreed with Ms. Rosenberg. Mr. Dana mentioned the opportunity of "affordable housing".

Mr. Snavelly required more details on pocket park 2 from Ms. Reed.

Mr. Watt voiced his concern that the future development has no way to connect to the initial development which could be crucial from Fire point of view. Mr. Watt expressed his concerns about the planned retail stores. Mr. Watt also brought to attention the need of having an access to SR 73 since all the design shows Oxford Milford Road as access points at this time.

Ms. Reed was explaining that both roads are in Oxford Township, was not annexed with the land, therefore these roads are under ODOT's jurisdiction. Ms. Reed stated that they would conduct a study. Mr. Keebler was sure the half of Oxford Milford Road was annexed with the property.

Ms. Blackmar made a comment on the importance of housing the working population close to their work not just for economic reasons but for the meeting of greenhouse gas reduction goals.

VII. Old Business

There were none.

VIII. Administrative Decisions

There were none.

IX. Adjournment

Ms. Rosenberg made the motion to adjourn the meeting. Mr. Dana seconded the motion. All were in favor. The meeting adjourned at 8:29 p.m.



Internal Use Only:

Case No.

PC-2021-23

Date Filed

8/3/2021

Lot Split/Consolidation Application

Requested Action

Choose One



Lot Split (\$50)



Lot Consolidation (\$50)



Lot Split & Consolidation (\$100)

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name *

4-Leaf Development

Mailing Address *

125 West Spring Street

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

513-524-9500

Email Address

pam@hoteldevelopment.net

Surveyor Information

Name *

Bayer Becker - Brian Johnson

Mailing Address *

110 South College Avenue, Suite 101

City, State & Zip Code *

Oxford, OH 45056

Telephone Number(s) *

523-4270

Email Address

brianjohnson@bayerbecker.com

Location and Lot Information

Location of Property *

1701 Lake Forest Drive

Legal Description *

Part of Lot #3716

Zoning District *

R-2A

Number of Lots * 2 Parts

Total Area * _____ Acres

Submission Requirements and Documentation

From Chapter 1101 Subdivision Regulations, Attachment G¹.

No.	Required Item Description	Have	Need
1	8 plats (4 on 8.5" x 11" and 4 on 24" x 36" Bond Paper) 1 Mylar for County	☒	☐
2	Electronic version of all documentation submitted (PDF preferred)	☒	☐
3	Digital copy in Auto CAD format submitted on a CD. Shall utilize the NAD-83 Ohio South State Plane Coordinate System for horizontal control and the NAVD-1988 for vertical control. All subdivision boundary corners shall also be tied to the NAD-83 Ohio South State Plane Coordinate System and labeled with a northing and easting, as well as centerline intersections, temporary turn-around center points and easement centerline that does not follow a lot line. AutoCAD layouts shall be provided allowing for the reproduction of a complete set of plans as needed.	☐	☐

No.	Required Item Description	Have	Need
4	The name, mailing address, and telephone number of the applicant and owner.	☒	☐
5	Letter of Agency (A statement from the owner that the applicant is entitled to apply on his or her behalf)	☐	☐
6	Attach a written, detailed description of the request.	☐	☐
7	Metes and bounds description of the property (Legal Description).	☐	☐
8	Vicinity Map	☐	☐
9	The zoning district in which the site is located.	☒	☐
10	Required Fee.	☒	☐
11	Number of proposed lots.	☒	☐
12	Plat shall show the following:		
12	A. The seal, registry number and signature of the registered surveyor and professional engineer who prepared the plat.	☒	☐
12	B. The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.	☒	☐
12	C. Size of the tract in acres and square feet and the boundary lines along with the linear measurements.	☒	☐
12	D. The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels including mailing addresses and parcel numbers within 200 feet of the site.	☒	☐
12	E. North point, scale and date.	☒	☐
12	F. Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) must be clearly illustrated and labeled on the plat.	☐	☐
12	G. Exact location shall be shown for all buildings, septic tanks, wells or similar features with respect to existing or proposed lot lines or right-of-ways lines.	☐	☐
12	H. Other information as deemed necessary by staff in order to create building sites and promote the public health, safety and welfare.	☐	☐
12	I. Notification will be sent to direct abutters within two business days of the application filing. This notification will include comment forms.	☐	☐
12	J. Any existing building(s) to remain or to be razed.	☐	☐
13	Turn in proof of recording to City of Oxford Community Development Department	☐	☐

Fees & Receipt

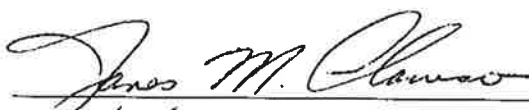
The fees are:

- Lot Split – \$50
- Lot Consolidation – \$50
- Lot Split & Consolidation – \$100

Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *



Date *

8/2/2021

Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with the original and required copies of the plat and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: Per Planning and Zoning Code 1101.600(E) ¹, all minor resubdivision(s), lot split(s) or lot consolidation(s) shall submit proof of recording to the Community Development Department.

For Staff Use OnlyDate of Submission * 8/3/2021

Date Signed Plat Due to Applicant (15 Days) * _____

Fee * \$ 50.00

Fee Paid Date *

8/3/2021

Receipt Number * _____

Volume/Page Number * _____

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

Date: June 11, 2021
Description: Part of Lot #3716
17.870 Acres
Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River, Section 36, Town 5, Range 1, City of Oxford, Butler County and being 17.870 Acres of land in part of Lot #3716 of the designated list of lots in the City of Oxford and being in part of the lands of 4-Leaf Development, LLC as recorded in Official Record 7669, Page 950 of the Butler County, Ohio Recorder's Office and being further described as follows:

Commencing at a found 5/8" Iron Pin (Capped "Bayer Becker") at the southwest corner of Open Space Lot #3715 (F.K.A. Lot #8 of Southpointe Crossing, Section One as recorded in Plat Envelope 4020, Pages A-B) and being on the westerly boundary of said part of Lot #3716 and being on the easterly boundary of the lands of Dirk and Amy Hines (7.507 Ac.) as recorded in Official Record 8469, Page 1023 of the Butler County, Ohio Recorder's Office; thence, leaving said Open Space Lot #3715 (F.K.A. Lot #8) and with the westerly boundary of said part of Lot #3716 and with the easterly boundary extended of said lands of Dirk & Amy Hines (7.507 Ac.), South 02° 23' 54" West, 167.37 feet to a found 1/2" Iron Pin and being the southeast corner of the lands of Robert & Tami S. Kuginskie (0.965 Ac.) as recorded in Official Record 6534, Page 2011 of the Butler County, Ohio Recorder's Office; thence, with the southerly boundary of said lands of Robert & Tami S. Kuginskie (0.965 Ac.) and with the northerly boundary of said part of Lot #3716 for the following three courses: 1.) South 41° 06' 02" West, 188.80 feet to a found 1/2" Iron Pin; 2.) South 77° 52' 38" West, 206.18 feet to a found 1/2" Iron Pin; 3.) North 87° 14' 56" West, 153.88 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the easterly right of way of Millville-Oxford Road (U.S. #27) as dedicated in Official Record _____, Page _____ of the Butler County, Ohio Recorder's Office; thence, leaving the southerly boundary of said lands of Robert & Tami S. Kuginskie (0.965 Ac.) and with the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the westerly boundary of said part of Lot #3716, South 34° 01' 03" East, 556.04 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the westerly right of way of Lake Forest Drive as dedicated in Official Record 9533, Page 593 of the Butler County, Ohio Recorder's Office; thence with the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the westerly right of way of said Lake Forest Drive for the following five courses: 1.) South 56° 16' 05" West, 15.07 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 2.) with a curve to the right, having a central angle of 89° 42' 52", a radius of 15.00 feet, an arc length of 23.49 feet and a chord bearing and distance of North 78° 52' 29" West, 21.16 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 3.) South 34° 01' 03" East, 167.13 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 4.) with a curve to the right, having a central angle of 90° 17' 08", a radius of 15.00 feet, an arc length of 23.64 feet, and a chord bearing and distance of North 11° 07' 31" East, 21.27 feet to a found 5/8" Iron Pin (Capped "Bayer Becker"); 5.) North 56° 16' 05" East, 14.93 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the easterly right of way of said Millville-Oxford Road (U.S. #27) and being on the easterly right of way of said Lake Forest Drive and being the **True Point of Beginning**;

thence, leaving the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the easterly right of way of said Lake Forest Drive for the following three courses:

- 1.) North 56° 16' 05" East, 191.73 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");

6900 Tylersville Road, Suite A 110 South College Ave, Suite 101 1404 Race Street, Suite 204
Mason, OH 45040 Oxford, OH 45056 Cincinnati, OH 45202
513-336-6600 513-523-4270 513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

2.) with a curve to the left, having a central angle of 55° 47' 35", a radius of 1232.50 feet; an arc length of 1200.17 feet and a chord bearing and distance of North 28° 22' 18" East, 1153.31 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");

3.) North 00° 28' 30" East, 33.78 feet to a Set 5/8" Iron Pin;

thence, leaving the easterly right of way of said Lake Forest Drive and with a new division line through said part of Lot #3716, South 86° 18' 54" East, 366.72 feet to a Set 5/8" Iron Pin on the westerly boundary of the lands of Rams Holdings, LTD (25 Ac.) as recorded in Official Record 9516, Page 1759 of the Butler County, Ohio Recorder's Office and being on the easterly boundary of said part of Lot #3716;

thence, leaving the new division line through said part of Lot #3716 and with the westerly boundary extended of said Rams Holdings, LTD (25 Ac.), South 02° 38' 43" West, (passing a found 5/8" Iron Pin (Capped "Brosey") at 465.65 feet and passing a found 1/2" Iron Pin at 680.29 feet and passing a found 1/2" Iron Pin at 728.80 feet) 1311.81 feet to the southeast corner of said part of Lot #3716 and being the southwest corner of the lands of Dale R. & Sandra D. Burger (14.142 Ac.) as recorded in Official Record 7531, Page 2072 of the Butler County, Ohio Recorder's and being the northwest of the lands of Sherry Bourquein and Lynn Bourquein (5.977 Ac.) as recorded in Official Record 9446, Page 1911 of the Butler County, Ohio Recorder's Office and being the northwest corner of the lands of Connie Williams Shaw & Scott Gregory Shaw (5.627 Ac.) as recorded in Official Record 8702, Page 139 of the Butler County, Ohio Recorder's Office and being the northeast corner of the lands of Hopedale Unitarian Universalist Community (8.109 Ac.) as recorded in Official Record 6436, Page 2253 of the Butler County, Ohio Recorder's Office and being witnessed by a found 1/2" Iron Pin (Capped "Balph") at South 02° 38' 41" West, 2.17 feet;

thence, leaving said lands of Dale R. & Sandra D. Burger (14.142 Ac.) and leaving said lands of Sherry Bourquein and Lynn Bourquein (5.977 Ac.) and leaving said lands of Connie Williams Shaw & Scott Gregory Shaw (5.627 Ac.) and with the northerly boundary of said lands of Hopedale Unitarian Universalist Community (8.109 Ac.) and with the southerly boundary of said part of Lot #3716 for the following two courses:

- 1.) North 88° 16' 21" West, 335.78 feet to a found 1 1/2" Pipe;
- 2.) North 87° 12' 11" West, 583.52 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") being on the easterly right of way of said Millville-Oxford Road (U.S. #27) as dedicated in Official Record ____, Page ____;

thence, leaving said lands of Hopedale Unitarian Universalist Community (8.109 Ac.) and with the easterly right of way of said Millville-Oxford Road (U.S. #27) and with the westerly boundary of said part of Lot #3716, North 34° 01' 03" West, 169.33 feet to the **True Point of Beginning** containing 778,422 square feet or 17.870 Acres of land, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey made by Brian R. Johnson, Professional Surveyor #8484 in the State of Ohio, June 11, 2021. The plat of which is recorded in Volume 62, Page 170, of the Butler County, Ohio Engineer's Record of Land Surveys.

Basis of Bearings: Official Record 9533, Page 593.

Prior Deed Reference: Official Record 7669, Page 950.

All iron pins set are 5/8" diameter rebar 30" long with plastic cap stamped "Bayer Becker".



Bryan
6/11/2021

www.bayerbecker.com

SPLIT APPROVAL GRANTED
BY THE CITY OF OXFORD, OH

BY: *[Signature]* Sam Perry
Planning Director, City of Oxford

Date: June 11, 2021
Description: Part of Lot #3716
11.663 Acres
Location: City of Oxford
Butler County, Ohio



Situated in the State of Ohio, Congress Lands West of the Miami River, Section 36, Town 5, Range 1, City of Oxford, Butler County and being 11.663 Acres of land in part of Lot #3716 of the designated list of lots in the City of Oxford and being in part of the lands of 4-Leaf Development, LLC as recorded in Official Record 7669, Page 950 of the Butler County, Ohio Recorder's Office and being further described as follows:

Beginning at a found 5/8" Iron Pin (Capped "Bayer Becker") at the southwest corner of Open Space Lot #3715 (F.K.A. Lot #8 of Southpointe Crossing, Section One as recorded in Plat Envelope 4020, Pages A-B) and being on the westerly boundary of said part of Lot #3716 and being on the easterly boundary of the lands of Dirk and Amy Hines (7.507 Ac.) as recorded in Official Record 8469, Page 1023 of the Butler County, Ohio Recorder's Office and being the **True Point of Beginning**;

thence, leaving the easterly boundary of said lands of Dirk and Amy Hines (7.507 Ac.) and with the southerly boundary of said Southpointe Crossing, Section One and with the northerly boundary of said part of Lot #3716 for the following six courses:

- 1.) North 70° 59' 47" East, 85.38 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 2.) North 57° 36' 25" East, 80.70 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 3.) North 32° 22' 25" East, 110.14 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 4.) North 22° 37' 31" East, 102.20 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 5.) North 00° 44' 30" West, 143.90 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 6.) North 35° 24' 04" East, 49.34 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") on the southerly boundary of Open Space Lot #3858 of the Re-Plat of Southpointe Crossing, Section One as recorded in Official Record 8905, Page 991 of the Butler County, Ohio Recorder's Office;

thence, leaving said boundary of Southpointe Crossing, Section One and with the boundary of said Re-plat of Southpointe Crossing, Section One and continuing with the boundary of said part of Lot #3716 for the following four courses:

- 1.) North 88° 11' 02" East, 56.88 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 2.) South 81° 47' 13" East, 104.46 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 3.) North 00° 28' 30" East, 238.26 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 4.) with a curve to the right, having a central angle of 10° 03' 05", a radius of 1100.00 feet, an arc length of 192.97 feet and a chord bearing and distance of North 05° 30' 03" East, 192.73 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the westerly right of way of Lake Forest Drive as dedicated in Official Record 9533, Page 593 of the Butler County, Ohio Recorder's Office;

6900 Tylersville Road, Suite A
Mason, OH 45040
513-336-6600

110 South College Ave, Suite 101
Oxford, OH 45056
513-523-4270

1404 Race Street, Suite 204
Cincinnati, OH 45202
513-834-6151

209 Grandview Drive
Fort Mitchell, KY 41017
859-261-1113

<http://www.bayerbecker.com>

thence, leaving the boundary of said Re-plat of Southpointe Crossing, Section One and with the westerly right of way of said Lake Forest Drive and with the boundary of said part of Lot #3715 for the following six courses:

- 1.) with a curve to the left, having a central angle of 26° 28' 23", a radius of 527.50 feet, an arc length of 243.73 feet and a chord bearing and distance of South 02° 42' 36" East, 241.57 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 2.) South 15° 56' 48" East, 82.73 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 3.) with a curve to the right, having a central angle of 16° 25' 18", a radius of 472.50 feet, an arc length of 135.42 feet and a chord bearing and distance of South 07° 44' 09" East, 134.96 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 4.) South 00° 28' 30" West, 139.17 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 5.) with a curve to the right, having a central angle of 55° 47' 35", a radius of 1172.50 feet, an arc length of 1141.75 feet and a chord bearing and distance of South 28° 22' 18" West, 1097.17 feet to a found 5/8" Iron Pin (Capped "Bayer Becker");
- 6.) South 56° 16' 05" West, 192.03 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the easterly right of way of Millville-Oxford Road (U.S. #27) as dedicated in Official Record _____, Page _____ of the Butler County, Ohio Recorder's Office;

thence, leaving the westerly right of way of said Lake Forest Drive and with the easterly right of way of said Millville-Oxford Road (U.S. #27), North 34° 01' 03" West, 556.04 feet to a found 5/8" Iron Pin (Capped "Bayer Becker") and being on the southerly boundary of the lands of Robert & Tami S. Kuginskie (0.965 Ac.) as recorded in Official Record 6534, Page 2011 of the Butler County, Ohio Recorder's Office and being the northerly boundary of said Lot #3716;

thence, leaving said easterly right of way of said Millville-Oxford Road (U.S. #27) and with the boundary of said lands of Robert & Tami S. Kuginskie (0.965 Ac.) extended and with the boundary of said part of Lot #3716 for the following four courses:

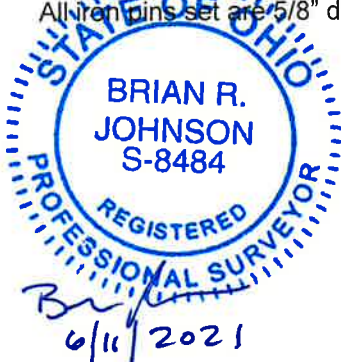
1. South 87° 14' 56" East, 153.88 feet to a found 1/2" Iron Pin;
2. North 77° 52' 38" East, 206.18 feet to a found 1/2" Iron Pin;
3. North 41° 06' 02" East, 188.80 feet to a found 1/2" Iron Pin;
4. North 02° 23' 54" East, 167.37 feet to the **True Point of Beginning** containing 508,036 square feet or 11.663 Acres of land, more or less and being subject to all easements, legal highways, restrictions and agreements of record.

The above description was prepared from a field survey made by Brian R. Johnson, Professional Surveyor #8484 in the State of Ohio, June 11, 2021. The plat of which is recorded in Volume 62, Page 170, of the Butler County, Ohio Engineer's Record of Land Surveys.

Basis of Bearings: Official Record 9533, Page 593.

Prior Deed Reference: Official Record 7669, Page 950.

All iron pins set are 5/8" diameter rebar 30" long with plastic cap stamped "Bayer Becker".



SPLIT APROVAL GRANTED 8-31-21
BY THE CITY OF OXFORD, OH

BY: [Signature] Sam Perry
Planning Director, City of Oxford



Community Development Department
Planning Commission Action Letter
513-524-5204

September 2, 2021

Ms. Pam Lindley
4-Leaf Development
125 W Spring Street
Oxford, OH 45056

VIA EMAIL:

pam@hoteldevelopment.net
brianjohnson@bayerbecker.com

RE: PC-2021-23, 1701 Lake Forest Drive, LOT SPLIT, Part of Lot #3716, 11.663 and 17.870 acres, 4-Leaf Development, Applicant

Dear Ms. Lindley:

On August 30, 2021, your application for a lot split of Lot #3716, located at 1701 Lake Forest Drive, was approved administratively by Corey Watt, Chair of the Planning Commission and Sam Perry, Director of Community Development.

Per Oxford Code Section 1101.6 (E) in order for this approval to remain valid, the lot split must be recorded with the Butler County Recorder within (6) months. Once recorded, please submit proof of recording to the Community Development Department.

Documents can be picked up at our office during regular business hours.

Sincerely,

Eunike Miller
Administrative Assistant
Community Development Department

Cc: File



MEMORANDUM
Community Development Department
513-524-5204

TO: Planning Commission
FROM: Sam Perry, AICP
Community Development Director
DATE: September 9, 2021
RE: **PC-2021-24 Lot Consolidation**

There is a proposed lot consolidation of two “alley lot” parcels of land in the rear of 219 W. Walnut Street. The property has been owned by Clawson Properties for 20+ years. Neither parcel has street frontage. As noted on the attached survey, Parcel A is 3,311 square feet and Parcel B is 2,091 square feet. The proposed new consolidated parcel is shown as 5,465 square feet. There is an existing detached garage almost entirely on Parcel A. R1MS zoning code has a minimum lot size requirement of 6,000 square feet. Per Oxford Code 1137.05, an existing lot of record of at least 3,000 square feet and 33 feet in width can be built upon (new single family).

Minor subdivisions of alley lots have not historically been permitted by the City of Oxford because of lack of compliance with a host of Code requirements. One was permitted administratively in March 2021 at 216 W. Church Street. This was an 8’ wide sliver that was added to the front and rear parcels. In the Church Street case, the alley corner parcel was already over the 3,000 square foot/33 foot threshold and two of the four parcels abutted a street. In the Walnut Street case, the alley corner parcel is under the 3,000 square foot threshold and neither parcel abuts a street.

The owner requested that staff review a 1986 court case regarding a fraternity building permit that involved an addition. Staff has completed the review and found the case to be unrelated to the request at hand.

An excerpt of the pertinent section of the Oxford Planning & Zoning Code is below. Staff met with the Chair and determined that the proposed consolidation appears not to meet the required conditions in Section 1101.600 (A). The item has been placed on the Commission agenda consistent with the procedural requirements of Oxford Code Section 1101.600 (B)

1101.6 – Minor resubdivisions, lot splits and consolidation.

600 – Procedure

The Planning Commission, acting as the Platting Commission, shall grant or deny, minor resubdivision(s), lot split(s) or lot consolidation(s) in the following manner:

- (A) The Zoning Administrator and Chair of the Planning Commission shall, acting for the Planning Commission; mutually approve the minor resubdivision, lot split or consolidation if the proposed division or combination of land meets all of the following conditions:
 - (1) The proposed minor resubdivision, lot split or consolidation is located along an existing public street and involves no opening, widening or extension of any street or road, and in the case of residential lots, does not involve the creation of any easement for access.
 - (2) The proposed minor resubdivision, lot split or consolidation meets the dimensional requirement of the underlying district or a minimum of 3,000 square feet of lot size if the underlying district does not have minimum lot size requirements.
 - (3) The physical characteristics of the property are suitable for building sites.
 - (4) There is no division or allocation of land for parks and open spaces as required by these regulations.
 - (5) New lots to be created which are five acres or larger in size and located along an existing public road are exempt from this chapter.
 - (6) The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites are exempt from this chapter. The following statement shall be included on the Record Plat: "Not to be transferred as an independent parcel in the future without planning commission approval"
 - (7) No more than two (2) new lots shall be created.
- (B) If, in the opinion of the Zoning Administrator or the Chair of the Planning Commission, the proposed minor resubdivision, lot split or consolidation does not meet the above conditions, the request shall be referred to the Planning Commission for decision. The Planning Commission, by majority vote, shall grant a minor resubdivision, lot split or consolidation if they find all of the conditions of subsection (A) above have been substantially met and provided.



Internal Use Only:	
Case No.	PC-2021-24
Date Filed	8/3/2021

Lot Split/Consolidation Application

Requested Action

Choose One

☐

Lot Split (\$50)

☒

Lot Consolidation (\$50)

☐

Lot Split & Consolidation (\$100)

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name * Jim Clawson

Mailing Address * 125 West Spring Street

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 513-524-9500

Email Address jim@hoteldevelopment.net

Surveyor Information

Name * Bayer Becker - Brian Johnson

Mailing Address * 110 South College Avenue, Suite 101

City, State & Zip Code * Oxford, OH 45056

Telephone Number(s) * 523-4270

Email Address brianjohnson@bayerbecker.com

Location and Lot Information

Location of Property * 219 W. Walnut Street

Legal Description * Part of Lot #202

Zoning District * R-1MS

Number of Lots * 1

Total Area * 0.125 Acres

Submission Requirements and Documentation

From Chapter 1101 Subdivision Regulations, Attachment G¹.

No.	Required Item Description	Have	Need
1	8 plats (4 on 8.5" x 11" and 4 on 24" x 36" Bond Paper) 1 Mylar for County	☒	☐
2	Electronic version of all documentation submitted (PDF preferred)	☒	☐
3	Digital copy in Auto CAD format submitted on a CD. Shall utilize the NAD-83 Ohio South State Plane Coordinate System for horizontal control and the NAVD-1988 for vertical control. All subdivision boundary corners shall also be tied to the NAD-83 Ohio South State Plane Coordinate System and labeled with a northing and easting, as well as centerline intersections, temporary turn-around center points and easement centerline that does not follow a lot line. AutoCAD layouts shall be provided allowing for the reproduction of a complete set of plans as needed.	☐	☐

No.	Required Item Description	Have	Need
4	The name, mailing address, and telephone number of the applicant and owner.	☒	☐
5	Letter of Agency (A statement from the owner that the applicant is entitled to apply on his or her behalf)	☐	☐
6	Attach a written, detailed description of the request.	☐	☐
7	Metes and bounds description of the property (Legal Description).	☐	☐
8	Vicinity Map	☐	☐
9	The zoning district in which the site is located.	☒	☐
10	Required Fee.	☒	☐
11	Number of proposed lots.	☒	☐
12	Plat shall show the following:		
12	A. The seal, registry number and signature of the registered surveyor and professional engineer who prepared the plat.	☒	☐
12	B. The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.	☒	☐
12	C. Size of the tract in acres and square feet and the boundary lines along with the linear measurements.	☒	☐
12	D. The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels including mailing addresses and parcel numbers within 200 feet of the site.	☐	☐
12	E. North point, scale and date.	☒	☐
12	F. Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) must be clearly illustrated and labeled on the plat.	☐	☐
12	G. Exact location shall be shown for all buildings, septic tanks, wells or similar features with respect to existing or proposed lot lines or right-of-ways lines.	☒	☐
12	H. Other information as deemed necessary by staff in order to create building sites and promote the public health, safety and welfare.	☒	☐
12	I. Notification will be sent to direct abutters within two business days of the application filing. This notification will include comment forms.	☐	☐
12	J. Any existing building(s) to remain or to be razed.	☐	☐
13	Turn in proof of recording to City of Oxford Community Development Department	☐	☐

Fees & Receipt

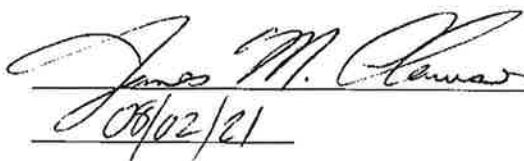
The fees are:

- Lot Split – \$50
- Lot Consolidation – \$50
- Lot Split & Consolidation – \$100

Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *



Date *

08/02/21

Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with the original and required copies of the plat and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

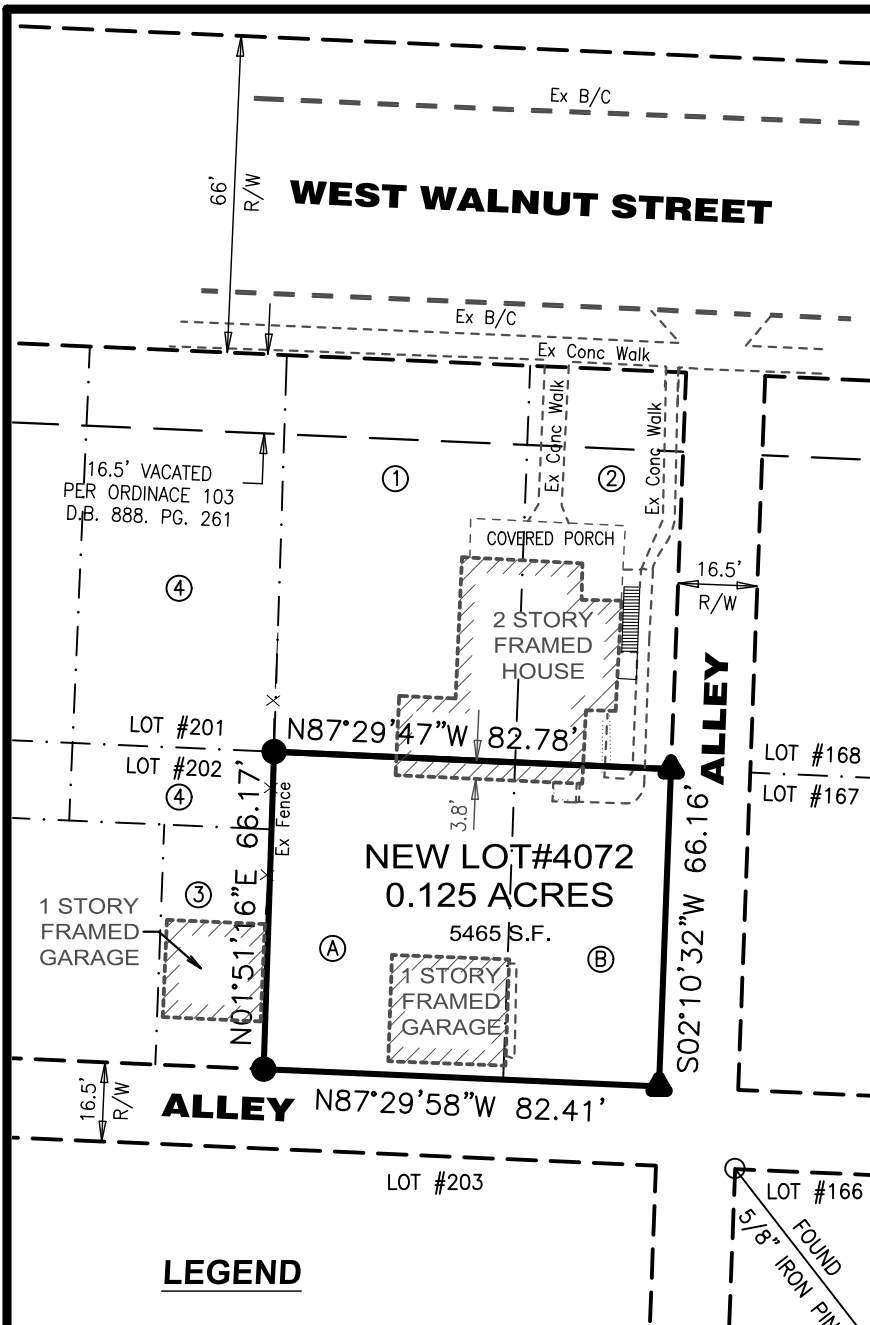
Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: Per Planning and Zoning Code 1101.600(E) ¹, all minor resubdivision(s), lot split(s) or lot consolidation(s) shall submit proof of recording to the Community Development Department.

For Staff Use Only

Date of Submission *	<u>8/3/2021</u>	Date Signed Plat Due to Applicant (15 Days) *	<u> </u>
Fee *	\$ <u>50.00</u>	Fee Paid Date *	<u>8/3/2021</u>
Receipt Number *	<u> </u>	Volume/Page Number *	<u> </u>

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>



Basis of Bearing:
State Plane NAD83 (2011)

0 40 60

SCALE: 1" = 40'

ADJOINERS

- ①
PART OF INLOTS #201 & #202
CLAWSON PROPERTIES II, LLC
TRACT VII, PARCEL II
O.R. 7577, PG. 1345
- ②
PART OF INLOTS #201 & #202
CLAWSON PROPERTIES II, LLC
TRACT VII, PARCEL I
O.R. 7577, PG. 1345
- ③
PART OF INLOTS #202
ANDREW MACGEE, TRUSTEE
TRACT II
O.R. 8421, PG. 398
- ④
PART OF INLOTS #201 & #202
ANDREW MACGEE, TRUSTEE
TRACT I
O.R. 8421, PG. 398

OWNERS

- Ⓐ
PART OF INLOTS #201 & #202
CLAWSON PROPERTIES II, LLC
TRACT VII, PARCEL II
O.R. 7577, PG. 1345
0.076 AC. (SURVEYED)
- Ⓑ
PART OF INLOTS #201 & #202
CLAWSON PROPERTIES II, LLC
TRACT VII, PARCEL I
O.R. 7577, PG. 1345
0.048 AC. (SURVEYED)

LEGEND

- Set 5/8" Diameter x 30" Long
Iron Pin Capped "Bayer Becker"
- ▲ Set MAG Nail
- Found 5/8" Iron Pin
(cap as noted)
- R/W - Ex Right of Way
- X — X — X — X —
Ex Farm Woven Fence

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A FIELD SURVEY MADE UNDER MY DIRECTION AND THAT IT AND THE INFORMATION, COURSES AND DISTANCES AS SHOWN ARE CORRECT IN ACCORDANCE WITH THE "MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO."

APPROVED BY THE OXFORD PLANNING
COMMISSION THIS _____ DAY OF
_____, 2021.

PLANNING COMMISSION CHAIR

COMMUNITY DEVELOPMENT DIRECTOR

DAVID DOUGLAS SMITH DATE
PROFESSIONAL SURVEYOR #7121
IN THE STATE OF OHIO



THIS PLAT MADE PURSUANT TO SECTION 5713.16 OF THE OHIO REVISED CODE.

Drawing: 21-0136 CP	NEW LOT #4072 PART OF INLOT #202 CONGRESS LANDS WEST OF MIAMI RIVER SECTION 22, TOWN 5, RANGE 1 CITY OF OXFORD BUTLER COUNTY, OHIO
Scale: 1"=40'	
Drawn by: DDS	
Checked By: BRJ	
Issue Date: 07-28-21	LOT CONSOLIDATION

www.bayerbecker.com
318 S. College Avenue
Oxford, OH 45056 - 513.523.4270



MEMORANDUM
Community Development Department
513-524-5204

TO: Planning Commission

FROM: Sam Perry, AICP
Community Development Director

DATE: September 8, 2021

RE: **PC-2021-22 Lot Split**

The proposed lot split of property addressed as 117 Bishop Street would divide a 10,351 square foot parcel into one 6,187 square foot parcel and one 4,164 square foot parcel. The property has been owned by Adele Daake since 2004. This property was part of the 2017 re-zoning of portions of the Mile Square. The property was re-zoned from R2-MS to R3-MS in 2017. There is an existing building on the property that is registered with the Community Development Office as a Two-Family Rental.

An identical lot split to the one proposed herein was ***not approved*** in May. See enclosed letter dated May 20, 2021. This was reported to the Commission as an Administrative action at the July meeting, after the time period requesting additional info had transpired. A different applicant (Architect Scott Webb) submitted the same lot split proposal on August 4. There is no code prohibiting a re-application of a previously submitted/not approved lot split application. There is a partial hard surface parking area on the property that was installed at some unknown date. The splitting of this parcel would remove approximately half of that parking area. While the parking area is not compliant with the dimensional requirements of Zoning Code, the partial removal of it from the primary residence would decrease the degree of Zoning Code conformity.

The Code previously cited in the City's May 20, 2021 letter is not in the decision standards section of 1101.6. That section of City Code would likely have needed to be revised in order for the City to avoid a legal challenge with this lot split request. The staff and Chair have decided to place this item on the agenda for discussion because of the previous non-approval. Staff's assessment of this case is that the City has limited ability to request additional information or to not approve the lot split because of the provisions of the lot split decision standards. The split complies with the standards of 1101.6. Any zoning variance requests presented to the Board of Zoning Appeals as part of a construction project proposal, could likely be found to be self-created, as a result of the reduction in parcel size.



Community Development Department
Zoning Review
513-524-5204

May 20, 2021

Tara Jones
Robinson & Jones Co. LPA
421 S Locust Street Suite 203
Oxford, OH 45056

ALSO VIA EMAIL:
tjones@robinsonjoneslaw.com

RE: 117 Bishop Street (Case No. PPC-2021-14) – Additional Information Request

Dear Ms. Jones:

This letter is in regard to your lot split application for 117 Bishop Street received on April 20, 2021. The application cannot be administratively approved due to non-compliance with the following code provision(s):

1. Oxford Zoning Code **Section 1149.02(e)** specifies that any parking facilities serving existing buildings or uses shall not be reduced below the current Code requirements. The minimum number of required off-street parking spots for a two-family use is 4, per **Section 1149.05**. By splitting the lot as proposed, the existing off-street parking situation would be further reduced below the minimum parking requirement, thus making the situation more non-conforming. The proposed split line bisects the existing parking area, which is currently sub-standard.
2. Oxford Planning & Zoning Code **Section 1101 (105)(A)** requires that if other laws (as noted above) are at variance, the most restrictive shall govern. In this case, the more restrictive parking requirement governs.

If your client has a plan to clear the site or alter the current use, please let us know so that we may revise this determination and assist with procedural steps. If no response is provided within 30 days of this letter, the application will be closed. Depending on yours or your client's response back, appeal options may include Board of Zoning Appeals or Planning Commission/Council Variance/Exception. See potentially applicable code citations below:

Board of Zoning Appeals: **Section 1129.11** of the Oxford Zoning Code
Planning Commission/Council: **Section 1101 (106) (A)** of the Oxford Planning & Zoning Code

Please contact me if you have any questions. We would be happy to discuss further.

Respectfully,

Sam Perry, AICP
Community Development Director
sperry@cityofoxford.org



Internal Use Only:

Case No.

PC-2021-22

Date Filed

8/2/2021

Lot Split/Consolidation Application

Requested Action

Choose One



Lot Split (\$50)



Lot Consolidation (\$50)



Lot Split & Consolidation (\$100)

Applicant Information

Attach a Letter of Agency if the Applicant is not the property owner.

Name *

Scott Webb, Architect

Mailing Address *

103 West Walnut Street

City, State & Zip Code *

Oxford, Ohio 45056

Telephone Number(s) *

523-383

Email Address

scott@scottwebbarchitect.com

Surveyor Information

Name *

Dettmer Surveying

Mailing Address *

4069 Bramble Court

City, State & Zip Code *

Hamilton, Ohio 45011

Telephone Number(s) *

(513) 742-9890

Email Address

rmichael@dettmersurveying.com

Location and Lot Information

Location of Property *

117 Bishop Street

Legal Description *

Parcel #H4100006000164

Zoning District *

R3MS

Number of Lots *

2

Total Area *

.237

Acres

Submission Requirements and Documentation

From Chapter 1101 Subdivision Regulations, Attachment G¹.

No.	Required Item Description	Have	Need
1	8 plats (4 on 8.5" x 11" and 4 on 24" x 36" Bond Paper) 1 Mylar for County	☐	☐
2	Electronic version of all documentation submitted (PDF preferred)	☐	☐
3	Digital copy in Auto CAD format submitted on a CD. Shall utilize the NAD-83 Ohio South State Plane Coordinate System for horizontal control and the NAVD-1988 for vertical control. All subdivision boundary corners shall also be tied to the NAD-83 Ohio South State Plane Coordinate System and labeled with a northing and easting, as well as centerline intersections, temporary turn-around center points and easement centerline that does not follow a lot line. AutoCAD layouts shall be provided allowing for the reproduction of a complete set of plans as needed.	☐	☐

No.	Required Item Description	Have	Need
4	The name, mailing address, and telephone number of the applicant and owner.	☐	☐
5	Letter of Agency (A statement from the owner that the applicant is entitled to apply on his or her behalf)	☐	☐
6	Attach a written, detailed description of the request.	☐	☐
7	Metes and bounds description of the property (Legal Description).	☐	☐
8	Vicinity Map	☐	☐
9	The zoning district in which the site is located.	☐	☐
10	Required Fee.	☐	☐
11	Number of proposed lots.	☐	☐
12	Plat shall show the following:		
12	A. The seal, registry number and signature of the registered surveyor and professional engineer who prepared the plat.	☐	☐
12	B. The location of all present property lines, streets, alleys, rights-of-way, buildings, easements, lakes, watercourses and drainage ways.	☐	☐
12	C. Size of the tract in acres and square feet and the boundary lines along with the linear measurements.	☐	☐
12	D. The names and boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels including mailing addresses and parcel numbers within 200 feet of the site.	☐	☐
12	E. North point, scale and date.	☐	☐
12	F. Any portion of the floodplain as delineated by the Flood Insurance Rate Map (FIRM) must be clearly illustrated and labeled on the plat.	☐	☐
12	G. Exact location shall be shown for all buildings, septic tanks, wells or similar features with respect to existing or proposed lot lines or right-of-ways lines.	☐	☐
12	H. Other information as deemed necessary by staff in order to create building sites and promote the public health, safety and welfare.	☐	☐
12	I. Notification will be sent to direct abutters within two business days of the application filing. This notification will include comment forms.	☐	☐
12	J. Any existing building(s) to remain or to be razed.	☐	☐
13	Turn in proof of recording to City of Oxford Community Development Department		

Fees & Receipt

The fees are:

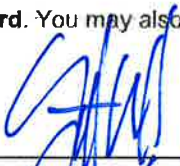
- Lot Split – \$50
- Lot Consolidation – \$50
- Lot Split & Consolidation – \$100

Write a check payable to **City of Oxford**. You may also pay in-person using Visa, MasterCard, and Discover.

Sign and Date

Applicant Signature *

Date *




Submit Application, Plans and Documentation, and Fees

We will not accept incomplete applications and/or plans and documentation.

Send or drop off this application with the original and required copies of the plat and a check for fee and postage charges made payable to **City of Oxford**, to Community Development Director, 15 South College Avenue, Oxford, OH 45056.

Direct questions to the Community Development Department at (513) 524-5204. The application will be placed on the next possible agenda.

Note: Per Planning and Zoning Code 1101.600(E) ¹, all minor resubdivision(s), lot split(s) or lot consolidation(s) shall submit proof of recording to the Community Development Department.

For Staff Use Only

Date of Submission * 8/2/2021

Date Signed Plat Due to Applicant (15 Days) * _____

Fee * \$ 50.00

Fee Paid Date * 8/2/2021

Receipt Number * _____

Volume/Page Number * _____

¹ City of Oxford Codified Ordinances: <http://www.cityofoxford.org/fees-ordinances-and-charter>

LETTER OF AGENCY

To Whom It May Concern:

Please be advised that Scott Webb, Architect has permission to represent our interest with the City of Oxford's Planning Commission regarding a Lot Split at 117 Bishop Street.

Thank you,

Signed:



Adele Daake

8/5/21

Date:

Planning Commission
City of Oxford
15 South College Avenue
Oxford, Ohio 45056



SCOTT
WEBB

ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(513) 523-3838

www.scottwebbarchitect.com

Re: Proposed Lot Split
117 Bishop Street, creating a new lot
Facing Withrow Street.

August 2, 2021

Commission Members

Please accept this letter as a formal petition Planning Commission for a Lot Split in the R3MS Two Family Zoning District. The proposal at hand splits a large Mile Square lot into (1) compliant 2-Family lot containing an historic Arts & Crafts house and a new single family lot for development, with frontage along East Withrow Street.

The current lot exceeds the minimum requirements for a 3-family structure, and the owners have the option of redeveloping the lot in the manner allowed by the Zoning Code.

A request was made for a Staff review of the proposed Lot Split. The proposal was reviewed and rejected based on the reduction of the parking area for the original, primary lot. In a subsequent meeting with Sam Perry, I explained the desire to keep the original house, wherein he suggested Planning Commission may consider additional factors.

The Subdivision Code governs all splitting and consolidation of lots and prescribes the following standards for consideration:

1101.6 Minor Resubdivisions, Lot Splits and Lot Consolidation

The zoning administrator and chair of the planning commission shall, acting for the planning commission; mutually approve the minor resubdivision, lot split or consolidation if the proposed division or combination of land meets all of the following conditions:

1. *The proposed minor resubdivision, lot split or consolidation is located along an existing public street and involves no opening, widening or extension of any street or road, and in the case of residential lots, does not involve the creation of any easement for access.*

New lot has frontage along West Withrow street and requires no extensions or easements.

2. *The proposed minor resubdivision, lot split or consolidation meets the dimensional requirement of the underlying district or a minimum of 3,000 square feet of lot size if the underlying district does;*

Lot split creates (2) R3MS compliant lots:

- (1) 2-family for existing 2-family structure
- (1) single family for future development.

3. *The physical characteristics of the property are suitable for building sites.*

The New Single Family lot is suitable for building.

4. *There is no division or allocation of land for parks and open spaces as required by these regulations.;*

Not Applicable.

5. *New lots to be created which are five acres or larger in size and located along an existing public road are exempt from this chapter;*

Not Applicable.

6. *The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites are exempt from this chapter. The following statement shall be included on the record plat: "not to be transferred as an independent parcel in the future without planning commission approval";*

Not Applicable.

7. *No more than two (2) new lots shall be created;*

One existing lot is being split creating (1) new lot

Thank you for your consideration of this application. If you have any questions or need any additional information, please call.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Scott Webb', is written over a light blue rectangular background.

Scott Webb, Architect

REVISIONS.	DATE:	BY:

 $(66' R/W)$

(66' R/W)

DATE: 7/10/2020

I hereby certify that this plat represents a true and complete survey made under my supervision and all monuments have been set as shown.

R. MICHAEL DETTMER REG. NO. 8078

MIAMI POPLAR RENTALS LLC
#117 NORTH BISHOP STREET
OXFORD, OHIO

DETTMER
SURVEYING
4069 BRAMBLE COURT HAMILTON, OHIO 45011 (513)-742-9890
www.dettmersurveying.com

JOB No. 20200127
DATE: 7/10/2020
SCALE: 1"= 20'
DRAWN BY: RMD

LOT SPLIT

(R2MS ZONING DISTRICT)

OVERALL LOT AREA PRIOR TO SPLIT:	10,351 SF
PROPOSED 2-FAMILY LOT (MIN. 6,000 SF.):	6,181 SF
OVERALL LOT WIDTH: (60' MIN. FOR 2-FAMILY)	83.83 FT
PROPOSED SINGLE-FAMILY LOT (MIN. 4,000 SF.):	4,164 SF
OVERALL LOT WIDTH: (40' MIN. FOR 1-FAMILY)	50.00 FT

1101.6 MINOR RESUBDIVISIONS, LOT SPLITS AND LOT CONSOLIDATION

THE ZONING ADMINISTRATOR AND CHAIR OF THE PLANNING COMMISSION SHALL, ACTING FOR THE PLANNING COMMISSION, MUTUALLY APPROVE THE MINOR RESUBDIVISION LOT SPLIT OR CONSOLIDATION IF THE PROPOSED DIVISION OR COMBINATION OF LAND MEETS ALL OF THE FOLLOWING CONDITIONS:

1. THE PROPOSED MINOR RESUBDIVISION, LOT SPLIT OR CONSOLIDATION IS LOCATED ALONG AN EXISTING PUBLIC STREET AND INVOLVES NO OPENING, WIDENING OR EXTENSION OF ANY STREET OR ROAD, AND IN THE CASE OF RESIDENTIAL LOTS, DOES NOT INVOLVE THE CREATION OF ANY EASEMENT FOR ACCESS.

NEW LOT HAS FRONTAGE ALONG WEST WITHROW STREET AND REQUIRES NO EXTENSIONS OR EASEMENTS

2. THE PROPOSED MINOR RESUBDIVISION, LOT SPLIT OR CONSOLIDATION MEETS THE DIMENSIONAL REQUIREMENT OF THE UNDERLYING DISTRICT OR A MINIMUM OF 3,000 SQUARE FEET OF LOT SIZE IF THE UNDERLYING DISTRICT DOES

LOT SPLIT CREATES (2) R3MS COMPLIANT LOTS:

- (1) 2-FAMILY FOR EXISTING 2-FAMILY STRUCTURE
- (1) SINGLE FAMILY FOR FUTURE DEVELOPMENT

3. THE PHYSICAL CHARACTERISTICS OF THE PROPERTY ARE SUITABLE FOR BUILDING SITES.

THE NEW SINGLE FAMILY LOT IS SUITABLE FOR BUILDING

4. THERE IS NO DIVISION OR ALLOCATION OF LAND FOR PARKS AND OPEN SPACES AS REQUIRED BY THESE REGULATIONS.

N/A

5. NEW LOTS TO BE CREATED WHICH ARE FIVE ACRES OR LARGER IN SIZE AND LOCATED ALONG AN EXISTING PUBLIC ROAD ARE EXEMPT FROM THIS CHAPTER

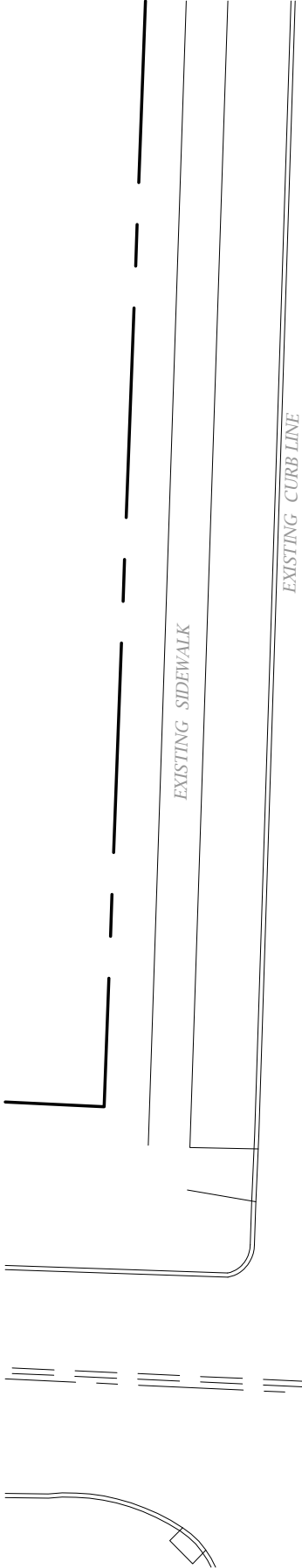
N/A

6. THE SALE OR EXCHANGE OF PARCELS BETWEEN ADJOINING LOT OWNERS WHERE THAT SALE OR EXCHANGE DOES NOT CREATE ADDITIONAL BUILDING SITES ARE EXEMPT FROM THIS CHAPTER. THE FOLLOWING STATEMENT SHALL BE INCLUDED ON THE RECORD PLAT: 'NOT TO BE TRANSFERRED AS AN INDEPENDENT PARCEL IN THE FUTURE WITHOUT PLANNING COMMISSION APPROVAL.'

N/A

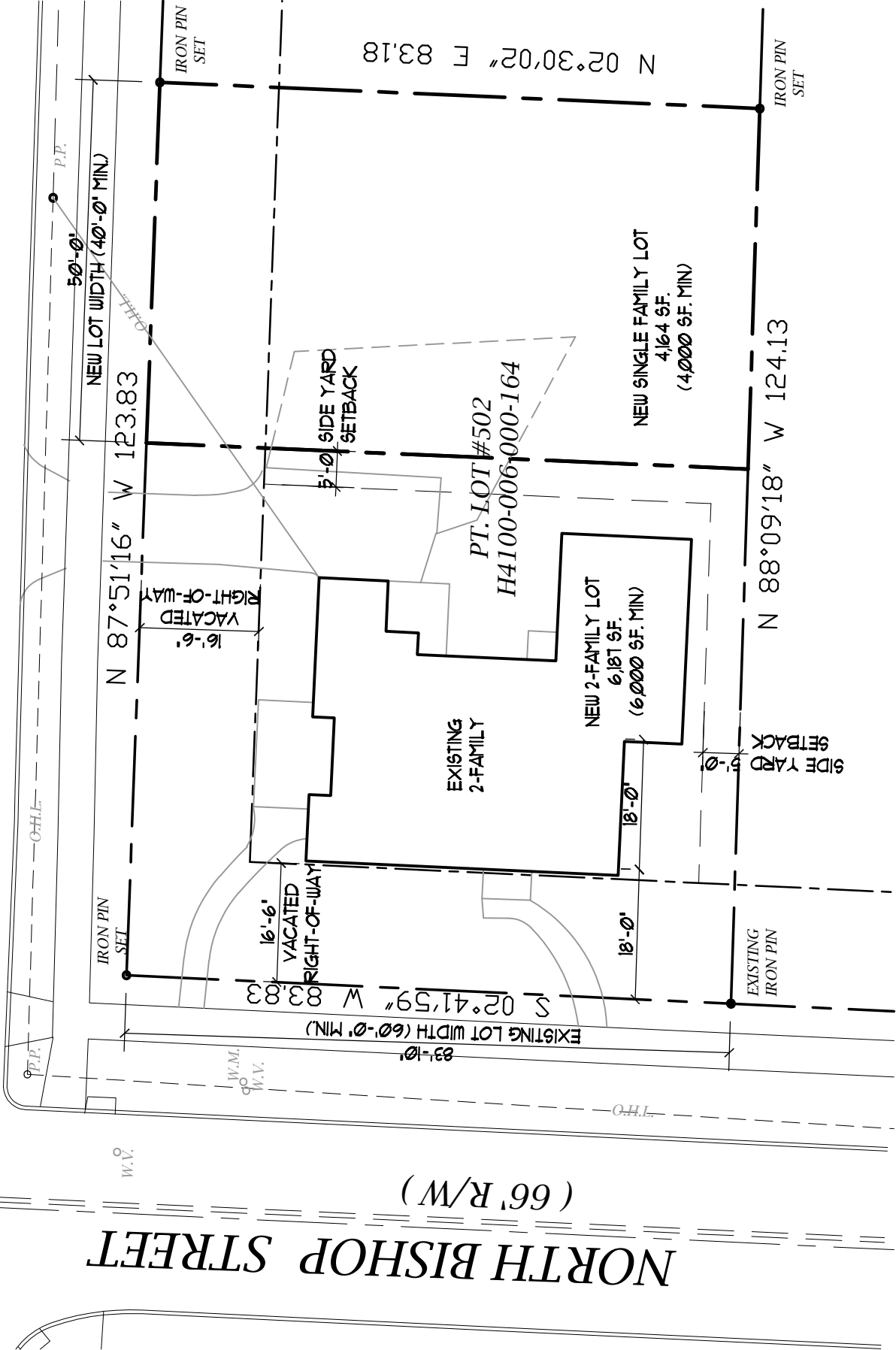
7. NO MORE THAN TWO (2) NEW LOTS SHALL BE CREATED.

ONE EXISTING LOT IS BEING SPLIT CREATING (1) NEW LOT



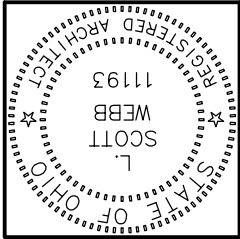
WITHROW STREET

(66' R/W)



LOT SPLIT

1" = 20'-0"





SCOTT
WEBB
ARCHITECT

103 West Walnut Street
Oxford, Ohio 45056
(613) 523-3838
www.scottwebbarchitect.com

PROPOSED LOT SPLIT

117 Bishop Street

OXFORD, OHIO 45056

DATE	February 4, 2021
REVISIONS	

A=1