



UNION TOWNSHIP BOARD OF TRUSTEES  
DECEMBER 12<sup>TH</sup>, 2023 MEETING

## OVERLAY DISTRICT PLAN

CHARLES FRANCUS, Applicant  
1136 OLD STATE ROUTE 74



### *Staff Report: CASE # 13-23-O*

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#### **NATURE OF REQUEST**

The Applicant is requesting Overlay District Plan Approval from the Union Township Board of Trustees for Parcel# 414802A092. Specifically, the Applicant is seeking the establishment of a storage facility—on a 0.99-acre site that is located within the Summerside / Willowville Mixed Use Focus Area Overlay – Commercial Corridor (FA-NQC). *\*Please refer to the Applicant's statements, plans, and other application enclosures.*

#### **LOCATION**

The subject property is located at 1136 Old State Route 74, approximately equidistant (~600 feet) between the Old State Route 74 and Schoolhouse Road intersection and the Old State Route 74 and Kitty Lane intersection on the northern side of the road. Old State Route 74 is a Minor Arterial 2-lane roadway with a left-turn lane (in the center), and with a traffic volume of approximately 10,836 average daily trips (ADT) in the area of the proposed project.

#### **ZONING**

The subject property is zoned Business (B-1), with the adjoining property to the north, east and west also zoned Business (B-1) for the underlying zoning. The property to the southwest is zoned Planned Development (PD)—which is part of the Holman Motors facility.

#### **RELATIONSHIP TO THE HORIZON 2030: UNION TOWNSHIP COMPREHENSIVE LAND USE PLAN**

The Horizon 2030: Union Township Comprehensive Land Use Plan indicates that the proposal is located within the Old SR 74 (Summerside / Willowville) Corridor. The Plan acknowledges that this area of the Township is suitable for limited commercial expansion / redevelopment, provided that smaller, fragmented parcels are consolidated under a cohesive development plan with limited / coordinated access, land use controls, etc. *The Plan also indicates that the northern portion of the corridor is most appropriate for neighborhood-oriented uses.*

Among other things, the Horizon 2030: Union Township Comprehensive Land Use Plan calls for shared driveway configurations whenever practical, and for site development to be conducted in a manner that focuses on maximizing land use efficiency with infill development strategies for underutilized properties. For commercial development and redevelopment, the use of traditional building materials, and the deployment of adequate vegetative buffering and landscaping strategies along shared property lines, and the addition of landscaping enhancements along the corridor frontage is required. Additionally, the Plan indicates that new developments and expansion efforts along the corridor must implement noise and / or light pollution reduction strategies wherever practicable.

### **RELATIONSHIP TO THE FOCUS OVERLAY DISTRICT REGULATIONS**

As noted in the previous section of the staff report, the affected property is located within the Summerside / Willowville Corridor. Article 13 of the Union Township Zoning Resolution identifies this corridor as a “Neighborhood Quality Corridor,” and makes these statements with respect to these Districts:

#### **1306. Focus Area Overlay–Neighborhood Quality Districts**

Focus Area Overlay (FA) Neighborhood Quality Districts shall be identified as FA-NQ Overlay Districts.

##### **1. Findings and Specific Purpose**

Balancing the benefits of growth and development of neighborhood support services with the livability of adjacent residential neighborhoods over and above as provided by conventional zoning regulations as follows:

- a. To support convenience to services and quality of environment by providing sufficient land for public and private services and educational and research institutions.
- b. To require the development and maintenance of buffer yards on institutional and other nonresidential properties to protect adjoining residential neighborhoods from the noise, glare and congestion associated with the intensity of diverse land uses;
- c. To promote compatibility between nonresidential uses and surrounding residential uses, and;
- d. To plan for unusual intensity or density of development.

##### **2. Characteristics**

FA-NQ districts shall be limited to geographic areas which contain or are planned to contain all of the following characteristics:

- a. Land uses including or adjacent to neighborhood retail and support services (for example hospitals, clinics, educational facilities, and research facilities) or other institutional uses;
- b. Close proximity of diverse land uses to a residential neighborhood.

##### **3. Designation.**

The FA-Neighborhood Quality Districts which meet the characteristics are the Mt. Carmel-Tobasco Mixed Use Corridor and the Old State Route 74 Summerside / Willowville Corridor.

## **BACKGROUND**

The property currently consists of a vacant gravel lot with limited, overgrown vegetation and a single storage container on the site. Analysis of previous aerials indicate that the property has been primarily used for limited outside / outdoor storage for the past 10+ years. The majority of surrounding property primarily consists of businesses, with multi-family being located directly to the rear of the property.

## **STAFF REVIEW & ANALYSIS**

A review of the ‘preferred’ conceptual site plan indicates that there are three (3) single-story, self-drive-up storage unit buildings proposed for this property. The current application shows three (3) proposed structures being: 30 feet x 160 feet (rear), 30 feet x 180 feet (middle), and 20 feet x 140 feet (front). In total, the Applicant is requesting 13,000 square feet of storage building space on the lot. *The majority of surface proposed on the site is gravel—which would require relief.* However, the Applicant has shown a paved entrance area into the site, in an attempt to restrict gravel from leaving the property. As the current plan shows, front yard setback relief would be needed, with the proposed front structure being located approximately 27 feet away from the front property line—*instead of the required 40-foot front yard setback.* Although the property to the rear of this site is zoned Business (B-1), it is being used for multi-family residential purposes. Therefore, rear yard setback relief would also be needed as the proposed rear building is shown on the current plan as being located approximately 35 feet away from the rear property line—*instead of the required 100-foot front yard setback.* Currently, there is no specific information regarding the proposed building materials, to ensure that at least half of visible building faces from Old State Route 74 meet or exceed the Township’s requirements regarding the use of high-quality, traditional building materials (as set forth in the Zoning Resolution and Comprehensive Plan for this particular Corridor). There has not been a signage package submitted and although some details have been provided with respect to proposed landscaping along the front and rear of the site, a formal landscaping / buffer yard plan has not been submitted. Finally, there has been no lighting plan submitted; however, the Applicant has noted that the proposed facility will feature solar lighting.

Additionally, the Applicant has submitted an ‘alternative’ conceptual site plan to request an increased intensity to the pre-existing, non-conforming outside storage use on the property—if the ‘preferred’ conceptual site plan with the three (3) storage buildings is deemed unacceptable. Although the building material and building setback issues would potentially be removed for consideration of such an ‘alternative’ plan, there would be additional compliance issues and / or concerns with respect to the Union Township Zoning Resolution: Article 5, Section 532 (Parking and Storage of Vehicles and Trailers); Section 716 (Long-Term Parking Facilities as Accessory Uses); Article 8, Section 801 (Off-Street Parking Design Standards); and conceivably Article 8, Section 805 (Parking of Disabled Vehicles). Furthermore, Article 6, Section 661 of the Zoning Resolution recognizes that parking and storage—of automobile, motorcycle, truck, trailer, farm implements, etc.—may be allowed in Business (B-1) districts under certain circumstances, if such storage is situated in a completely enclosed building or facility. Outdoor vehicle storage areas are not recognized directly in the text, so Section 664 has been typically reserved / referenced for uses not specifically / otherwise identified in the ordinance text.

## **ACTION REQUIRED**

In accordance with Section 1310 of the Zoning Resolution, the Board of Trustees' role in this process is to either enter a motion to approve, modify, or deny the Focus Area Overlay District application—as submitted, along with any further modifications deemed appropriate by the Board.

## **RECOMMENDED MODIFICATIONS**

If the Board should choose to grant favorable consideration to this Overlay District application, staff recommends that these additional items be modified and / or otherwise be adequately addressed prior to final Township action:

- 1) The Applicant would need to address any concerns of the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department (including Water Management and Sediment Control), the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action.
- 2) The Applicant would need to provide a more detailed landscaping plan—including more information regarding the types of the proposed plantings, and details regarding proposed fencing. Additionally, all *existing* landscaping to remain and proposed landscaping should be marked as preservation area(s), and any vegetation disturbed should be repaired, supplemented, or replaced. *This is an item that can be addressed administratively by staff.*
- 3) A signage plan would ultimately need to be submitted. All free-standing signage should be limited to monument signage, capped at a height of not more than 10' from finished grade, *subject to administrative review and approval.*
- 4) A photometric / site lighting plan would ultimately need to be submitted. All lighting would also need to be noted as being downward directed, and of sufficient intensity to illuminate without projecting onto the adjoining property. \*Details / specs of proposed lighting would be necessary. *This is an item that could be addressed administratively by staff.*
- 5) No outdoor short-term, long-term, or overnight storage of any kind should be permitted if storage buildings would be authorized; all storage would need to occur within permitted principal structures.
- 6) Unless relief is given, at least fifty-percent (50%) of the proposed building materials visible from Old State Route 74 need to be traditional building materials or high-quality building materials, as defined in the Zoning Resolution, and to demonstrate consistency with the Focus Overlay District Area and the Comprehensive Plan. To date, no information has been submitted to acknowledge the intended building materials. *This is an item that could be addressed administratively by staff.*

- 7) As of **December 4<sup>th</sup>, 2023**, there are a number of administrative items related to the Site Plan requirements set forth in Article 11, Section 1131 of the Union Township Zoning Resolution that would also ultimately need to be addressed, prior to the issuance of a subsequent (commercial) zoning permit by the staff. *This is an item that could be addressed administratively by staff.*

### III. SUPPORTING DOCUMENTS REQUIRED FOR APPLICATION

1. Photocopy of tax map with subject property highlighted.
2. Legal description of property (see deed).
3. Development plans.
4. Application fee as established by the Township Trustees.

### IV. SUPPORTING INFORMATION

A. Existing Zoning District Business 1

Existing Land Use Outdoor storage

Proposed Focus Area District and Classification Category \_\_\_\_\_

Proposed Land Use Indoor storage

B. Describe the characteristics of the Parcel/Project for consideration by the Board of Trustees (use additional sheet if necessary):

An automated self-storage facility consisting of 3, single story drive-up self storage buildings.

Alternatively, if setback relief is not granted, the lot will continue to be outdoor storage and we request  
a change of intensity to facilitate upgrading the function and visual appearance of the property.

LOT #81

LOT #80

LOT #79

LOT #78

LOT #85

LOT #88

# LEGEND

- EXISTING MULTI-UTILITY POLE
- EXISTING GAS VALVE
- EXISTING WATER METER
- EXISTING SANITARY CLEAN OUT
- 5/8" IRON PIN FOUND
- MAG NAIL SET
- SPIKE SET

5' landscape buffer with min.  
3' tall shrubs

15' landscape buffer  
existing vegetation

Rear setback

From existing fence: 34'  
From property line: 35'

EXISTING DRAINAGE EASEMENT

MINIMUM BLDG. SETBACK LINE

MINIMUM BLDG. SETBACK LINE

EXISTING  
ON SITE SEPTIC  
SYSTEM AREA

Building 3: 160' x 30'

EXISTING  
GRAVEL AREA

Building 2: 180' x 30'

OLD LOT #87

Building 1: 140' x 20'

BLDG. SETBACK LINE

EXISTING  
GRAVEL AREA

EXISTING  
CHAIN LINK FENCE

EXISTING  
CHAIN LINK FENCE

MINIMUM BLDG. SETBACK LINE

Requested front yard setback  
From existing fence: 27'  
From previous ROW: 35'

New paved  
driveway

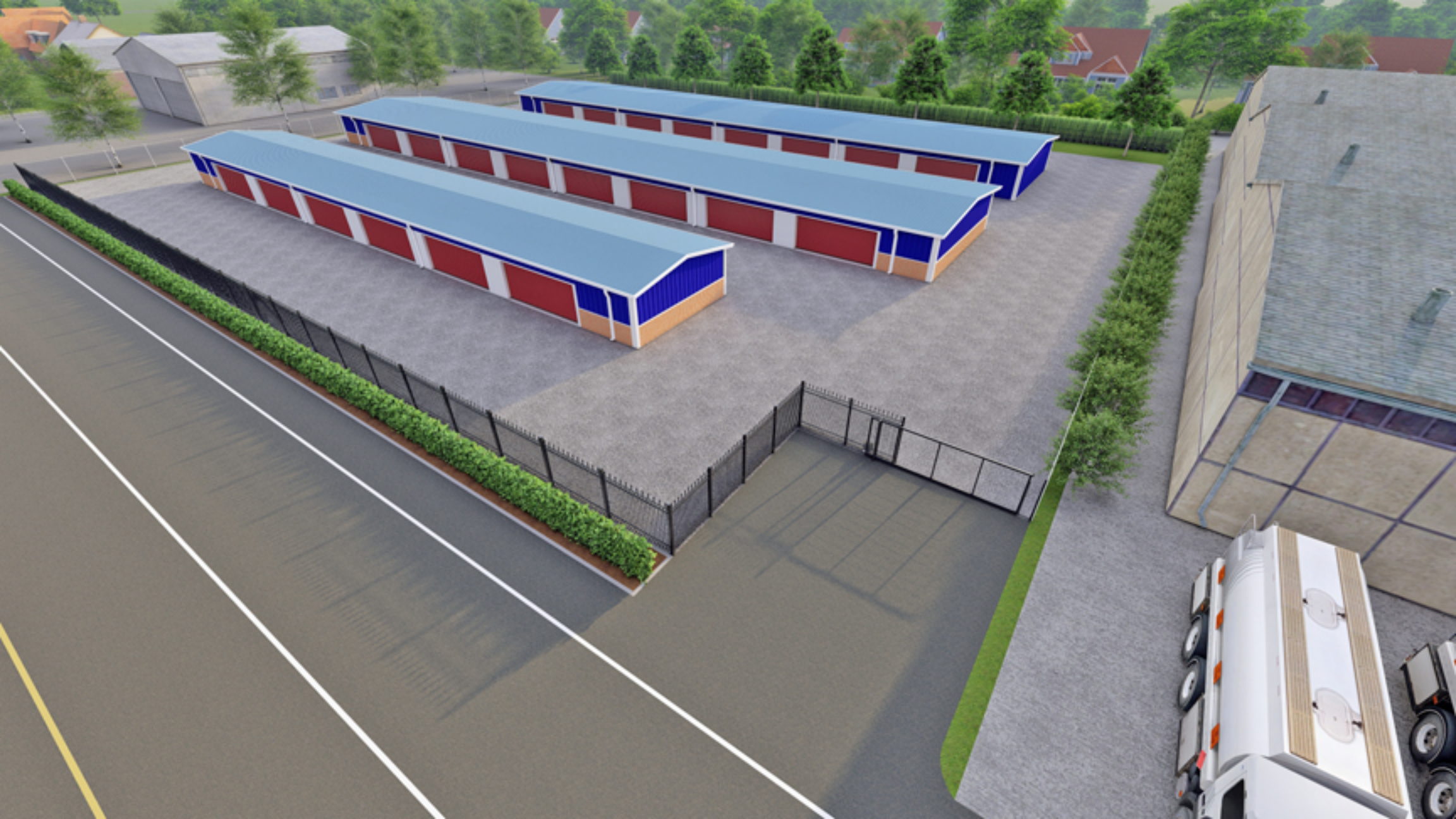
OLD STATE ROUTE 74

## GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.





## **Parcel ID 414802A092 zoning variance request**

### **Supplemental information**

#### **LEGAL DESCRIPTION**

Auditor's Parcel No. 41-31-03-1277

##### **EXHIBIT A**

Situated in Union Township, Clermont County, State of Ohio, and in Darby's Survey No. 2058 and more particularly described as follows:

Beginning at the intersection of the east line of Elick Lane and the center line of State Route 74; thence with the east line of Elick Lane South 47 deg. 01' West 562.05 feet to a stake; thence North 43 deg. 01' West 100.00 feet to a stake, the beginning corner of the following described property; thence leaving Elick Lane South 47 deg. 33' West 217.81 feet to a stake; thence North 43 deg. 01' West 100.00 feet to a stake; thence North 47 deg. 33' East 217.81 feet to a stake on the south line of Elick Lane; thence with said line South 43 deg. 01' East 100.00 feet to the place of beginning. Containing 0.500 acres, more or less.

#### **DESCRIPTION AND PROPOSED USE (PREFERRED)**

Our goal is to convert an existing lot, that has been historically used for outdoor storage, into an indoor storage facility. The property is currently an unkept eyesore along a road of similarly neglected properties. This is an opportunity to improve the visual appeal of the area while generating tax revenue. It is my opinion that the property is currently not suitable for other forms of useful business due to the condition of neighboring properties, a drop in traffic as a result of the route 32 project, and lack of sewer service. Self storage would provide a viable way to turn this otherwise neglected parcel into a properly maintained and tax generating business that provides a valuable service to the community.

The following efforts will be made to dramatically improve the curb appeal:

- Fence repair and removal of barbed wire
- Addition of landscaping (mulch beds and shrubs) along St. Rt. 74 where permitted
- Cleanup and removal of brush/weeds/overgrowth
- Paved driveway access to the property (currently gravel)
- Improved security with cameras + solar lighting
- High quality building materials would be used in compliance with current zoning regulations

## REQUESTED VARIANCES

In order to accomplish this, we respectfully ask for your assistance in providing the following variances:

### Setbacks

**Front** – Building 1 will be approximately 2<sup>7</sup>5' from the property line. We also intend to repair/replace sections of the existing fence and revert the driveway/gate configuration to the original layout represented in the survey.

**Back** – Although the rear of the property borders a business zoned property, the neighboring property is being used as residential in the form of a multi-unit apartment building. A 35' setback from the property line is requested. Screening in the form of the existing vegetation, or evergreen vegetation or physical 6' (slat or similar) fence screening will be used on the rear fence that borders the lot being used for residential.

### Paving

The property is currently all gravel. Our intent is to pave the entry from St. Rt. 74 using concrete or asphalt, and retain the existing gravel within the fenced area.

### Lighting

No variance is requested

### Signage

No variance is requested

## DESCRIPTION AND PROPOSED USE (ALTERNATIVE)

In lieu of constructing self storage buildings, a request to increase the intensity of the pre-existing non-conforming use is requested.

The property would be cleaned up and properly maintained. Including, but not limited to, removal of barbed wire, repair of fencing, the addition of mulch beds and landscaping, as well as security in the form of cameras and lighting. Parking spaces would be designated for 50-80 vehicles in a variety of sizes.

48,000<sup>17</sup>  
54,000<sup>17</sup>  
28,000<sup>17</sup>  
Front Bldg  
Middle Bldg  
Rear Bldg  
13,000<sup>17</sup>

AWP PROPERTIES LTD  
414802.084.  
0.53 AC

EASTSIDE  
CENTER INC  
414802.085.

LFS REALTY, LLC  
414802A092.  
0.99 AC

CORNWELL  
JOSEPH &  
MEGHAN J  
414802.080.

CORNWELL JOSEPH  
A/B, MEGHAN J  
414802.079.

JGB APARTMENTS LLC  
414802.078.

DORNHEGGEN  
JASON F  
414802.088.  
0.53 AC

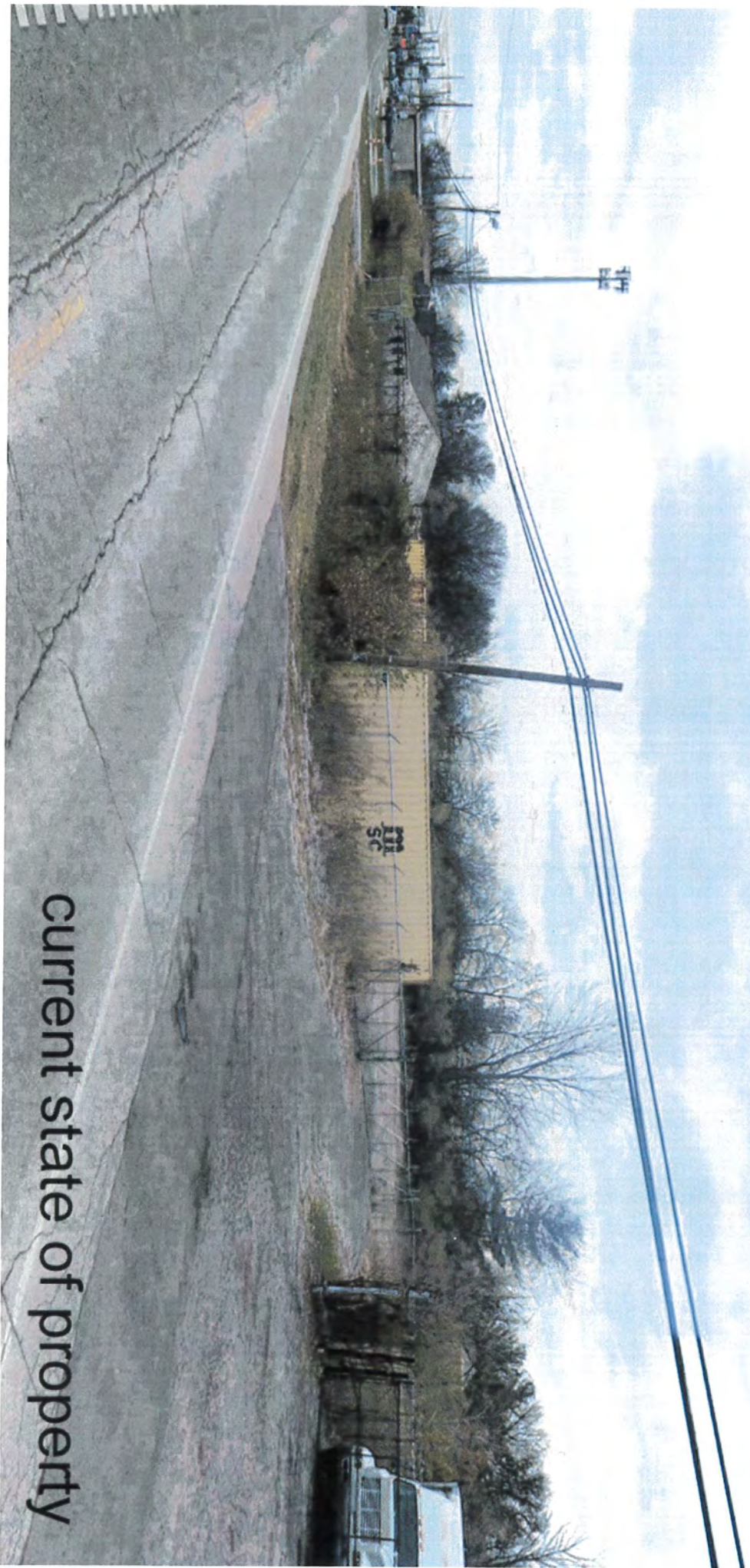
HOLMAN BROTHERS  
REAL ESTATE, LLC  
4131048074.  
32.846 AC

ROW

ROW

SOUTHWEST OHIO PR  
PRESERVATION L  
414802B093.  
0.984 AC

PROPT  
414  
0



current state of property



**REQUESTED FRONT SETBACK**  
3 neighboring buildings are closer to the road

LOT #81

LOT #80

LOT #79

LOT #78

LOT #85

LOT #88

# LEGEND

- EXISTING MULTI-UTILITY POLE
- EXISTING GAS VALVE
- EXISTING WATER METER
- EXISTING SANITARY CLEAN OUT
- 5/8" IRON PIN FOUND
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15' landscape buffer  
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SYSTEM AREA

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EXISTING  
CHAIN LINK FENCE

EXISTING  
CHAIN LINK FENCE

MINIMUM BLDG. SETBACK LINE

Requested front yard setback  
From existing fence: 27'  
From previous ROW: 35'

New paved  
driveway

OLD STATE ROUTE 74

## GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

# **OUTDOOR VEHICLE STORAGE VARIATION**

Alternative plan  
for consideration in  
place of setback  
variances

LOT #85

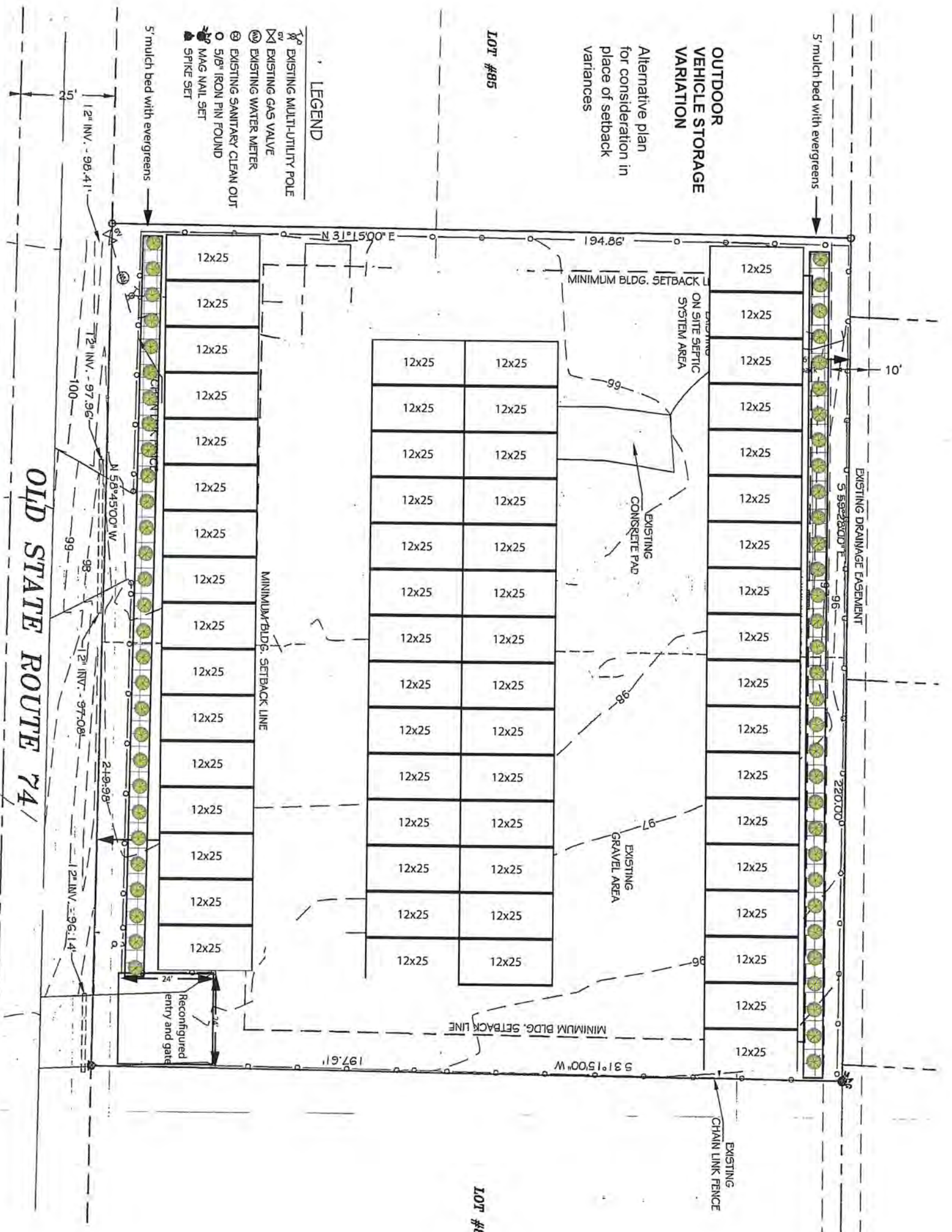
LOT #4

## **LEGEND**

- ⊗ EXISTING MULTI-UTILITY POLE
- ⊗ EXISTING GAS VALVE
- ⊗ EXISTING WATER METER
- ⊗ EXISTING SANITARY CLEAN OUT
- ⊗ 5/8" IRON PIN FOUND
- ⊗ MAG NAIL SET
- ⊗ SPIKE SET

5' mulch bed with evergreens

5' mulch bed with evergreens



OLD STATE ROUTE 74