



UNION TOWNSHIP BOARD OF TRUSTEES  
MARCH 12<sup>TH</sup>, 2024 MEETING

## OVERLAY DISTRICT PLAN

ANDREW HESSEL, Applicant  
497 ROUND BOTTOM RD.



### ***Staff Report: CASE # 3-24-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 393109B047. Specifically, the Applicant is seeking to expand the Hessel Stone facilities by adding a 1,280 square-foot office and storage building—on a 3-acre site that is located within the Little Miami – Lower East Fork Focus Area Overlay – Natural Resource Corridor (FA-NRC). *\*Please refer to the Applicant's statements, plans, and other application enclosures.*

#### **LOCATION**

The subject property is located at 497 Round Bottom Rd., approximately 2,200 feet southwest of the Round Bottom Rd. and South Milford Rd. intersection.

#### **ZONING**

The subject property is zoned Industrial (M-1), with the adjoining property to the east and southeast also zoned as Industrial (M-1), for the underlying zoning. The property to the north, west, and southwest is zoned Estate Residential (ER).

#### **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 Little Miami- Lower East Fork Corridor. During the previously adopted comprehensive planning effort, this Corridor was identified as an environmentally sensitive area, with large portions of the area contained within areas prone to irregular flooding from the Lower East Fork of the Little Miami River. The area remains primarily zoned for residential and industrial use, with rural settlement patterns and large lot sizes dominating the landscape.

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

As noted previously, the affected property is located within the Little Miami- Lower East Fork Focus Area Overlay District. Article 13 of the Union Township Zoning Resolution identifies this corridor as a “Natural Resource Corridor,” and makes these statements with respect to these Districts:

### **1305. Focus Areas Overlay-Natural Resource Districts...**

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

Natural resources are an important component of quality of life for all residents in the Township. When irreplaceable natural features are threatened, their preservation should be weighed and evaluated in relation to public and private interests.

- a. The existence of a twenty (20%) percent slope, in combination with Miamitown Shale or Kope geologic formation, is evidence of a condition of natural critical stability, and development under conventional regulations may precipitate landslides or excessive soil erosion. Additional regulations are needed to preserve the prominent views from the top or from the slopes of the hillside and the natural contours thereof.
- b. Hillsides, as community separators or boundaries, are historic aids to the identification of residential communities which help citizens to relate to their communities and to relate the social organizations of communities to their physical environments.
- c. The location of natural resources often coincides with prime development sites. Long term benefits of conserving natural resources in a metropolitan area can be achieved through innovative development regulations based on comprehensive plans.

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

FA-NR districts shall be limited to geographic areas containing one (1) or more of the following characteristics:

- a. Lakes, rivers, floodplains, wetlands, mineral deposits, aquifers, forests, parks, or hillsides (twenty [20%] percent slope or greater) or other natural features of significant public interest:
- b. Existence of Miamitown Shale or Kope geologic formations or soils classified as having severe constraints for development;
- c. Prominent hillsides and natural resources which are readily viewable from a public thoroughfare;
- d. Scenic areas providing views of a major stream or valley or other natural resource;
- e. Hillsides and other natural features functioning as community separators or community boundaries;
- f. Hillsides which support a substantial natural wooded cover...”

## **BACKGROUND**

The property is located in the northwestern portion of the Township on Round Bottom Road and appears to have been zoned Industrial (M-1) since the inception of local zoning. Hessel Stone initially located on the affected property between 2021 and 2022 and has been on the site ever since. A 4,480 square-foot storage building was approved for the eastern portion of this site in August of 2023—with construction set to begin early this month. As noted earlier, the Applicant is seeking to construct a 1,280 square-foot office and storage building on the western portion of the property.

## **STAFF REVIEW & ANALYSIS**

A review of the proposal indicates that the proposed use is consistent with the zoning district in which it is located (M-1)—and that it is not in conflict with the adopted land use plan for the Little Miami – Lower East Fork Corridor. The land use plan identifies that some industrial uses are already present in the area and should be supported to the extent practicable. The plan also allows for lower intensity industrial uses throughout the corridor, with some infill uses, provided that natural resources are protected. To that end, this request does not impact a hillside or area with twenty (20%) percent slope or greater, and does not involve an area that has been identified as having significant natural resources. Although the property does lie within the 100-year floodplain of the East Fork Little Miami River, the proposed new building does not affect the use of the site. *If not for the fact that the property abuts an Estate Residential Zoning District to the north and west, this application / request could have been authorized in an administrative manner, like the aforementioned storage building on the eastern portion of the property.*

In terms of other items to consider, the proposed structure appears to be consistent with those in the surrounding area, from an architectural standpoint. At this time, there are no anticipated changes related to signage, parking, or access to the site as a result of this project—and a reduction to the outside storage is expected (as the proposed new buildings would actually enclose a significant amount of the existing outside storage). Therefore, the requested use is considered reasonable by staff.

## **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—which, in this case consists of an expansion of the Hessel Stone facilities by adding a 1,280 square-foot office and storage building—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 must address any immediate concerns of the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department, the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action—*particularly those involving floodplain mitigation and / or stormwater management, if applicable.*
- 2) Details regarding the proposed lighting will need to be submitted, with any proposed lighting indicated as being “downward directed, fully shielded and dark sky compliant.”
- 3) As of March 4<sup>th</sup>, 2024, 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 certificate 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 Union Township / Milford E/S/D  
 Existing Land Use Stone Fabricating Shop  
 Proposed Focus Area District and Classification Category not changing  
 Proposed Land Use not changing

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

Hessel Stone Fabricating is requesting permission to add a new structure to the property for storage and personal office space use. The second floor of the building will be personal space for the owner. The first floor of the building will be storage space for stone samples, equipment and paperwork. The building will have electric, but no plumbing.

## V. AFFIDAVIT

I hereby depose and say that I have familiarized myself with the rules and regulations of the Union Township Zoning Resolution with respect to preparing this application. I hereby certify that I have read the foregoing document and supplements attached thereto and that I have answered all questions fully and to the best of my ability. I hereby attest to the truth and exactness of the information supplied herewith and that I am the owner or lessee of the property to be rezoned.

\_\_\_\_\_  
Applicant\*

\*If the property is owned by a corporation or partnership, signatory must be an authorized officer or partner.

STATE OF Ohio

COUNTY OF Hamilton

Subscribed and sworn to before me this 17th day of February, of this year 2024.

a \_\_\_\_\_  
Notary Public



**ALLISA JANAY JOHNSON**  
Notary Public, State of Ohio  
My Commission Expires  
October 27, 2026

My commission expires October 27, 2026

## Hessel Stone Fabricating Proposal for storage building - For approval of an overlay district plan

### Parcel Data

- a) Auditor's parcel number
  - a. 39-31-09B-047 (3 acres)
- b) Parcel is bordered by Round Bottom Road and the railroad drainage ditch.
- c) Parcel is not split.
- d) Parcel is not split.
- e) Parcel is 3 acres.
- f) On the east side, parcel is bordered by Ancor Rental Company.  
On the south side, parcel is bordered the railroad and on the other side of the railroad by RC3 Holdings, LLC as well as *private residences*.  
On the north side, the parcel is bordered by Round Bottom Road and the Little Miami river.  
On the west side, the parcel is bordered by private a private residence with a private drive leading to homes.  
\*To note, Hessel Stone has a positive relationship with all neighbors.
- g) M-1 Industrial
- h) See above for adjacent properties.
- i) See above for adjacent land uses.
- j) Round Bottom Road and a private drive are the two adjacent streets.
- k) Nearest intersection is S. Milford Road and Round Bottom Road.
- l) Intersection is .5 miles from property.

### Development Data

- a) Hessel Stone Fabricating, through this application, is proposing to add a prefabricated building to the property for personal owner use as well as significant storage space. The new structure will have electricity but no plumbing as it will be in close proximity to the existing office space. With a second floor loft, the owner will use it as personal office space. The main floor will serve as *storage space for materials needed such as financial documents, electronics, stone samples, and other miscellaneous materials*.
- b) Currently on the property is a stone fabricating shop and office space, approximately 4,800 square feet. It sits back 75 feet from Round Bottom Road.
- c) The newly proposed building will be 2120 square feet and 2 stories totaling 18 feet tall. It will sit 53 feet away from Round Bottom Road and 31 feet away from our existing stone shop. It will be 70 feet from the neighbors and 50 feet from the back property line at the railroad tracks.
- d) No modifications.

### Floodplain

- a) The whole Hessel Stone Property is in the 100-year floodplain. There are plans to make the building 36 inches above the floodplain line with accessible ramps for easy entrance. We have been in contact with the Clermont County offices regarding the floodplain as we have recent

approval for another structure coming in the next weeks. We are aware of the requirements we need to abide by. The plan is to have pass-through under the building for flood waters.

#### Parking & Circulation

- a) There is no curb cut location.
- b) The drive into the property will not change.
- c) The off-street parking spaces will be in the current location in front of the new structure for public and behind the new structure for employees.
- d) There will be approximately 15 spaces.
- e) There is no need for parking screening as current parking is not changing.
- f) There is no need for parking barrier changes as current parking is not changing.
- g) 2000 square feet for off-street parking for non-employees.
- h) Loading and unloading locations will not change and are on the other side of the current fabricating shop.
- i) Street location (Round Bottom) will be in front of parking lot for easy access.
- j) There is no need for right-of-way line locations as lot is big enough.
- k) All parking and driving lanes are gravel.
- l) There is a stone walkway from parking lot to structures.
- m) Pedestrian walkways are gravel and stone pavers towards both buildings.

#### Stormwater facility location

- a) There are no plans for a stormwater facility for the new structure.

#### Outdoor lighting locations

- a) There are outdoor lights on the current building shining on all walkways and the parking lot.
- b) We will add additional lights on the exterior of the new structure shining on all walkways and the parking lot as well.

#### Sign location

- a) Our sign location will remain the same.

#### Vegetation screening locations

- a) Our vegetation will not change.

#### Fence location

- a) We do not have a fence and will not be adding a fence.

#### Landscaping locations

- a) The new structure will not change the current landscaping.

#### Waste/dumpster location and screening

- a) Our waste/dumpster location will not change. The dumpsters are kept in the stoneyard.



#### Estimate construction schedule

- a) Once we have approval for the newly proposed structure, we will place the order for delivery. The building company is estimating 8-12 weeks before delivery once deposit is received. Upon delivery, it will be a quick set-up for usage.

#### Rendering of structure face



#### Additional information

- a) We will be in compliance with the 100-year flood plain guidelines.
- b) We will be in compliance with ADA regulations for accessibility.

#### Focus Area Overlay – Commercial Corridor Districts

- a) Hessel Stone's new structure will add additional storage space for materials in an organized manner making the property overall more visually appealing to the passerby.
- b) Hessel Stone has a great interest in preserving the property and protecting the natural beauty of 497 Round Bottom Road. The new facility will visually enhance the property adding to the overall value of the area.

- c) Hessel Stone is committed to maintaining Round Bottom Road. With the river across the street, the bald eagles stop by regularly as well as other wildlife. The area has so much natural beauty. This new facility, with a rustic natural appearance, will fit into the aesthetics of the area.

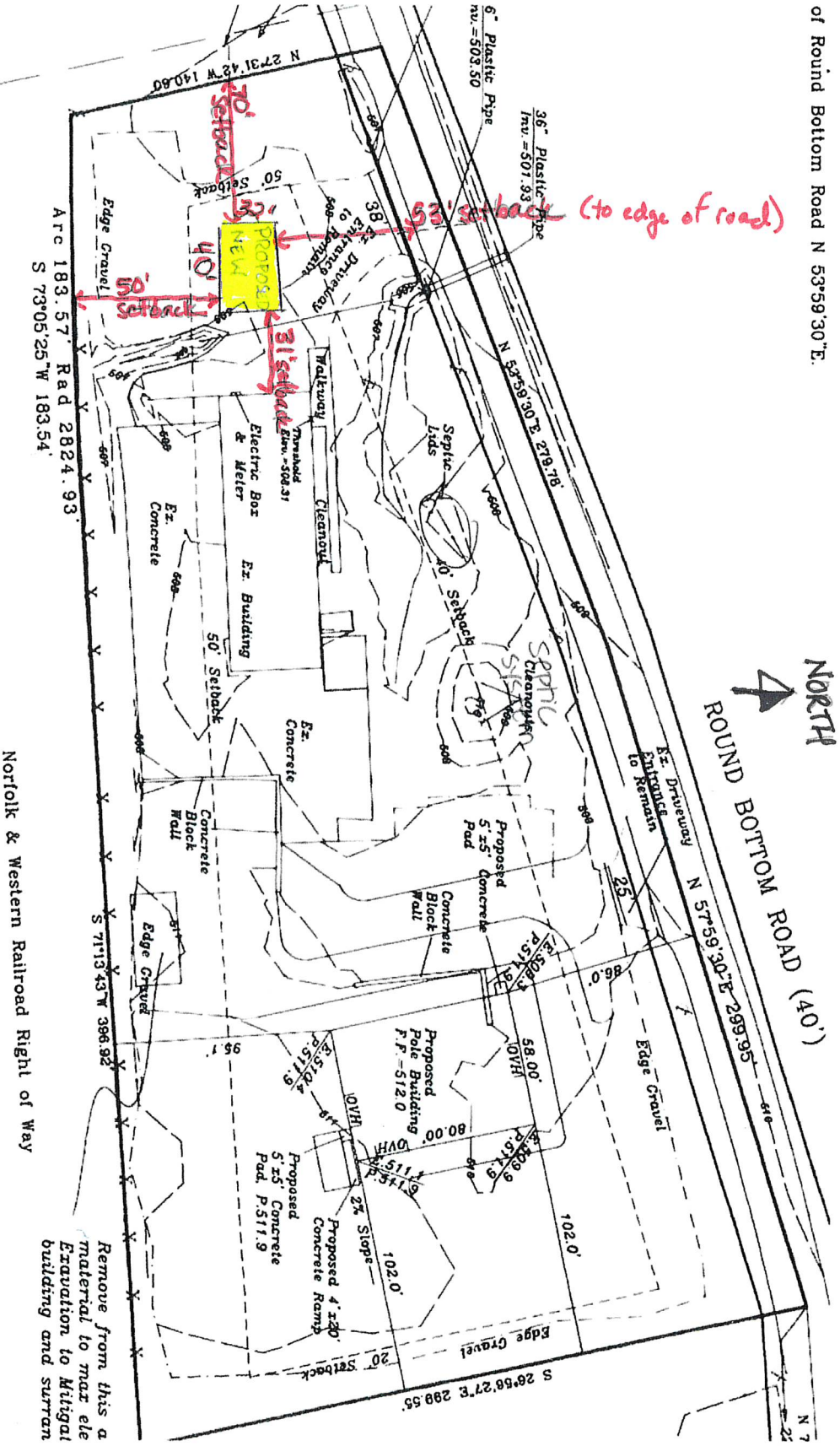
#### Characteristics

- a) Hessel Stone has and will continue to have a positive impact on the area by bringing customers on a regular basis to the property. Over the last 20 years of being on this parcel, Hessel Stone has more than quadrupled in business and now employs 10 full time employees boosting the economic progress in the neighborhood. Our employees are a diverse group of people living all around the greater Cincinnati region.

of Round Bottom Road N 53°59'30"E.

NORTH

ROUND BOTTOM ROAD (40')



Norfolk & Western Railroad Right of Way

Remove from this a material to max ele  
Excavation to Mitigal  
building and surtan

SCALE

1 inch = 70 feet

\*new building:  
Setbacks

- 50' from railroad property
- 70' from W neighbors Rd.
- 53' from Round Bottom (edge of road)
- 31' from existing building



Google Maps



new structure

Imagery ©2024 Maxar Technologies, U.S. Geological Survey, Map data ©2024 Google 20 ft







28' x 40' w/ 2' porch  
2 stories