



**UNION TOWNSHIP BOARD OF TRUSTEES
JANUARY 14TH, 2024 MEETING**

OVERLAY DISTRICT PLAN

**ABEST REG LLC, Applicant
1118 Ferris Road**



Staff Report: CASE #1-25-O

NATURE OF REQUEST

The Applicant is requesting Overlay District Plan Approval from the Union Township Board of Trustees for Parcel# 413112C239—which is located on a 2.18-acre site within the Bach-Buxton Road Corridor. Specifically, the Applicant is seeking (setback) relief from Article 6, Section 602, Figure 1 and Article 7, Section 711 of the Zoning Resolution regarding the placement of an accessory structure that is proposed to be situated three-foot, six-inches (3'-6") from the rear property line. **Please refer to the Applicant's statements, plans, and other application enclosures.*

LOCATION

The subject property is located at 1118 Ferris Rd., approximately 500 feet northeast of the McMann Road and Ferris Road intersection.

ZONING

The subject property is zoned Industrial (M-1), with the adjoining property to the north, east and west also zoned as Industrial (M-1) *for the underlying zoning*. Across Ferris Road (to the south), all of the land within 500 feet is currently zoned Single Family Detached Structure Residential (R-1).

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 Bach-Buxton Road Commercial Corridor. Currently, this corridor is the primary location for low intensity / light industrial and manufacturing operations in Union Township. As this Corridor continues to remain the primary area for industrial and heavy commercial warehousing activities within Union Township, new development activities (including infill development) have remained steady.

RELATIONSHIP TO THE FOCUS OVERLAY DISTRICT REGULATIONS

As noted in the previous section of the staff report, the affected property is located within the Bach-Buxton Road Commercial Corridor. Article 13 of the Union Township Zoning Resolution identifies this corridor as a “Commercial Corridor,” and makes these statements with respect to these Districts:

1307. Focus Area Overlay-Commercial Corridor Districts.

Focus Area Overlay (FA) Commercial Corridor Districts shall be identified as FA-CC Overlay Districts.

1. Findings and Specific Purpose.

Business districts and corridors are recognized as principal focal points of community activity providing an economic resource and a center for community identity. It is in the interest of the Township to protect and enhance the features of public interest in such business districts by:

- a. Preventing the deterioration of property and the extension of blighting conditions;
- b. Encouraging and protecting private investment which improves and stimulates the economic vitality and social character of the area;
- c. Preventing the creation of influences adverse to the physical character of the area.

2. Characteristics.

FA-CC districts shall be limited to geographic areas included in a FA-Commercial Corridor which contain or are planned to contain one (1) or more of the following characteristics:

- a. A concentration of retail and service oriented commercial establishments serving as a principal business activity center for a socio-geographic neighborhood, community, or region;
- b. An area that has received or been approved for substantial public investment;
- c. An area that is planned for unusual intensity or density of development.

BACKGROUND

The Applicant acquired the subject property and built the primary / principle structure on the site in 1988. Since that time, the main building has primarily housed the ABEST business entities as well as a variety of other light industrial uses, including contractors’ offices. Additional improvements were made to the site in 1998 (for an accessory building) and, more recently, for commercial alterations in 2020. Since the Applicant’s purchase of the property, it has been his intent to preserve the flexibility of uses and to maintain and maximize the property’s multi-purpose space(s).

STAFF REVIEW & ANALYSIS

A review of the application indicates that the proposal is generally consistent with both the adopted Comprehensive Land Use Plan and the Overlay District Regulations, with respect to the purpose and intent of these documents. As mentioned earlier in this report, the Applicant is seeking (setback) relief from Article 7, Section 711, item 9 of the Zoning Resolution regarding the placement of an accessory structure that is proposed to be situated three-foot, six-inches (3'-6")—rather than five (5) feet—from the rear property line. The Applicant acknowledges that the “proposed building would surround and enclose the existing slab, thereby protecting the equipment and materials already on the slab.” In conversations with Township staff, the Applicant has acknowledged that the proposed size of the building is commensurate to the area that he anticipates is needed for the particular storage needs of his (and potentially other) business(es). The Applicant has also located and sized the proposed 2,592 square-foot building in a manner that considers the current and expected onsite storage, as well as the parking and maneuverability of large trucks with trailers, etc. Finally, the Applicant’s proposed building would allow for the expansion of the business operations on the site—potentially allowing for a production facility use in the future—which in that particular scenario would also require relief from Article 6, Section 602, Figure 1 as well as the aforementioned section of code.

The Overlay District regulations call for the support of proposals that result in increased investment, or that otherwise prevent the proliferation of blighting influences. This request appears to be generally consistent with supporting the goals and recommendations for the Bach-Buxton Road Commercial Corridor, as the proposed use increases the investment associated with this property, and it is also ancillary to and supportive of commercial uses in the general vicinity. Finally, the requested relief is considered reasonable by staff, for the reasons set forth earlier in the staff report.

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 the development of a 2,592 sq. ft. accessory 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:

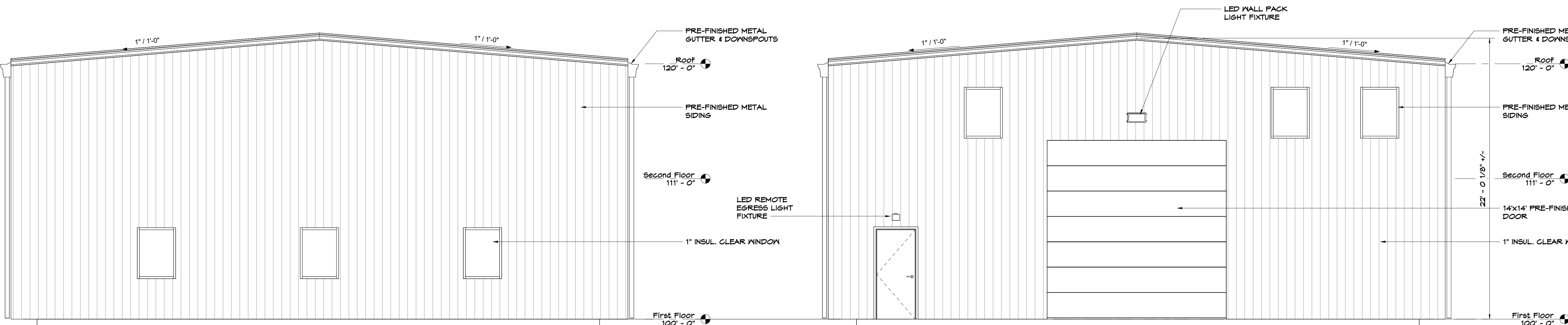
- 1) The Applicant would need to address any concerns of the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department, the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action.
- 2) The Applicant would need to provide a landscaping plan—with details to acknowledge the proposed types, sizes, and locations of proposed plants. *This is an item that could be addressed administratively by staff.*
- 3) There is no lighting proposed at this time; however, all lighting (if needed in the future) would need to be “downward directed, dark-sky compliant” and of sufficient intensity to illuminate without projecting onto the adjoining residential property (i.e. less than or equal to 1.0-foot candle at the property lines and road right-of-way).
**Details / specs of proposed lighting would be necessary, if applicable. This is an item that could be addressed administratively by staff.*
- 4) There is no new signage proposed at this time; however, if / when applicable the Applicant would need to provide a sign package that is consistent with the requirements set forth in the Bach-Buxton Road Corridor (Overlay District). *This is an item that could be addressed administratively by staff.*
- 5) As of January 7th, 2025, there are several other 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 (new commercial) zoning permit by the staff. *This is an item that could be addressed administratively by staff.*



KBA INCORPORATED
ARCHITECTS

29 HIGH STREET | 513.752.7800
Milford, OH 45150 | www.kbainc.com

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SHEET CONTENTS:
ELEVATIONS



NORTH ELEVATION

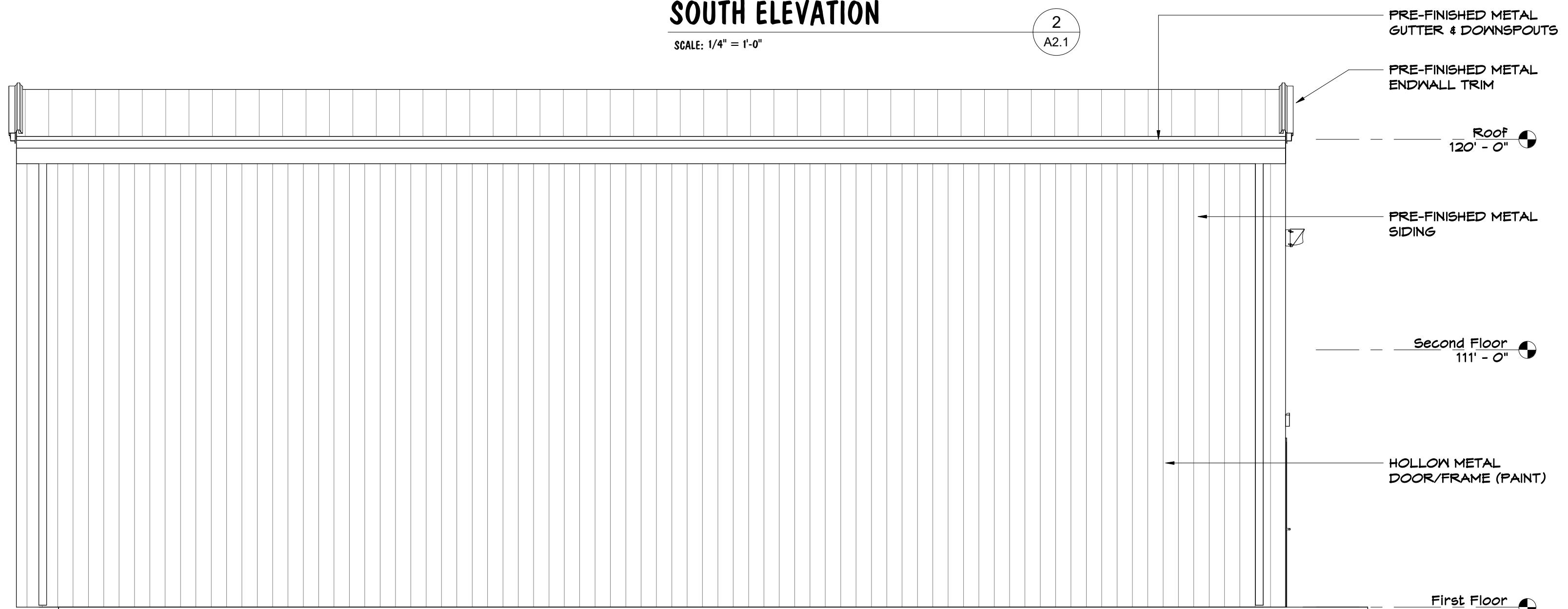
SCALE: 1/4" = 1'-0"

1
A2.1

SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

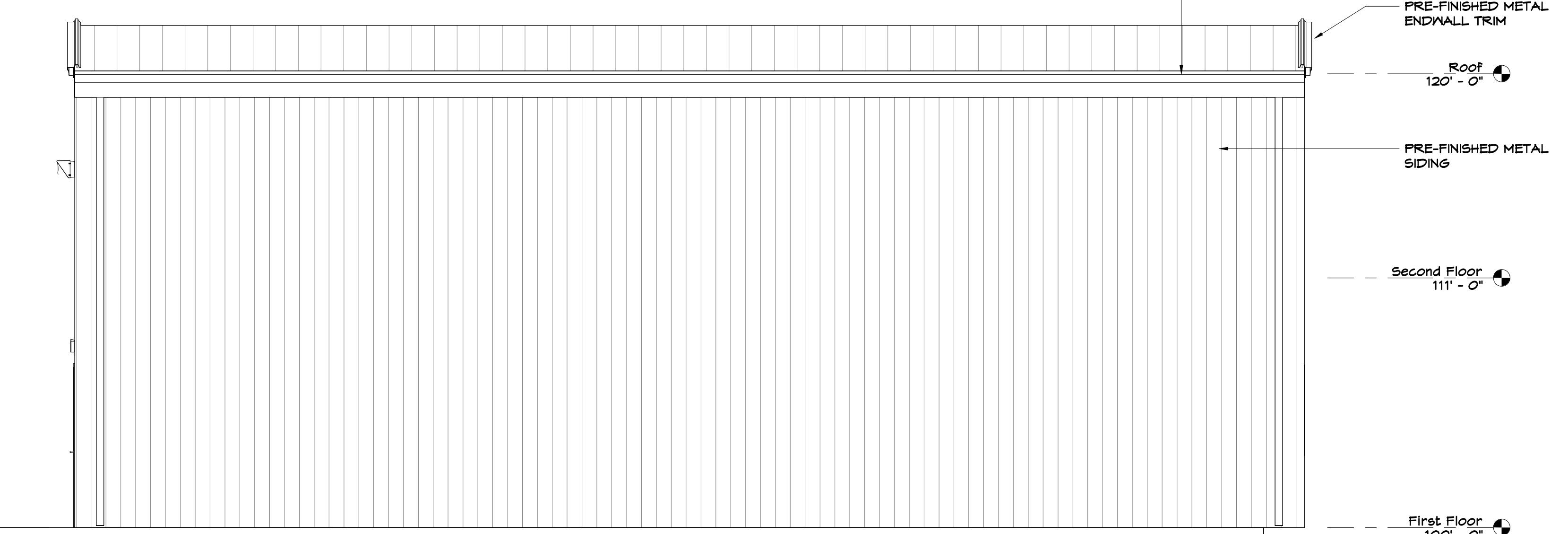
2
A2.1



WEST ELEVATION

SCALE: 1/4" = 1'-0"

4
A2.1



EAST ELEVATION

SCALE: 1/4" = 1'-0"

3
A2.1

**PROPOSED ADDITION FOR
ABEST REG LLC.
1118 Ferris Rd.
Amelia, OH 45102**

REV. DATE

CK'D

Drawn By: WNS Checked By: WNS

Preliminary
Not For
Construction

Date: 12.09.24 Job No: 24.184

A2.1

APPLICATION FOR APPROVAL OF AN
OVERLAY DISTRICT PLAN
TO THE
UNION TOWNSHIP
BOARD OF TRUSTEES
4350 Aicholtz Road
Cincinnati, OH 45245
(513) 753-2300

Case# _____

Date _____

**APPLICATIONS CONTAINING INCOMPLETE INFORMATION WILL BE RETURNED.
PLEASE SUBMIT TEN COPIES OF APPLICATION & SUPPORTING DOCUMENTS (ORIGINAL SET + 9)**

I. PROPERTY INFORMATION

1118 Ferris Road, Amelia, OH 45102-1002

Property located at* _____

*State full address if assigned, otherwise, describe location specifically.

Clermont County Auditor's Tax Parcel Number (PIN#) 41 - 31 - 12C - 239

Additional parcel numbers (if applicable)* _____

*All parcels comprising the development must be consolidated before a zoning certificate will be issued.

II. APPLICANT INFORMATION

A. Name* ABEST REG LLC Phone 513-943-4425

Mailing Address 1118 FERRIS ROAD, AMELIA, OH 45102-1002

*Applicant must be the owner or lessee of the property (O.R.C. 519.12(A)). An original affidavit contained in Section V below must be executed and submitted by least one owner or lessee of each parcel contained in this application.

B. Contact Person Mike Shebesta Phone 513-943-4425

Company ABEST REG LLC

Relationship to Applicant Managing Member

Mailing Address 1118 Ferris Road, Amelia, OH 45102-1002

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 BACH – BUXTON ROAD COMMERCIAL CORRIDOR

Existing Land Use COMMERCIAL

Proposed Focus Area District and Classification Category _____

Proposed Land Use COMMERCIAL

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

PROVIDE ADEQUATE PARKING & USE OF EXISTING SECURE LOT TO ENCLOSE AN EXISTING CONCRETE SLAB 40' BY 51' with a 48' by 54' STORAGE BUILDING 2560 SF.

#1 REDUCE the SETBACK (STORAGE BLDG.) from FIVE (5') FOOT to Three Foot Six (6) inches
To ALLOW for OVERHANG AND GUTTERS - Twenty (20+) feet above ground on the property line.

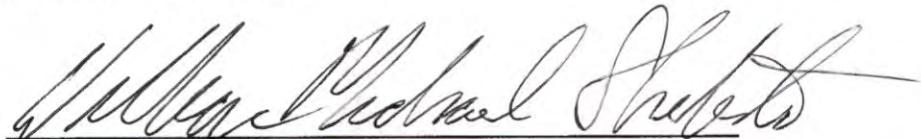
TENTATIVE FUTURE USE:

#2 REDUCE the SETBACK (PRODUCTION Bldg.) from FIVE (10') FOOT to Three Foot Six (6) inches
To ALLOW for OVERHANG AND GUTTERS - Twenty (20+) feet above ground on the property line.

These setback changes will allow the building of a storage warehouse 48' wide, 54' deep, 22+' tall
and allow for future as a production facility use by normal change of use procedures.

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* William Michael Shebesta, Managing Member, Abest REG LLC

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

STATE OF OHIO

COUNTY OF CLERMONT

Subscribed and sworn to before me this 9th day of December, of this year
2024.

J. Stone
Notary Public

My commission expires _____



Jessica Brae Stone
NOTARY PUBLIC
STATE OF OHIO
My Commission Expires
May 21, 2029



December 9, 2024

Mr. Mark McCormack
Union Township OH Director of Development
4350 Aicholtz Rd.
Cincinnati OH 45245

Phone ~MMcCormack@union-township.oh.usview

Re: Planned Objective for a proposed storage building 1118 Ferris Road, OH 45102-1002

Mr. McCormack:

Abest REG LLC has an existing concrete slab 40' wide and 51' deep. The proposed building, 48' wide by 54' deep, 2590 Sq.Ft, would surround the existing slab, thereby protecting the equipment and materials already on the slab.

The slab is leftover from our former tenant BrightView Landscaping LLC attempts to store salt. At the time of construction, the slab was surrounded by jersey concrete blocks 2'x2'6', stacked four (4') high. There was not a single complaint from the businesses on neighboring properties, residential neighbors across the Ferris Road, nor any users of the secure yard space.

The site plan has details on the existing property and the location of the proposed building.

Every single sq. ft. of yard space is critical. We have attached pictures depicting typical daily usage and what the yard looks like on the weekend.

We are requesting, via the overlay process, a setback of 1' 6" to utilize the yard space efficiently.

Sincerely,

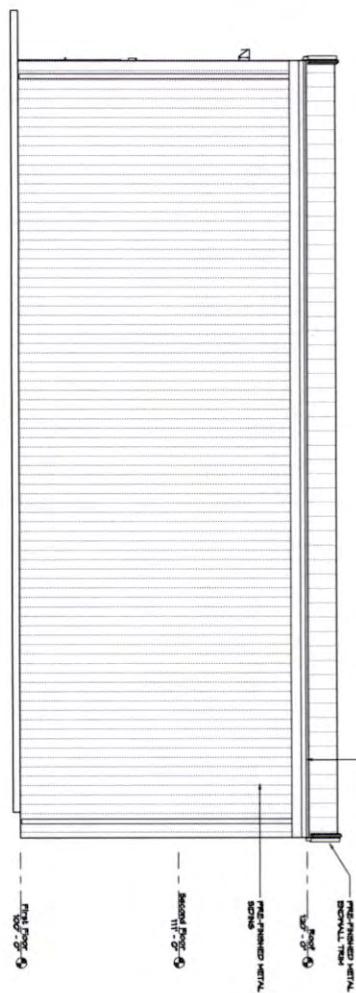
A handwritten signature in black ink, appearing to read "Mike Shebesta". The signature is fluid and cursive, with a long horizontal line extending from the end of the "a" in "Shebesta".

William Michael "Mike" Shebesta,
Managing Member

Abest REG LLC

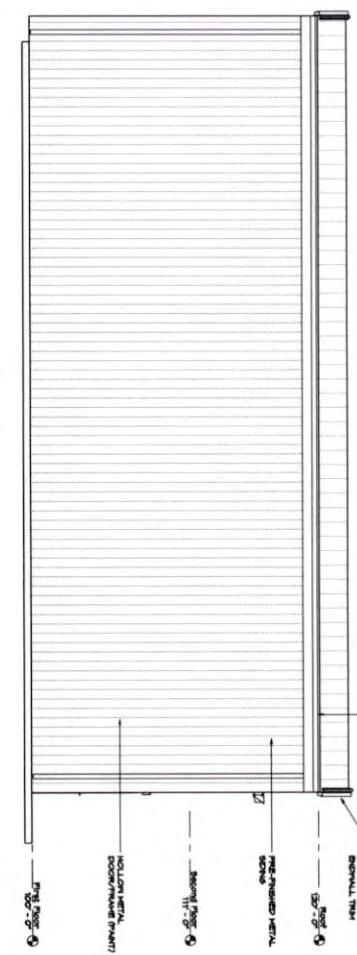
EAST ELEVATION

3



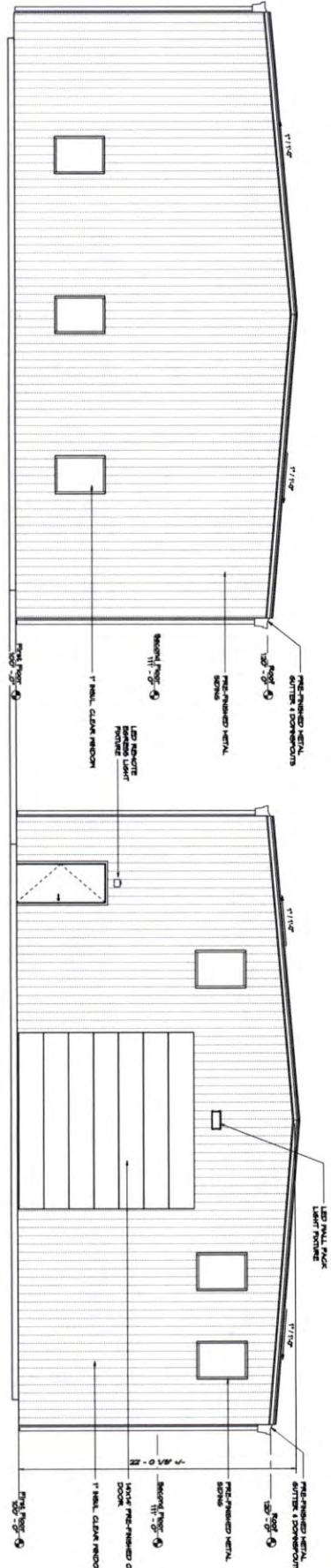
WEST ELEVATION

4



SOUTH ELEVATION

5



NORTH ELEVATION

1

KBA INCORPORATED
KINNERTON
201 HIGH STREET 613.282.7100
MURKIN, OH 45163 www.kinnett.com

SHEET CONTENTS:
REV. DATE: 08-01-04
DRAWN BY: WNS CHECKED BY: WNS

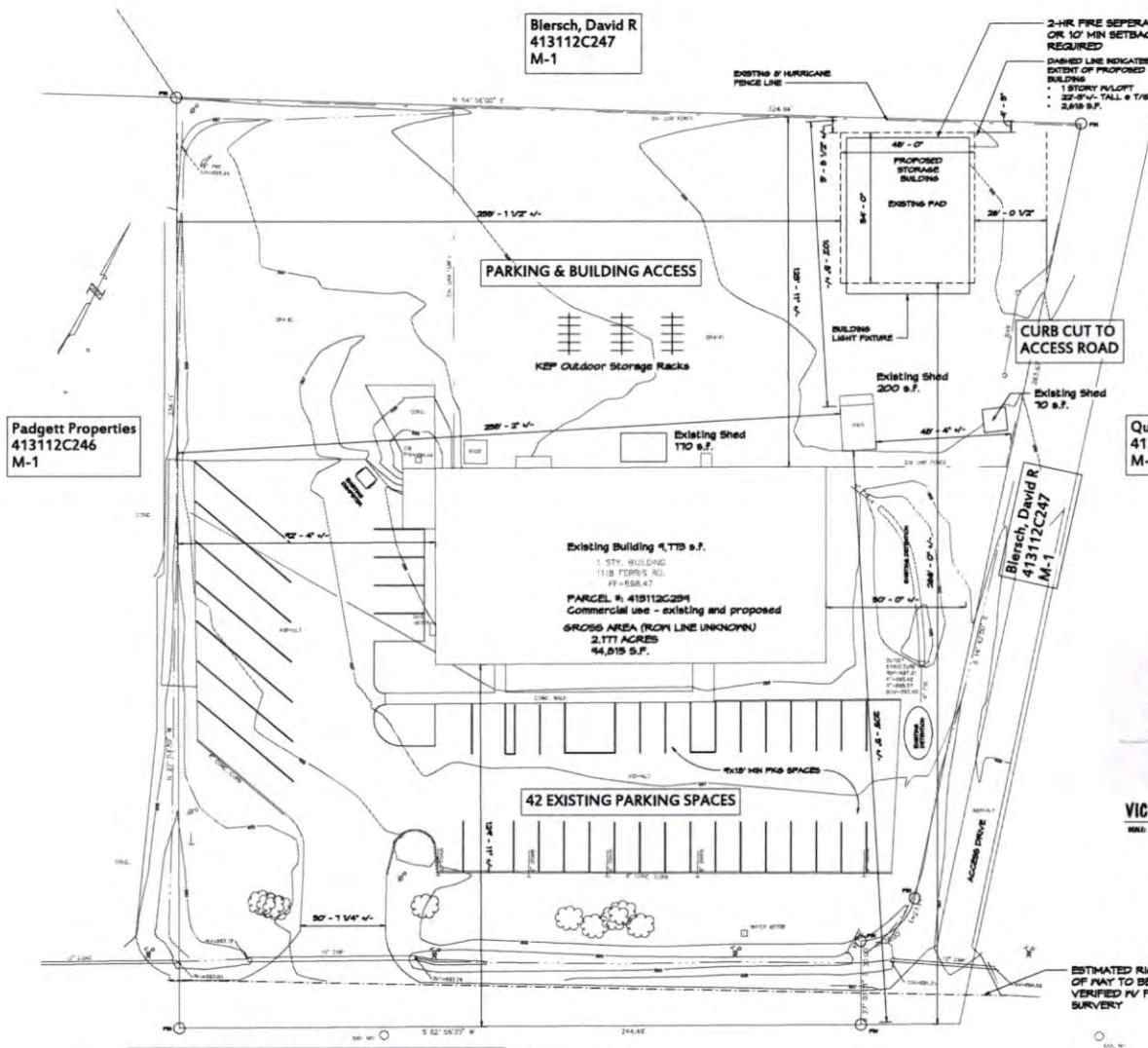
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Date: 12/08/04 Job No: 24194

Architectural
Engineering
Services

Drawn By: WNS Checked By: WNS

**PROPOSED ADDITION FOR
ABEST REG LLC.**
1118 Ferris Rd.
Amelia, OH 45102

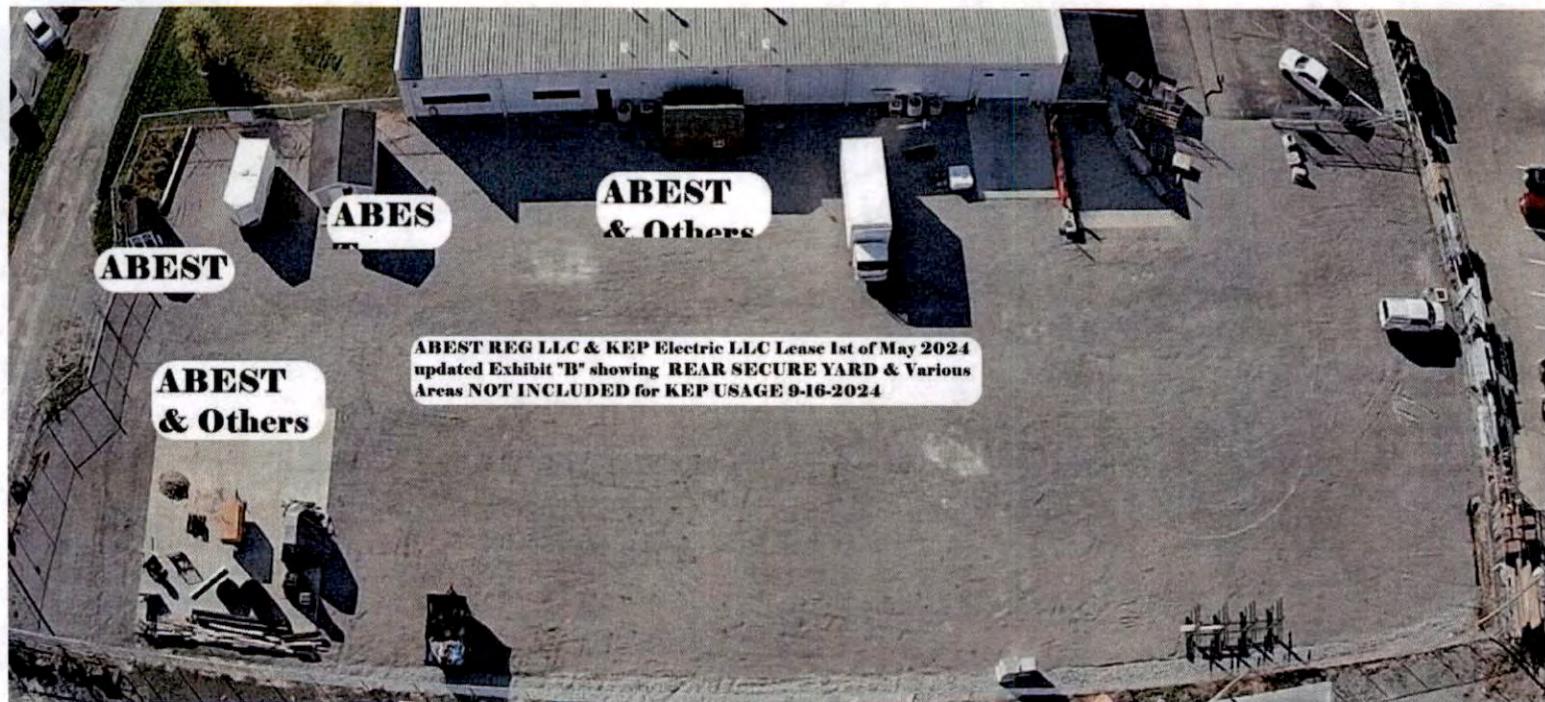


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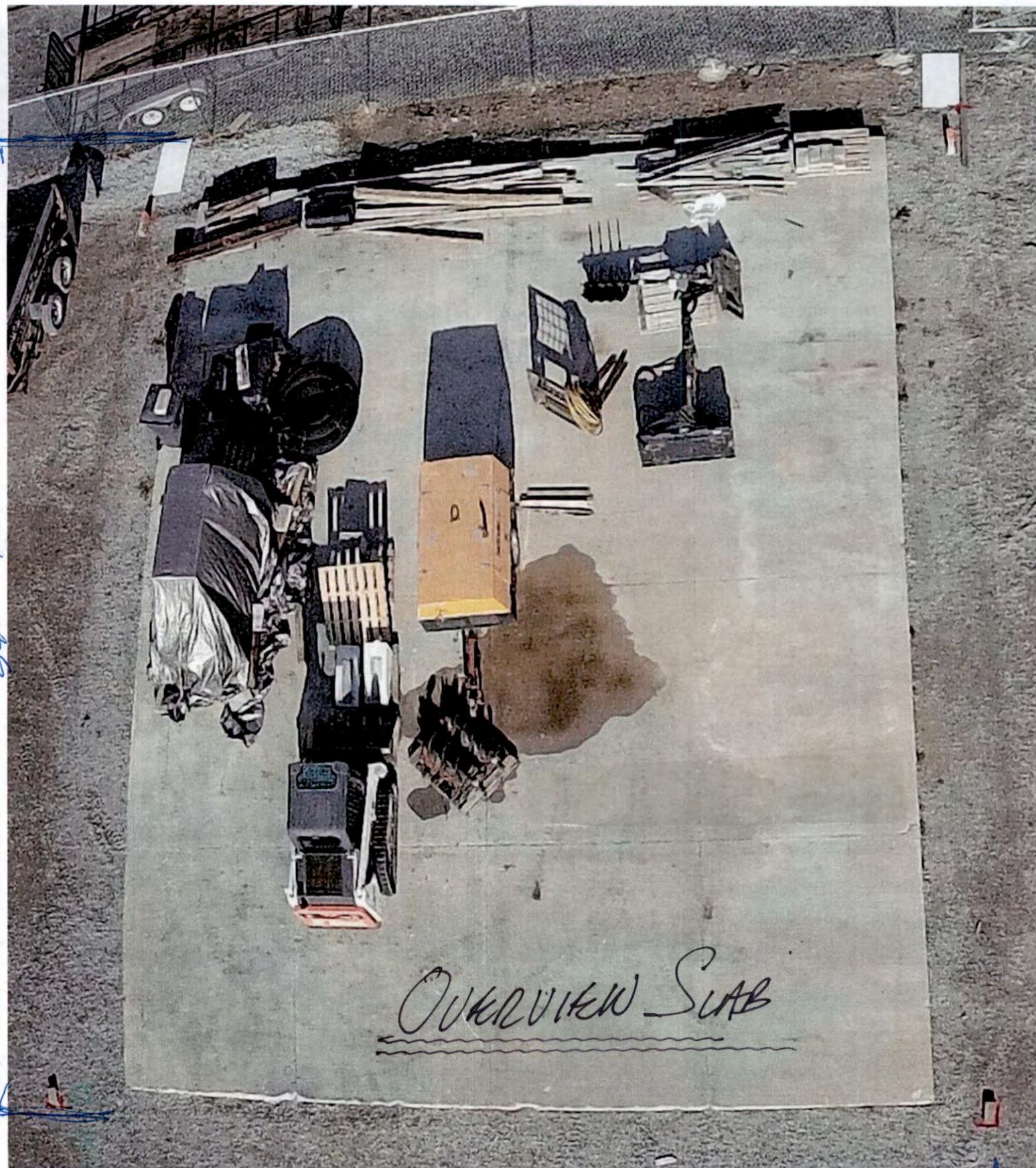
Proposed
Not for
construction

Date: 12.09.24 Job No: 24194

AS1



Overlook Whole Yard
1118 Ferris Rd
Amelia Ct 45102



48'

Place 11/17/24

1118 Fernellis Rd
Back lot/SLAB /BLOD.



SETBACK AREA



EXISTING Daytime USAGE
& Proposed BLD LOCATION



Daytime Stage -



Looking North East Garage



Looking NW - Work Gnd
No Contractor / Vendor Vehicles
Or Equipment



Back of Building Usage -
"WEEKEND"



Back of Blg 9. Usne
Strange
Delivery