



UNION TOWNSHIP BOARD OF TRUSTEES  
JULY 8<sup>TH</sup>, 2025 MEETING

## OVERLAY DISTRICT PLAN

JOHN PETRU, Applicant

4325 Mount Carmel Tobasco Rd. / Parcel ID #414144E049.



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### **Staff Report: CASE # 6-25-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# 414144E049. Specifically, the Applicant is seeking to construct a 4,100 square-foot building for enclosed, personal vehicle storage—on a 0.922-acre site that is located within the Mount Carmel Mixed-Use Focus Area Overlay – Neighborhood Quality Corridor (FA-NQ). As a part of this particular request, the Applicant is requesting relief in association with the minimum lot area of the affected property, which is zoned Business (B-1). *\*Please refer to the Applicant's statements, plans, and other application enclosures.*

#### **LOCATION**

The affected property is located at 4325 Mount Carmel Tobasco Road, on the southwestern corner of the Mt Carmel Tobasco Rd and Auxuer Drive intersection.

#### **ZONING**

The subject property is zoned Business (B-1), with the property to the immediate north, south, and southeast also zoned as Business (B-1). The property to the northeast is zoned Planned Development (PD), and includes the Yellow Ribbon Support Center. The property to the west is zoned Single Family Detached Residential (R-2), and includes the Auxier Subdivision.

## **RELATIONSHIP TO THE UNION TOWNSHIP COMPREHENSIVE LAND USE PLAN**

The Horizon 2030: Union Township Comprehensive Land Use Plan indicates that the subject property is located within the Mount Carmel Tobasco Mixed-Use Corridor. Currently, the Mount Carmel Tobasco Mixed-Use Corridor varies, in terms of development type, density, and use—with some areas targeted for commercial or residential development, and in others both. Currently, the northern portion of the corridor contains a variety of commercial, quasi-institutional uses, and varying intensity residential uses. Limited development and redevelopment have occurred in some areas of the Corridor, since the adoption of the Plan.

Among other things, the Plan calls for sidewalks in this area, the use of cross access easements and consolidated, shared driveway configurations whenever practical, and site development to be conducted in a manner that focuses on maximizing land use efficiency with infill development. For commercial development or conversion(s), the use of traditional building materials, adequate vegetative buffering, and landscaping strategies along shared property lines and landscaping enhancements along the corridor frontage is required.

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

As noted in the previous section of the staff report, the affected property is located within the Mount Carmel Tobasco Mixed-Use 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 Road Mixed Use Corridor and the Summerside/Willowville Mixed Use Corridor

## **BACKGROUND**

The Auxier Subdivision was platted in May of 1956. The affected property was considered Lot# 2 at that time. In 2007, Lot # 1 and Lot # 2 were combined / consolidated into one (1) tract, Parcel #414144E049, as it exists today. The overall property was zoned Single Family and Two Family Residential (R-2) in 1959, with the advent of zoning in the Township. The property was rezoned to Business (B-1) in 1980, as part of Case # 8-80-Z. The existing house appears to have been converted to a commercial use and a commercial addition was built on the property in 2007. Since then, there have been a couple of different commercial uses on the property, as evidenced by several Change of Use permits and Signage permits—all for the existing structures and improvements located almost, if not entirely, within the confines of Lot 1 (as it was originally platted).

## **STAFF REVIEW & ANALYSIS**

A review of this particular Overlay District application indicates that the proposal appears to be generally consistent with both the recommendations of the adopted Land Use Plan, as well as the Findings and Specific Purpose(s) of the Overlay District zoning regulations. The Applicant's proposed infill project involves subdividing the parcel into two (2) lots—nearly matching the original configuration that was platted in 1956, but resulting in a parcel that would be .01 acres less than Lot 2 (as originally platted, before being consolidated with Lot 1 as noted earlier)—*requiring relief for the minimum lot area, since both resulting parcels would be less than the required 40,000 square feet.* The Applicant's proposed 4,100 sq. ft. building (3,456 sq. ft. for personal vehicle storage, and 644 sq. ft. for private office space) is designed to be accessed by Auxier Drive. At present, there does not appear to be an access easement planned to allow access to the remaining land to the south; however, as noted earlier, the Land Use Plan promotes the use of cross access easements and consolidated, shared driveway configurations whenever practical. Therefore, this is an item recommended by staff. With respect to the details regarding the proposed building elements, the overall height of the proposed structure is intended to be 23 feet. On the current architectural plans, less than half of the visible building elevations appear to consist of traditional building materials, as required by the Zoning Resolution and Comprehensive Plan for this particular Corridor. In particular, staff recommends the use of wood or similar traditional, high-quality building materials (which may include the use of a façade in some portions of the building) in lieu of the proposed metal siding—as it would be seen from the public road rights-of-way and the neighboring residential property.

In terms of the proposed building placement / position, the new building would be setback as much or more off of the property lines as the existing structure on the parent tract—with respect to the proposed front setback off of Mount Carmel Tobasco Road and (also) the rear setback adjacent to the neighboring residential structures. The proposed front yard setback off of Auxier Drive would be equivalent to the established front yard building setback line within the Auxier Subdivision.

Although a landscaping plan has been submitted, a more detailed landscaping / buffer yard plan would ultimately be required. As part of a revised plan, staff would want to see any existing vegetation that would be preserved on the property—particularly along Mt. Carmel Tobasco Road and along the rear of the property next to the adjacent, existing residential uses. There has not been a signage package submitted, nor does one appear to be needed for the proposed use(s). Finally, the proposed exterior lighting appears to be minimal; however, a lighting or photometric plan and light fixture details would need to be provided.

### **ACTION REQUIRED**

In accordance with Section 1310 of the Zoning Resolution, the Board of Trustees' role in this process is to 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 Service 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 illustrate that additional traditional, high-quality building materials are being utilized. In particular, staff recommends the use of wood or similar traditional, high-quality building materials in lieu of the proposed metal siding—as seen from the public road rights-of-way and the neighboring residential property. *This is an item that could be addressed administratively by staff.*
- 3) The Applicant would need to provide a more detailed landscaping plan—with details to acknowledge the proposed types, sizes, and locations of proposed plants. Any existing vegetation that is intended to be preserved on the property—particularly along Mt. Carmel Tobasco Road and along the rear of the property next to the adjacent, existing residential uses—needs to be identified. *This is an item that could be addressed administratively by staff.*

- 4) The Applicant would need to provide an access easement through the property to the remaining land to the south, in accordance with the requirements of the Land Use Plan. No improvements need to be made to this area, which would likely be along either the front or rear of the proposed structure property (in either case parallel to Mount Carmel Tobasco Road). *This is an item that could be addressed administratively by staff.*
- 5) A sidewalk is required along Mount Carmel Tobasco Road, but can be deferred at this time (since a sidewalk is not within 200 feet of the site). In the event that a sidewalk project is advanced by the Township or County, the Owner of the property shall be required to install sidewalks upon receiving written notice of the same from the Township, within 120 days of the date of such notice. In the meantime, the Applicant must provide documentation to acknowledge that he and / or his successors are agreeable to this condition. *This is an item that could be addressed administratively by staff.*
- 6) A lighting or photometric plan would ultimately need to be submitted. 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” 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). *This is an item that could be addressed administratively by staff.*
- 7) 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 Mount Carmel Tobasco Mixed-Use Corridor (Overlay District). *This is an item that could be addressed administratively by staff.*
- 8) As of July 1<sup>st</sup>, 2025, 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 (new commercial) zoning permit by the staff. *This is an item that could be addressed administratively by staff.*

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# 6-25-0

Date 6/10/2025

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

**I. PROPERTY INFORMATION**

Property located at\* 4325 Mount Carmel Tobasco Rd, Cincinnati, OH 45244

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

Clermont County Auditor's Tax Parcel Number (PIN#) 414144E049

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\* John Petru Phone 513-638-0171  
Mailing Address 436 Trailview Court, Cincinnati, OH 45244

\*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 - Same As Above - Phone \_\_\_\_\_  
Company \_\_\_\_\_  
Relationship to Applicant \_\_\_\_\_  
Mailing Address \_\_\_\_\_

### 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 B1  
Existing Land Use Office/Storage  
Proposed Focus Area District and Classification Category \_\_\_\_\_  
Mt. Carmel-Tobasco Mixed-Use Corridor  
Proposed Land Use Personal Storage and Use; Vehicle Storage

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

We wish to subdivide the approximate one acre sized lot located at 4325 Mount Carmel Tobaco Rd into two parcels. Through this subdivision, a vacant lot would be created at the corner of Mount Carmel Tobasco Rd and Auxier Drive. This subdividing would return the lot to practically its original lot configuration as shown in Plat Book J Page 31. On that vacant lot, we propose to construct a 4,100 sq ft building for personal vehicle storage. All storage of vehicles would be inside only. Of that 4,100 sq ft, 3,456 sq ft would be used for actual vehicle storage and 644 sq ft would be used for a private office, bathroom, and utility area. This would be an attractive, solidly built structure which would complement both nearby residential houses and commercial buildings.

## 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.

John Petru  
\_\_\_\_\_  
Applicant\*

\*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 9 day of June, of this year  
2025.

Tiffany Rose Britnell  
Notary Public



TIFFANY ROSE BRITNELL  
Notary Public  
State of Ohio  
My Comm. Expires  
August 22, 2029

My commission expires August 22, 2029

## Acknowledgement

I acknowledge and have given permission to John Petru to submit an Application for Approval of an Overlay District Plan to the Union Township Board of Trustees. This plan would request a subdivision of my property located at 4325 Mount Carmel Tobasco Road for the purpose of building a private storage building.

Respectfully Submitted,



David Koehler  
GalaxieDave Enterprises, LLC  
4325 Mount Carmel Tobasco Road  
Cincinnati, OH 45244  
Parcel ID# 414144E049

414144E049.



2  
201300023250  
Filed for Record in  
CLERMONT COUNTY, OH  
DEBORAH HALL CLEPPER, COUNTY RECORDER  
07-30-2013 At 02:07 PM.  
DEED 28.00  
OR Book 2470 Page 2166 - 2167



BK: 2470 PG: 2166

GENERAL WARRANTY DEED BY A CORPORATION, NO. 32-A

**GENERAL WARRANTY DEED \***

13-7599

**Trademark Stationery Properties, LLC**, a limited liability company organized and existing under the laws of the State of Ohio, for valuable consideration paid, grant(s) with general warranty covenants, to **GalaxieDave Enterprises, LLC**, an Ohio limited liability company, whose Tax-Mailing Address is 432 Trailview Court, Cincinnati, Ohio 45244, the following REAL PROPERTY: Situated in the County of Clermont in the State of Ohio and in the Township of Union:

ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE

41-41-44E-049

Subject to all legal highways and all easements and restrictions of record, if any.  
Excepting taxes and assessments, if any, due and payable after the date hereof, which the grantees herein assume and agree to pay.

Property Address: 4325 Mt. Carmel Tobasco Road, Cincinnati, Ohio 45244

Prior Instrument Reference: OR Book 2030, Page 120 of the Deed Records of Clermont County, Ohio.

The Grantor has caused its name to be subscribed hereto by **Donald M. Holbrook, Member**, thereunto duly authorized by resolution of its members, this 26th day of July, 2013.

Trademark Stationery Properties, LLC

By: Donald M. Holbrook Member  
Donald M. Holbrook, Member

State of Ohio

County of Clermont

BE IT REMEMBERED, That on this 26th day of July, 2013, before me, the subscriber, a Notary Public in and for said state, personally came **Donald M. Holbrook, Member, of Trademark Stationery Properties, LLC**, and acknowledged the signing thereof to be his and its voluntary act and deed, pursuant to the authority of its members.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



DEBORAH A. SKIDMORE, Notary Public  
Notary Public, State of Ohio  
My Commission Expires: 05/02/2015  
May 2, 2015

This Instrument was prepared by:  
Douglas W. Thomson, Attorney-at-Law  
400 TechneCenter Drive  
Milford, OH 45150

\*See Sections 5302.05 and 5302.06 Ohio Revised Code.



BK: 2470 PG: 2167

13-7599

**Exhibit "A"**

Parcel No. 41-41-44E-049

Situated in Clermont County, Union Township, State of Ohio and being Lot No. 49 (replat of Lots 1 & 2 recorded in Plat Book J, Page 31) of Auxier Subdivision, a replat of which is recorded in Plat Book 14, Page 94 of the Plat Records of Clermont County, Ohio.

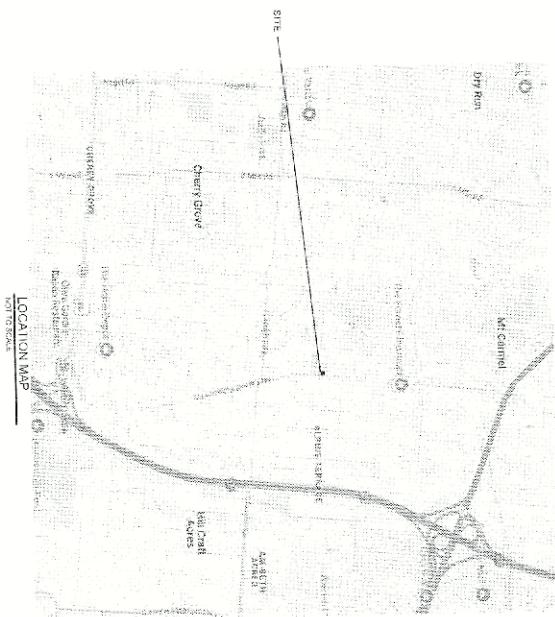
DX

JUL 30 2013	
APPROVED FOR TRANSFER	
PATRICK J. MANGER COUNTY ENGINEER	
CLERMONT COUNTY, O.	
BY	14
TD 41 BK 41 PG 44E PA# 049.	
This conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.	
Purchase Price \$ 210,000	
Transfer # 3201 Fee \$ 840.00	
Filed with the office of Linda L. Fraley	
Date	7-30-13
By: SM	

# PETRU PRIVATE STORAGE BUILDING

SITE PLANS FOR  
4325 MT. CARMEL TOBACCO ROAD  
CINCINNATI, OHIO

Bearings are based on the Ohio State Plane Coordinate System, South Zone NAD83(2011)



SHEET INDEX	
C101	SITE PLAN
C113	TITLE SHEET
C203	EXISTING CONDITIONS
C303	SITE PLAN

NOT TO SCALE

LOCATION MAP



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C. D. & J. CLINTON, P.E. 65977

PROJECT: NEW PRIVATE STORAGE BUILDING  
LOCATION: 4325 MT. CARMEL TOBACCO ROAD, CINCINNATI, OHIO  
CLIENT: JOHN PETRU  
ADDRESS:  
COUNTY: CLERMONT  
PROJECT #: 25-780  
DATE: JUNE 6, 2025

SHEET: C103

REVISIONS

**DS2** engineer & surveyors  
107 West Second Street, Maysville, KY 41156  
280 Chillicothe Ave., Hillsboro, OH 45133  
Phone 800-564-0961, Fax 606-564-0962



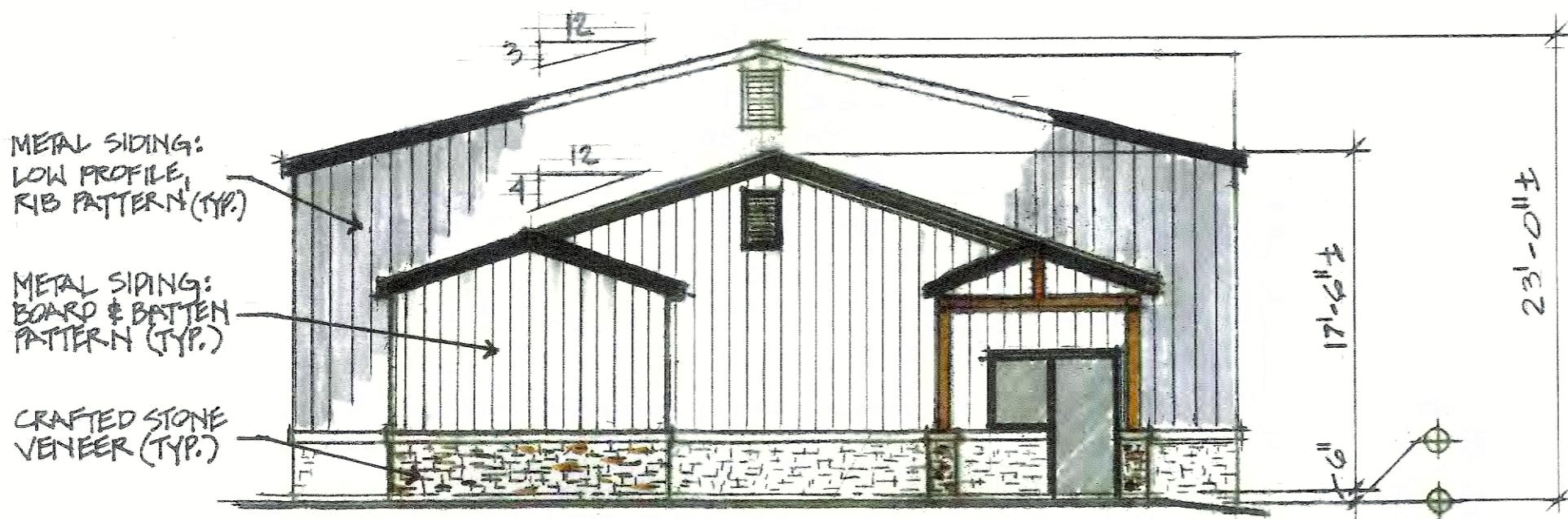
PROJECT: NEW PRIVATE STORAGE BUILDING LOCATION: 4325 MT. CARMEL TABASCO ROAD, CINCINNATI, OHIO CLIENT: JOHN PETRU ADDRESS: COUNTY: CLERMONT PROJECT #: 25-780 DATE: JUNE 6, 2025	
SHEET: C33	



PROPOSED PRIVATE COLLECTOR CAR STORAGE BLDG.  
DATE 4/2025

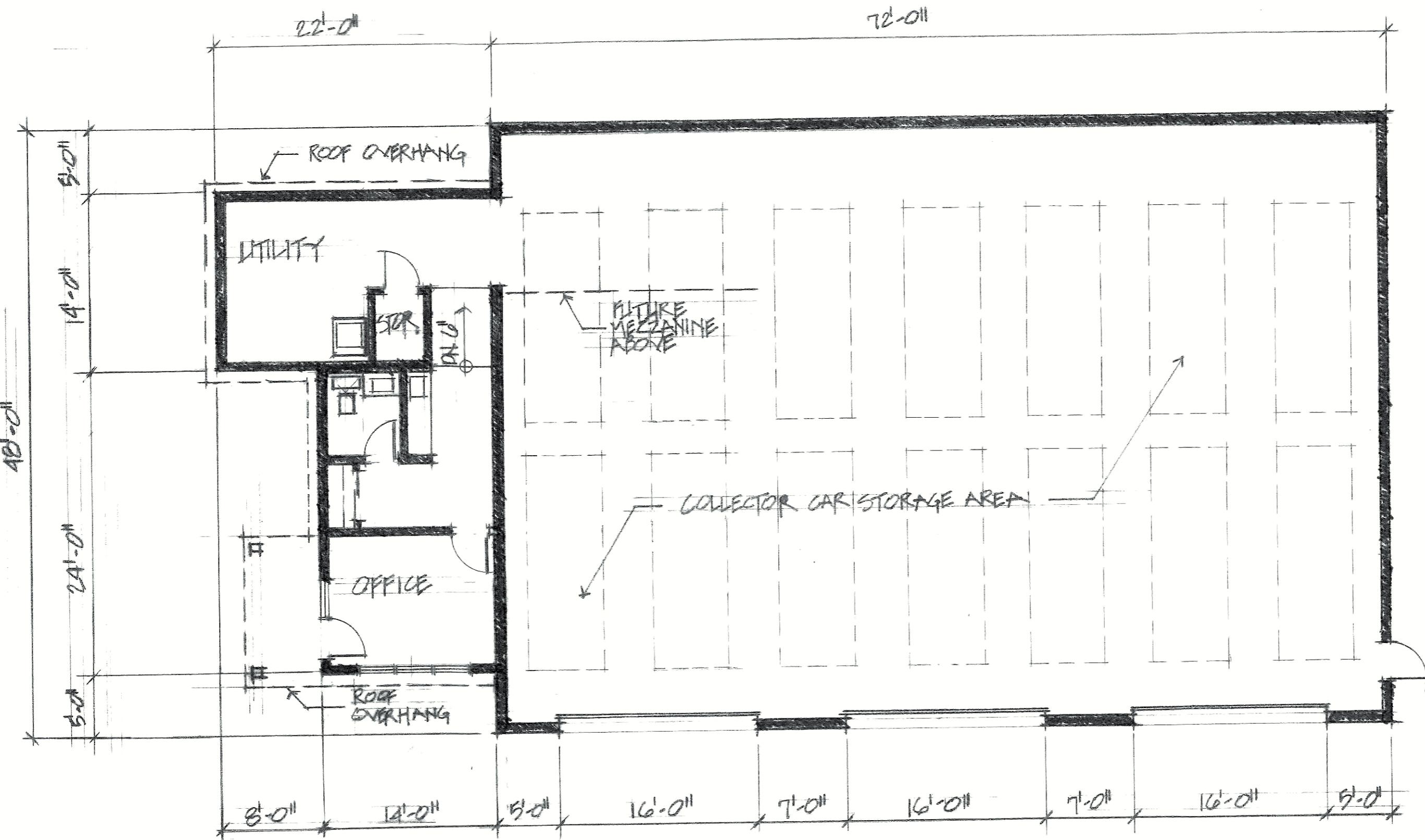
1325 MT. CARMEL TOBASCO ROAD  
AC 244

2 of 2



PRELIMINARY  
BUILDING ELEVATIONS  
SCALE:  $1/8"=1'-0"$

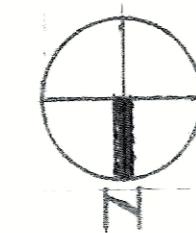




PRELIMINARY FLOOR PLAN

SCALE:  $1/8^{\prime \prime} = 1'-0^{\prime \prime}$

0 5 10 15



PROPOSED PRIVATE COLLECTOR CAR STORAGE BLDG.  
4325 MT. CARMEL ROAD  
JUN 4 2025

OF 2

