

ORDINANCE NO. 12 , 2018

AN ORDINANCE REZONING A PORTION OF MONTGOMERY ROAD NORTH OF HOPEWELL ROAD TO THE RESIDENTIAL C SINGLE AND TWO FAMILY DISTRICT WITH A PLANNED DEVELOPMENT OVERLAY

WHEREAS, the Robert Lucke Group, Inc. has petitioned for itself and other adjacent property owners located between 10280 and 10320 Montgomery Road to rezone their properties to the Residential C Single and Two Family District to permit the development of six attached single-family residential units with a planned development overlay; and

WHEREAS, the Planning Commission, in a meeting March 5, 2018, recommended approving such zoning and overlay application with specific exceptions and conditions; and

WHEREAS, after appropriate notice, Council did hold a public hearing on April 18, 2018 to review Planning Commission's recommendation, and Council moved that this matter be placed upon the legislative agenda for further consideration.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The property as depicted on Exhibit A, attached hereto and incorporated herein by reference, consisting of approximately 3.35 acres currently identified as Auditor's parcel number 603-0009-0023, 603-0009-0024, 603-0009-0025, 603-0009-0026, 603-0009-0027, and 603-0009-0028 shall be rezoned to the Residential C Single and Two Family District with a Planned Development Overlay.

SECTION 2. The General Development Plan recommended by the Planning Commission for such properties with the recommended Conditions and Exceptions dated March 5, 2018, a copy of which is attached hereto and incorporated herein by reference, is hereby approved.

SECTION 3. The Community Development Director is hereby directed to make a change in the Zoning Map to reflect the incorporation of these parcels into the Residential C District with a Planned Development Overlay.

SECTION 4. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: September 12, 2018

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellon
Terrence M. Donnellon, Law Director

Rezoning on Montgomery Road from 'A' to 'C' with Planned Development Overlay



Exhibit A

10280 – 10320 Montgomery Road
DRAFT STATEMENT OF CONDITIONS & EXCEPTIONS
ESTABLISHED AS THE STANDARDS IN THE PLANNED DEVELOPMENT
DISTRICT

March 5, 2018

General Conditions for the PD

1. The sidewalks along Montgomery Road shall be 7' in width and the final design shall be approved by the Public Works Director.
2. No more than two curb cuts onto Montgomery Road shall be permitted.
3. There will be 0.74 acres of open space as designated on the general development plan submitted by Robert Lucke Group, Inc.
4. In addition to standard Hamilton County storm water management plans, the applicant will adhere to the following:
 - a. Will adhere to Ohio EPA post construction runoff guidelines;
 - b. Develop storm water pollution prevention plans as required by the Ohio EPA;
 - c. Adhere to Section 401 of the Clean Water Act as administered by OEPA.
 - d. Robert Lucke, Inc. will work with CT Consultants to determine the best management practices that will be used to address NPDES Phase II regulations.

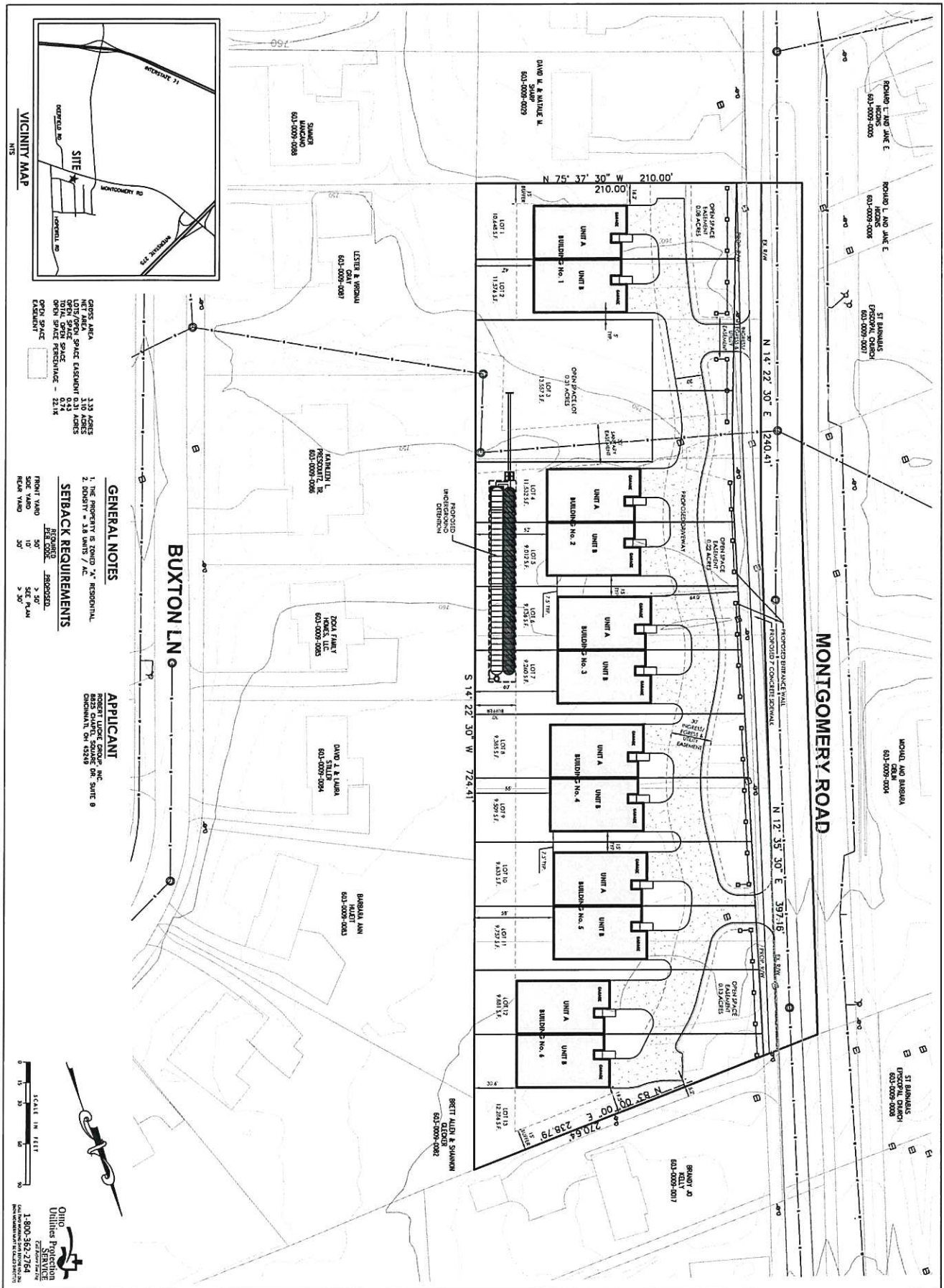
Residential C District

The regulations for the C zoning district will apply, with the following conditions and variations:

1. The minimum lot size shall be 9,000 square feet.
2. The minimum lot width at the building line shall be 45'.
3. The minimum setback from the right-of-way shall be 50'.
4. A 15' side-yard setback shall be required from the north and south project boundary lines.
5. A zero lot line shall be permitted between units and a 7.5' side yard setback shall be required from the side property lines.
6. No side-yard setback shall be required from the open space lot.
7. The rear yard setback shall be 30'.
8. The proposed private driveway shall be setback a minimum of 15' from the right-of-way.
9. A 30' buffer shall be provided along the east property line. No structures shall be permitted to encroach into the required buffer, with the exception of flatwork for Building 6. Flatwork for Building 6 shall be permitted to encroach a maximum of 10' into the required perimeter.
10. A 15' buffer shall be provided along the north and south property lines. No structures, with the exception of flatwork, shall be permitted to encroach into the north and south perimeter buffers. Any flatwork which encroaches into the

required north and/or south perimeter buffer shall maintain a 5' setback from the property line.

11. Porches, trellis, bay windows (including foundation and not to exceed 7' in width), roof overhangs, decks, stairs, chimneys, and architectural features may extend 2' into the side yard setbacks.
12. Below grade window wells and/or stairwells with or without guardrails can extend into the side and rear yard setbacks a maximum of 3'.
13. Impervious surface in the front yard shall not exceed what is shown on the general development plan submitted by Robert Lucke Group, Inc.
14. Driveways shall maintain a three foot setback for the side property line.
15. No dumpsters shall be permitted except as permitted by the Zoning Code in residential districts
16. Any proposed lighting shall be in compliance with the regulations of the underlying zoning district.



VICINITY MAP

OPEN SPACE 1.19 ACRES
 LOT/OPEN SPACE EASEMENT 0.30 ACRES
 OPEN SPACE 0.14 ACRES
 OPEN SPACE PERCENTAGE = 22.1%

GENERAL NOTES

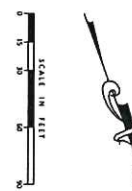
- THE PROPERTY IS ZONED "R" RESIDENTIAL.
- SETBACK = 30' UNITS / 40'.

SETBACK REQUIREMENTS

FRONT YARD	REAR YARD	SIDE YARD
30'	30'	30'

APPLICANT

ROBERT LUCIC GROUP, INC.
 8825 QUAIL SQUARE DR. SUITE B
 CINCINNATI, OH 45249



Ohio
 Utilities
 Projection
 SERVICE
 1,800.3667572
 175644.00
 1175644.00
 175644.00
 1175644.00

10280, 10290, 10300, 10310, 10320
MONTGOMERY RD
3.35 ACRES
 BOOK 603, PG. 9, PAR. 23 TO 28
 SECTION 4, TOWN 4, ENTIRE RANGE 1, MIAMI PURCHASE
 SYCAMORE TOWNSHIP, CITY OF MONTGOMERY
 HAMILTON COUNTY, OHIO

Project Manager	RAS
Project Engineer	BMG
Project Designer	1/1/2
Project Checker	1/1/2
Project Approver	1/1/2
Project Date	3/2/2018
Project No.	175644
Project Name	10280, 10290, 10300, 10310, 10320
Project Location	175644
Project Status	175644
Project Description	175644
Project Notes	175644
Project Details	175644
Project Information	175644
Project Specifications	175644
Project Standards	175644
Project Guidelines	175644
Project Procedures	175644
Project Policies	175644
Project Practices	175644
Project Principles	175644
Project Values	175644
Project Beliefs	175644
Project Attitudes	175644
Project Behaviors	175644
Project Emotions	175644
Project Thoughts	175644
Project Feelings	175644
Project Moods	175644
Project States	175644
Project Traits	175644
Project Characteristics	175644
Project Qualities	175644
Project Quantities	175644
Project Measures	175644
Project Metrics	175644
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