

Application for a  
**Major Modification to  
A Preliminary PUD Plan**

<b>A. APPLICANT INFORMATION</b> NAME: <u>Joseph Dorsey</u> PHONE: (859) <u>620</u> - <u>3331</u> ADDRESS: <u>19 Highland Ave</u> CITY/ST/ZIP: <u>Ft. Mitchell, Ky 41017</u> EMAIL: <u>jdorseyremax@yahoo.com</u> APPLICANT IS THE: <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> AGENT <input checked="" type="checkbox"/> OPTIONEE	CASE NO. _____
<b>B. PROPERTY INFORMATION</b> PROPERTY ADDRESS (IF ANY): <u>Winner's Circle Dr</u> CITY/ST/ZIP: <u>Liberty Township, OH 45011</u> SECTION: _____ TOWN: _____ RANGE: _____ PARCEL #: <u>D 210 -002 -000 -096</u> CURRENT USE OF PROPERTY (CHECK ALL THAT APPLY): <u>D 210 002 000 136</u> <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> AGRICULTURAL <input checked="" type="checkbox"/> OTHER (Vacant lot)	<b>PAYMENT INFORMATION</b> FEE AMOUNT: <b>\$700</b> RECEIPT #: _____ RECEIVED BY: _____
<b>C. PROPERTY ZONING</b> CURRENT ZONING OF PROPERTY: <u>M.U. - PUD</u> REQUESTED ZONING OF PROPERTY: <u>Modification to original 2013 Prel. PUD Plan</u> TOTAL ACRES OF PROPERTY TO BE REZONED (IF ANY): <u>Approx. 2.2, (to be sub-divided)</u>	
<b>D. PROPERTY OWNER INFORMATION</b> (LIST ALL PARCELS AND PROPERTY OWNERS THAT ARE INCLUDED WITH THIS APPLICATION) 1. PARCEL #: <u>D 210 - 002 - 000 - 096</u> NAME: <u>Randy Terry / Liberty Land Co</u> PHONE: (513 ) <u>479</u> - <u>6793</u> ADDRESS: <u>2013 SE Talbot Place Stuart Florida 34997</u> 2. PARCEL #: <u>D 210 - 002 - 000 - 136</u> NAME: <u>Randy Terry / Liberty Land Co</u> PHONE: (513 ) <u>479</u> - <u>6793</u> ADDRESS: <u>2013 SE Talbot Place, Stuart Florida 34997</u> 3. PARCEL #: <u>D _____ - _____ - _____ - _____</u> NAME: _____ PHONE: ( ) _____ - _____ ADDRESS: _____ 4. PARCEL #: <u>D _____ - _____ - _____ - _____</u> NAME: _____ PHONE: ( ) _____ - _____ ADDRESS: _____	
<b>E. DESCRIPTION OF REQUEST</b> <u>Approval for a mini-golf course use in Carriage Hill MU-PUD</u> _____ _____ _____ _____	

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**DESCRIPTION OF REQUEST AND REASONS FOR A  
MAJOR MODIFICATION TO A PRELIMINARY PUD FORM**

**THE APPLICANT SHOULD PREPARE DEFINITIVE STATEMENTS REGARDING THE FOLLOWING:**

1. WHAT ARE THE SPECIFIC CHANGES IN THE CHARACTER AND CONDITIONS OF THE AREA WHICH HAVE OCCURRED TO MAKE THE PROPERTY NO LONGER SUITABLE OR APPROPRIATE FOR THE PREVIOUSLY APPROVED USE?

Property is part of a M.U. - PUD approved in 2013 (Resolution 2013-031) and various uses were apparently approved but have been advised proposed use was not included in the approval.

2. WHAT IS THE BENEFIT THAT THE NEIGHBORHOOD OR COMMUNITY AS A WHOLE WILL DERIVE FROM THIS CHANGE?

For the residents of Carriage Hill, the use and project as proposed to be developed will preserve the beautiful grove of trees (over 30) on the site and the area around the lake will be dedicated and maintained and preserved as undeveloped open space. The heretofore plan by the owner/master developer, Liberty Land, was for rental apartment buildings. That plan shown to the applicant showed that all the trees would be cut down, parking lot put within a short distance of the lake, and an access drive would be put within feet of the adjacent residential home. The project would do none of that and is carefully designed to minimize impacts and fit in with the overall Carriage Hill look and feel. CONT. BELOW...

3. WILL THE SITE BE ACCESSIBLE FROM PUBLIC ROADS, WHICH ARE ADEQUATE TO CARRY THE TRAFFIC THAT WILL BE IMPOSED UPON THEM IF THE REZONING IS GRANTED, OR WILL ROAD IMPROVEMENTS BE REQUIRED?

Yes adequate, no road improvements will be required.

4. HAS THIS REZONING BEEN DISCUSSED WITH REGARD TO TRAFFIC DESIGN WITH THE BUTLER COUNTY ENGINEER'S OFFICE? WHEN? WHO?

No, not anticipating any traffic improvements will be needed. 747 is state highway recently improved and expanded to 4 lanes and there are already dedicated turn ins off 747 into Carriage Hill. Curb cut to proposed parking lot will either be at or partially same/on or replace another curb cut already on site on Infield Cir. Both streets that border the site are private streets.

5. IS THE PROPERTY CURRENTLY OR CAN IT BE SERVICED BY PUBLIC SEWER AND WATER AND CAN PROPER DRAINAGE BE PROVIDED?

Yes, already serviced. Met on site with Duke, Altafiber, and BCEO engineers re: storm water; communicated by Email with BC Water & Sewer to confirm details of tapping in.

6. WHAT IS THE ANTICIPATED PROPOSED USE PROPERTY AND CHARACTER (ARCHITECTURAL TREATMENT) OF THE DEVELOPMENT?

Course and 1/2 mini-golf course (25 greens planned). Full narrative report of Development Plan attached.

Q1. Cont. ...

For the residents at large of Liberty Township, the proposed project will bring a family oriented, affordable outdoor recreational opportunity in a beautiful setting. Not only is it affordable, but unlike most other recreational activities and sports, mini-golf is "anyone friendly", meaning everyone from small children to senior citizens and even handicapped persons will be able to do and enjoy.



ALL PROPERTY OWNERS WITHIN TWO HUNDRED (200) FEET OF THE SUBJECT PROPERTY SHALL BE LISTED. IT IS THE APPLICANT'S RESPONSIBILITY TO PROVIDE A COMPLETE AND ACCURATE LIST. THE PLANNING AND ZONING DEPARTMENT WILL APPROPRIATELY NOTIFY THE ADJOINING PROPERTY OWNERS OF THE SCHEDULED PUBLIC HEARING.

[illegible]

Joe  
Application for a  
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**PROPERTY OWNER'S AFFIDAVIT**

I (we) P. Randy Terry, (Liberty Land Co. LLC)  
hereby certify that we are all of the owners of the real estate which is the subject of the pending zoning application; that we hereby consent to the Zoning Commission of Liberty Township approving a development plan for the subject real estate. We understand that our application will be considered and processed in accordance with the regulations as set forth by the Liberty Township Department of Planning & Zoning and Zoning Resolution; that we agree to accept, fulfill and abide by those regulations and all stipulations and conditions attached to the development plan. I (we) authorize Liberty Township to place a Public Meeting notification sign on the property. I (we) authorize Liberty Township staff and board members to enter and inspect the property. The statements and attached exhibits are in all respects true and correct to the best of my/our knowledge and belief.

  
Signature

P. Randy Terry  
Printed Name

2013 SE. Talbot Place  
Mailing Address

Shawnee, Florida 34997  
City, State, Zip Code

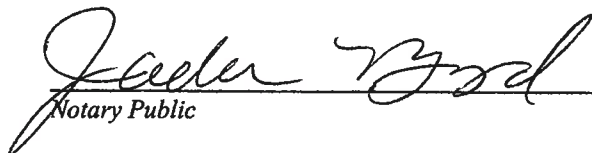
513-479-6793  
Phone

STATE OF OHIO  
COUNTY OF BUTLER

Sworn to or affirmed and subscribed before me by Jada Boyd this 14<sup>th</sup> day  
of July 2023.



JADA BOYD  
Notary Public  
State of Ohio  
My Comm. Expires  
May 10, 2028

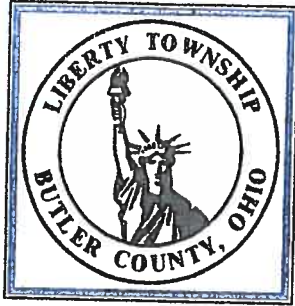
  
Notary Public

Person to be contacted for details, other than signatory:

Printed Name

Address/City/St/Zip

Phone



## RESOLUTION NO. 2007-052

Board of Trustees, Liberty Township  
Butler County, Ohio

**RESOLVED** by the Board of Trustees of Liberty Township, Butler County, Ohio, that

**WHEREAS**, on Monday, June 18, 2007 the Liberty Township Trustees reviewed the request for rezoning by applicant Marc Terry to change from A-1 and R-SE to B-PUD and R-PUD on the 330.7 acres located on the east side of State Route 747, north of Princeton Road and south of Millikin Road (parcels D2010-002-000-002, D2010-002-000-003, D2010-002-000-009, D2010-002-000-020, D2010-002-000-022, D2010-002-000-024, D2010-002-000-035, D2010-002-000-036, D2010-002-000-049, D2010-002-000-052);

**WHEREAS**, a public hearing was held on Tuesday, May 1, 2007 by the Liberty Township Zoning Commission on the application ZC07-009, applicant Marc Terry;

**WHEREAS**, all those present for the hearing who wished to be heard voiced their opinions with respect thereto;

**WHEREAS**, the Liberty Township Zoning Commission recommended approval of the zone change from A-1 and R-SE to B-PUD and R-PUD based on the Concept / Preliminary Development Plan presented, information contained in the staff report, and subject to conditions;

**WHEREAS**, a public hearing was held on Monday, June 4, 2007 by the Liberty Township Board of Trustees on the application ZC07-009, applicant Marc Terry;

**WHEREAS**, all those present for the hearing who wished to be heard voiced their opinions with respect thereto;

**WHEREAS**, said application was reviewed by the Board of Township Trustees and determined to be an appropriate use of the land; and

**WHEREAS**, The Liberty Township Board of Trustees recommends approval of the zone change from A-1 and R-SE to B-PUD and R-PUD based on the Concept / Preliminary Development Plan presented (dated 4/5/07), Exhibit D (Revised 4/5/07), and subject to the following conditions:

*SECTION 1. The Design Criteria table and Transitional Parcel Design Criteria Diagram shall be removed and replaced with the note: "All minimum lot size and setback requirements shall be determined subject to more detailed preliminary development plan review."*

*SECTION 2. A full traffic impact study shall be submitted for the entire 330 acre development prior to any future plans being submitted*

COPY

SECTION 3. *A 50' buffer shall be shown on the southern boundaries of Parcels D, F, and H, the western boundary of D, the eastern boundary of H, along with the north and western boundaries of Parcel E. The frontage along Princeton Road shall show a 100' building setback. All other setbacks shown on Concept / Preliminary Plan shall also be shown on any submitted more detailed Preliminary or Final Development plan, as well as any subdivision plat.*

SECTION 4. *A storm water study and drainage plan shall be submitted to the BCEO. Flood study shall be completed as scoped by Butler County Floodplain Administrator.*

SECTION 5. *Densities provided shall be a maximum density subject to more detailed preliminary development plan review and approval.*

SECTION 6. *A more detailed preliminary development plan is required to be approved by the Liberty Township Zoning Commission and Board of Trustees, also a final development plan is required to be approved by the Zoning Commission only for each phase of the development.*

SECTION 7. *Open space shall be determined at the more detailed Preliminary Development Plan review.*

SECTION 8. *Building height shall be determined at the more detailed Preliminary Development Plan review.*

**THEREFORE BE IT RESOLVED** that the Liberty Township Board of Trustees does hereby approve the zone change for the 330.7 acres listed above with 97.9 acres to B-PUD and 232.8 acres to R-PUD for ZC07-009 as based on the Concept / Preliminary Development Plan presented (dated 4/5/07), Exhibit D (Revised 4/5/07), and subject to the conditions listed in Sections 1 through 8 above.

Trustee Kern moved to approve the zone change. Trustee Hiltman seconded the motion and upon call of roll, the vote resulted as follows:

Trustee Kern,	yes
Trustee Hiltman,	yes
Trustee Maticic,	yes

Adopted: Monday, June 18, 2007

Attest:

  
Roger Reynolds, CPA  
Fiscal Officer

REVISED  
4-5-07

Exhibit D  
Business Planned Unit Development (B-PUD) Criteria

APR 05 2007

**A. Purpose**

This following criteria is intended to provide for the development of the B-PUD with a mix of uses (office, retail, recreational, institutional and residential) which maintain a more vibrant, walkable, and economical development. Within the planned development, selected residential uses can be integrated with commercial, retail, and office uses, or developed as a sub area with residential neighborhood characteristics. This district provides for flexibility in locating uses, allows for utilization of the site more efficiently than standard zoning regulations, allows for advantageous use of natural features of the site. The district is intended to promote the utilization of different land uses that may act as a transition between conflicting uses in a planned development taking advantage of unified landscaping, buffering, access, and parking.

**B. Permitted Uses**

***Commercial / Retail***

Retail/Service

Offices including professional, administrative, medical, dental and clinics, insurance and real estate offices

Day Care

Financial Institutions including drive-through

Restaurants and Nightclubs

Theatres and Cinemas

Funeral Homes

Retirement and Senior Living including single family detached

Mixed Use Buildings (to include the permitted commercial/retail uses noted above and Multi-Family Residential. Residential uses shall not be permitted on the first floor)

Any other similar use approved by the Zoning Commission and Township Trustees

***Residential***

Single family attached town homes, row houses, condos

Multi-family (stand alone multi-family buildings not part of a mixed use building as defined above up to a maximum of 10% of the B-PUD area)

Any other similar use approved by the Zoning Commission and Township Trustees

***Institutional***

Uses including libraries, churches, other places of worship, public buildings and offices

Any other similar use approved by the Zoning Commission and Township Trustees

**C. Conditional Uses as Approved by Zoning Commission at PDP Stage**

Outdoor sales

Drive through stores and restaurants

Convenience food stores and carry-outs, mini-markets

Automotive fueling stations

**D. Prohibited Uses**

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Heavy industrial or commercial uses which are noxious or offensive by reason of smoke, dust, gas fumes, odors, vibrations, or noise beyond the limits of the premises upon which such operation is located.

Outdoor storage

Individual storage units

Sexually oriented businesses

Any other similar use as determined by the Zoning Commission or Township Trustees

**E. Minimum Area**

Commercial (retail / office) uses shall be at least Fifty percent (50%) of the overall development area. If a parcel contains a mixed use building containing both commercial and residential uses, the use shall count towards the minimum requirement for commercial.

**F. Setback Requirements**

If adjacent to a residential district outside the PUD or any lot used for residential purposes, a 50' perimeter setback shall be required with no buildings, parking, drive aisles or other structures, other than landscaping. This may be reduced if the adjacent land is vacant and the land use plan calls for use to be commercial. The Zoning Commission shall determine the appropriate perimeter setback required if adjacent to any other district.

The Zoning Commission shall approve setbacks between buildings within the B-PUD on a case-by-case basis to permit greater flexibility in the design and layout.

**G. Building Height**

No structure shall exceed fifty (50) feet in height or three (3) stories whichever is greater or as otherwise approved by the Zoning Commission. Building height may not exceed 35 feet for buildings within 200 feet of the centerline of Princeton Glendale Road.

**H. Parking and Loading**

Off-street parking and loading shall be in accordance with the provisions set forth in Section 3.1 except when common/shared parking areas can be provided. Applicants are encouraged to develop shared parking lot facilities to reduce the number of off-street parking spaces required in the B-PUD as provided in Section 3.1.6.

Loading and unloading facilities shall not be located on the front of any building or any building wall facing a public road right-of-way. Further, loading and unloading facilities shall be screened from public road rights-of-way and adjacent property with an opaque barrier consisting of a landscaped earth mound, solid evergreen planting or decorative masonry wall or any combination thereof as approved by the Zoning Commission.

**I. Buffer Yards**



Buffer yards with required landscaping and screening materials shall be provided adjacent to the B-PUD perimeter boundaries and the exterior boundary lines of the overall PUD.

**J. General Landscaping Requirements**

- a. **Parking Fields-** Evenly spaced plantings, mounding or a combination thereof, shall be utilized to screen parking fields other than on-street parking both as parallel parking or diagonal parking from the glare of car headlights around the entire perimeter of all parking lots unless otherwise screened appropriately by other means. Such landscaping shall achieve a year round opacity of sixty percent (60%) to a height of three plus (3+) feet.
- b. **Street Trees-** Street trees shall be a minimum of one and one-half inches (1-1/2) caliper per tree. Street tree location shall be coordinated with the street lighting and architecture of the buildings. The desired spacing for street trees and street lighting is approximately twenty-five (25) feet. Tree location shall be coordinated with adjacent parcels to achieve even spacing throughout the corridor.
- c. All other requirements for landscaping per Section 3.1 shall apply.
- d. **Entrances.** All entrances to the B-PUD shall be appropriately landscaped and approved by the Zoning Commission.

**K. Signage**

All signs in the B-PUD shall conform to Section 3.2, except where the Zoning Commission finds that certain conditions warrant additional signage. Signage shall be consistent throughout the B-PUD.

**L. Architectural Standards**

A streetscape design shall be included with all development plans. Uniform building materials, signage, lighting, and landscaping shall be provided throughout the development or divided by neighborhood district.

In order to promote creativity in design, architectural standards will be evaluated on a project by project basis.

**M. Circulation and Access**

The B-PUD shall have direct access from an arterial or collector road without direct primary access through an adjacent residential development outside of the PUD. Pedestrian ways including sidewalks and multi-use paths are required to accommodate safe non motorized transportation throughout the B-PUD along internal streets and perimeter roads. Pedestrian connections linking individual buildings within the B-PUD to sidewalks and/or paths are required as are connections between the B-PUD and adjacent neighborhoods or developments.

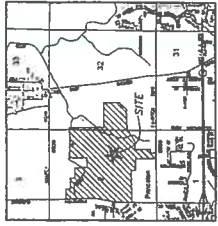
**N. Accessory Uses and Structures**

Accessory Uses and Structures shall conform to the provisions of Section 2.7. Outdoor seating at restaurants shall be permitted.

O. Lighting

Lighting requirements of Section 1.11.14 O. shall apply to development in the B-PUD.  
Consistent fixture types shall be utilized throughout the B-PUD.





 VICINITY MAP  
NOT TO SCALE  
GENERAL NOTES

[illegible]

**LEGEND**

- PROJECT BOUNDARY
- PAVED CIRCULATION
- SIDEWALKS
- EXISTING CIRCULATION
- PROPOSED CIRCULATION AND CONNECTIONS
- PROPOSED FOOTPRINT CONNECTION
- POSSIBLE OPEN SPACE

## DEVELOPMENT SUMMARY

USAGE	NUMBER OF STANDARD UNITS	ACREAGE	DENSITY
ROAD SIDE (FOOTING @)		64.0	100
TRUCKPULVER UNITS	134	64.5	0.7 sq./ft.
EXPERT MIXED UNITS 1	94	27.0	0.7 sq./ft.
EXPERT MIXED UNITS 2	107	11.5	0.7 sq./ft.
FAMILY UNITS	58	40.5	0.8 sq./ft.
CELEBRITY UNITS	114	75.0	1.0 sq./ft.
SHOWER UNITS	7	20.1	0.1 sq./ft.
OPEN SPACE	6/4	11.0*	0/1
TOTAL =	577*	340.7	100

DESIGN CENTER

LOT	USE	AC. (APPROX)	EST. VALUE		EST. RENT	
			1975	1976	1975	1976
1	TRANSITIONAL LOTS	1/2	100	100	100	100
2	CRAFT CENTER LOTS	1/2	100	100	100	100
3	EMPTY CENTER LOTS	1/2	100	100	100	100
4	EMPTY CENTER LOTS	1/2	100	100	100	100
5	EMPTY CENTER LOTS	1/2	100	100	100	100
6	EMPTY CENTER LOTS	1/2	100	100	100	100
7	EMPTY CENTER LOTS	1/2	100	100	100	100
8	EMPTY CENTER LOTS	1/2	100	100	100	100
9	EMPTY CENTER LOTS	1/2	100	100	100	100
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57	EMPTY CENTER LOTS	1/2	100	100	100	100

TRANSITIONAL PARCEL  
DESIGN CRITERIA

