



**Abercrombie
& Associates, Inc.**

Civil Engineering + Surveying

To: Anderson Township
7850 Five Mile Road
Cincinnati, Ohio 45230-2356

Attention: Paul Drury

Job No.: 20-0020-1

Date: 10/7/22

Ref: Nagel Road, Phase 2

LETTER OF TRANSMITTAL

☒ **VIA COURIER**

We are sending you the following items:

☒ Prints ☐ Calculations ☐ CD ☐ Check

☒ Copy of Letter ☒ Legal Description ☒ Application ☐ Other

Copies	Date	Description
10		Application for Zoning Amendment/Submittal Checklist
10		Application Letter & Site Summary
1		Check for \$825.38
10		Legal Description
10 Sets		Zoning Map, Preliminary Development Plan & Preliminary Architectural Plan

These are transmitted as checked below:

☒ As Requested ☐ For Information ☐ For your Approval

☐ Per Attached ☐ For Your Signature ☐ Per Phone Call

☐ For Review & Comment ☐ At the Request of _____

Remarks:

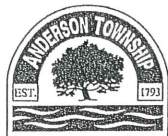
If enclosures are not as noted, kindly notify us at once.

Copy To: _____ **By:** Craig Abercrombie

8111 Cheviot Road • Suite 200 • Cincinnati, Ohio 45247

Phone: (513) 385-5757 • Fax: (513) 245-5161 • www.abercrombie-associates.com

craiga@abercrombie-associates.com



SUBMISSION REQUIREMENTS FOR AMENDMENT TO THE ANDERSON TOWNSHIP ZONING MAP OR SUBSTANTIAL MODIFICATION TO A FINAL DEVELOPMENT PLAN

CASE: **APPLICANT:** Zicka Development Company, LLC

An application for a zoning map amendment submitted to the office of the Township Zoning Inspector must comply with the requirements and procedures outlined herein.

This checklist (completed and signed) must be submitted with the Preliminary Development Plan.

PLEASE READ ALL INSTRUCTIONS

ALL MATERIALS SHOULD BE IN PACKET FORM READY FOR DISTRIBUTION

1. GENERAL REQUIREMENTS (See Attachments 1 & 4)

Pre-Application Meeting

The Anderson Township Pre-Application Meeting is a recommended preliminary review session offered to applicants seeking to discuss a proposed development or land use. The meeting is conducted by Anderson Township Planning and Zoning staff and consists of an informal discussion of the development process with reference to contact information and applicable codes, applications, and fees. The purpose of a pre-application meeting is to streamline the development review process by providing technical advice and recommendations to potential applicants. Since many individuals may be unfamiliar with the Township's regulations and long-range goals, a pre-application meeting will help make the development review process less time-consuming and costly.

Pre-Submittal Meeting (PSM)

If the applicant wishes to have additional feedback on the proposed application, he/she has the option to request a public meeting. A request shall be made no later than 10 days prior to the proposed meeting date. It is recommended that the applicant bring any preliminary drawings, studies, analysis and any other pertinent information to the meeting to provide as much information as possible on the proposed project. Property owners within 200' of the proposed development will be notified of this meeting via mail, and, if possible, a notice will be placed in the Community Press newspaper. This allows the public the opportunity to provide comments and feedback on the proposal at an open house style. Following the conclusion of the meeting, a memorandum will be sent to the applicant, as well as to the Anderson Township Zoning Commission (ATZC) outlining the issues made at the meeting.

Formal Submittal

If the applicant chooses to move forward with the proposal then more detailed plans will be prepared along with other materials that constitute a filing for a zoning map amendment. All property owners within 200' of the subject property are also sent notice of the meeting so that they may participate in the meeting and provide input on the proposal prior to any formal action.

The plans will be distributed to various governmental and quasi-governmental agencies for review and comment, and a recommendation will first be made by the Hamilton County Regional Planning Commission (within approximately 30 days of the application being filed). Following this recommendation, a public hearing will be held by the Anderson Township Zoning Commission. At least 10 days prior to this hearing all property owners within 200' will be sent a notice of this hearing, a zoning hearing sign will be placed on the property, and a legal notice published in the Cincinnati Enquirer.

The Zoning Commission will then make a recommendation to the Anderson Township Board of Trustees. A notification process identical to that outlined above for the ATZC hearing will be followed for the Board hearing, and after this hearing the Board will make a decision on the zone change request. TEN (10) additional copies of the written requirements listed will need to be provided for the Board of Trustees meeting.

Application Fee

An application for a zoning amendment shall be accompanied by a payment of \$750 plus \$150 per acre or \$750 plus \$150 per unit (Whichever is the lesser fee) or \$10,500 maximum fee, to cover the cost of processing the application. This fee is nonrefundable. In addition, the applicant also reimburses the Township for all costs of advertising, legal notice, and postage in connection with said amendment. Review fees for Hamilton County Public Works and other professional agencies (if required) are also the responsibility of the applicant. Make checks payable to Anderson Township. Visa or MasterCard is accepted with a 3% administrative fee.

Electronic Submission

The entire submittal below shall be provided in an Electronic Version.

2. WRITTEN REQUIREMENTS

✓ Metes and Bounds Description

Submit TEN (10) COPIES to scale containing the following information:

- ✓ a. a metes and bounds description of the subject site
- ✓ b. the amount of area contained within the site, and
- ✓ c. a statement, signed and sealed by a registered surveyor, certifying that the description of the property proposed to be developed, is a complete, proper and legal description thereof.

✓ Application Letter

Submit TEN (10) COPIES of a letter to the Zoning Commission completely describing the proposed use of the premises. The following information shall be included:

- ✓ a. size of the area involved
- ✓ b. description of proposed use (for land and buildings)
- ✓ c. character of development (architectural treatment, density, intensity)
- ✓ d. 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 existing zoning classification or to make the property appropriate for the proposed use
- ✓ e. the benefit that the neighborhood or the community as a whole would derive from such change, and

- ☒ f. other information that the applicant feels is pertinent and would be helpful to the Regional Planning Commission and the Anderson Township Zoning Commission.

☒ **Application Form (See Attachment 2)**

Submit the completed application form signed by the applicant and the owner(s) of the property. Please use this checklist to ensure that all other submission requirements are being met.

3. GRAPHIC REQUIREMENTS

☒ **Zoning Plat**

Submit TEN (10) COPIES FOLDED to 11" x 14" size with title exposed of the zoning plat at a scale of one hundred (100) feet to the inch or larger containing the following information:

- ☒ a. All existing property lines and parcel numbers for each parcel within subject site and within three hundred (300) feet of the exterior boundary of the subject tract, and the last name of the owners within two hundred (200) feet as per attached sample plat
- ☒ b. metes and bounds and dimensions of subject property and area contained therein (in acres)
- ☒ c. existing zone district boundaries (shown in dashed lines with heavier line weight than property lines) and zone designations
- ☒ d. project name in lower right hand corner, scale and north point (north shall be to top of zoning plat)
- ☒ e. area of proposed rezoning indicated by crosshatching or shading
- ☒ f. street names and right-of-way lines with line weight heavier than property lines
- ☒ g. distance from subject property to nearest street intersection and/or section corner, and
- ☒ h. stamp or seal and signature of engineer or surveyor

☒ **Preliminary Development Plan** (Please refer to Zoning Resolution for specific requirements applicable to proposed zoning district)

Submit TEN (10) COPIES FOLDED to 11" x 14" size with title or project name exposed of the Preliminary Development Plan (a single drawing) at a scale of fifty (50) feet to the inch or larger (unless otherwise approved by the director) showing the items 1-3 listed below. (Items omitted may delay consideration by the Commission)

1. Existing Features:

Please delineate with lighter line weights, screening, or use of other techniques to differentiate existing from proposed features. On one sheet within the preliminary development plan, please include:

- a. existing property lines, name of property owner, right-of-way, and public and private easements for the entire tract, each parcel involved, and 200 feet therefrom

- b. metes and bounds and dimensions of the zone change area
- c. existing contour lines (dashed) at five foot intervals or less on site and 200 feet therefrom and source and date of data (use of two foot intervals required where necessary to determine storm drainage)
- d. Steep slope area of the existing topography should be mapped as follows:
 - 1. All areas on site and 200 feet therefrom with slope of 20% or greater
 - 2. All areas on site and 200 feet therefrom with slope of 25% or greater
- e. location of landslide prone soils and bedrock (indicate source)
- f. location of existing tree mass. *(It may be requested by staff, ATZC or the Board of Trustees that the applicant provides information on individual existing trees.)*
- g. location of watercourses and areas subject to 50-year flood and 100 year flood (indicate source) in accordance with requirements of the Hamilton County Public Works
- h. the use and approximate location of existing structures, pavements, sanitary and storm sewers and other physical and natural features on site and 200 feet therefrom (indicate structures to be demolished in dashed lines).

2. Project Identification and Summary: (to appear on proposed features plan)

- a. name of project in lower right-hand corner, date, scale, "north" sign, map title (Preliminary Development Plan), total number of sheets and sheet number, with north to top of plan
- b. name and title of applicant, present owner and person preparing map
- c. vicinity map of the site with reference to surrounding areas and to existing street locations
- d. a summary table indicating existing and proposed uses, floor area (if nonresidential), seating capacity (where appropriate), proposed parking spaces, and parking spaces required by the zoning resolution, and
- e. area of entire site listed as gross and area of entire site excluding streets and right-of-way as net.

3. Proposed Features:

Please delineate with heavier line weights or use of other techniques to differentiate from existing features; a separate sheet may be submitted if adequately referenced:

- a. perimeter boundary of subject site (excluding proposed right-of-way)
- b. location of zone boundaries and lot lines proposed inside and existing outside the subject for 200'
- c. the general location and use of all proposed structures on the subject site and existing outside the subject site for 200' including buildings (indicate number of stories), recreation facilities, parking facilities, trash stations, dumpster location, sewage treatment plant, signs, fences, walls, sidewalks, curbs, heating, A/C, and exhaust equipment, etc.

- d. the location and dimensions of future buildings, additions, and phases of implementation if contemplated. Failure to provide this information may require a resubmission for a major change in the zoning amendment
- e. location and dimensions of proposed off-street parking area layout, commercial and residential including required handicap spaces (indicate spaces per bay) and off-street loading facilities showing individual parking spaces, loading areas, aisles, traffic patterns, driveways for ingress and egress, lighting and type of pavement
- f. location and width of proposed streets (including type of pavement), the length of cul-de-sacs exceeding 800', and the location of all access points adequately described to enable field location (i.e. exact distance from centerline of nearest street intersection or other fixed feature in closer proximity)
- g. location of proposed curbs and sidewalks;
- h. location and details of proposed traffic improvements such as acceleration and deceleration lanes, channelization, widening of existing roadways*
- i. location and dimensions of right-of-way, easements and all lands to be dedicated to the county or township or reserved for specific uses*
- j. typical sections of right-of-ways*

**Note: contact the county engineer, permit section, for items h, i, and j.*

- k. location and dimensions of lots, front yards, side yards, rear yards, and setbacks as proposed and required to comply with the zoning resolution (per proposed amendment)
- l. location of proposed retention and detention basins and storm water management concept
Note: Contact the Public Works Department for Item l.

Provide all Engineering Plans, signed and sealed by a professional engineer, including data regarding existing watershed on the proposed site and within 200' in all directions of the subject site. Engineering data and the calculations (in GPM and Cubic Feet) of expected run-off from impervious surfaces, both existing and proposed, based on rainfall from 5, 10 and 50-year storms.

- m. generalized location of anticipated earthwork distinguishing cut from fill (proposed contour lines will be required on the final development plan at a maximum 3:1 slope)
- n. location and dimensions of proposed landscape and perimeter buffer areas including construction limits (area to remain undisturbed), the location of existing trees or trees masses that will remain and their approximate trunk diameter (over 6") or form of canopies and other significant landscape details or concepts
- o. location and dimensions (including heights and square feet) of all signs and exterior lighting (include cut-off angle, footprint, and intensity in foot-candle value); a written evaluation of the extent of site lighting effects on all adjoining property
- p. cost estimates for both materials and installation of the proposed storm drainage facilities and landscaping including buffer material. Performance bond may be required at Final Development Plan Stage; and

- q. any other pertinent information as may be required by the staff.

✓ Hearing Materials

It is encouraged that the applicants bring additional presentation materials to the Anderson Township Zoning Commission meeting(s), as well as to the Board of Anderson Township Trustee's meeting(s). These can include mounted color representations of the proposed project, elevations, floor plans, digital imaging, etc.

Incomplete applications will not be accepted for processing officially received, nor placed, on the Agenda for review.

4. CONCEPT REVIEW (See Attachment 3)

Review of Preliminary Sewer Concept

The Applicant shall apply to M.S.D. (Metropolitan Sewer District) and O.E.P.A. (Ohio Environmental Protection Agency), as applicable, for concept approval (request for sewer availability) and receive a positive response prior to the submission of the Final Development Plan.

Review of Preliminary Surface Drainage Concept

The Planning & Zoning Staff will transmit drawings to the Hamilton County Planning & Development for review and recommendations. Applicant must fill out Storm Water Drainage Review & Inspection Application prior to submission, (See Attachment 5) or website: <http://www.hamiltoncountyohio.gov/pubworks/hcpw-pdfs/exhibits/exhibit02.pdf>

Review of Preliminary Access/Circulation Concept

The Planning & Zoning Staff will transmit drawings to the county engineer for review and recommendations.

Review of Preliminary Fire Prevention Concept

The Township Fire Prevention officer will review drawings and make recommendations.

Review of Preliminary Development Plan; Landscape, Buffer and Conservation Concepts

The Planning & Zoning Staff will transmit drawings to the Hamilton County Soil Conservation Service and the Regional Planning Commission staff for review and recommendations.

Review of Conformance to Motorway Plan, Zoning Resolution and Land Use Plan and Policies.

The Planning & Zoning Staff will transmit drawings to the Regional Planning Commission for review and recommendations.

Note: Information submitted shall be assumed to be correct and applicant and/or agent shall assume responsibility for any errors and/or inaccuracies resulting in an improper application



Abercrombie
& Associates, Inc.

Civil Engineering + Surveying

October 4, 2022

Anderson Township Planning & Zoning
7850 Five Mile Road
Cincinnati, Ohio 45230

Attn: Paul Drury, AICP

Re: Nagel Village, Phase 2
Auditors Parcel 500-0121-0060

On behalf of Zicka Development Company, LLC, who is under contract the above-reference property from Diane Marie Morgan, please see attached submittal documents to request a Zoning Map Amendment from "B" Residence District to "D-D" Multiple Residence District. The total area being proposed in this rezoning is 0.5025 acres which includes 4 total living units. The attached site summary as provided by Zicka Development Company, LLC that was part of the pre-submittal meeting materials is attached for reference. The presence of the new planned multi-family use to the immediate north/west & existing office/parking lot to the south make attached multi-family a very appropriate use for this property. In addition, the smaller lot areas & exterior maintenance provided by the Homeowners Association allow for the site to fit the needs of the empty nester market while providing a more feasible site development that provides more opportunities to attach units. This will be a benefit the township as it will offer current residents a transition to a smaller home with maintenance-free community as they choose to downsize from a larger home in the area. Per the attached site summary, the roadway will have the appearance of a traditional subdivision street but be privately owned & maintained while the architectural design will fit the character of the surrounding homes business uses nearby & homes to be constructed in Nagel Village, Phase 1.

If there are any questions or if we can be of further assistance, please call me at your earliest convenience.

Sincerely,

ABERCROMBIE & ASSOCIATES, INC.

Craig T. Abercrombie, P.S./LEED AP
Vice President of Business Operations/Project Manager

Attachment

APPLICATION FOR ZONING AMENDMENT

Anderson Township Planning & Zoning Department

Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio 45230

(513) 688-8400

Name of Applicant: Zicka Development, LLC

Address: 7861 East Kemper Road, Cincinnati, Ohio 45249

Phone Number (513) 702-9419

Fax Number (513) 247-3512

Status: Owner ☐ Agent for Owner ☐ Potential Owner with Contingency Contract ☒

If agent, please explain relationship (Architect, Lawyer, etc.) _____

If agent, please attach letter from owner(s) acknowledging your representation. If potential owner(s), please attach copy of contingency contract, as well as letter from current property owner acknowledging their knowledge of this process.

Request zone change from "B" Residence

To "D-D" **Total Area** 0.5025 **Acres**

Address of property(s) (if assigned): 1349 Nagel Road

List current owner of record and Book, Page, Parcel number of each property to be rezoned.

1. Diane Marie Morgan, Auditors Parcel: 500-0121-0060

2. _____

3. _____

4. _____

5. _____

Applicant _____

(Signature)

Applicant _____

(Signature)

(Owners MUST Sign Application) MAKE CHECK PAYABLE TO: ANDERSON TOWNSHIP

THERE SHALL BE NO REFUND OR PART THEREOF ONCE THE APPLICATION HAS BEEN SUBMITTED TO THE HAMILTON COUNTY REGIONAL PLANNING COMMISSION



Abercrombie
& Associates, Inc.

Civil Engineering + Surveying

October 6, 2022

**LEGAL DESCRIPTION
AREA TO BE REZONED
0.5025 ACRES**

SITUATE IN A. HITE MILITARY SURVEY NO. 608, ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING PART OF LOT 4 OF JAMES O. JOHNSON ESTATE (RECORDED REFERENCE UNKNOWN), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING MAG NAIL IN THE CENTER OF NAGEL ROAD (RIGHT-OF-WAY VARIES), SAID POINT LYING SOUTH $02^{\circ}08'40''$ WEST, 73.53 FEET FROM THE INTERSECTION OF PINETERRACE DRIVE (50' RIGHT-OF-WAY) AND NAGEL ROAD, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE LANDS CONVEYED TO ZICKA DEVELOPMENT COMPANY, LLC BY DEED RECORDED IN OFFICIAL RECORD 14492, PAGE 1534 HAMILTON COUNTY, OHIO RECORDER'S OFFICE;

THENCE CONTINUING WITH THE CENTERLINE OF NAGEL ROAD, SOUTH $02^{\circ}08'36''$ WEST, 75.00 FEET TO A POINT;

THENCE LEAVING SAID CENTERLINE OF NAGEL ROAD AND IN PART WITH THE NORTH LINE OF THE LANDS CONVEYED TO 1319 NAGEL ROAD, LLC BY DEED RECORDED IN OFFICIAL RECORD 14023, PAGE 372 HAMILTON COUNTY, OHIO RECORDER'S OFFICE, SOUTH $89^{\circ}42'12''$ EAST, 292.00 FEET TO A POINT IN AN EAST LINE OF SAID ZICKA DEVELOPMENT COMPANY, LLC;

THENCE NORTH $02^{\circ}08'36''$ EAST, 75.00 FEET TO AN EXISTING IRON PIN WITH CAP "#5507" AND NORTH $89^{\circ}42'12''$ WEST, PASSING AN EXISTING IRON PIN WITH CAP AT 251.98 FEET A TOTAL DISTANCE OF 292.00 FEET TO THE POINT OF BEGINNING.

THUS CONTAINING 0.5025 ACRES OF LAND, OF WHICH 0.0344 ACRES IS WITHIN THE RIGHT-OF-WAY OF NAGEL ROAD, AND BEING SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

8111 Cheviot Road • Suite 200 • Cincinnati, Ohio 45247

Phone: (513) 385-5757 • Fax: (513) 245-5161

www.abercrombie-associates.com

BEING PART OF THE SAME PREMISES CONVEYED TO DIANE MARIE MORGAN BY DEED RECORDED
IN OFFICIAL RECORD 11483, PAGE 1935 HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

THE EBARINGS IN THE ABOVE DESCRIPTION ARE BASED ON OFFICIAL RECORD 14492, PAGE 1534,
HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

I HEREBY CERTIFY THAT THE DESCRIPTION OF THE PROPERTY PROPOSED TO BE DEVELOPED IS A
COMPLETE, PROPER AND LEGAL DESCRIPTION THEREOF.



CRAIG T. ABERCROMBIE
OHIO REGISTERED SURVEYOR 8377

FILE:20-0020-1-LD-0525 Ac.