

TURTLECREEK TOWNSHIP BOARD OF TRUSTEES

ON

AUGUST 13

12

The public hearing regarding the Turtlecreek Township Zoning Text and Map of the Board of Trustees of Turtlecreek Township was held on August 13, 2012 at 7:00 and 7:30 p.m. with the following person present:

TRUSTEES: Jim VanDeGrift, Dan Jones, and Jonathan D. Sams
CHIEF FISCAL OFFICER: Tammy Boggs
GUEST: Steve Flint, Mike Jameson, Erin Monroe, Larry Wilson, John Hern, Martha Paige, Lyle Jones, George Butts, Kendall Mays, Elma Flint, Sheila and Jeff Hawley, Travis Hawley, Ron Thilberg, Amy Flint, Donna and Robert Vorhis, and Christine Pudvan.

The meeting opened with Mr. Sams leading the Pledge of Allegiance.

The public hearing regarding the Turtlecreek Township Zoning Text was opened. Mr. Sams presented information that the Turtlecreek Township Zoning Commission held their public hearing on April 4, 2012. The Turtlecreek Township Zoning Commission presented their certified zoning plan consisting of a zoning TEXT to the Trustees for their approval or denial. Mr. Sams requested verification from Ms. Boggs, the Fiscal Officer, that the notice for the public hearing was placed in the Western Star thirty (30) days prior to the hearing being held today. Ms. Boggs confirmed that this is in fact correct. A discussion was held with the residents present regarding their concerns and questions for the recommended zoning code. Mr. Sams informed the residents that the township's zoning commission worked closely with the Warren County Zoning Department to ensure all the concerns of the township were met with the Warren County Zoning Re-Write. Mr. Sams stated that the township has a very good working relationship with the county, which allows the township to have input into the zoning code. Mr. Sams inquired from Mr. Olson, Turtlecreek Township Zoning Commission Chair, what the cost would be to the township for their own zoning department. Mr. Olson reported that Clearcreek Township provided information that the last two (2) years they incurred an additional cost of \$120,000.00. This is in addition to the fees that they collected for zoning charges/permits. The Trustees must decide what is the most economically feasible and the best interest for the township regarding zoning. Mr. Jones made a motion to close the public hearing regarding the Turtlecreek Township Zoning Text. Mr. VanDeGrift seconded the motion. All voiced a "YEA" vote and the hearing was closed.

Mr. VanDeGrift made a motion to deny the zoning plan consisting of a zoning TEXT as certified to this Board by Turtlecreek Township Zoning Commission on the grounds that the Warren County Rural Zoning Code, as amended, effective January 20, 2012, is in the best interest of the township. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 12-08-01**. (A copy of the resolution is included in the minutes).

Mr. Sams opened the public hearing regarding the Turtlecreek Township Zoning Map. Mr. Sams presented information that the Turtlecreek Township Zoning Commission held their public hearing on April 4, 2012. The Turtlecreek Township Zoning Commission presented their certified zoning plan consisting of a zoning MAP to the Trustees for their approval or denial. Mr. Sams requested verification from Ms. Boggs, the Fiscal Officer, that the notice for the public hearing was placed in the Western Star thirty (30) days prior to the hearing being held today. Ms. Boggs confirmed that this is in fact correct. A discussion was held regarding the map. Once all the questions had been answered Mr. Jones made a motion to close the public hearing. Mr. VanDeGrift seconded the motion. All voiced a "YEA" vote and the hearing was closed.

Mr. VanDeGrift made a motion to deny the zoning plan consisting of a zoning MAP as certified to this Board by the Turtlecreek Township Zoning Commission on the grounds that the Warren County Rural Zoning Code, as amended, effective January 20, 2012, is in the best interest of the township. Mr. Jones seconded the motion. All voiced a "YEA" vote and the motion was passed with **Resolution 12-08-02**. (A copy of the resolution is included in the minutes).

There being no further business Mr. VanDeGrift made a motion to adjourn the meeting. The motion was seconded by Mr. Jones. All voiced a "YEA" vote and the motion was passed.

Signed: _____ President

Attest: _____ Chief Fiscal Officer

**TURTLECREEK TOWNSHIP BOARD OF TRUSTEES
WARREN COUNTY, OHIO**

Resolution Number: 12-08-01

Date of Resolution: August 13, 2012

TOPIC OF RESOLUTION: BOARD RESOLUTION DENYING, IN TOTALITY, A ZONING PLAN CONSISTING OF A ZONING TEXT CERTIFIED BY THE TURTLECREEK TOWNSHIP ZONING COMMISSION

WHEREAS, on April 24, 2012, this Board received the certification of a zoning plan from the Turtlecreek Township Zoning Commission, consisting of a zoning text, for carrying out township zoning by the Board of Trustees in accordance with the powers, purposes, and provisions set forth in section 519.01 to 519.99, inclusive; and,

WHEREAS, this Board set a public hearing on the said matter; and,

WHEREAS, on July 12, 2012, a legal notice was advertised in The Western Star newspaper; and

WHEREAS, this Board opened the public hearing on August 13, 2012, and received testimony relative to certified zoning text; and

WHEREAS, on August 13, 2012, this Board closed the public hearing in order to render it's decision; and

WHEREAS, this Board has considered the recommendation of the Warren County Regional Planning Commission, the Recommendation of the Turtlecreek Township Zoning Commission, the testimony received by this Board, and the compilation of written comments in the form of emails, letters and telephone messages; and,

WHEREAS, this Board has considered the fact that on November 6, 1973, a majority of the voters of Turtlecreek Township approved land use in Turtlecreek Township to be regulated under the Warren County Rural Zoning Code to be carried out by the Board of County Commissioners; and,

WHEREAS, this Board has considered the comprehensive text amendments to the Warren County Rural Zoning Code, adopted by the Board of County Commissioners, effective January 20, 2012 as no referendum was filed by the electors of Turtlecreek Township, and deems such zoning text amendments as applied to Turtlecreek Township to be in the best interest of Turtlecreek Township, as well as more economically feasible then this Board carrying out township zoning.

NOW THEREFORE BE IT RESOLVED:

Section 1. To deny the zoning plan consisting of a zoning text certified by the Turtlecreek Township Zoning Commission, in totality, accordingly this matter shall not be filed with the Board of Elections and the question of whether or not the proposed Turtlecreek Township Zoning text should be put in effect shall not be submitted to the electors of Turtlecreek Township for their approval or rejection.

Section 2. That the Board is acting in its legislative capacity in adopting this Resolution, and such Resolution was adopted by at least a majority of the votes cast on the issue.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an public hearing, after timely publication in a newspaper of general circulation, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and Section 519.08, et seq. of the Ohio Revised Code.

Resolution adopted this 13th day of August, 2012.

Mr. VanDeGrift moved adoption of the foregoing Resolution, being seconded by Mr. Jones. Upon call of the roll, the following vote resulted:

Mr. Sams	-	"YEA"
Mr. VanDeGrift	-	"YEA"
Mr. Jones	-	"YEA"

Resolution adopted this 13th day of August, 2012.

TURTLECREEK TOWNSHIP TRUSTEES

TAMMY BOGGS, FISCAL OFFICER

**TURTLECREEK TOWNSHIP BOARD OF TRUSTEES
WARREN COUNTY, OHIO**

Resolution Number: 12-08-02

Date of Resolution: August 13, 2012

TOPIC OF RESOLUTION: BOARD RESOLUTION DENYING, IN TOTALITY, A ZONING PLAN CONSISTING OF A ZONING MAP CERTIFIED BY THE TURTLECREEK TOWNSHIP ZONING COMMISSION

WHEREAS, on April 24, 2012, this Board received the certification of a zoning plan from the Turtlecreek Township Zoning Commission, consisting of a zoning map, for carrying out township zoning by the Board of Trustees in accordance with the powers, purposes, and provisions set forth in section 519.01 to 519.99, inclusive; and,

WHEREAS, this Board set a public hearing on the said matter; and,

WHEREAS, on July 12, 2012, a legal notice was advertised in The Western Star newspaper; and

WHEREAS, this Board opened the public hearing on August 13, 2012, and received testimony relative to certified zoning map; and

WHEREAS, on August 13, 2012, this Board closed the public hearing in order to render it's decision; and

WHEREAS, this Board has considered the recommendation of the Warren County Regional Planning Commission, the Recommendation of the Turtlecreek Township Zoning Commission, the testimony received by this Board, and the compilation of written comments in the form of emails, letters and telephone messages; and,

WHEREAS, this Board has considered the fact that on November 6, 1973, a majority of the voters of Turtlecreek Township approved land use in Turtlecreek Township to be regulated under the Warren County Rural Zoning Code to be carried out by the Board of County Commissioners; and,

WHEREAS, this Board has considered the comprehensive map amendments to the official Warren County Rural Zoning Map, adopted by the Board of County Commissioners, effective January 20, 2012 as no referendum was filed by the electors of Turtlecreek Township, and deems such zoning map amendments as applied to Turtlecreek Township to be in the best interest of Turtlecreek Township.

NOW THEREFORE BE IT RESOLVED:

Section 1. To deny the zoning plan consisting of a zoning map certified by the Turtlecreek Township Zoning Commission, in totality, accordingly this matter shall not be filed with the Board of Elections and the question of whether or not the proposed plan consisting of a Turtlecreek Township Official Zoning Map should be put in effect shall not be submitted to the electors of Turtlecreek Township for their approval or rejection.

Section 2. That the Board is acting in its legislative capacity in adopting this Resolution, and such Resolution was adopted by at least a majority of the votes cast on the issue.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in a public hearing, after timely publication in a newspaper of general circulation, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and Section 519.08, et seq. of the Ohio Revised Code.

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Mr. Sams	-	"YEA"
Mr. VanDeGrift	-	"YEA"
Mr. Jones	-	"YEA"

Resolution adopted this 13th day of August, 2012.

TURTLECREEK TOWNSHIP TRUSTEES

TAMMY BOGGS, FISCAL OFFICER