



**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2021.08.16.03**

IN RE: ZC Case 09-2021; Requesting a major modification to an approved Preliminary Development Plan to reduce the area of the development site by 12.03 acres and to revise the approved layout. The subject development site contains 42.85 acres located at 4267 and 4271 Clys Road

WHEREAS, the subject development site has an existing Preliminary Development Plan approved by the Board of Trustees on April 5, 2021, subject to conditions;

WHEREAS, the subject parcels can be further identified by parcel numbers L32000100020006700 and L32000100020000800 (part of) and are owned by Phillip M. Herres and Gigi Ellen Withrow, Trustees; and

WHEREAS, the applicant desires to reduce the total acreage of the development by 12.03 acres and to have a revised layout approved (including a larger setback from the properties to the south and increased depth of the no cut zone running along the southern property line); and

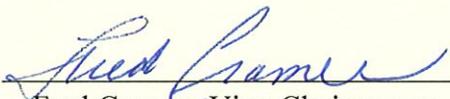
WHEREAS, the Sugar Creek Township Zoning Commission held a Public Hearing on August 3, 2021 and has recommended approval to the Board of Township Trustees subject to the following conditions:

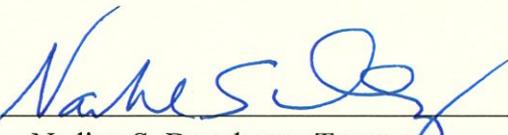
1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. A Geotech report shall be completed and submitted to the Greene County Engineer's Office. Pavement design shall be based on the Geotech report. The Geotech report may also be required for design of storm water and infrastructure.
3. The applicant's designer shall meet with the Greene County Engineer regarding traffic impacts to determine if any traffic studies will be required and/or if any additional turn lanes will be required.
4. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
5. A comprehensive drainage plan and an environmental study shall be required.
6. The applicant shall meet all federal, state, and local requirements and comply with recommendations from the SWCD and GCEO with respect to the drainage plan developed based on the sensitive nature of the watershed.
7. Final design shall be subject to approval of Sugar Creek Township Fire Department.
8. The use of vinyl and/or aluminum siding shall be prohibited.
9. Sheds, privacy fences and above ground pools shall not be permitted to be constructed within the patio home section of the development. Privacy fences and above ground pools shall not be permitted to be constructed within the estate home section of the development.
10. Only one fence type/height shall be permitted development-wide (specification to be approved at the FDP stage).
11. The applicant shall revise the plan to extend Open Space Area "F" to follow the 75' setback line on lots 49 and 50. Screening and buffering will be required in the revised Open Space "F" area.

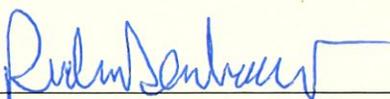
12. Screening and buffering shall be required in the rear of the patio home lots facing Road "A" and in the rear of the Estate Lots adjacent to the Waterford development.
13. Home sizes, as proposed, will be required to be included within the HOA Documents submitted for approval at the Final Development Plan stage. Final Development Plan approval will be conditioned upon these square footages, as proposed by the applicant, being met.
14. The same elevation of the same home plan will not be permitted to be constructed side by side.
15. Lot 1 shall not be accessed from the entry road and lot 29 shall be accessed from the cul-de-sac.
16. The final development plan shall reflect construction of the 10' multi-use path outside of the public right-of-way adjacent to Clio Road with maintenance to be provided by the HOA and public access assured.
17. The plan shall be revised to add sidewalk on Road "D" connecting to Kensington. The applicant shall move Road "D" as far away from the property line as possible, while maintaining the integrity of the pond. Screening and buffering in this area shall be required to the maximum extent feasible with details to be provided at the FDP stage.
18. The applicant shall extend the 40' no cut zone/65' rear yard setback to Estate Lots 7-9. The developer/engineer shall work with staff to preserve as much of the existing tree line as possible with details to be provided at the Final Development Plan stage.
19. A tree survey running the extent of the shared property line between the lot identified on the plan as 10 in the City of Bellbrook and the development site to the north into the development site shall be completed.
20. The hiker biker path and the sidewalks along Road "A" shall be modified to meander.
21. The developer shall modify Estate Lot 7 to add an open space area on the south side of Road "D" to allow for screening/buffering.

NOW THEREFORE, BE IT RESOLVED, this Board of Trustees does hereby approve the requested Major Modification to the approved Preliminary Development Plan subject to the conditions recommended by the Zoning Commission.


Carolyn L. Destefani, Chairperson


Fred Cramer, Vice-Chairperson


Nadine S. Daugherty, Trustee


Richard J. Demko, Fiscal Officer