

Regular Meeting of the Board of Trustees - August 11, 2026

1. **Opening of Meeting**
2. **Pledge of Allegiance** 6PM
3. **Meditation (Moment of Silence)**
4. **Moment of Positivity** The Coleraine Historical Society - Over the past several years, the Coleraine Historical Society has provided a high level of volunteer hours helping to maintain various historical aspects of our community. From headstones, to the impound lot, and areas of Heritage Park, the group has spent a considerable amount of time in making our community better and preserving the legacy of those before us. Most recently, the Society started hosting monthly talks about the history of various neighborhoods in Coleraine.
5. **Approval of Minutes**
6. **Public Hearings**
 - a. Public Hearing for Zoning Commission Case CZC-26-9, Text Amendment to the Zoning Resolution re: Dwelling - Single Unit in the Greenspace, Open Space & Recreation (GOR) Zoning District
 - b. Resolution APPROVING/DENYING Zoning Commission Case CZC-26-9, Zoning Resolution Text Amendment to Allow "Dwelling: One Unit" as an Approved-by-Right Use in the GOR District
 - c. Public Hearing for Zoning Commission Case CZC-26-10, Text Amendment to the Zoning Resolution re: Administrative Approvals to Lawful Nonconforming Dwelling Units
 - d. Resolution APPROVING/DENYING Zoning Commission Case CZC-26-10, Zoning Resolution Text Amendment for Administrative Waiver re: Expansion of Nonconformities
7. **Presentations**
 - a. Proclamation Celebrating Summer Reading and the Public Library
8. **Citizens Address**
9. **Administrative Reports**
10. **Trustees' Report**
11. **New Business**
 - Public Safety**
 - a. Resolution Declaring Nuisance and Ordering Abatement

- b. Motion to Issue Noise Resolution Permit to Zenith Strum and Tonya Daniels

Public Services

Development

Administration

- a. Motion Authorizing Township Administrator to Execute an Agreement with Mercury Soccer for Lease of Groesbeck Park

12. Old Business

13. Consent Items

- a. Pay Adjustment - Department of Fire and EMS Recruits - \$17.31 per hour.
- b. Contract - AEP Energy - Natural Gas Aggregation - \$0.5378 per ccf - One Year Term
- c. Junk Motor Vehicle - 9003 Coogan Dr. - 2005 Gray Ford Explorer
- d. Junk Motor Vehicle - 9802 Mel Carl Dr. - 2011 Brown Chevrolet Malibu
- e. Junk Motor Vehicle - 11284 Pippin Rd. - 2008 Maroon Kia Rondo

14. Fiscal Office Report

15. Executive Session – if needed

16. Adjournment

PUBLIC HEARINGS

Department: Development

Department
Director:

Strategic Plan Goal:

Public Hearing for Zoning Commission Case CZC-26-9, Text Amendment to the Zoning Resolution re: Dwelling - Single Unit in the Greenspace, Open Space & Recreation (GOR) Zoning District

Rationale:

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Dwelling: One Unit in GOR District
Application Type: Text Amendment

Application Summary

Recommend approval to the Board of Trustees of the proposed text amendment to Tables 2.2.3-A and 3.1.4-A. The amendment would permit "Dwelling: One Unit" as an approved-by-right use in the GOR Greenspace, Open Space & Recreation District, subject to all applicable district standards and development requirements.

Included Documents

To review this case in full, please consult the accompanying appendices:

1. **Appendix A:** *Current Zoning Text*
2. **Appendix B:** *Proposed Zoning Text*
3. **Appendix C:** *Comparison Document*

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

Prepared in advance of the Colerain Township Zoning Commission's consideration,



David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Dwelling: One Unit in GOR District
Application Type: Text Amendment

Proposed Action

Recommend approval to the Board of Trustees of the proposed text amendment to Tables 2.2.3-A and 3.1.4-A. The amendment would permit "Dwelling: One Unit" as an approved-by-right use in the GOR Greenspace, Open Space & Recreation District, subject to all applicable district standards and development requirements.

Case Summary & History

The Colerain Township Zoning Resolution was originally adopted on November 22, 1994, and most recently underwent a comprehensive update adopted on October 10, 2024. As part of that update, the GOR Greenspace, Open Space & Recreation District was established to accommodate open space, recreational, agricultural, and other compatible low-intensity uses.

Under the current Comprehensive Use Permissions tables, "Dwelling: One Unit" is not permitted in the GOR District. Staff has determined that this prohibition may unnecessarily restrict the continued or future residential use of properties that are residential in character and otherwise capable of satisfying the dimensional and development standards of the district.

On June 16, 2026, the Zoning Commission initiated a text amendment to allow "Dwelling: One Unit" as an approved-by-right use in the GOR District. The amendment is now before the Zoning Commission for a public hearing and recommendation to the Board of Trustees.

The proposed amendment would not modify the dimensional standards of the GOR District or exempt residential development from any applicable requirements. Any one-unit dwelling would remain subject to all applicable lot area, setback, height, access, environmental, and other development standards contained in the Zoning Resolution.

Purpose of the Amendment The purpose of this text amendment is to revise the Comprehensive Use Permissions tables to allow "Dwelling: One Unit" as an approved-by-right use in the GOR Greenspace, Open Space & Recreation District. One-unit dwellings can be appropriate and compatible within the GOR District, particularly where a property is already residential in character or where residential use can be accommodated without undermining the district's open-space, recreational, agricultural, or low-intensity development purposes.

The proposed amendment:

- Allows "Dwelling: One Unit" as an approved-by-right use in the GOR District.
- Recognizes one-unit residential development as potentially compatible with the district's low-intensity character.
- Removes an unnecessary zoning barrier to appropriate residential use. Maintains all applicable lot, setback, height, access, environmental, and development requirements.

This amendment provides a limited update to the use tables while preserving the overall character, intent, and development standards of the GOR District.

Proposed Section(s) to Amend

Table 2.2.3-A – Comprehensive Use Permissions (GOR); Table 3.1.4-A – Comprehensive Use Permissions

Attachments

For a comprehensive understanding of the proposed text amendment, please refer to the following appendices:

1. **Appendix A:** *Current Zoning Text* – The existing language prior to amendment.
 2. **Appendix B:** *Proposed Zoning Text* – The revised language as proposed.
 3. **Appendix C:** *Comparison Document* – A side-by-side comparison outlining additions (highlighted), deletions (struck through), and descriptions of changes to tables or graphics.
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Staff Findings

Consistency with the Comprehensive Plan

The proposed amendment is consistent with the Comprehensive Plan's Housing and Land Use elements, which support a range of quality housing opportunities and the modernization of zoning regulations to better implement the Township's adopted land-use vision. The amendment does not broadly convert GOR land to residential development; rather, it recognizes that a one-unit dwelling may be appropriate where the property's characteristics and applicable development standards can accommodate the use.

Alignment with Adopted Land Use Framework

The Comprehensive Plan identifies substantial portions of western Colerain Township for rural-estate residential and greenspace, open-space, and recreational uses. These categories are geographically and functionally related, particularly in areas characterized by large lots, agricultural activity, natural features, and low-density residential development. Permitting one-unit dwellings in the GOR District acknowledges this relationship without changing the underlying zoning designation or its dimensional standards.

Compatibility with Area Character and Existing Development Patterns

The Comprehensive Plan emphasizes context-sensitive development that respects the Township's distinct character areas. In Western Colerain, the Plan calls for the preservation of rural character through lower residential densities and the protection of hillsides, floodplains, and open spaces. A one-unit dwelling constructed in compliance with GOR standards can remain compatible with this established low-intensity development pattern.

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

Respectfully submitted for the Colerain Township Zoning Commission's consideration,



David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Dwelling: One Unit in GOR District
Application Type: Text Amendment

Current Zoning Text

<u>Table 3.1.4-A</u> Comprehensive Use Permissions ● = Allowed By-Right ⓪ = Conditionally Allowed Ⓐ = Allowed as Accessory Use Ⓢ = Allowed as Temporary Use – = Prohibited Use	Use-Specific Standards Subsection	Greenspace, Open Space & Recreation
3.3 - Residential Uses		GOR
Dwelling: One Unit	3.3.5	–

Under the current regulations, this use is prohibited because it does not appear in Table 2.2.3-A, the summary table identifying the permitted, accessory, and temporary uses within the GOR Zone.

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Dwelling: One Unit in GOR District
Application Type: Text Amendment

Proposed Zoning Text

<u>Table 3.1.4-A</u> Comprehensive Use Permissions ● = Allowed By-Right ⓪ = Conditionally Allowed Ⓐ = Allowed as Accessory Use Ⓢ = Allowed as Temporary Use – = Prohibited Use	Use-Specific Standards Subsection	Greenspace, Open Space & Recreation
3.3 - Residential Uses		GOR
Dwelling: One Unit	3.3.5	●

Under the current regulations, this use is prohibited because it does not appear in Table 2.2.3-A, the summary table identifying the permitted, accessory, and temporary uses within the GOR Zone. If approved, this text amendment would modify the table to identify the use as permitted within the GOR Zone.

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Dwelling: One Unit in GOR District
Application Type: Text Amendment

Comparison Between Current & Proposed Text

The proposed amendment would revise Table 2.2.3-A to add Dwelling: One Unit to the list of permitted uses in the GOR Zone. Currently, one-unit dwellings are not identified on the GOR summary table and are therefore prohibited. If the amendment is approved, one-unit dwellings would become an expressly permitted use in the GOR Zone, subject to the applicable development standards and all other requirements of the Zoning Resolution.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in Regular session at 6:00 P.M., on the 11th day of August, 2026, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following Resolution and moved its adoption:

RESOLUTION NO. _____ - _____

RESOLUTION APPROVING CASE NUMBER CZC-26-9, A TEXT AMENDMENT TO THE COLERAIN TOWNSHIP ZONING RESOLUTION TO ALLOW “DWELLING: ONE UNIT” AS AN APPROVED-BY-RIGHT USE IN THE GOR GREENSPACE, OPEN SPACE & RECREATION DISTRICT

WHEREAS, case CZC-26-9 was initiated to amend Tables 2.2.3-A and 3.1.4-A of the Colerain Township Zoning Resolution to allow “Dwelling: One Unit” as an approved-by-right use in the GOR Greenspace, Open Space & Recreation District, thereby removing an unnecessary zoning barrier to appropriate low-intensity residential use while preserving all applicable district and development standards; and

WHEREAS, pursuant to Ohio Revised Code Section 519.12(G) and (H), the Colerain Township Board of Trustees on August 11, 2026 conducted its public hearing on the recommendation of the Colerain Township Zoning Commission in Case Number CZC-26-9, which voted 5-0 to recommend approval, and after consideration of the recommendation and all public comments, exhibits, and other materials submitted, voted ____ - ____ to approve the proposed amendment to the Colerain Township Zoning Resolution; and

WHEREAS, the amendment to the Colerain Township Zoning Resolution approved by the Board of Trustees is set forth in Exhibit “A”, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Board does hereby approve Case Number CZC-26-9, an amendment to the Colerain Township Zoning Resolution, as set forth in Exhibit “A”, for the reason that the text amendment is in the best interest of the Township and the health, safety, morals, and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administrator; and
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Cathy Ulrich _____, Mr. Dan Unger _____, Mr. Matthew Wahlert _____

ADOPTED this 11th day of August, 2026.

BOARD OF TRUSTEES:

Ms. Cathy Ulrich, Trustee

Mr. Dan Unger, Trustee

Mr. Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

APPROVED AS TO FORM:

Brodi Conover,
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 11th day of August, 2026.

Jeff Baker
Colerain Township Fiscal Officer

Staff & Hearing Information

Department: Development
Staff: David Peters, Senior Planner
Hearing Date: August 11, 2026

Case Information

Title: Dwelling: One Unit in GOR District
Type: Text Amendment

Zoning Table & Text

<u>Table 3.1.4-A</u> Comprehensive Use Permissions ● = Allowed By-Right ⓪ = Conditionally Allowed Ⓐ = Allowed as Accessory Use Ⓢ = Allowed as Temporary Use – = Prohibited Use	Use-Specific Standards Subsection	Greenspace, Open Space & Recreation
3.3 - Residential Uses		GOR
Dwelling: One Unit	3.3.5	●

Under the current regulations, this use is prohibited because it does not appear in Table 2.2.3-A, the summary table identifying the permitted, accessory, and temporary uses within the GOR Zone. If approved, this text amendment would modify the table to identify the use as permitted within the GOR Zone.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in Regular session at 6:00 P.M., on the 11th day of August, 2026, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following Resolution and moved its adoption:

RESOLUTION NO. _____ - _____

RESOLUTION DENYING CASE NO. CZC-26-9, A TEXT AMENDMENT TO THE COLERAIN TOWNSHIP ZONING RESOLUTION TO ALLOW “DWELLING: ONE UNIT” AS AN APPROVED-BY-RIGHT USE IN THE GOR GREENSPACE, OPEN SPACE & RECREATION DISTRICT

WHEREAS, case CZC-26-9 was initiated to amend Tables 2.2.3-A and 3.1.4-A of the Colerain Township Zoning Resolution to allow “Dwelling: One Unit” as an approved-by-right use in the GOR Greenspace, Open Space & Recreation District, thereby removing an unnecessary zoning barrier to appropriate low-intensity residential use while preserving all applicable district and development standards; and

WHEREAS, the Colerain Township Zoning Commission conducted a public hearing on the proposed text amendment on July 21, 2026, and after staff presentation, public comments, exhibits, and other materials were submitted, voted 5-0 to recommend to the Board of Trustees approval of the proposed text amendment; and

WHEREAS, pursuant to Ohio Revised Code Section 519.12(G) and (H), the Colerain Township Board of Trustees on August 11, 2026 conducted its public hearing on the unanimous recommendation from the Colerain Township Zoning Commission in Case Number CZC-26-9, and after consideration of the recommendation and all public comments, exhibits, and other materials submitted, voted ____ - ____ to deny the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Board does not adopt nor approve the amendment to the Colerain Township Zoning Resolution attached hereto as Exhibit “A”; and

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio denies the text amendment attached hereto as Exhibit "A", for the reason that the text amendment would not be in the best interest of the Township and the health, safety, morals, and welfare of the public, is not consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is not in keeping with good land use planning; and,
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Cathy Ulrich _____, Mr. Dan Unger _____, Mr. Matthew Wahlert _____

ADOPTED this 11th day of August, 2026.

BOARD OF TRUSTEES:

Ms. Cathy Ulrich, Trustee

Mr. Dan Unger, Trustee

Mr. Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

APPROVED AS TO FORM:

Brodi Conover,
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 11th day of August, 2026.

Jeff Baker
Colerain Township Fiscal Officer

Staff & Hearing Information

Department: Development
Staff: David Peters, Senior Planner
Hearing Date: August 11, 2026

Case Information

Title: Dwelling: One Unit in GOR District
Type: Text Amendment

Zoning Table & Text

<u>Table 3.1.4-A</u> Comprehensive Use Permissions ● = Allowed By-Right ⓪ = Conditionally Allowed Ⓐ = Allowed as Accessory Use Ⓣ = Allowed as Temporary Use – = Prohibited Use	Use-Specific Standards Subsection	Greenspace, Open Space & Recreation
3.3 - Residential Uses		GOR
Dwelling: One Unit	3.3.5	●

Under the current regulations, this use is prohibited because it does not appear in Table 2.2.3-A, the summary table identifying the permitted, accessory, and temporary uses within the GOR Zone. If approved, this text amendment would modify the table to identify the use as permitted within the GOR Zone.

PUBLIC HEARINGS

Department: Development

Department
Director:

Strategic Plan Goal:

Public Hearing for Zoning Commission Case CZC-26-10, Text Amendment to the Zoning Resolution re:
Administrative Approvals to Lawful Nonconforming Dwelling Units

Rationale:

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Administrative Waiver Regarding Expansion of Nonconformities
Application Type: Text Amendment

Application Summary

Recommend approval to the Board of Trustees of the proposed text amendment to Sections 5.2.2 – Restrictions on Alterations and 6.3.6 – Administrative Waiver. The amendment would establish a limited administrative approval process for expansions of legally nonconforming residential uses and mixed uses containing a residential component when all applicable limitations, review criteria, and Duncan factors are satisfied.

Included Documents

To review this case in full, please consult the accompanying appendices:

1. **Appendix A:** *Current Zoning Text*
2. **Appendix B:** *Proposed Zoning Text*
3. **Appendix C:** *Comparison Document*

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

Prepared in advance of the Colerain Township Zoning Commission's consideration,



David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Administrative Waiver Regarding Expansion of Nonconformities
Application Type: Text Amendment

Proposed Action

Recommend approval to the Board of Trustees of the proposed text amendment to Sections 5.2.2 – Restrictions on Alterations and 6.3.6 – Administrative Waiver. The amendment would establish a limited administrative approval process for expansions of legally nonconforming residential uses and mixed uses containing a residential component when all applicable limitations, review criteria, and Duncan factors are satisfied.

Case Summary & History

The Colerain Township Zoning Resolution was originally adopted on November 22, 1994, and most recently underwent a comprehensive update on October 10, 2024. The current Resolution generally requires expansions or structural alterations involving nonconforming uses and associated buildings to be reviewed by the Board of Zoning Appeals. Section 6.3.6 currently authorizes administrative waivers for certain limited area and dimensional deviations but does not provide an administrative process for the expansion of a legally nonconforming residential or mixed-use property.

The proposed text amendment was previously initiated by, and is now before, the Zoning Commission for review and recommendation to the Board of Trustees. Staff identified circumstances in which an existing lawful residence or mixed-use building may be unable to accommodate a minor addition because the use, building placement, or dimensional configuration became nonconforming through a subsequent zoning change. Under the current regulations, even a small addition that follows the existing building line and creates no additional impact may require approval by the Board of Zoning Appeals.

The proposed amendment would create a narrowly defined administrative process for these requests. Eligibility would be limited to an addition attached to an existing principal building containing a legally nonconforming residential use or mixed use with a residential component. The amendment would prohibit the establishment of a new use, an increase in dwelling units, construction of a detached principal building, or substitution of one nonconforming use for another. It would also require verification of legal nonconforming status, limit cumulative additions to 25 percent of the principal building's qualifying floor area, establish minimum setback protections, require compliance with all other applicable regulations, and retain the Duncan factors and existing compatibility criteria as the basis for approval. Requests exceeding these limitations would continue to require review by the Board of Zoning Appeals.

Proposed Section(s) to Amend

Subsection 5.2.2 – Restrictions on Alterations; Subsection 6.3.6 – Administrative Waiver

Attachments

For a comprehensive understanding of the proposed text amendment, please refer to the following appendices:

1. **Appendix A:** *Current Zoning Text* – The existing language prior to amendment.
 2. **Appendix B:** *Proposed Zoning Text* – The revised language as proposed.
 3. **Appendix C:** *Comparison Document* – A side-by-side comparison outlining additions (highlighted), deletions (struck through), and descriptions of changes to tables or graphics.
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Staff Findings

Strategic Implementation of Land Use Policy

The proposed amendment advances the Comprehensive Plan's directive to modernize land use regulations and create development processes that are responsive to existing conditions. By establishing a narrowly defined administrative pathway for limited expansions of lawful residential and mixed-use nonconformities, the amendment provides reasonable flexibility without altering the underlying zoning designation, establishing a new use, or increasing the number of dwelling units.

Streamlining of Review and Permitting Processes

The proposed amendment creates a more proportionate review process by allowing minor and compatible additions to be reviewed administratively rather than requiring every qualifying residential or mixed-use nonconformity expansion to proceed before the Board of Zoning Appeals. This approach implements the Comprehensive Plan's recommendation to create resident-friendly development processes while retaining BZA review for requests that exceed the administrative limits or fail to satisfy the required criteria.

Clarification of Review Criteria and Approval Standards

The proposed amendment establishes objective and predictable approval standards, including confirmation of legal nonconforming status, attachment to the existing principal building, continuation of the existing use, a minimum three-foot setback, a cumulative 25-percent floor-area limitation, compliance with all other applicable regulations, and consideration of the Duncan factors. These standards provide a clear basis for administrative decisions while ensuring that approvals remain minor, compatible, and protective of surrounding properties.

Preservation of Established Neighborhood

The proposed amendment allows existing lawful residences and mixed-use properties to be modestly improved without requiring full conformity that may be impractical because of historic lot patterns, building placement, or changes in zoning regulations. Requiring the addition to follow the existing building line, remain compatible with surrounding development, and avoid detrimental impacts supports the Comprehensive Plan's emphasis on context-sensitive development and preservation of established neighborhood character.

Support for Aging in Place and Universal Design

The proposed amendment may facilitate additions needed for bedrooms, bathrooms, accessibility improvements, caregiving space, or other household needs that allow residents to remain in their existing homes. This flexibility supports the Comprehensive Plan's housing objectives related to aging in place and retaining residents, while the prohibition against additional dwelling units ensures that the administrative process does not authorize an unreviewed increase in residential density.

Staff Recommendation

Staff recommends **APPROVAL** of the requested text amendment to the Zoning Resolution as shown in Appendix B.

Respectfully submitted for the Colerain Township Zoning Commission's consideration,

A handwritten signature in black ink, reading "David Peters". The signature is written in a cursive, flowing style with a large initial "D" and "P".

David Peters, Senior Planner

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Administrative Waiver Regarding Expansion of Nonconformities
Application Type: Text Amendment

Current Zoning Text

Restrictions on Alterations	5	2	2	
Required yards and setbacks. Nonconforming buildings, features, and uses shall not be altered in a manner that reduces provided yards and/or setbacks below minimum requirements thereof.	5	2	2	(A)
Alterations to nonconforming uses.	5	2	2	(B)
Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution, except as provided in Subsection 6.3.4— Legal Nonconformity Certificate. The Board of Zoning Appeals shall only grant such alteration to a nonconforming use upon finding that the manner of increase or improvement in the useable area of the nonconforming use will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood; or upon finding that the increase or improvement can be made compatible with the adjacent properties and the uses in the surrounding neighborhood upon compliance with specified conditions.	5	2	2	(B) (1)
Nonconforming uses may be extended throughout any parts of an associated building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution. No such use shall be extended to occupy any land outside such building.	5	2	2	(B) (2)
Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Resolution. The prior nonconforming use may not thereafter be resumed.	5	2	2	(B) (3)
Nonconforming uses that are altered shall be required to meet all setbacks of the applicable zoning district.	5	2	2	(B) (4)
Substitution of nonconforming uses. If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination	5	2	2	(C)

may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.

Alterations to nonconforming and/or associated buildings. Buildings that are associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to an allowed use, except as authorized by the Board of Zoning Appeals per Subsection 6.2.2 – Board of Zoning Appeals. 5 2 2 (D)

New construction prohibited. Construction of new buildings associated with nonconforming uses of land shall be prohibited. 5 2 2 (E)

Administrative Waiver 6 3 6

Applicability. The Zoning Administrator may grant Administrative Waivers for any area or dimensional regulation that meets ALL of the criteria listed in Section 6.3.6-D. 6 3 6 (A)

Limitations. 6 3 6 (B)

Primary structures may have a setback reduction of up to 20% in the side yard. 6 3 6 (B) (1)

Accessory structures (sheds, garages, pools, fences, etc.) may have a setback reduction of up to 1.5 feet, an increase of up to 1.5 feet in maximum permitted height, and/or up to 25% increase to the allowed encroachment into a side yard for privacy fences for the purpose of including a side door within a fenced area. The fence shall not exceed a total of 75% of the building's side wall length. 6 3 6 (B) (2)

An administrative waiver may allow existing accessory structures (including side and rear yard fences) to be replaced 1 for 1, provided that they adhere to the approval criteria listed in Section 6.3.6-D. 6 3 6 (B) (3)

All other area and dimensional requirements shall not exceed 10% of the applicable minimum or maximum requirements. 6 3 6 (B) (4)

Ineligible requests. 6 3 6 (C)

No Administrative Waivers shall be granted for an area or dimensional regulations related to signage. 6 3 6 (C) (1)

No Administrative Waivers shall be granted for any waiver request that does not meet the criteria in Section 6.3.6-D. Applicants that exceed the limits of an Administrative Waiver shall be required to apply for a Variance through the Board of Zoning Appeals. 6 3 6 (C) (2)

Review criteria. Requests will be evaluated based upon the current requirements of this Resolution. Decisions on an Administrative Waiver shall be based on consideration of the Duncan Factors found in Section 6.5.4 (A)(4) of this Resolution and the following criteria: 6 3 6 (D)

The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, etc.); 6 3 6 (D) (1)

The waiver request is minor in nature;	6	3	6	(D)	(2)
The waiver will not have a detrimental impact on any surrounding properties;	6	3	6	(D)	(3)
The waiver request does not substantially deviate from the development character of the surrounding properties; and	6	3	6	(D)	(4)
The waiver request does not deviate from the overall purpose of this Resolution or the intent and objective of the original regulation.	6	3	6	(D)	(5)
Expiration. Within 1 year of the date the Administrative Waiver is approved, the applicant must submit a completed application for a Zoning Certificate per the applicable provisions of Section 6.3 – Administrative Applications, or the approval shall expire.	6	3	6	(E)	

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Administrative Waiver Regarding Expansion of Nonconformities
Application Type: Text Amendment

Proposed Zoning Text

Restrictions on Alterations	5	2	2	
Required yards and setbacks. Except as expressly authorized by Subsection 6.3.6(C), a nonconforming building, feature, or use shall not be altered in a manner that reduces a provided yard or setback or otherwise increases the degree of an existing dimensional nonconformity.	5	2	2	(A)
Alterations to nonconforming uses.	5	2	2	(B)
Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land or building floor area than it occupied when it became nonconforming, except as expressly authorized under Subsection 6.3.6(C) or approved by the Board of Zoning Appeals. The Board of Zoning Appeals may approve such an alteration only upon finding that the increase or improvement will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood, or that the increase or improvement can be made compatible with adjacent properties and uses in the surrounding neighborhood through compliance with specified conditions.	5	2	2	(B) (1)
Nonconforming uses may be extended throughout any parts of an associated building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution. No such use shall be extended to occupy any land outside such building.	5	2	2	(B) (2)
Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Resolution. The prior nonconforming use may not thereafter be resumed.	5	2	2	(B) (3)
Except as expressly authorized under Subsection 6.3.6(C), any alteration or expansion of a nonconforming use shall comply with all applicable setbacks of the zoning district.	5	2	2	(B) (4)

Substitution of nonconforming uses. If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.	5	2	2	(C)
Alterations to nonconforming and/or associated buildings. A building associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except:	5	2	2	(D)
In connection with changing the building to an allowed use;	5	2	2	(D) (1)
As authorized by the Board of Zoning Appeals pursuant to Subsection 6.2.2; or	5	2	2	(D) (2)
As administratively approved by the Zoning Administrator pursuant to Subsection 6.3.6(C).	5	2	2	(D) (3)
New construction prohibited. Construction of new buildings associated with nonconforming uses of land shall be prohibited.	5	2	2	(E)
Effect of limited expansion approval. An addition approved pursuant to Subsection 6.3.6(C) shall be treated as an expressly permitted exception under this Resolution and shall not be considered a prohibited enlargement, extension, or increase in the degree of nonconformity. Such approval shall not:	5	2	2	(F)
(1) Cause the existing use, building, or property to be considered conforming;				
(2) Authorize the substitution or establishment of a different nonconforming use;				
(3) Authorize any expansion other than the specific addition approved; or				
(4) Establish a basis or precedent for any subsequent expansion.				
Administrative Waiver	6	3	6	
Applicability. The Zoning Administrator may approve an Administrative Waiver for either of the following, provided the request complies with the applicable limitations of this subsection and satisfies the review criteria of Subsection 6.3.6(E):	6	3	6	(A)
Relief from an area or dimensional regulation within the limitations established in Subsection 6.3.6(B); or	6	3	6	(A) (1)
A limited expansion of a legally nonconforming Residential Use or Mixed Use in accordance with Subsection 6.3.6(C)	6	3	6	(A) (2)
Limitations.	6	3	6	(B)
Primary structures may have a setback reduction of up to 20% in the side yard.	6	3	6	(B) (1)
Accessory structures (sheds, garages, pools, fences, etc.) may have a setback reduction of up to 1.5 feet, an increase of up to 1.5 feet in maximum permitted height, and/or up to 25% increase to the allowed encroachment into a side yard for privacy fences for the purpose of including a side door within a fenced area. The fence shall not exceed a total of 75% of the building's side wall length.	6	3	6	(B) (2)

An administrative waiver may allow existing accessory structures (including side and rear yard fences) to be replaced 1 for 1, provided that they adhere to the approval criteria listed in Section 6.3.6-D.	6	3	6	(B)	(3)
All other area and dimensional requirements shall not exceed 10% of the applicable minimum or maximum requirements.	6	3	6	(B)	(4)
The limitations of Subsections 6.3.6(B)(1) and 6.3.6(B)(4) shall not apply to an interior side or rear setback reviewed as part of a limited nonconformity expansion under Subsection 6.3.6(C). Any such setback shall instead be governed exclusively by the standards of Subsection 6.3.6(C)(4).	6	3	6	(B)	(5)
Limited expansion of residential and mixed-use nonconformities. The Zoning Administrator may approve an addition to an existing principal building containing a legally nonconforming Residential Use, or a legally nonconforming Mixed Use that includes a Residential Use, only where all of the following requirements are met:	6	3	6	(C)	
Legal nonconforming status. The use and any building or dimensional nonconformity affected by the request shall have been lawfully established and shall not have been abandoned, discontinued, or otherwise lost its legal nonconforming status. A Legal Nonconformity Certificate pursuant to Subsection 6.3.4 shall be issued before or concurrently with approval of the Administrative Waiver.	6	3	6	(C)	(1)
Attached addition. The proposed addition shall be physically attached to and integrated with the existing principal building. This subsection shall not authorize the construction of a new or detached principal building.	6	3	6	(C)	(2)
Continuation of existing use. The proposed addition shall not establish a new principal use or use classification, shall not increase the number of dwelling units on the property, and shall not substitute one nonconforming use for another.	6	3	6	(C)	(3)
Interior side and rear setbacks. The proposed addition may continue an existing legally nonconforming interior side or rear setback, provided it is no closer to the affected lot line than the portion of the existing building being extended and is at least three (3) feet from the lot line.	6	3	6	(C)	(4)
Limited scale. The cumulative gross floor area of all additions approved pursuant to this subsection shall not exceed 25 percent of the gross floor area of the principal building as lawfully existing on the date the use or building became nonconforming or, for a nonconformity existing on the effective date of this subsection, on the effective date of this subsection.	6	3	6	(C)	(5)
Compliance with other requirements. Except for the limited expansion of the nonconforming use and the qualifying interior side or rear setback authorized by this subsection, the proposed addition and property shall comply with all other applicable provisions of this Resolution, including height, building and lot coverage, parking, access, landscaping, buffering, lighting, stormwater, and use-specific standards.	6	3	6	(C)	(6)
Ineligible requests.	6	3	6	(D)	
No Administrative Waivers shall be granted for an area or dimensional regulations related to signage.	6	3	6	(D)	(1)
No Administrative Waivers shall be granted for any waiver request that does not meet the criteria in Section 6.3.6-D. Applicants that exceed the limits of an	6	3	6	(D)	(2)

Administrative Waiver shall be required to apply for a Variance through the Board of Zoning Appeals.

Review criteria. Requests will be evaluated based upon the current requirements of this Resolution. Decisions on an Administrative Waiver shall be based on consideration of the Duncan Factors found in Section 6.5.4 (A)(4) of this Resolution and the following criteria: 6 3 6 (E)

The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, etc.); 6 3 6 (E) (1)

The waiver request is minor in nature; 6 3 6 (E) (2)

The waiver will not have a detrimental impact on any surrounding properties; 6 3 6 (E) (3)

The waiver request does not substantially deviate from the development character of the surrounding properties; and 6 3 6 (E) (4)

The waiver request does not deviate from the overall purpose of this Resolution or the intent and objective of the original regulation.; and 6 3 6 (E) (5)

Where applicable, the manner and location of an expansion of a legal nonconformity will have minimal adverse impact upon adjacent properties and permitted uses and will remain compatible with the surrounding area. 6 3 6 (E) (6)

Expiration. Within 1 year of the date the Administrative Waiver is approved, the applicant must submit a completed application for a Zoning Certificate per the applicable provisions of Section 6.3 – Administrative Applications, or the approval shall expire. 6 3 6 (F)

Staff & Hearing Information

Department: Planning & Zoning
Staff: David Peters, Zoning Commission Administrator
Hearing Date: July 21, 2026

Case Information

Case Title: Administrative Waiver Regarding Expansion of Nonconformities
Application Type: Text Amendment

Comparison Between Current & Proposed Text

Restrictions on Alterations	5	2	2	
Required yards and setbacks. ~~Nonconforming buildings, features, and uses shall not be altered in a manner that reduces provided yards and/or setbacks below minimum requirements thereof.~~ Except as expressly authorized by Subsection 6.3.6(C), a nonconforming building, feature, or use shall not be altered in a manner that reduces a provided yard or setback or otherwise increases the degree of an existing dimensional nonconformity.	5	2	2	(A)
Alterations to nonconforming uses.	5	2	2	(B)
~~Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution, except as provided in Subsection 6.3.4—Legal Nonconformity Certificate. The Board of Zoning Appeals shall only grant such alteration to a nonconforming use upon finding that the manner of increase or improvement in the useable area of the nonconforming use will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood; or upon finding that the increase or improvement can be made compatible with the adjacent properties and the uses in the surrounding neighborhood upon compliance with specified conditions.~~ Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land or building floor area than it occupied when it became nonconforming, except as expressly authorized under Subsection 6.3.6(C) or approved by the Board of Zoning Appeals. The Board of Zoning Appeals may approve such an alteration only upon finding that the increase or improvement will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood, or that the increase or improvement can be made compatible with adjacent properties and uses in the surrounding neighborhood through compliance with specified conditions.	5	2	2	(B) (1)
Nonconforming uses may be extended throughout any parts of an associated building that were manifestly arranged or designed for such use at the time of	5	2	2	(B) (2)

adoption or amendment of this Resolution. No such use shall be extended to occupy any land outside such building.

Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Resolution. The prior nonconforming use may not thereafter be resumed. 5 2 2 (B) (3)

~~Nonconforming uses that are altered shall be required to meet all setbacks of the applicable zoning district.~~ 5 2 2 (B) (4)

Except as expressly authorized under Subsection 6.3.6(C), any alteration or expansion of a nonconforming use shall comply with all applicable setbacks of the zoning district.

Substitution of nonconforming uses. If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution. 5 2 2 (C)

Alterations to nonconforming and/or associated buildings. ~~Buildings that are associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to an allowed use, except as authorized by the Board of Zoning Appeals per Subsection 6.2.2 — Board of Zoning Appeals.~~ A building associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except: 5 2 2 (D)

In connection with changing the building to an allowed use; 5 2 2 (D) (1)

As authorized by the Board of Zoning Appeals pursuant to Subsection 6.2.2; or 5 2 2 (D) (2)

As administratively approved by the Zoning Administrator pursuant to Subsection 6.3.6(C). 5 2 2 (D) (3)

New construction prohibited. Construction of new buildings associated with nonconforming uses of land shall be prohibited. 5 2 2 (E)

Effect of limited expansion approval. An addition approved pursuant to Subsection 6.3.6(C) shall be treated as an expressly permitted exception under this Resolution and shall not be considered a prohibited enlargement, extension, or increase in the degree of nonconformity. Such approval shall not: 5 2 2 (F)
 (1) Cause the existing use, building, or property to be considered conforming;
 (2) Authorize the substitution or establishment of a different nonconforming use;
 (3) Authorize any expansion other than the specific addition approved; or
 (4) Establish a basis or precedent for any subsequent expansion.

Administrative Waiver 6 3 6

Applicability. ~~The Zoning Administrator may grant Administrative Waivers for any area or dimensional regulation that meets ALL of the criteria listed in Section 6.3.6-D.~~ The Zoning Administrator may approve an Administrative Waiver for either of the following, provided the request complies with the applicable limitations of this subsection and satisfies the review criteria of Subsection 6.3.6(E):	6	3	6	(A)	
Relief from an area or dimensional regulation within the limitations established in Subsection 6.3.6(B); or	6	3	6	(A)	(1)
A limited expansion of a legally nonconforming Residential Use or Mixed Use in accordance with Subsection 6.3.6(C)	6	3	6	(A)	(2)
Limitations.	6	3	6	(B)	
Primary structures may have a setback reduction of up to 20% in the side yard.	6	3	6	(B)	(1)
Accessory structures (sheds, garages, pools, fences, etc.) may have a setback reduction of up to 1.5 feet, an increase of up to 1.5 feet in maximum permitted height, and/or up to 25% increase to the allowed encroachment into a side yard for privacy fences for the purpose of including a side door within a fenced area. The fence shall not exceed a total of 75% of the building's side wall length.	6	3	6	(B)	(2)
An administrative waiver may allow existing accessory structures (including side and rear yard fences) to be replaced 1 for 1, provided that they adhere to the approval criteria listed in Section 6.3.6-D.	6	3	6	(B)	(3)
All other area and dimensional requirements shall not exceed 10% of the applicable minimum or maximum requirements.	6	3	6	(B)	(4)
The limitations of Subsections 6.3.6(B)(1) and 6.3.6(B)(4) shall not apply to an interior side or rear setback reviewed as part of a limited nonconformity expansion under Subsection 6.3.6(C). Any such setback shall instead be governed exclusively by the standards of Subsection 6.3.6(C)(4).	6	3	6	(B)	(5)
Limited expansion of residential and mixed-use nonconformities. The Zoning Administrator may approve an addition to an existing principal building containing a legally nonconforming Residential Use, or a legally nonconforming Mixed Use that includes a Residential Use, only where all of the following requirements are met:	6	3	6	(C)	
Legal nonconforming status. The use and any building or dimensional nonconformity affected by the request shall have been lawfully established and shall not have been abandoned, discontinued, or otherwise lost its legal nonconforming status. A Legal Nonconformity Certificate pursuant to Subsection 6.3.4 shall be issued before or concurrently with approval of the Administrative Waiver.	6	3	6	(C)	(1)
Attached addition. The proposed addition shall be physically attached to and integrated with the existing principal building. This subsection shall not authorize the construction of a new or detached principal building.	6	3	6	(C)	(2)
Continuation of existing use. The proposed addition shall not establish a new principal use or use classification, shall not increase the number of dwelling units on the property, and shall not substitute one nonconforming use for another.	6	3	6	(C)	(3)
Interior side and rear setbacks. The proposed addition may continue an existing legally nonconforming interior side or rear setback, provided it is no	6	3	6	(C)	(4)

closer to the affected lot line than the portion of the existing building being extended and is at least three (3) feet from the lot line.

Limited scale. The cumulative gross floor area of all additions approved pursuant to this subsection shall not exceed 25 percent of the gross floor area of the principal building as lawfully existing on the date the use or building became nonconforming or, for a nonconformity existing on the effective date of this subsection, on the effective date of this subsection. 6 3 6 (C) (5)

Compliance with other requirements. Except for the limited expansion of the nonconforming use and the qualifying interior side or rear setback authorized by this subsection, the proposed addition and property shall comply with all other applicable provisions of this Resolution, including height, building and lot coverage, parking, access, landscaping, buffering, lighting, stormwater, and use-specific standards. 6 3 6 (C) (6)

Ineligible requests. 6 3 6 ~~(C)~~
(D)

No Administrative Waivers shall be granted for an area or dimensional regulations related to signage. 6 3 6 ~~(C)~~ (1)
(D)

No Administrative Waivers shall be granted for any waiver request that does not meet the criteria in Section 6.3.6-D. Applicants that exceed the limits of an Administrative Waiver shall be required to apply for a Variance through the Board of Zoning Appeals. 6 3 6 ~~(C)~~ (2)
(D)

Review criteria. Requests will be evaluated based upon the current requirements of this Resolution. Decisions on an Administrative Waiver shall be based on consideration of the Duncan Factors found in Section 6.5.4 (A)(4) of this Resolution and the following criteria: 6 3 6 ~~(D)~~
(E)

The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, etc.); 6 3 6 ~~(D)~~ (1)
(E)

The waiver request is minor in nature; 6 3 6 ~~(D)~~ (2)
(E)

The waiver will not have a detrimental impact on any surrounding properties; 6 3 6 ~~(D)~~ (3)
(E)

The waiver request does not substantially deviate from the development character of the surrounding properties; and 6 3 6 ~~(D)~~ (4)
(E)

The waiver request does not deviate from the overall purpose of this Resolution or the intent and objective of the original regulation.; and 6 3 6 ~~(D)~~ (5)
(E)

Where applicable, the manner and location of an expansion of a legal nonconformity will have minimal adverse impact upon adjacent properties and permitted uses and will remain compatible with the surrounding area. 6 3 6 (E) (6)

Expiration. Within 1 year of the date the Administrative Waiver is approved, the applicant must submit a completed application for a Zoning Certificate per the applicable provisions of Section 6.3 – Administrative Applications, or the approval shall expire. 6 3 6 ~~(E)~~
(F)

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in Regular session at 6:00 P.M., on the 11th day of August, 2026, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following Resolution and moved its adoption:

RESOLUTION NO. _____ - _____

RESOLUTION APPROVING CASE NUMBER CZC-26-10, A TEXT AMENDMENT TO THE COLERAIN TOWNSHIP ZONING RESOLUTION TO ESTABLISH AN ADMINISTRATIVE WAIVER PROCESS FOR LIMITED EXPANSIONS OF LEGALLY NONCONFORMING RESIDENTIAL AND MIXED USES

WHEREAS, case CZC-26-10 was initiated to amend Sections 5.2.2 and 6.3.6 of the Colerain Township Zoning Resolution to establish a limited administrative approval process for expansions of legally nonconforming residential uses and mixed uses containing a residential component, thereby providing a streamlined process for minor and compatible additions while maintaining appropriate limitations, review criteria, and protections for surrounding properties; and

WHEREAS, pursuant to Ohio Revised Code Section 519.12(G) and (H), the Colerain Township Board of Trustees on August 11, 2026 conducted its public hearing on the recommendation of the Colerain Township Zoning Commission in Case Number CZC-26-10, which voted 5-0 to recommend approval, and after consideration of the recommendation and all public comments, exhibits, and other materials submitted, voted ____-____ to approve the proposed amendment to the Colerain Township Zoning Resolution; and

WHEREAS, the amendment to the Colerain Township Zoning Resolution approved by the Board of Trustees is set forth in Exhibit “A”, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Board does hereby approve Case Number CZC-26-10, an amendment to the Colerain Township Zoning Resolution, as set forth in Exhibit “A”, for the reason that the text amendment is in the best interest of the Township and the health, safety, morals, and welfare of the public, is consistent with the Colerain

Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Administrator; and
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Cathy Ulrich _____, Mr. Dan Unger _____, Mr. Matthew Wahlert _____

ADOPTED this 11th day of August, 2026.

BOARD OF TRUSTEES:

Ms. Cathy Ulrich, Trustee

Mr. Dan Unger, Trustee

Mr. Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

APPROVED AS TO FORM:

Brodi Conover,
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 11th day of August, 2026.

Jeff Baker
Colerain Township Fiscal Officer

Staff & Hearing Information

Department: Development
Staff: David Peters, Senior Planner
Hearing Date: August 11, 2026

Case Information

Title: Administrative Waiver Regarding Expansion of Nonconformities
Type: Text Amendment

Zoning Text

Restrictions on Alterations	5	2	2	
Required yards and setbacks. Except as expressly authorized by Subsection 6.3.6(C), a nonconforming building, feature, or use shall not be altered in a manner that reduces a provided yard or setback or otherwise increases the degree of an existing dimensional nonconformity.	5	2	2	(A)
Alterations to nonconforming uses.	5	2	2	(B)
Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land or building floor area than it occupied when it became nonconforming, except as expressly authorized under Subsection 6.3.6(C) or approved by the Board of Zoning Appeals. The Board of Zoning Appeals may approve such an alteration only upon finding that the increase or improvement will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood, or that the increase or improvement can be made compatible with adjacent properties and uses in the surrounding neighborhood through compliance with specified conditions.	5	2	2	(B) (1)
Nonconforming uses may be extended throughout any parts of an associated building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution. No such use shall be extended to occupy any land outside such building.	5	2	2	(B) (2)
Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Resolution. The prior nonconforming use may not thereafter be resumed.	5	2	2	(B) (3)
Except as expressly authorized under Subsection 6.3.6(C), any alteration or expansion of a nonconforming use shall comply with all applicable setbacks of the zoning district.	5	2	2	(B) (4)

Substitution of nonconforming uses. If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.	5	2	2	(C)
Alterations to nonconforming and/or associated buildings. A building associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except:	5	2	2	(D)
In connection with changing the building to an allowed use;	5	2	2	(D) (1)
As authorized by the Board of Zoning Appeals pursuant to Subsection 6.2.2; or	5	2	2	(D) (2)
As administratively approved by the Zoning Administrator pursuant to Subsection 6.3.6(C).	5	2	2	(D) (3)
New construction prohibited. Construction of new buildings associated with nonconforming uses of land shall be prohibited.	5	2	2	(E)
Effect of limited expansion approval. An addition approved pursuant to Subsection 6.3.6(C) shall be treated as an expressly permitted exception under this Resolution and shall not be considered a prohibited enlargement, extension, or increase in the degree of nonconformity. Such approval shall not:	5	2	2	(F)
(1) Cause the existing use, building, or property to be considered conforming;				
(2) Authorize the substitution or establishment of a different nonconforming use;				
(3) Authorize any expansion other than the specific addition approved; or				
(4) Establish a basis or precedent for any subsequent expansion.				
Administrative Waiver	6	3	6	
Applicability. The Zoning Administrator may approve an Administrative Waiver for either of the following, provided the request complies with the applicable limitations of this subsection and satisfies the review criteria of Subsection 6.3.6(E):	6	3	6	(A)
Relief from an area or dimensional regulation within the limitations established in Subsection 6.3.6(B); or	6	3	6	(A) (1)
A limited expansion of a legally nonconforming Residential Use or Mixed Use in accordance with Subsection 6.3.6(C)	6	3	6	(A) (2)
Limitations.	6	3	6	(B)
Primary structures may have a setback reduction of up to 20% in the side yard.	6	3	6	(B) (1)
Accessory structures (sheds, garages, pools, fences, etc.) may have a setback reduction of up to 1.5 feet, an increase of up to 1.5 feet in maximum permitted height, and/or up to 25% increase to the allowed encroachment into a side yard for privacy fences for the purpose of including a side door within a fenced area. The fence shall not exceed a total of 75% of the building's side wall length.	6	3	6	(B) (2)

An administrative waiver may allow existing accessory structures (including side and rear yard fences) to be replaced 1 for 1, provided that they adhere to the approval criteria listed in Section 6.3.6-D.	6	3	6	(B)	(3)
All other area and dimensional requirements shall not exceed 10% of the applicable minimum or maximum requirements.	6	3	6	(B)	(4)
The limitations of Subsections 6.3.6(B)(1) and 6.3.6(B)(4) shall not apply to an interior side or rear setback reviewed as part of a limited nonconformity expansion under Subsection 6.3.6(C). Any such setback shall instead be governed exclusively by the standards of Subsection 6.3.6(C)(4).	6	3	6	(B)	(5)
Limited expansion of residential and mixed-use nonconformities. The Zoning Administrator may approve an addition to an existing principal building containing a legally nonconforming Residential Use, or a legally nonconforming Mixed Use that includes a Residential Use, only where all of the following requirements are met:	6	3	6	(C)	
Legal nonconforming status. The use and any building or dimensional nonconformity affected by the request shall have been lawfully established and shall not have been abandoned, discontinued, or otherwise lost its legal nonconforming status. A Legal Nonconformity Certificate pursuant to Subsection 6.3.4 shall be issued before or concurrently with approval of the Administrative Waiver.	6	3	6	(C)	(1)
Attached addition. The proposed addition shall be physically attached to and integrated with the existing principal building. This subsection shall not authorize the construction of a new or detached principal building.	6	3	6	(C)	(2)
Continuation of existing use. The proposed addition shall not establish a new principal use or use classification, shall not increase the number of dwelling units on the property, and shall not substitute one nonconforming use for another.	6	3	6	(C)	(3)
Interior side and rear setbacks. The proposed addition may continue an existing legally nonconforming interior side or rear setback, provided it is no closer to the affected lot line than the portion of the existing building being extended and is at least three (3) feet from the lot line.	6	3	6	(C)	(4)
Limited scale. The cumulative gross floor area of all additions approved pursuant to this subsection shall not exceed 25 percent of the gross floor area of the principal building as lawfully existing on the date the use or building became nonconforming or, for a nonconformity existing on the effective date of this subsection, on the effective date of this subsection.	6	3	6	(C)	(5)
Compliance with other requirements. Except for the limited expansion of the nonconforming use and the qualifying interior side or rear setback authorized by this subsection, the proposed addition and property shall comply with all other applicable provisions of this Resolution, including height, building and lot coverage, parking, access, landscaping, buffering, lighting, stormwater, and use-specific standards.	6	3	6	(C)	(6)
Ineligible requests.	6	3	6	(D)	
No Administrative Waivers shall be granted for an area or dimensional regulations related to signage.	6	3	6	(D)	(1)
No Administrative Waivers shall be granted for any waiver request that does not meet the criteria in Section 6.3.6-D. Applicants that exceed the limits of an	6	3	6	(D)	(2)

Administrative Waiver shall be required to apply for a Variance through the Board of Zoning Appeals.

Review criteria. Requests will be evaluated based upon the current requirements of this Resolution. Decisions on an Administrative Waiver shall be based on consideration of the Duncan Factors found in Section 6.5.4 (A)(4) of this Resolution and the following criteria: 6 3 6 (E)

The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, etc.); 6 3 6 (E) (1)

The waiver request is minor in nature; 6 3 6 (E) (2)

The waiver will not have a detrimental impact on any surrounding properties; 6 3 6 (E) (3)

The waiver request does not substantially deviate from the development character of the surrounding properties; and 6 3 6 (E) (4)

The waiver request does not deviate from the overall purpose of this Resolution or the intent and objective of the original regulation.; and 6 3 6 (E) (5)

Where applicable, the manner and location of an expansion of a legal nonconformity will have minimal adverse impact upon adjacent properties and permitted uses and will remain compatible with the surrounding area. 6 3 6 (E) (6)

Expiration. Within 1 year of the date the Administrative Waiver is approved, the applicant must submit a completed application for a Zoning Certificate per the applicable provisions of Section 6.3 – Administrative Applications, or the approval shall expire. 6 3 6 (F)

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in Regular session at 6:00 P.M., on the 11th day of August, 2026, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following Resolution and moved its adoption:

RESOLUTION NO. _____ - _____

RESOLUTION DENYING CASE NO. CZC-26-10, A TEXT AMENDMENT TO THE COLERAIN TOWNSHIP ZONING RESOLUTION TO ESTABLISH AN ADMINISTRATIVE WAIVER PROCESS FOR LIMITED EXPANSIONS OF LEGALLY NONCONFORMING RESIDENTIAL AND MIXED USES

WHEREAS, case CZC-26-10 was initiated to amend Sections 5.2.2 and 6.3.6 of the Colerain Township Zoning Resolution to establish a limited administrative approval process for expansions of legally nonconforming residential uses and mixed uses containing a residential component, thereby providing a streamlined process for minor and compatible additions while maintaining appropriate limitations, review criteria, and protections for surrounding properties; and

WHEREAS, the Colerain Township Zoning Commission conducted a public hearing on the proposed text amendment on July 21, 2026, and after staff presentation, public comments, exhibits, and other materials were submitted, voted 5-0 to recommend to the Board of Trustees approval of the proposed text amendment; and

WHEREAS, pursuant to Ohio Revised Code Section 519.12(G) and (H), the Colerain Township Board of Trustees on August 11, 2026 conducted its public hearing on the unanimous recommendation from the Colerain Township Zoning Commission in Case Number CZC-26-10, and after consideration of the recommendation and all public comments, exhibits, and other materials submitted, voted ____ - ____ to deny the Colerain Township Zoning Text Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that the Board does not adopt nor approve the amendment to the Colerain Township Zoning Resolution attached hereto as Exhibit "A"; and

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That the Board of Trustees of Colerain Township, Hamilton County, Ohio denies the text amendment attached hereto as Exhibit “A”, for the reason that the text amendment would not be in the best interest of the Township and the health, safety, morals, and welfare of the public, is not consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is not in keeping with good land use planning; and,
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Cathy Ulrich _____, Mr. Dan Unger _____, Mr. Matthew Wahlert _____

ADOPTED this 11th day of August, 2026.

BOARD OF TRUSTEES:

Ms. Cathy Ulrich, Trustee

Mr. Dan Unger, Trustee

Mr. Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

APPROVED AS TO FORM:

Brodi Conover,
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 11th day of August, 2026.

Jeff Baker
Colerain Township Fiscal Officer

Staff & Hearing Information

Department: Development
Staff: David Peters, Senior Planner
Hearing Date: August 11, 2026

Case Information

Title: Administrative Waiver Regarding Expansion of Nonconformities
Type: Text Amendment

Zoning Text

Restrictions on Alterations	5	2	2	
Required yards and setbacks. Except as expressly authorized by Subsection 6.3.6(C), a nonconforming building, feature, or use shall not be altered in a manner that reduces a provided yard or setback or otherwise increases the degree of an existing dimensional nonconformity.	5	2	2	(A)
Alterations to nonconforming uses.	5	2	2	(B)
Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land or building floor area than it occupied when it became nonconforming, except as expressly authorized under Subsection 6.3.6(C) or approved by the Board of Zoning Appeals. The Board of Zoning Appeals may approve such an alteration only upon finding that the increase or improvement will have minimal adverse impact upon adjacent properties and permitted land uses in the surrounding neighborhood, or that the increase or improvement can be made compatible with adjacent properties and uses in the surrounding neighborhood through compliance with specified conditions.	5	2	2	(B) (1)
Nonconforming uses may be extended throughout any parts of an associated building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution. No such use shall be extended to occupy any land outside such building.	5	2	2	(B) (2)
Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Resolution. The prior nonconforming use may not thereafter be resumed.	5	2	2	(B) (3)
Except as expressly authorized under Subsection 6.3.6(C), any alteration or expansion of a nonconforming use shall comply with all applicable setbacks of the zoning district.	5	2	2	(B) (4)

Substitution of nonconforming uses. If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.	5	2	2	(C)
Alterations to nonconforming and/or associated buildings. A building associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except:	5	2	2	(D)
In connection with changing the building to an allowed use;	5	2	2	(D) (1)
As authorized by the Board of Zoning Appeals pursuant to Subsection 6.2.2; or	5	2	2	(D) (2)
As administratively approved by the Zoning Administrator pursuant to Subsection 6.3.6(C).	5	2	2	(D) (3)
New construction prohibited. Construction of new buildings associated with nonconforming uses of land shall be prohibited.	5	2	2	(E)
Effect of limited expansion approval. An addition approved pursuant to Subsection 6.3.6(C) shall be treated as an expressly permitted exception under this Resolution and shall not be considered a prohibited enlargement, extension, or increase in the degree of nonconformity. Such approval shall not:	5	2	2	(F)
(1) Cause the existing use, building, or property to be considered conforming;				
(2) Authorize the substitution or establishment of a different nonconforming use;				
(3) Authorize any expansion other than the specific addition approved; or				
(4) Establish a basis or precedent for any subsequent expansion.				
Administrative Waiver	6	3	6	
Applicability. The Zoning Administrator may approve an Administrative Waiver for either of the following, provided the request complies with the applicable limitations of this subsection and satisfies the review criteria of Subsection 6.3.6(E):	6	3	6	(A)
Relief from an area or dimensional regulation within the limitations established in Subsection 6.3.6(B); or	6	3	6	(A) (1)
A limited expansion of a legally nonconforming Residential Use or Mixed Use in accordance with Subsection 6.3.6(C)	6	3	6	(A) (2)
Limitations.	6	3	6	(B)
Primary structures may have a setback reduction of up to 20% in the side yard.	6	3	6	(B) (1)
Accessory structures (sheds, garages, pools, fences, etc.) may have a setback reduction of up to 1.5 feet, an increase of up to 1.5 feet in maximum permitted height, and/or up to 25% increase to the allowed encroachment into a side yard for privacy fences for the purpose of including a side door within a fenced area. The fence shall not exceed a total of 75% of the building's side wall length.	6	3	6	(B) (2)

An administrative waiver may allow existing accessory structures (including side and rear yard fences) to be replaced 1 for 1, provided that they adhere to the approval criteria listed in Section 6.3.6-D.	6	3	6	(B)	(3)
All other area and dimensional requirements shall not exceed 10% of the applicable minimum or maximum requirements.	6	3	6	(B)	(4)
The limitations of Subsections 6.3.6(B)(1) and 6.3.6(B)(4) shall not apply to an interior side or rear setback reviewed as part of a limited nonconformity expansion under Subsection 6.3.6(C). Any such setback shall instead be governed exclusively by the standards of Subsection 6.3.6(C)(4).	6	3	6	(B)	(5)
Limited expansion of residential and mixed-use nonconformities. The Zoning Administrator may approve an addition to an existing principal building containing a legally nonconforming Residential Use, or a legally nonconforming Mixed Use that includes a Residential Use, only where all of the following requirements are met:	6	3	6	(C)	
Legal nonconforming status. The use and any building or dimensional nonconformity affected by the request shall have been lawfully established and shall not have been abandoned, discontinued, or otherwise lost its legal nonconforming status. A Legal Nonconformity Certificate pursuant to Subsection 6.3.4 shall be issued before or concurrently with approval of the Administrative Waiver.	6	3	6	(C)	(1)
Attached addition. The proposed addition shall be physically attached to and integrated with the existing principal building. This subsection shall not authorize the construction of a new or detached principal building.	6	3	6	(C)	(2)
Continuation of existing use. The proposed addition shall not establish a new principal use or use classification, shall not increase the number of dwelling units on the property, and shall not substitute one nonconforming use for another.	6	3	6	(C)	(3)
Interior side and rear setbacks. The proposed addition may continue an existing legally nonconforming interior side or rear setback, provided it is no closer to the affected lot line than the portion of the existing building being extended and is at least three (3) feet from the lot line.	6	3	6	(C)	(4)
Limited scale. The cumulative gross floor area of all additions approved pursuant to this subsection shall not exceed 25 percent of the gross floor area of the principal building as lawfully existing on the date the use or building became nonconforming or, for a nonconformity existing on the effective date of this subsection, on the effective date of this subsection.	6	3	6	(C)	(5)
Compliance with other requirements. Except for the limited expansion of the nonconforming use and the qualifying interior side or rear setback authorized by this subsection, the proposed addition and property shall comply with all other applicable provisions of this Resolution, including height, building and lot coverage, parking, access, landscaping, buffering, lighting, stormwater, and use-specific standards.	6	3	6	(C)	(6)
Ineligible requests.	6	3	6	(D)	
No Administrative Waivers shall be granted for an area or dimensional regulations related to signage.	6	3	6	(D)	(1)
No Administrative Waivers shall be granted for any waiver request that does not meet the criteria in Section 6.3.6-D. Applicants that exceed the limits of an	6	3	6	(D)	(2)

Administrative Waiver shall be required to apply for a Variance through the Board of Zoning Appeals.

Review criteria. Requests will be evaluated based upon the current requirements of this Resolution. Decisions on an Administrative Waiver shall be based on consideration of the Duncan Factors found in Section 6.5.4 (A)(4) of this Resolution and the following criteria:

6	3	6	(E)
---	---	---	-----

The waiver will allow the proposed development to reflect the predominant development character of surrounding, similar uses and properties (e.g., similar setbacks, etc.);

6	3	6	(E)	(1)
---	---	---	-----	-----

The waiver request is minor in nature;

6	3	6	(E)	(2)
---	---	---	-----	-----

The waiver will not have a detrimental impact on any surrounding properties;

6	3	6	(E)	(3)
---	---	---	-----	-----

The waiver request does not substantially deviate from the development character of the surrounding properties; and

6	3	6	(E)	(4)
---	---	---	-----	-----

The waiver request does not deviate from the overall purpose of this Resolution or the intent and objective of the original regulation.; and

6	3	6	(E)	(5)
---	---	---	-----	-----

Where applicable, the manner and location of an expansion of a legal nonconformity will have minimal adverse impact upon adjacent properties and permitted uses and will remain compatible with the surrounding area.

6	3	6	(E)	(6)
---	---	---	-----	-----

Expiration. Within 1 year of the date the Administrative Waiver is approved, the applicant must submit a completed application for a Zoning Certificate per the applicable provisions of Section 6.3 – Administrative Applications, or the approval shall expire.

6	3	6	(F)
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PRESENTATIONS

Department: Administration

Department: Matt Wahlert

Director:

Strategic Plan Goal:

Proclamation Celebrating Summer Reading and the Public Library

Recommend ADOPTION of the Proclamation.

Rationale:

This proclamation is in celebration of summer reading and the positive impact it has on residents and families throughout Colerain.

**PROCLAMATION
CELEBRATING SUMMER READING
IN COLERAIN TOWNSHIP, OHIO**



- Whereas** The ability to read is the foundation of learning, helping to empower individuals of all ages to explore new worlds, expand their imaginations, and achieve lifelong success; and
- Whereas** Summer reading programs foster a love of reading by providing access to engaging books, preventing the "summer slide" in academic skills, and encouraging students to keep their minds active during the summer months; and
- Whereas** Local libraries serve as essential community hubs, offering inclusive environments, educational programming, and free, accessible resources that bring families and neighbors together; and
- Whereas** The Hamilton County Public Library and Colerain Township are committed to nurturing the minds of our youth and building a strong, vibrant, and highly literate community.

Be it resolved that the Colerain Township Board of Trustees hereby celebrates Ned Heeger-Brehm, the Groesbeck Branch of the Public Library, the Hamilton County Public Library System, and all of Colerain Township residents for another successful summer reading program in Colerain Township.

Cathy Ulrich
Trustee

Daniel Unger
Trustee

Matt Wahlert
Trustee

Jeffrey D. Baker
Fiscal Officer

Date: August 11, 2026

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Resolution Declaring Nuisance and Ordering Abatement

Recommend ADOPTION of the Resolution.

Rationale:

This resolution allows for the removal of uncontrolled vegetation and/or refuse at the following properties:

2823 Brampton Dr.
10670 Colerain Ave.
2968 Compton Rd.
3139 Deshler Dr.
3142 Deshler Dr.
7201 Forfeit Run Rd.
2412 Garrison Dr.
3616 Hanley Rd.
7163 Hunters Ridge Ln.
9834 Loralinda Dr.
3324 March Terr.
3492 Orillia Dr.
8071 Peacock Dr.
10509 Pippin Rd.
3225 Rinda Ln.
3517 Ripplegrove Dr.
3397 Rocker Dr.
2400 Roosevelt Ave.
2465 Roosevelt Ave.
9730 Sacramento St.
3658 Sandralin Dr.
2856 Sheldon Ave.
11919 Waldon Dr.
3980 Woodtrush Dr.
9757 Yuba Ct.

All properties that are abated by the Township will have their property taxes assessed in order to reimburse the Township for the abatement services. This resolution and the Township's abatement process comport with the Ohio Revised Code for nuisance violations.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 7:00 p.m., on the ____ day of _____, 202_, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DECLARING NUISANCE AND ORDERING ABATEMENT

WHEREAS Uncontrolled vegetation and/or refuse and debris were reported at the properties listed below:

<u>Address</u>	<u>Book-Page-Parcel No.</u>
2823 Brampton Dr.	510-0041-0502-00
10670 Colerain Ave.	510-0170-0180-00
2968 Compton Rd.	510-0054-0145-00
3139 Deshler Dr.	510-0052-0498-00
3142 Deshler Dr.	510-0052-0486-00
7201 Forfeit Run Rd.	510-0360-0117-00
2412 Garrison Dr.	510-0051-0404-00
3616 Hanley Rd.	510-0082-0066-00
7163 Hunters Ridge Ln	510-0440-0351-00
9834 Loralinda Dr.	510-0041-0019-00
3324 March Terr.	510-0081-0312-00
3492 Orillia Dr.	510-0082-0218-00
8071 Peacock Dr.	510-0071-0390-00
10509 Pippin Rd.	510-0033-0102-00
3225 Rinda Ln.	510-0081-0079-00
3517 Ripplegate Dr.	510-0101-0112-00
3397 Rocker Dr.	510-0083-0419-00
2400 Roosevelt Ave.	510-0031-0455-00
2465 Roosevelt Ave.	510-0031-0498-00
9730 Sacramento St.	510-0051-0121-00
3658 Sandralin Dr.	510-0091-0285-00
2856 Sheldon Ave.	510-0071-0118-00
11919 Waldon Dr.	510-0011-0032-00
3980 Woodtrush Dr.	510-0202-0102-00
9757 Yuba Ct.	510-0051-0086-00

WHEREAS Ohio Revised Code Section 505.87 provides that, at least seven days prior to providing for the abatement, control, or removal of any vegetation, garbage, refuse,

or debris, the Board of Trustees shall notify the owner of the land and any holders of liens of record upon the land; and

WHEREAS

Ohio Revised Code Section 505.87 provides that, if the Board of Trustees determines within twelve consecutive months after a prior nuisance determination that the same owner's maintenance of vegetation, garbage refuse, or other debris on the same land in the township constitutes a nuisance, at least four days prior to providing for the abatement, control or removal of the nuisance, the Board must send notice of the subsequent nuisance determination to the landowner and to any lienholders of record by first class mail; and

WHEREAS

In accordance with Ohio Revised Code Section 505.87, the Township Trustees have the authority to contract to abate the nuisances and have the costs incurred assessed to the property tax bills.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That this Board specifically finds and hereby determines that the uncontrolled growth of vegetation and/or the refuse and debris on each of the said properties listed above constitute a nuisance within the meaning of Ohio Revised Code Section 505.87, and the Board directs that notice of this action be given to owners of the said property and lienholders in the manner required by Ohio Revised Code Section 505.87;
2. That this Board hereby orders the owners of said property to remove and abate the nuisances within seven days after notice of this order is given to the owners and lienholders of record, and within four days after notice of this order is given to the owners and lienholders of record for properties previously determined to be a nuisance. If said nuisances are not removed and abated by the said owners, or if no agreement for removal and abatement is reached between the Township and the owners and lienholders of record within four or seven days after notice is given, the Zoning Inspector shall cause the nuisances to be removed, and the Township shall notify the County Auditor to assess such cost plus administrative expense to the property tax bills for the said parcel, as provided in Ohio Revised Code Section 505.87;
3. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
4. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
5. That this Resolution shall be effective at the earliest date allowed by law.

Trustee _____, seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mrs. Ulrich_____, Mr. Unger_____, Mr. Wahlert_____

ADOPTED this ____ day of _____, 202__.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

PUBLIC SAFETY

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Motion to Issue Noise Resolution Permit to Zenith Strum and Tonya Daniels
Recommend ADOPTION of the Motion.

Rationale:

This is the first request for a permit for 2026 for the applicants. This request for a permit is on September 19, 2026, from noon to 8pm. This noise permit is for Skyline Acres Park for a community picnic and gathering.



PERMIT VALID DATE AND TIME
(to and from)

TRUSTEES
Cathy Ulrich
Daniel Unger
Matt Wahlert

FISCAL OFFICER
Jeffrey D. Baker

ADMINISTRATOR
Jeff Weckbach

Application for Noise Resolution Permit
**MUST BE RECEIVED NO LATER THAN (9) DAYS BEFORE THE NEXT
SCHEDULED BOARD MEETING**

Name of applicant: Zenith Strum + Tonya Daniels

Address where event will be held:

Type of event: Skyline Park

Date and Time of Event: September 19, 2026

12pm-8pm

Contact number for permit holder:

Zenith 513 886 4951 Tonya Daniels 513 344 5663

Permit applicants must be at the event and in possession of this signed and approved permit. This permit is non-transferable and is only valid for the date and time listed on the approved permit. This permit is not an endorsement or approval by the Township of the type of event taking place.

For Office Use Only, Do not write below this line

Time and date received:

By:

Number of issued permits in calendar year: Residential _____ Business _____

To be placed on Trustee agenda for meeting: / / / (date of meeting)
Permit approved by majority vote of Colerain Township Board of Trustees.

Trustee Cathy Ulrich

Trustee Dan Unger

Trustee Matt Wahlert

Attest: _____
Jeff Baker, Fiscal Office

ADMINISTRATION

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability
Strategic Goal #4: Expand Recreational Opportunities for all Ages

Motion Authorizing Township Administrator to Execute an Agreement with Mercury Soccer for Lease of Groesbeck Park

Recommend ADOPTION of the Motion.

Rationale:

The Township released an RFP seeking proposals for lease/activation of Groesbeck Park by a youth sports organization. In response to this RFP, the Township received two proposals, as summarized below:

- Mercury Soccer
 - Use: Youth Soccer
 - Term: 15 Years
 - Lease Payment: \$30,000 per year
 - Investments: \$3.25 million for turf fields
 - Other revenue: Undefined
- 513 Force
 - Use: Youth Baseball
 - Term: 3 years with two optional 3 year renewals
 - Lease Payment: \$1,950 per year
 - Investments: Upgrades to existing fields, signage, dugouts
 - Other revenue: 10% of gate fees for tournaments and games

In both proposals, the potential leasing organizations have indicated that they will be responsible for full maintenance of the park property. Given the financial considerations and investment partnership proposed by Mercury Soccer, staff is recommending that the Administrator be authorized to develop and execute a final contract for lease of the space with terms consistent to that found in the RFP response.

This partnership represents a tremendous opportunity to activate Groesbeck Park and bring new economic development to the Groesbeck neighborhood.

CONSENT ITEMS

Department: Fire
Department Director: Allen Walls, Fire Chief

Strategic Plan Goal: Strategic Goal #2: Continue to Provide High Quality Safety Services

Pay Adjustment - Department of Fire and EMS Recruits - \$17.31 per hour.
Recommend ADOPTION of the Motion.

Rationale:
Fire recruits are set to receive a \$0.36 increase (2%). The current pay rate for recruits is \$16.95 per hour. This will be retroactive to August 3, 2026.

CONSENT ITEMS

Department: Administration
Department Director: Jeff Weckbach, Township Administrator

Strategic Plan Goal: Strategic Goal #1: Chart a Pathway to Long-Term Financial Stability

Contract - AEP Energy - Natural Gas Aggregation - \$0.5378 per ccf - One Year Term
Recommend approval of all consent items.

Rationale:
The trustees previously authorized the Township Administrator to execute an agreement for Community Gas Aggregation at a rate at or below Duke Energy's price to compare. The Township's broker has successfully negotiated a rate of \$0.5378 per ccf of gas usage. This is a 17% decrease from the existing rate. The rate is good for one year.

**AMENDMENT NO. 1
TO
GOVERNMENT AGGREGATION MASTER RETAIL NATURAL GAS SUPPLY AGREEMENT**

This Amendment No. 1 to Government Aggregation Master Retail Natural Gas Supply Agreement (this “Amendment No. 1”) is made and effective this July 28, 2026, by and between AEP Energy, Inc. (“AEP Energy”) and Colerain Township, Ohio (“Government Aggregator”), in order to accomplish a seamless continuation of retail natural gas supply under that certain Government Aggregation Master Retail Natural Gas Supply Agreement by and between AEP Energy and Government Aggregator, dated July 23, 2025, including any exhibits, attachments, and tables thereto and amendments thereof (the “Agreement”). Capitalized terms not otherwise defined in this Amendment No. 1 shall have the meaning ascribed to such terms in the Agreement.

WHEREAS, AEP Energy and Government Aggregator are parties to the Agreement; and

WHEREAS, the parties desire to extend the Term of and amend the Agreement as provided herein as of the date hereof.

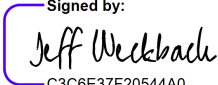
NOW, THEREFORE, in consideration of the mutual promises, conditions and covenants contained in the Agreement, including this Amendment No. 1 thereto, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The Parties hereby agree that Attachment A-1 attached to this Amendment No. 1 (“Attachment A-1”) is incorporated into and made a part of the Agreement as an additional Attachment thereto and shall be deemed “Attachment A-1” for all purposes under the Agreement. The Customers identified or otherwise eligible for inclusion under Attachment A-1 shall be included in the Program pursuant to the terms and conditions set forth in Attachment A-1, subject to the applicable opt-out process conducted in the manner set forth in the Agreement (including any Refresh Opt Outs) and in accordance with the Parties’ obligations, representations, and warranties contained in the Agreement. AEP Energy shall use commercially reasonable efforts to commence service with respect to each Customer no later than the first available meter read date, as determined by the NGDC, expected to be on or around the Term start date specified in Attachment A-1, and after AEP Energy receives confirmation that the NGDC has completed its processing and has accepted the applicable delivery service request, at the Price(s) and for the term set forth in Attachment A-1, subject in all respects to the terms and conditions of the Agreement.
2. The Agreement, including this Amendment No. 1 thereto, sets forth all understandings between the parties regarding the subject matter hereof, and any prior contracts, understandings, and representations, oral or written, relating to such subject matter are merged into and superseded by the Agreement, including this Amendment No. 1 thereto. To the extent that any of the terms and conditions in this Amendment No. 1 conflicts with the Agreement, the terms and conditions of this Amendment No. 1 shall control and take precedence. Except as expressly set forth herein, all other terms and conditions of the Agreement shall remain, and be, in full force and effect without change, and the Agreement, as amended herein, is ratified and affirmed. No amendment, modification, or waiver in respect of this Amendment No. 1 will be effective unless in writing and executed by each of the Parties. The Parties agree and acknowledge that the prefatory statements and recitals in this Amendment No. 1 are intended to be and shall be a part of the provisions of this Amendment No. 1. The words “include” and “including” are deemed to be followed by the phrase “without limitation.” This Amendment No. 1 may be executed and delivered in one or more counterparts, each of which will be deemed an original, but all of which shall together constitute one instrument. Any counterpart may be executed and evidenced by signature transmitted by email or other electronic means as though it were an original. This Amendment No. 1 is effective only upon the Parties’ execution.

IN WITNESS WHEREOF, each of the parties has caused this Amendment No. 1 to be executed by a duly authorized representative, who, by applying his or her signature, represents and warrants full right, power, and authority to sign on behalf of the relevant party named below, effective as of the date first set forth above.

COLERAIN TOWNSHIP, OH

AEP ENERGY, INC.

Signed by:

C3C6E37F20544A0...
Name: Jeff Weckbach
Title: Township Administrator

Name: _____
Title: _____

Attachment A-1 to Government Aggregation Master Retail Natural Gas Supply Agreement

Between

Colerain Township, Ohio and AEP Energy, Inc.

Term:

Twelve (12) months, expected to begin on or around the relevant October 2026 meter read date(s) (or, for Refresh Opt Out(s) or Customer(s) that enroll in the Program by affirmative consent, for a period up to the remainder of such twelve (12) month-term), subject to the timing of (i) the available meter read date(s), as determined by the NGDC, following the applicable opt-out period or enrollment date, and (ii) AEP Energy's receipt of confirmation that the NGDC has completed its processing and has accepted the relevant delivery service request(s)

Pricing:

Residential (RS): Commodity portion of natural gas service equal to \$0.5378 per Ccf, as adjusted for any cost savings or increased costs hereunder, as applicable and if any, related to the SSO Service Conversion and any Tariff Rate Change

The Customer shall pay AEP Energy a charge for the commodity portion of its natural gas service that is equal to \$0.5378 per Ccf multiplied by the metered natural gas usage for the monthly Billing Cycle.

In connection with (1) the NGDC's conversion to a Standard Service Offer (SSO) Service model, as approved by the Public Utilities Commission of Ohio (PUCO) in December 2024 (the "SSO Service Conversion"), and (2) any change to any final approved tariff rates of any applicable interstate or intrastate pipeline, transporter, storage provider, or similar regulated service provider (including, without limitation, Columbia Gas Transmission), including, without limitation, for storage and transportation costs, as compared to any estimated, interim, provisional, temporary, or settlement rates ("Tariff Rate Change"), the parties agree that AEP Energy will pass through, in a commercially reasonable manner at no additional mark-up and in consultation with the Government Aggregator's consultant, a price adjustment for any cost savings or increased costs hereunder, as applicable and if any, related to the SSO Service Conversion, including, without limitation, related to the costs, charges, credits, true-ups, or other adjustments associated with any interstate or intrastate pipeline, transportation, storage, or related capacity released, assigned, allocated, or otherwise made available by the NGDC to AEP Energy, or any Tariff Rate Change.

Price is exclusive of distribution service charges and other non-bypassable NGDC charges and fees.

Commercial (consumption less than 5,000 Ccf or 500 Mcf annually): Commodity portion of natural gas service equal to \$0.5378 per Ccf, as adjusted for any cost savings or increased costs hereunder, as applicable and if any, related to the SSO Service Conversion and any Tariff Rate Change

The Customer shall pay AEP Energy a charge for the commodity portion of its natural gas service that is equal to \$0.5378 per Ccf multiplied by the metered natural gas usage for the monthly Billing Cycle.

In connection with (1) the NGDC's conversion to a Standard Service Offer (SSO) Service model, as approved by the Public Utilities Commission of Ohio (PUCO) in December 2024 (the "SSO Service Conversion"), and (2) any change to any final approved tariff rates of any applicable interstate or intrastate pipeline, transporter, storage provider, or similar regulated service provider (including, without limitation, Columbia Gas Transmission), including, without limitation, for storage and transportation costs, as compared to any estimated, interim, provisional, temporary, or settlement rates ("Tariff Rate Change"), the parties agree that AEP Energy will pass through, in a commercially reasonable manner at no additional mark-up and in consultation with the Government Aggregator's consultant, a price adjustment for any cost savings or increased costs hereunder, as applicable and if any, related to the SSO Service Conversion, including, without limitation, related to the costs, charges, credits, true-ups, or other adjustments associated with any interstate or intrastate pipeline, transportation, storage, or related capacity released, assigned, allocated, or otherwise made available by the NGDC to AEP Energy, or any Tariff Rate Change.

Price is exclusive of distribution service charges and other non-bypassable NGDC charges and fees.

Administrative Services to be provided to Government Aggregator by AEP Energy during the Term:

- Design, print and mail the Opt-out letter to eligible participants, including a sheet of Frequently Asked Questions to provide assistance.

- Administer the opt-out process including database preparation, handling of opt-out form information, and final enrollment list compilation.
- Provide call center support to handle informational calls regarding the Program.
- Provide to Government Aggregator's consultant, Energy Alliances, Inc. ("Energy Alliances"), the reasonably-requested information for the annual report of intrastate gross revenues under Ohio Revised Code 4905.10 and 4911.18 and annual report under Ohio Revised Code 4929.20 on behalf of Government Aggregator.
- Government Aggregator directs AEP Energy to pay a fee (in an amount as mutually agreed in writing between AEP Energy and Energy Alliances) per Ccf delivered and paid for under the Program to Energy Alliances for services provided.

CONSENT ITEMS

Department: Police
Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Junk Motor Vehicle - 9003 Coogan Dr. - 2005 Gray Ford Explorer
Recommend approval of all consent items.

Rationale:
At this address: (OH) GIJ2817, 2005, Gray, Ford, Explorer

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **6:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

RESOLUTION DECLARING VEHICLE LOCATED AT 9003 Coogan Dr. Cincinnati, OH 45231– Parcel ID 510-0053-0057-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **9003 Coogan Dr. Cincinnati, OH 45231– Parcel ID 510-0053-0057-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **9003 Coogan Dr. Cincinnati, OH 45231– Parcel ID 510-0053-0057-00** to be inoperable, extensively damages, and at least three model years old:

A. (OH) GIJ2817, 2005, Gray, Ford, Explorer

2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.

3. The written notice shall contain the following information:
 - a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202__.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer

CONSENT ITEMS

Department: Police

Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Junk Motor Vehicle - 9802 Mel Carl Dr. - 2011 Brown Chevrolet Malibu

Recommend approval of all consent items.

Rationale:

At this address: 2011 Brown Chevrolet Malibu

CONSENT ITEMS

Department: Police

Department Director: Ed Cordie, Police Chief

Strategic Plan Goal: Strategic Goal #3: Revitalization of the Community through Economic Development, Beautification, and Code Enforcement

Junk Motor Vehicle - 11284 Pippin Rd. - 2008 Maroon Kia Rondo

Recommend approval of all consent items.

Rationale:

At this address: 2008 Maroon Kia Rondo.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at **6:00** p.m., on the ____ day of _____, 202_ at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Ms. Cathy Ulrich, Mr. Dan Unger, and Mr. Matthew Wahlert

Trustee _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____

RESOLUTION DECLARING VEHICLE LOCATED AT 11284 Pippin Rd. Cincinnati, OH 45231– Parcel ID 510-0022-0004-00
AS A JUNK MOTOR VEHICLE AND CAUSING FOR THE REMOVAL PURSUANT TO COLERAIN TOWNSHIP RESOLUTION NO. 36-21

WHEREAS, pursuant to Ohio Revised Code § 505.871, the Colerain Township Board of Trustees has authority to determine that a motor vehicle, on either public and private property, is a junk motor vehicle as defined in Ohio Revised Code § 505.173, and has the authority to have that vehicle removed from the property; and,

WHEREAS, the Colerain Township Board of Trustees adopted Resolution 36-21, on May 11, 2021, adopting the procedures of Ohio Revised Code § 505.871, to facilitate to the removal of a growing number of junk vehicles throughout the Township, and worked to preserve property values, public health, safety, and morals by eliminating the detrimental effects of junk vehicles; and,

WHEREAS, the Board of Trustees has knowledge of a junk motor vehicle located at **11284 Pippin Rd. Cincinnati, OH 45231– Parcel ID 510-0022-0004-00**

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows;

1. The Board declares the junk motor vehicle located at **11284 Pippin Rd. Cincinnati, OH 45231– Parcel ID 510-0022-0004-00** to be inoperable, extensively damages, and at least three model years old:

A. (OHIO) HRP2365, 2008, Maroon, Kia, Rondo

2. The Board shall provide for the removal of said junk motor vehicle from the above listed property, not sooner than fourteen (14) days after the Board serves written notice of its intention to remove or cause the removal of the vehicle on the owner of the land and any holders of liens of record on the land.

3. The written notice shall contain the following information:
 - a. A general description of the vehicle to be removed;
 - b. A statement the Board has determined that the vehicle is a junk motor vehicle.
 - c. A statement that if the owner of the land fails to remove the vehicle within fourteen days after service of the notice, the board may remove or cause the removal of the vehicle.
 - d. A statement that any expenses and/or costs the board incurs in removing or causing the removal of the vehicle may be entered upon the tax duplicate and become a lien upon the land from the date of entry.
 - e. A copy of this resolution.
4. The Board shall serve the notice on the property owner, pursuant to the procedure in Colerain Township Resolution 36-21, that a junk vehicle exists on the property and Colerain Township intends to remove, or cause the removal, of the junk motor vehicle.
5. The Board may utilize any lawful means to collect the expenses incurred in removing or causing to removal of the junk motor vehicle as determined by Colerain Township Resolution 36-21.
6. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.
7. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.
8. This resolution shall take effect at the earliest period allowed by law.

Trustee _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Ulrich _____, Mr. Unger _____ and Mr. Wahlert _____

ADOPTED this _____ day of _____, 202_.

BOARD OF TRUSTEES:

Cathy Ulrich, Trustee

Dan Unger, Trustee

Matthew Wahlert, Trustee

ATTEST:

Jeff Baker
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Brodi Conover
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of _____, 202_.

Jeff Baker
Colerain Township Fiscal Officer