

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

An application for a Major Modification to a Preliminary PUD Plan submitted to the Liberty Township Planning and Zoning Department must comply with the requirements and procedures outlined herein.

This packet contains a checklist of general, written, and graphic requirements in addition to application submittal forms, which explain the Major Modification process. The checklist together with all required information, original application forms, and copies must be submitted in its entirety before the application will be processed by the Planning and Zoning Department. If a request is submitted by the advertised Closing Date, which is maintained in the Planning and Zoning Department, and if it is deemed to be complete and accurate, a public hearing will be scheduled during the next available Zoning Commission Meeting. After the Closing Date, the Applicant cannot modify any portion of the information submitted, unless specifically requested by Staff or Zoning Commission. Therefore, early submission is highly recommended to assure placement on the agenda and adequate time for revisions and corrections.

REQUIRED CONDITIONS FOR APPROVAL OF A MAJOR MODIFICATION TO A PRLIMINARY PUD PLAN
per Liberty Township Zoning Resolution Article 4.11.3(3)

The Township Zoning Commission shall study, review, and make written findings regarding the Preliminary PUD Plan to ensure the following specific conditions have been met:

- *That the PUD District is consistent with the Comprehensive Plan for Liberty Township.*
- *That the total density and/or lot coverage proposed for the development does not exceed the maximum density or lot coverage allowed for the PUD as a whole.*
- *That the uses proposed will not be detrimental to existing and potential future surrounding uses but will have a beneficial effect which could not be achieved under other zoning districts.*
- *That the areas proposed shall be used only for those uses permitted under these provisions and the usual accessory uses.*
- *That the internal streets and primary and secondary roads that are proposed shall properly interconnect with the surrounding existing primary and secondary road network as designated on the Butler County Thoroughfare Plan. A traffic impact study may be required by the township and the Zoning Commission and Trustees shall coordinate cross access easements or stubbed streets to all adjacent parcels as needed to facilitate better traffic flow between individual developments in conjunction with the Butler County Engineer's Office.*
- *That the minimum common open space area(s) has been designated and shall be conveyed to a legally established homeowner's or property owner's association, commercial management group, the township, or other agency as herein provided.*
- *That the Preliminary PUD Plan is consistent with the intent and purpose of this resolution: to promote public health, safety and general welfare of the residents of Liberty Township, Ohio.*

REQUIRED PROCESS FOR MAJOR MODIFICATION TO A PUD PLAN:

- **Changes to the PUD Boundary:**
 - Butler County Planning Commission (Recommendation) (2nd Tuesday of the month at 3:00 pm)*
 - Liberty Township Zoning Commission (Recommendation) (3rd Monday of the month at 6:00 pm)*
 - Liberty Township Board of Trustees (Final Decision) (1st or 3rd Tuesday of the month at 6:00 pm)*
- **All other Major Modifications:**
 - Liberty Township Zoning Commission (Recommendation) (3rd Monday of the month at 6:00 pm)*
 - Liberty Township Board of Trustees (Final Decision) (1st or 3rd Tuesday of the month at 6:00 pm)*

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<p>A. APPLICANT INFORMATION</p> <p>NAME: _____ PHONE: () _____ - _____</p> <p>ADDRESS: _____</p> <p>CITY/ST/ZIP: _____</p> <p>EMAIL: _____</p> <p>APPLICANT IS THE: <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> AGENT <input type="checkbox"/> OPTIONEE</p>	<p>CASE NO. _____</p>
<p>B. PROPERTY INFORMATION</p> <p>PROPERTY ADDRESS (IF ANY): _____</p> <p>CITY/ST/ZIP: _____</p> <p>SECTION: ____ TOWN: ____ RANGE: ____ PARCEL #: <u>D</u> - - - -</p> <p>CURRENT USE OF PROPERTY (CHECK ALL THAT APPLY):</p> <p><input type="checkbox"/> COMMERCIAL <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> AGRICULTURAL <input type="checkbox"/> OTHER</p>	<p style="text-align: center;"><i>PAYMENT INFORMATION</i></p> <p>FEE AMOUNT: \$700</p> <p>RECEIPT #: _____</p> <p>RECEIVED BY: _____</p>
<p>C. PROPERTY ZONING</p> <p>CURRENT ZONING OF PROPERTY: _____</p> <p>REQUESTED ZONING OF PROPERTY: _____</p> <p>TOTAL ACRES OF PROPERTY TO BE REZONED (IF ANY): _____</p>	
<p>D. PROPERTY OWNER INFORMATION (LIST ALL PARCELS AND PROPERTY OWNERS THAT ARE INCLUDED WITH THIS APPLICATION)</p> <p>1. PARCEL #: <u>D</u> - - - -</p> <p>NAME: _____ PHONE: () _____ - _____</p> <p>ADDRESS: _____</p> <p>2. PARCEL #: <u>D</u> - - - -</p> <p>NAME: _____ PHONE: () _____ - _____</p> <p>ADDRESS: _____</p> <p>3. PARCEL #: <u>D</u> - - - -</p> <p>NAME: _____ PHONE: () _____ - _____</p> <p>ADDRESS: _____</p> <p>4. PARCEL #: <u>D</u> - - - -</p> <p>NAME: _____ PHONE: () _____ - _____</p> <p>ADDRESS: _____</p>	
<p>E. DESCRIPTION OF REQUEST</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	

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

THE APPLICANT SHOULD PREPARE DEFINITIVE STATEMENTS REGARDING THE FOLLOWING:

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

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

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

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

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

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

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PROPERTY OWNER'S AFFIDAVIT

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

Signature

Printed Name

Mailing Address

City, State, Zip Code

Phone

STATE OF OHIO
COUNTY OF BUTLER

Sworn to or affirmed and subscribed before me by _____ this _____ day
of _____ 20____.

Notary Public

Person to be contacted for details, other than signatory:

<i>Printed Name</i>	<i>Address/City/St/Zip</i>	<i>Phone</i>
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1. GENERAL REQUIREMENTS CHECKLIST

- 1.1 - PRE-APPLICATION MEETING** (DATE: ____ / ____ / ____ TIME: _____ AM / PM)

The applicant is to present the concept of the Preliminary PUD Plan to the Department of Planning & Zoning, and to obtain and discuss the overall application process prior to submitting the application packet. ***Call 759-7500 for appointment. Pre-application meetings MUST be conducted a minimum of 3 business days prior to the Submittal Deadline Date; However, it is recommended that the Pre-Application Meeting take place at least one week prior to submittal to allow sufficient time for any necessary adjustments.*** There will be no assurance at any time, implicitly or otherwise, regarding final Staff comments or concerns presented to the Zoning Commission about this application.

- 1.2 - SUBMITTAL DEADLINE DATE** (DATE: ____ / ____ / ____)

The application packet must be submitted to the Liberty Township Department of Planning & Zoning no later than the end of business day (4:30pm) on the advertised Submittal Deadline Date. A list of the advertised closing dates is available on the township website or in the Department of Planning & Zoning. Prior to submission of the application packet and necessary information, it is recommended that the Applicant revise the proposed plans when necessary, as it is advised by Staff during the Pre-Application Meeting. After the closing date, the applicant cannot modify any portion of the information submitted, unless specifically requested by the Staff or Zoning Commission. ***If it is determined by Staff, at any time, that an application packet is incomplete, or inaccurate, it will not be accepted for processing, or be scheduled for a public hearing.***

- 1.3 - APPLICATION FEE** (\$700.00)

The application packet for a Major Modification to a PUD Plan shall be accompanied by a non-refundable payment to cover the costs of holding the public hearing thereon, including personnel costs, advertising and legal notices as required by law or otherwise in connection with said case. ***Please make checks payable to Liberty Township.***

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2. WRITTEN REQUIREMENTS CHECKLIST

2.1 – PROPERTY DEED

Submit one (1) copy of the deed to the subject property as filed in the Butler County Recorder's Office.

2.2 – PREVIOUS ACTION INFORMATION

Submit one (1) copy of all resolutions, minutes and plans (11" x 17") for all previous approvals for the overall PUD District, which are related to the subject property. *This information should be obtained from the developer of the overall PUD District.*

2.3 – MAJOR MODIFICATION TO A PRELIMINARY PUD PLAN APPLICATION FORM

Complete and submit the Major Modification to a Preliminary PUD Application Form, which is included on Page 2 of this packet. *The application must be typewritten and all original forms must be submitted with the required original signatures.* This form should be attached to the front of the submittal.

2.4 – ADJACENT PROPERTY OWNERS FORM

Complete and submit the Adjacent Property Owners Form, which is included on Page 3 of this packet. *The completed form must contain the name, tax mailing address and parcel information for all properties located within two hundred (200) feet of the subject site.* It is the Applicant's responsibility to provide a complete and accurate list. The Planning and Zoning Department will appropriately notify the adjoining property owners of the scheduled public hearing.

2.5 – PROPERTY OWNER'S AFFIDAVIT

Complete and submit the Property Owner's Affidavit, which is included on Page 4 of this packet. If multiple property owners are involved, a separate Property Owner's Affidavit shall be submitted for each property owner. *All completed forms with the original signatures must be provided with the application.*

2.6 – CHECKLIST OF REQUIREMENTS

Complete and submit all checklists fully completed.

3. GRAPHIC REQUIREMENTS CHECKLIST

3.1 – PRELIMINARY PUD PLAN

Submit four (4) *folded* copies of the Preliminary PUD Plan on 24” x 36” size paper, unless otherwise approved by Staff. The plan shall be a single drawing at a scale of one inch equals one hundred feet (1”=100’), or larger, unless otherwise approved by Staff. The plan shall also be prepared for the owner/developer(s) by a professionally competent urban planner, professional engineer, architect or landscape architect; and shall include the following information:

- Name of project, date, scale, north arrow (north shall be top of plan), map title (Preliminary PUD Plan), total number of sheets and sheet number.
- Name and title of applicant and present owner, etc.
- Vicinity Map that identifies the site with reference to surrounding areas and to existing street locations.
- Boundary of the area to be developed on a planned unit basis, which shall be denoted with a solid, bold line.
- Gross area of entire site, in acres; and, Net area of entire site excluding streets and rights-of-way.
- Existing roads, property lines, right-of-way, utility easements and bodies of water (if any) in the vicinity of the subject area.
- Existing zoning districts and land use of the subject property, and all property within 200 feet.
- Existing contour lines (dashed) at five-foot intervals or less on the subject property, and all property within 200 feet. Contour lines at two-foot intervals should be illustrated when necessary to determine storm drainage. If a Floodway and/or 100 Year Floodplain exists on the subject property, or within 200 feet, it shall be illustrated and appropriately labeled. Source and date of all data shall be indicated.
- Proposed property lines, if subdividing into multiple parcels.
- Proposed roads, which shall be labeled as public or private; and proposed right-of-way, which shall be appropriately labeled as required by the Butler County Thoroughfare Plan.
- Proposed location of all curb-cuts providing access to each parcel.
- Proposed improvements to existing roadways (on-site and off-site), such as acceleration/deceleration lanes, traffic lights, etc.
- Proposed front, side, and rear yard setbacks for all structures and parking areas.

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- Proposed use and approximate location of all structures and facilities. Any existing structures to be demolished shall be illustrated with a dashed line and appropriately labeled.
- Proposed location of pavement areas, sanitary & storm sewers, sidewalks, curbs, and other proposed physical & natural features.
- Summary table indicating existing and proposed uses of facilities, proposed parking spaces and parking spaces required by the Zoning Resolution. Applicable information, such as floor area, seating capacity, etc., shall also be included when needed to determine required parking.
- Proposed density levels of all residential areas, if applicable; and, area of business uses noted in acres and square feet.
- Proposed treatment of existing topography, drainage ways and tree cover.
- Proposed preliminary building design, including the exterior building materials that are anticipated for all structures.

3.2 – REDUCED PRELIMINARY PUD PLAN

- Submit sixteen (16) copies of the Preliminary PUD Plan reduced to an 11" x 17" sheet of paper, with sixteen (16) copies of the application packet.

3.3 – DIGITAL COPY OF PLANS

- Submit digital copies of all plans