

**CENTERVILLE PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, October 30, 2012**

Mr. Clark called the meeting to order at 7:30 p.m.

**ATTENDANCE**

Present: Chairman Paul Clark, Mr. Jeff Gammell, Mr. Jim Briggs, Mr. James Durham, Mr. Bill Etson, and Mrs. JoAnne Rau. Also present: Mr. Steve Feverston, City Planner, and Mrs. Julie Weaver, Clerk. Absent: Mr. James Brunner.

**EXCUSE ABSENT MEMBERS**

Mr. Brunner was not able to be present for the meeting due to illness.

MOTION: Mr. Durham moved to excuse the absence of Mr. Brunner. Mr. Briggs seconded the motion. The motion passed with six eyes.

**APPROVAL OF MINUTES**

There were no additions or corrections for the minutes of the regular meeting of September 25, 2012.

MOTION: Mrs. Rau moved for approval of the minutes of the Planning Commission Meeting of September 25, 2012, as distributed. Mr. Durham seconded the motion. The motion passed 4-0-2. Mr. Gammell and Mr. Etson abstained from the vote.

Mr. Clark noted that the public hearing for Application P-2012-0187 had been cancelled. Early this evening, staff received an email from Jeannie Owens withdrawing the request for four variances for a McDonald's Restaurant at 6270 Far Hills Avenue.

**PUBLIC HEARING**

Application P-2012-0185 - A Variance for Fence 8' High at 532 and 538 Legendary Way in the Highlands at Yankee Trace.

Mr. Feverston gave the staff report concerning the variance requested by Charlie Simms of Charles Simms Development for fence eight feet high in the rear yard of a double residence at 532/538 Legendary Way in an area zoned R-1C with a Lifestyle Community overlay. The property abuts acreage in Washington Township and also Sand Wedge Court. Mr. Feverston used an aerial photo and pictures to describe the area, the fence, the mounding and the landscaping. He pointed out elements that create hardship for the property owners including the topography, some questionable maintenance by adjacent property owners, and noise from nearby businesses and buses. He pointed out that the Yankee Trace Design Review Board considered and approved the fence. Staff recommended approval of the 8' fence with the condition that the 8' height of the fence

be limited to the east property line, since the practical difficulties are predominant in that area.

Mr. Briggs clarified that the fence had already been built, and Mr. Clark opened the public hearing.

Mr. Charles Simms, 2785 Orchard Run Road, had talked to the Yankee Trace Design Review Committee and Great Traditions, but had not gotten a permit from the City of Centerville. Mr. Simms felt the additional height was necessary because the topography behind the double slopes down then upward, the higher fence abates the noise, and the lattice work creates an aesthetic effect. He asked for approval of the variance.

Mr. Steven Euchenhofer, homeowner at 532 Legendary Way, stated that he would not have bought the property without the fence to cut the noise from the cement factory and the buses at the garage owned by the Centerville Schools. He also noted that the fence conceals the debris in the area and helps to keep stray dogs out of the yard. He said he liked the look of the lattice and the landscaping. He stated that the owner of the other half the double home felt the same way and both requested approval of the variance.

Mr. Don Phillips, a neighbor at 10003 Sand Wedge Court, said that all the neighbors liked the fence. It concealed some of the junk and the buildings in the field beyond. Many of the owners did not know about the noise and the extent of the debris prior to purchase. He said the fence was important to them.

MOTION: There being no further discussion, Mr. Gammell made a motion to approve variance P-2012-0185 with the condition recommended by the city planner limiting the eight foot height to fence on the eastern boundary line of the property. Mr. Briggs seconded the motion. The motion passed unanimously, 6-0.

#### COMMUNICATIONS

Mr. Feverston requested direction from the Planning Commission on a specific situation related to the ordinance requiring wall signs to be attached to a building façade. Following discussion, Planning Commission asked to continue to be consulted to decide the merits of such variances on a case by case basis.

The next meeting of the Centerville Planning Commission is scheduled on November 27, 2012 at 7:30 p.m. in the Council Chambers.

There being no further business, the meeting was adjourned.

  
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Paul Clark, Planning Commission Chair