

CENTERVILLE PLANNING COMMISSION
Regular Meeting
Tuesday, May 13, 2003

Mr. Durham called the meeting to order at 7:30 P.M.

Attendance: Mr. James Durham, Chairman; Mr. Patrick Hansford; Mr. Joe Weingarten; Mr. Jim Briggs; Mr. Robert St. Pierre; Mr. Paul Clark; Mr. Rand Oliver. Also present: Mr. Steve Feverston, City Planner; Mr. Ryan Shrimplin, Planner; Mr. Robert N. Farquhar, City Attorney.

Approval of Minutes:

MOTION: Mr. Weingarten moved to approve the Planning Commission Regular Meeting minutes of April 29, 2003, as written. Mr. Briggs seconded the motion. The motion was approved unanimously 7-0.

PUBLIC HEARINGS

Honaker, Randale J. - Variance of Maximum Building Ground Floor Area

Mr. Feverston reviewed the Variance application submitted by Randale J. Honaker requesting a building ground floor area of 7,500 sq. ft., for property on Lot 5 of H. R. Office Park located along the west side of Dayton-Lebanon Pike south of Sheehan Road. The zoning on the 1.182 acre parcel is B-1, Neighborhood Business, which permits a maximum ground floor area of 5,000 sq. ft.

Other developed lots in H. R. Office Park include Heritage Realty with a 3,500 sq. ft. building, Goddard School with a 6,500 sq. ft. building, and Ritters Frozen Custard with a 1,600 sq. ft. building. The direct comparison to the application in question is that of Goddard School which was granted a variance by the Planning Commission. The Planning Commission, at that time, requested Council reconsider the 5,000 sq. ft. maximum ground floor area standard. In 1986, the standard was adopted based on the typical half (1/2) acre B-1 zoned lots in the City. Planning Commission felt the lots in this particular area, being more than one (1) acre each, would essentially be underdeveloped based on their acreage. Also taken into consideration was the greater building setbacks on these lots. Council's decision at that time, as a policy, was to leave the standard as originally adopted and review it on a case-by-case basis.

Based on considerations given to other similar B-1 zoned parcels since that time, and in discussions with the Planning Commission Chairman, staff reversed their recommendation and determined this variance request should be approved.

Mr. Durham asked Mr. Farquhar's opinion of what would happen should the Variance be denied by the City.

Mr. Farquhar stated he was unaware the applicant was the owner of the store that contracted to install flooring in his residence, however, that would have no bearing on his legal advice concerning this application.

Mr. Durham informed the members Mr. Farquhar had stated his opinion to him earlier in the day prior to his knowledge of the identity of the applicant.

Mr. Farquhar stated the City's decision to deny this application would most likely be reversed by the Montgomery County Common Pleas Court based on a variance being granted to another property in the immediate area to relax the same zoning standard. It was his opinion the Court would find the Planning Commission's decision to deny the variance arbitrary.

Mr. Hansford stated two (2) of the variances granted by Planning Commission for maximum building ground floor area were for daycare facilities and not retail uses. Those variances were granted based on the use and its appropriate location to residential uses.

Mr. Durham opened the public hearing.

Mr. Skip Schaefer, representing the applicant, stated their original intent was to construct a 10,000 sq. ft. store. He stated that would be possible if the structure was constructed as a two-story building, however, it would not be appropriate for their purpose. They determined a variance should be requested for a maximum ground floor area that would have the least impact. The decision to construct a 7,500 sq. ft. building addressed the impact issue, and would satisfy their needs. Some additional detention may be necessary, however, that will be determined at the time of site plan review. Mr. Schaefer stated a site plan was previously approved for this lot and the layout, as well as the architecture, will remain essentially the same.

The applicants, Randale and Candy Honaker, 10491 Clys Road, stated they have outgrown their existing retail space used for the sale of flooring materials and want to relocate to this location. Mrs. Honaker stated their intent is to construct a building that would duplicate the design of a previously approved application for this particular site.

There being no other speakers, Mr. Durham closed the public hearing.

Mr. Hansford stated the basis for the variance should be the architecture of the building and how it will compliment the residential character of the adjoining neighborhoods. He felt the applicants should be given direction as to what type of architecture would be required to satisfy the desire of the Planning Commission to accomplish that issue.

MOTION: Mr. Hansford moved to approve the Variance application submitted by Randale Honaker for property located on Dayton Lebanon Pike, specifically, Lot 5 of H. R. Office Park, to permit a maximum ground floor area of 7,500 sq. ft., as requested. Mr. Briggs seconded the motion. The motion was approved unanimously 7-0.

The members stated the architecture of the building approved previously was based on a 5,000 sq. ft. structure. With the addition of 2,500 sq. ft., the roof height would be too massive.

Mr. Oliver stated this building is being constructed on a corner and will be viewed from all sides. The architecture should address all four (4) faces of the building with no blank walls, roof height, and breakage in the mass.

Mr. Durham encouraged the applicants to use creativity to give the building a distinct appearance using masonry materials, a shingled roof, faux windows, etc. He suggested an architectural concept plan be submitted prior to a formal application for review by the Planning Commission.

Further, the members discussed the issue of how to address maximum ground floor area in a B-1 zoning district. They directed staff to draft an ordinance amendment to calculate maximum ground floor area as a percentage based on the acreage of individual lots. They were divided as to whether a cap should be placed in the ordinance concerning maximum lot coverage. A poll of members resulted in four (4) members for placing a cap on the maximum ground floor area and three (3) against.

There being no further business, the meeting was adjourned.

A handwritten signature in blue ink, appearing to be "John D. ...", is centered on the page below the text.

