

CENTERVILLE PLANNING COMMISSION  
REGULAR MEETING  
Tuesday, August 14, 1990

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

Attendance: Mr. Arthur Foland; Mr. Peter McMahon; Mr. Bernard Samples; Mr. Scot Stone; Mr. Robert Hosfeld (where noted). Absent: Mr. James Durham; Mr. Stanley Swartz. Also present: Mr. Alan C. Schwab, City Planner; Mr. Steve Feverston, Assistant City Planner.

Approval of the minutes of July 31, 1990:

MOTION: Mr. Samples moved to approve the Planning Commission minutes of July 31, 1990, as written. Mr. Stone seconded the motion. The motion was approved unanimously 4-0.

NEW BUSINESS

Savage Gallery - Planning Commission Special Approval

Mr. Schwab reviewed the Special Approval application submitted for Savage Gallery, 133 West Franklin Street, requesting approval to construct an addition on the north side of the existing building. The proposed addition will be two (2) stories with a basement having a total floor area of approximately 1,076 square feet. The zoning on the property is Architectural Preservation District, APD. The proposed eighteen (18) parking spaces for the site satisfies the parking requirement.

The Board of Architectural Review has reviewed this application and recommended approval with the following condition:

1. The architectural of the addition as well as the colors and building materials match those used in the existing building.

Staff recommended to approve the Special Approval application subject to the following additional condition:

1. A stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.

The applicant was present for the review process of the application.

MOTION: Mr. Samples moved to approve the Planning Commission Special Approval application requested by Savage Gallery, 133 West Franklin Street, subject to the following conditions:

1. The architectural of the addition as well as the colors and building materials match those used in the existing building.

2. A stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.

Mr. McMahon seconded the motion. The motion was approved unanimously 4-0.

#### PUBLIC HEARINGS

##### Gerhardt's Sohio - Appeal

Mr. Schwab reviewed the Appeal application submitted by B. P. Oil for Gerhardt Sohio, 140 North Main Street, appealing the decision of the Board of Architectural Review (BAR). A variance application was reviewed by the BAR to consider a change in logo and colors to the existing signage and additional signage from the Sohio image to the B. P. Oil image. These changes were made without the sign company obtaining any of the proper permits from the City. A sign contractor working for B. P. Oil indicated to the operator of the Sohio station that the proper permits had been obtained for the changes to be made on the site. The Zoning Inspector contacted B. P. Oil to inform them of the violation and the company, therefore, submitted a variance application for the changes in the signage.

The BAR reviewed the Variance application and after reviewing the standards in the Ordinance, determined there was no basis for granting the sign variances. The BAR unanimously denied the request for variances and, therefore, the appeal of their decision was forwarded to the Planning Commission.

Mr. Schwab stated that if this property was being developed for the first time, the current Sign Ordinance would allow one (1) ground-mounted sign permitting 16 square feet per side for a total of 32 square feet of total sign area, not to exceed 6 feet in height; or, the property would be permitted to have one (1) wall sign not to exceed 24 square feet in total sign area. This property over the years has accumulated a number of legally-nonconforming signs that are way over the standards permitted in the Ordinance. These signs include numerous wall signs, two (2) price signs, one (1) ground sign, as well as four (4) signs attached to each of the canopy supports.

The only reason given in the application stating the justification for variance approval is based on the need to bring all the operating Sohio stations into compliance with the new B. P. Oil logo. The colors and logo could be changed as long as the square footage is not increased and would be in full compliance with the standards of the of the Ordinance.

Mr. Foland opened the public hearing.

Mr. Gerhardt, owner, stated that all the existing signs on the property were issued permits. He stated that he asked the sign company if the proper permits had been obtained for the change in signage. They indicated that B. P. had acquired the proper permits. After the changes were made, the Zoning Inspector called Mr. Gerhardt who had the matter forwarded directly to B. P. as a result of their failure to follow the proper procedures. Mr. Gerhardt stated that his problem is that B. P. Oil is insisting that the station have the proper B. P. image and if the company standards are not met, Mr. Gerhardt could lose his franchise. He stated that the new wall sign stating "Service" had been removed as a result of the variance being denied by the BAR. Mr. Gerhardt stated that it seems that is all he can do to improve the request for changes in signage.

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

Mr. Samples asked if Mr. Gerhardt thought he might lose the franchise.

Mr. Gerhardt stated that he did not know for sure.

Mr. Hosfeld arrived at this time, however, abstained from the discussion and vote on this application.

Mr. Stone asked if the ground sign would be changed.

Mr. Gerhardt stated that it might possibly be replaced with a different sign completely.

MOTION: Mr. McMahon moved to deny the Appeal application submitted for Gerhardt's Sohio, 140 North Main Street, and upheld the decision of the BAR decision to deny the variance request for signage. Mr. Stone seconded the motion. The motion was approved unanimously 4-0.

Mr. Hosfeld took over the Chair at this time.

#### Daniel C. Doepke - Variance of Lot Frontage/Lot Size

Mr. Schwab reviewed the Variance application requesting a reduction of lot frontage and lot size for the property located at 832 South Main Street. The existing businesses on the property is Mill End Draperies and the Chinese Restaurant directly to the south. Each of the businesses shares a common driveway between the two (2) buildings and has a common ownership of both buildings with lease agreements for the respective tenants that has existed for many years. The request is to split the lot to allow the restaurant to be sold as a separate parcel. Mill End is the current owner of the entire property.

The requirements in a B-2 zoning classification requires 150 feet of frontage and 20,000 square feet in lot size. The proposed Parcel A is requesting 128 feet of frontage and does meet the lot size. The proposed Parcel B is requesting 92 feet of frontage and 18,750 square feet of lot size.

Mr. Schwab stated it appears there is not way to split the lot without a variance. If the parcel were divided, cross easements would have to be made to provide access to both properties.

Mr. Schwab stated that no unique situation is evident in this application. Staff, therefore, recommended to deny the Variance based on the standards in the Ordinance. He stated that should the Planning Commission, however, grant the request, a condition should be made that an accurate survey and drawing be made of the property with staff approval of the dividing line between the properties and appropriate cross easements between the two (2) property owners.

Mr. Hosfeld opened the public hearing. There being no speakers, Mr. Hosfeld closed the public hearing.

Mr. Foland asked if the restaurant were basically on the property line as it appears on the drawing.

Mr. Schwab stated he could not be sure without an accurate drawing, however, it did appear that the building is close to the property line.

Mr. McMahon stated there are many properties in the City that have the same situation and he would not support granting a variance to allow a reduction in the standards.

MOTION: Mr. Stone moved to deny the Variance application submitted by Daniel C. Doepke for the property located at 832 South Main Street for a reduction in lot frontage and lot size. Mr. Foland seconded the motion. The motion was approved unanimously 5-0.

There being no further business, the meeting was adjourned.

Approved 8/28/90  
Rch  
R. Hosfeld.