

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, January 31, 1989

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

Attendance: Mr. Elmer Tate Jr., Chairman; Mr. Robert Looper; Mr. Arthur Foland; Mrs. Marian Simmons; Mr. Stanley Swartz; Mr. Robert Chappell (where noted). Absent: Mr. Robert Hosfeld. Also present: Mr. Steve Feverston, Assistant City Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Mike Haverland, Administrative Assistant.

Approval of the minutes of January 10, 1989:

MOTION: Mr. Looper moved to approve the Planning Commission minutes of January 10, 1989, as written. Mr. Foland seconded the motion. The motion was approved 3-0-2 with Mrs. Simmons and Mr. Swartz abstaining.

Approval of the minutes of January 24, 1989:

MOTION: Mrs. Simmons moved to approve the Planning Commission minutes of January 24, 1989, as written. Mr. Swartz seconded the motion. The motion was approved unanimously 5-0.

COMMUNICATIONS

Mr. Feverston stated that copies of the program for the upcoming APA Conference to be held in Atlanta this year had been distributed to the members of Planning Commission for their review. Members interested in attending the Conference will contact the Planning Department.

Mr. Feverston informed the Planning Commission that Council heard the appeal and upheld the decision to deny the sign variance application submitted by Thomas Harrigan Chrysler/Plymouth, 95 Loop Road.

PUBLIC HEARINGS

Loop Isuzu (Voss Chevrolet) - Sign Variance

Mr. Feverston stated that the variance request was submitted by Voss Chevrolet for their Loop Isuzu car dealership located at 99 Loop Road. The zoning on the property is Business Planned Development, B-PD. The specific variance requested is for 128 square feet of ground sign area. The permitted total sign area is 64 square feet not to exceed 32 square feet per sign face. Mr. Feverston stated that although sign variances were approved recently for wall signage on this building, and canopy treatments were added to the structure, a ground sign is permitted for the site. The applicant is requesting additional sign area and intends to place this ground sign on the south side of the property facing I-675.

Staff recommended that the variance request be denied on the basis that no unique situation warrants the granting of this variance.

Mr. Tate opened the public hearing.

There being no speakers, Mr. Tate closed the public hearing.

MOTION: Mr. Looper moved to deny the variance application submitted by Voss Chevrolet for Loop Isuzu, 99 Loop Road. Mr. Foland seconded the motion. The motion was approved unanimously 5-0.

UNFINISHED BUSINESS

An Ordinance Amending Ordinance Number 11-86, the Zoning Ordinance of Centerville, Ohio, Enacting Revised Zoning Regulations for the City of Centerville, Ohio, in Accordance with the Provisions of Chapter 713 of the Ohio Revised Code.

MOTION: Mr. Foland moved to remove the proposed Ordinance from the table. Mrs. Simmons seconded the motion. The motion was approved unanimously 5-0.

Mr. Chappell arrived at this time.

Mr. Tate stated that during the Work Session there was some discussion as to the legality of the proposed amendments. Specifically, the issues of aesthetics and "grandfathering" recreational vehicles (RV's).

Mr. Farquhar stated that the Supreme Court, back in 1987, indicated that aesthetics alone will support a zoning ordinance. He stated that the proposed ordinance seems solid on that point. In the case of "grandfathering" RV's, Mr. Farquhar stated that is a nonconforming use and would be permitted under State Law. He stated that it his opinion that a RV owner could purchase another RV and still remain protected under the "grandfather clause" since RV parking is a use, and are unlike signs which are considered structures. This could occur unless the use were voluntarily abandoned for a period of less than 2 years.

Mr. Looper stated that the ordinance would be impossible to enforce.

Mr. Farquhar stated that some type of filing would have to be required for nonconforming use status to be obtained.

Mr. Looper stated that he would like to have input from Council and the proponents of the RV regulations to fully understand their purpose as requested by Mr. Hosfeld at the Work Session meeting.

January 31, 1989

PC

Page 3

MOTION: Mr. Foland moved to table the proposed Zoning Ordinance Amendments until the next regular meeting. Mr. Looper seconded the motion. The motion was approved unanimously 6-0.

There being no further business, the meeting was adjourned.

Chas. L. ... 2/14/89

