

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, August 8, 1989

Mrs. Simmons called the meeting to order at 7:30 P.M.

Attendance: Mrs. Marian Simmons; Mr. James Durham; Mr. Stanley Swartz; Mr. Arthur Foland; Mr. Scot Stone; Mr. Peter McMahon.
Absent: Mr. Robert Hosfeld. Also present: Mr. Alan C. Schwab, City Planner; Mr. Steve Feverston, Assistant City Planner; Mr. Mike Haverland, Administrative Assistant.

Approval of the minutes of July 25, 1989:

MOTION: Mr. Swartz moved to approve the Planning Commission minutes of July 25, 1989, as written. Mr. Durham seconded the motion. The motion was approved 3-0-3 with Mr. Foland, Mr. Stone and Mr. McMahon abstaining.

COMMUNICATIONS

Mr. Schwab stated that a letter was submitted the Judge Engineering, representing the developer of Park Estates, requesting that the review of the applications be extended beyond the 30-day maximum approval period in order to address concerns and comments staff had in reference to the submitted plan. A revised plan is to be submitted for the next meeting.

MOTION: Mr. Durham moved to table the Special Approval application for Park Estates pending receipt of revised plans. Mr. Foland seconded the motion. The motion was approved unanimously 6-0.

PUBLIC HEARINGS

Montgomery, James S. - Variance of an Architectural Feature

Mr. Schwab reviewed the Variance request by James S. Montgomery to allow the projection of an architectural feature into the minimum required setback area. In this particular case, the applicant is proposing to construct a porch on the front of the existing house located at 145 Lodewood Drive. The proposed projection of the porch is 6 feet, 4 inches which would require a variance of 2 feet, 4 inches. The zoning on this lot is R-1d, single-family residential, and requires a front yard setback of 30 feet. The existing house has a setback of 30 feet, 7 inches.

Staff recommended that the variance be denied based on the property not having any unique circumstances. The applicant's argument in favor of granting the variance is actually an argument that the ordinance should be changed to allow a 6 foot architectural feature projection into the minimum front yard setback.

Mrs. Simmons opened the public hearing.

Mr. James Montgomery, applicant, stated that he felt the porch addition would be an enhancement to the property and would also provide some protection from the elements that does not currently exist.

There being no other speakers, Mrs. Simmons closed the public hearing.

MOTION: Mr. Foland move to deny the application submitted by James S. Montgomery requesting a Variance of a Projection of an Architectural Feature for property located at 145 Lodewood Drive. Mr. Durham seconded the motion. The motion was approved 5-0-1 with Mr. Swartz abstaining.

Voss Chevrolet, Inc. - Variance of Parking-Paving Setback Requirement/Planning Commission Special Approval

Mr. Schwab reviewed the Variance and Special Approval applications submitted by Voss Chevrolet, Inc., located at 99 Loop Road. The specific request is to allow a zero (0) foot setback for parking and paving along the front yard facing I-675, the front yard facing Loop Road and both side lot lines. The front yard along I-675 requires a 5 foot setback by virtue of a variance granted as a part of a Major Use plan approved by Planning Commission as well as City Council. The required front yard setback along Loop Road is 10 feet and the side yard setback requirement is also 10 feet.

A Special Approval application was also submitted for consideration which proposes to pave the entire 2-acre site for sales and storage of the vehicles. The site would be totally paved which would be striped for parking. In addition, 2.5% of landscaping will be required (a reductions by a previous variance from the 5% requirement). The proposed down-directed lighting will be installed on 24 foot posts.

Staff recommended that the Variance be denied stating that the property is not unique. The applicant's argument in favor of granting the variances is actually an argument that the Zoning Ordinance should not have been changed to require a parking and paving setback to the front, side and rear lot lines.

Staff recommended that the Special Approval applications be approved subject to the following conditions:

1. Approval of the requested parking and paving setback variances must have been granted by the Planning Commission. If any of the variances are denied, a revised site plan eliminating any non-approved parking and paving setback variances shall be submitted subject to the approval of the Planning Commission.
2. The applicant shall be required to construct a 5 foot wide sidewalk along the entire Loop Road frontage with the plans subject to the approval of the City Engineer.

3. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be submitted to and approved by the City Engineer in accordance with City stormwater drainage control ordinances.

Mrs. Simmons opened the public hearing.

Mr. Paul Striebel, representing the applicant, stated that he objects primarily with the setback requirement along the west property line and the north property line along Loop Road. He stated that the applicant owns the property in question as well as the property to the west. The intent is to continue the use of the properties as one. The setback along Loop Road should match what is existing on other properties in the area to make it consistent.

Mr. Schwab stated that the properties were viewed as separate properties because a lot line does exist even though they are under common ownership. He stated that if the properties are used as one, the Zoning Ordinance does allow its use without the 10 foot parking and paving setback.

There being no other speakers, Mrs. Simmons closed the public hearing.

Mr. Durham suggested that rather than granting a variance for the setback along the west property line, a condition could be made in the approval of the Special Approval application stating that a zero (0) foot setback can be maintained as long as the properties are in common ownership and are being used as one (1) property. Should the properties ever be divided, the setback would be required at that time.

Mr. Swartz stated that he would not be in favor of relaxing the requirement for the setback along Loop Road because of the potential site distance problem exiting those properties.

The members of Planning Commission agreed that the revised plans eliminating the variances should be submitted to the Planning Department staff for approval.

MOTION: Mr. Durham moved to deny the Variance request submitted by Voss Chevrolet, Inc., 99 Loop Road. Mr. Stone seconded the motion. The motion was approved unanimously 6-0.

MOTION: Mr. Durham moved to approve the Special Approval application submitted by Voss Chevrolet, Inc., 99 Loop Road, subject to the following conditions:

1. Approval of the requested parking and paving setback variances must have been granted by the Planning Commission. If any of the variances are denied, a revised site plan eliminating any non-approved parking and paving setback variances shall be submitted subject to the approval of the Planning Department.
2. The applicant shall be required to construct a 5 foot wide sidewalk along the entire Loop Road frontage with the plans subject to the approval of the City Engineer.
3. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be submitted to and approved by the City Engineer in accordance with City stormwater drainage control ordinances.
4. In 10 foot setback along the west property line shall not be required because the two (2) lots are being used as one (1). In the future, if these lots come under separate ownership, the 10 foot setback as required by the Zoning Ordinance will be enforced to maintain a green strip.

Mr. Foland seconded the motion. The motion was approved unanimously 6-0.

NEW BUSINESS

Park Estates - Planning Commission Special Approval

At the request of the members of Planning Commission, Mr. Schwab briefly reviewed the plan submitted for Park Estates.

There being no further business, the meeting was adjourned.

*approved 8/29/89
Ratfield*