

**CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, August 26, 1986**

Mr. Tate called the meeting to order at 7:45 P.M.

Attendance: Mr. Elmer Tate Jr., Chairman; Mr. Robert Looper; Mrs. Marian Simmons; Mr. Robert Chappell; Mr. David Hall; Mr. Robert Hosfeld; Mr. Stanley Swartz. Also present: Mr. Alan C. Schwab, City Planner; Mr. Robert N. Farquhar, City Attorney.

Approval of the minutes of the July 29, 1986, Meeting:

MOTION: Mr. Chappell moved to approve the Planning Commission minutes of July 29, 1986, as written. Mrs. Simmons seconded the motion. The motion was approved unanimously 7-0.

SETTING OF PUBLIC HEARINGS

The following item was set for Public Hearing for Tuesday, September 30, 1986, at 7:30 P.M., to be heard in the City Building:

An Ordinance Which Establishes Parkland Dedication Of Fees-In-Lieu Requirements For New Residential Subdivisions Or Development

A Work Session was scheduled for Tuesday, September 16, 1986, at 7:30 P.M., to be held in the Council Chambers, for the purpose of reviewing the proposed Ordinance, as requested by the Park District.

NEW BUSINESS

Centerville Mill, Inc./Penn Central Railroad

Mr. Schwab made a slide presentation of the request by Centerville Mill, Inc./Penn Central Railroad for a lot split involving the abandoned railroad right-of-way located between Franklin Street and Alex-Bell Road. The split would create a new lot approximately 4.03 acres that would run parallel to the Centerville Mill property north to what is known as the Nearing Farm. The residual lot created would be approximately 4.0+ acres extending from the Nearing Farm to Alex-Bell Road. The new lot more than meets the square footage requirements in the Ordinance, however, the minimum lot width requirement would not be satisfied. The minimum lot width is 100 feet and the new lot would only have a lot width of 48 feet.

Staff recommended to approve the lot split with the following conditions:

The split of the lot shall be conditioned upon the recording of deed restrictions on the new lot approved by the City Attorney incorporating the following provisions:

1. The ownership of the new lot shall be legally tied to the owner of the Centerville Mill parcel(s) of land and shall not be permitted to be a separate lot for sale or improvement without the approval of the City;
2. The deed restriction shall specifically prohibit the creation of a new access driveway from the new lot to East Franklin Street unless approved by the City of Centerville;
3. The City of Centerville shall be included as a party to all the deed restrictions with the approval of the City required before any restriction may be waived or modified.

Mr. Greg Lockhart, attorney representing Centerville Mill, stated that it was his understanding that the lot description indicated that there was 102 feet of frontage along East Franklin Street.

Mr. Schwab stated that the legal description is drawn from the centerline of Clyo and Franklin Streets so from the center of the old centerline of that intersection, it is 102 feet; however, the lot width as per the Zoning Ordinance is measured at the building setback line. The building setback line in this case is 50 feet back of the right-of-way which is how the 48 feet lot width was determined. Mr. Schwab stated that lot width and lot frontage are two (2) different terms.

Mr. Lockhart referred to a copy of a deed that was recorded in October of 1985 from Penn Central to Centerville Builders on a piece of property along Clyo Road south of Franklin Street which had no conditions placed on it for approval of that lot split. He questioned the reason the lot split being requested by Centerville Mill and Penn Central Railroad was recommended for approval with conditions when a similar request last year did not have conditions placed on that approval.

Mr. Schwab stated that the parcels to the south, those referenced by Mr. Lockhart, met the minimum width and lot area requirements of the Ordinance and, therefore, the request was substantially different that the request before the Planning Commission at this meeting.

Mr. Lockhart stated that he did not feel it was fair to place restrictions on this deed when the same type of restrictions were not part of past considerations.

Mr. Farquhar stated that the requests were different because the parcels located to the south of Franklin Street met the standards of the Ordinance and, therefore, did not require Planning Commission approval. The parcel in question is not entitled to a lot split because it would be a zoning violation. He stated that traditionally the City has granted lot splits with conditions in place.

Mr. Tate suggested that perhaps a meets and bounds survey be done to create one (1) lot and then the lot split with conditions would not be necessary.

Mr. Will Wilson, owner of Centerville Mill, indicated he was not willing to prepare a new survey.

Mr. Hall indicated that he would not be comfortable in approving the lot split without the conditions as outlined by staff primarily because an undersized lot would be created which could be sold in the future and the intent of the approval for the original lot split would be forgotten over time.

Mr. Schwab stated that staff had no problem with the transfer of the property providing it be tied to the Centerville Mill property in order to provide access to the parcel through the existing Centerville Mill property and not utilize the unapproved curb cut on Franklin Street. The access point on Franklin Street that would serve a separate lot if it were created would be a safety hazard with its close proximity to the intersection. Mr. Schwab indicated that Centerville Mill could have the newly acquired lot deeded to another of their lots in order to come up to the minimum requirements, and then that could be deeded back to Centerville Mill in order to create one (1) lot.

The members of the Planning Commission agreed that this was the best solution in dealing with the transfer of the property to Centerville Mill.

Mr. Lockhart agreed to table the request until the proper documents could be drawn up.

MOTION: Mr. Hall moved to table the request submitted by Centerville Mill/Penn Central Railroad for a lot split. Mr. Chappell seconded the motion. The motion was approved unanimously 7-0.

Oxford Development Enterprises, Inc. - Temporary Sign

Mr. Schwab reviewed a request by Oxford Development Enterprises, Inc., for a temporary construction sign, to identify the Steeple Chase apartment complex, to be located on the northwest corner of Alex-Bell Road and Clyo Road. The requested sign would measure 4 by 8 feet for a total of 32 square feet, be a maximum of 8 feet in height, and be displayed for a 12 month period. Mr. Schwab stated that the sign required approval from the Planning Commission because the proposed sign height exceeds the 6 foot height standard and the time of display exceeds the 90 day standard.

Mr. Tate suggested that the sign be approved for a period of 6 months and should the developers desire more time at the end of that 6-month period, another request could be reviewed.

MOTION: Mr. Looper moved to approve the temporary construction sign requested by Oxford Development Enterprises, Inc., with the following conditions:

1. The sign shall be single-faced and not exceed thirty-two (32) square feet in sign area.
2. The sign shall not exceed a height of eight (8) feet.
3. The sign can be displayed for a period not to exceed six (6) months.

Mr. Swartz seconded the motion. The motion was approved unanimously 7-0.

There being no further business, the meeting was adjourned.

Elmer Tate