

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, July 30, 1985

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

Attendance: Mr. Elmer C. Tate, Jr.; Mr. Robert Looper; Mr. Robert Hosfeld; Mr. Brian Bergsten. Absent: Mrs. Marian Simmons; Mr. Dave Hall; Mr. Robert Chappell. Also present: Mr. Alan C. Schwab, City Planner; Mr. Karl M. Schab, City Engineer; Mr. Steve Feverston, Planner.

Approval of the minutes of July 16, 1985:

MOTION: Mr. Looper moved to approve the Planning Commission minutes of July 16, 1985, as written. Mr. Hosfeld seconded the motion. The motion was approved 3-0-1 with Mr. Bergsten abstaining.

SETTING OF PUBLIC HEARINGS

The following item was set for public hearing for Tuesday, August 27, 1985, at 7:30 P.M., to be heard in the City Building:

St. Elizabeth Retirement Center, Inc. - Rezoning from WT R-3 to E-C
Location: Northwest corner of Alex-Bell Road and Bigger Road

COMMUNICATIONS

Linclay Corporation

Mr. Schwab stated that the Linclay, which is the developer of the Cross Pointe Centre, has requested a special meeting of the Planning Commission in order to review an amendment to their conditional use, specifically for constructing a pizza facility on one (1) of the outlots along Alex-Bell Road.

Mr. Tate stated that the special meeting of the Planning Commission would be scheduled for Tuesday, August 13, 1985, at 7:30 P.M.

Boy Scott Troops 425 and 516 - Request for Outdoor Sale

Mr. Schwab stated that the Boy Scouts are planning a garage sale in a tent on a vacant piece of ground just south of the existing Floral & Hardy garden center in Centerville Place Shopping Center. The sale itself will be on Friday, August 24, 1985 and Saturday, August 25, 1985; however, the tent will be erected from approximately Wednesday, August 21, 1985 until Monday, August 26, 1985. The sale in the past has been included as a part of the Ox Roast, however, it was decided to be done as a separate event this year.

Mr. Schwab pointed out that certain permits will be required from the Building Inspection and Fire Departments.

MOTION: Mr. Bergsten moved to recommend approval of the request for an outdoor sale as submitted by Boy Scout Troops 425 and 516 subject to the proper permits being obtained. Mr. Looper seconded the motion. The motion was approved unanimously 4-0.

PUBLIC HEARINGSFischrupp, John R. - Variance of Rear Yard Setback Requirement

Mr. Schwab reviewed the request of John R. Fischrupp for a variance of a rear yard setback requirement for the purpose of constructing an enclosed patio at his residence located at 7121 Fallenoak Trace in the Whispering Oaks Condominium project. The zoning on the parcel is R-4, Multi-Family. This R-4 zoning classification requires a rear yard of 30 ft. and the applicant is requesting a rear yard setback of 20 ft. 8 in. Mr. Schwab stated that this particular condominium unit abuts the railroad right-of-way which is currently zoning I-1, Light Industrial. The building was constructed up to the required setback line, therefore, any additional structure to the rear of this existing structure would be located within the required setback area.

Mr. Bergsten asked if a patio can be placed in a setback area.

Mr. Schwab explained that a patio would be permitted to locate to the property line, however, once a roof is constructed over that area, it becomes a structure and must maintain the setback requirements outlined in the Zoning Ordinance.

In reviewing the guidelines for granting a variance, staff could find no uniqueness to the property which would warrant granting the variance request. It was, therefore, the recommendation of staff to deny the variance request.

Mr. Tate opened the public hearing.

Mr. John R. Fischrupp, applicant, stated that by enclosing the patio area, it would enhance the unit. He stated that the patio would be a more usable area. Mr. Fischrupp explained further that his wife is extremely allergic to insect bites and a patio of this type would allow them to enjoy the outdoors to some degree in a peaceful manner.

Mr. Looper asked if the area to the rear of the unit is steep.

Mr. Schwab stated that there is quite a difference in grade in that area.

The members of the Planning Commission agreed that a degree of uniqueness to the property did exist because of the difference in the grade of the property behind the area in question and since there were no neighbors in that area no one would be affected.

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

MOTION: Mr. Looper moved to approve the variance submitted by John R. Fischrupp as requested. Mr. Bergsten seconded the motion. The motion was approved unanimously 4-0.

NEW BUSINESSPolo Club Estates, Section 3 - Release of Sidewalk Bond

Mr. Schab explained that the City currently holds a \$25,000 sidewalk

bond for Polo Club Estates, Section 3. He stated that all except three (3) lots are developed and would be the only lots which would still require sidewalks. In talking with the City Manager and City Attorney, it was their suggestion that the developer post a new bond with Washington Township. The developer has now posted a \$4,000 bond with Washington Township for the remaining unoccupied three (3) lots. It was, therefore, the recommendation of staff to release the \$25,000 sidewalk bond for Polo Club Estates, Section 3.

MOTION: Mr. Looper moved to release the Sidewalk Bond in the amount of \$25,000 for Polo Club Estates, Section 3, as recommended by staff. Mr. Bergsten seconded the motion. The motion was approved unanimously 4-0.

Connemara, Section 2 - Release of Performance Bond

Mr. Schab explained that the original \$71,000 bond for Connemara, Section 2 was previously reduced to \$20,000 since at that time the improvements were not completed to Alex-Bell Road. All improvements are now in place and the roadways have been accepted by Washington Township for maintenance. It was, therefore, the recommendation of staff to release the remaining \$20,000 Performance Bond for Connemara, Section 2.

MOTION: Mr. Bergsten moved to release the \$20,000 Performance Bond for Connemara, Section 2, as recommended by staff. Mr. Hosfeld seconded the motion. The motion was approved unanimously 4-0.

Centerville Builders

Mr. Schwab stated that at the request of the City Manager, the Planning Commission consider a variance concept to vary the front and side yard setback requirements for Centerville Builders located on the southwest corner of Franklin Street and Clyo Road. The City is negotiating to exchange a 30 ft. portion of the City side yard for the railroad right-of-way located behind the City Annex Building on South Suburban Road. Before Centerville Builders purchases any of this existing railroad right-of-way, they wish to receive some assurance that these variances would be favorably considered in order for them to expand their facility. The exchange of these properties would allow a common access to Clyo Road for Centerville Builders and the City.

MOTION: Mr. Looper moved to direct the City Manager to proceed with these negotiations. Mr. Bergsten seconded the motion. The motion was approved unanimously 4-0.

There being no further business, the meeting was adjourned.



