

CENTERVILLE PLANNING COMMISSION
REGULAR MEETING
Tuesday, February 24, 1981

Mr. Horvath, acting chairman, called the meeting to order at 7:35 p.m.

Attendance: Mr. Dallas Horvath, Mr. Brian Bergsten, Mr. Bernard Samples, Mrs. Marian Simmons (where noted), Col. Stanley Morrow. Absent: Mr. Elmer C. Tate, Jr., Mr. Robert Chappell. Also present: Mr. Alan C. Schwab, City Planner; Mr. Robert N. Farquhar, City Attorney; Mr. Joseph S. Minner, Assistant City Manager.

Approval of minutes of January 27, 1981, Planning Commission Regular Meeting:

MOTION: Col. Morrow moved to approve the Planning Commission minutes of January 27, 1981, as written. Mr. Samples seconded the motion. The motion was approved unanimously (4-0).

SETTING OF PUBLIC HEARINGS

The following item was set for public hearing on Tuesday, March 31, 1981 at 7:30 p.m. in the City Building:

An Ordinance Amending Ordinance Number 15-61, The Zoning Ordinance, And Ordinance Number 48-70, By Changing Definitions And Requirements For Educational Facilities In The City Of Centerville, Ohio.

COMMUNICATIONS

Mr. Schwab stated that the City Council has set an ordinance for public hearing establishing an expiration date of 180 days for record plans which have not been recorded. Staff finds it desirable that Planning Commission pass a motion recommending approval of this ordinance.

MOTION: Mr. Bergsten moved to recommend to Council the approval of the ordinance establishing an expiration of unrecorded record plans. Col. Morrow seconded the motion. The motion was approved unanimously (4-0).

Mrs. Simmons arrived at this time.

Mr. Schwab stated that City Council has reconsidered the conditional use application submitted by the St. Joseph's Home for Children. He stated that Council reversed their decision and approved that requested use.

Mr. Schwab stated that regarding the bond release for Walnut Grove, Mr. and Mrs. Costello did not submit their Intent to Appeal within the time constraints. The developer posted the maintenance bond and therefore, the performance bond was released. He stated that the issue will be discussed in Council work session.

Mr. Schwab stated that the record plan for Wellington Park was approved by Council without the condition that the street be lined up with the curb cut on the west side of Loop Road. Olympic Industrial Park preliminary plan amendment was approved by Council.

Mr. Schwab stated that a letter has been submitted by Stuttgart Automotive requesting an extension of the temporary sign located on the northeast corner of Thomas Paine Parkway and Bigger Road. The request is for an additional three (3) month period. The prior extension was through February 3, 1981. The sign is actually now in violation; however, the Zoning Inspector is awaiting the action of Planning Commission as to whether the sign can remain or not.

Col. Morrow asked what the justification was for the original approval of the temporary sign.

Mr. Schwab stated that the business was new in that location and they were not getting enough advertising.

Col. Morrow stated that Stuttgart has a very large sign on their building. He stated that this type of request has not been granted to other establishments on that street and approval has been given to the one business which is the most visible from the road.

MOTION: Mr. Samples moved to deny the request from Stuttgart Automotive for an extension of time for placement of a temporary sign located on the northeast corner of Thomas Paine Parkway and Bigger Road. The sign is to be taken down immediately. Mrs. Simmons seconded the motion. The motion was approved unanimously.

PUBLIC HEARINGS

Fister, Lee H. and Judith W. - Variance on Side Yard Requirement

Mr. Schwab made a slide presentation of the requested variance for a side yard variance at 2122 Pelwood Drive. The current zoning on the parcel is WT R-4. The required side yard under this zoning would be 15 feet--the request would take it down to 6.5 feet. He stated that according to the submitted plans, the addition would provide a studio area, a hot tub and sauna, and an indoor garden area.

In reviewing the standards for granting a variance, staff concluded that the property is not unique. It is, therefore, the recommendation of staff not to approve the variance request.

Mr. Horvath opened the public hearing.

Mr. Lee Fister, applicant, presented the Planning Commission with a scale model of the proposed addition to his residence. He stated that the addition itself meets the requirements. The addition can be constructed as proposed without the roof. Mr. Fister stated that if the garden area is enclosed, heat loss would be eliminated that would otherwise result from the sliding doors that lead into the house. He stated that the purpose of the request is to construct that roof over the garden area to make it more energy efficient.

Mr. Robert Bunting, resident living behind the Fister residence, stated that if Mr. Fister wanted that area on the house to begin with, he should have built his house further over. He stated that the applicants should have to stay within the zoning requirements.

Mrs. Nancy Ankney, resident directly behind the applicant's property, stated that she, too, feels that Mr. Fister should be required to stay within the requirements of the Ordinance.

There being no other speakers, the public hearing was closed.

MOTION: Mr. Bergsten moved to approve the variance request by Lee H. and Judith W. Fister as submitted. Mrs. Simmons seconded the motion.

Mr. Horvath pointed out that the variance request does not meet the standards for granting a variance.

Mrs. Simmons stated that it should be remembered that we are suffering from energy problems and our thoughts should be directed to those problems as well.

Mr. Bergsten stated that it seems obvious that the applicant is going to build the addition whether a variance is granted or not. He stated that he does not think that it will make the area less attractive if a roof is placed on it or not. He stated that he feels it is a reasonable request.

Mr. Schwab stated that the Washington Township Fire Department stated in their recommendation that should the variance be granted, because of the closeness of a future house on the adjacent lot, the two (2) exterior walls should be required to be fire walls.

Mrs. Simmons called for the question. The vote was approved 4-1. Mr. Samples voted no.

The action on the motion for the granting of the variance was approved 3-1-1. Mr. Horvath voted no. Mr. Samples abstained.

Mr. Horvath informed Mr. Bunting and Mrs. Ankney that they have the right to appeal the Planning Commission decision to City Council.

Mr. Farquhar stated that within five (5) days of the Planning Commission decision, an Intent to Appeal must be filed with the City Clerk. The written appeal must be filed within ten (10) days after that time period. The appeal would then be set for public hearing by Council. Otherwise, action taken tonight is final.

UNFINISHED BUSINESS

Shadybrook - Preliminary Plan

To remain on the table.

NEW BUSINESS

Zorniger, Frank E. - Lot Split

Mr. Schwab made a slide presentation of a proposed lot split in Washington Township. The location of the lot is north of Alex-Bell Road, south of Whipp Road and east of Mad River Road. The area is served by a private lane which crosses Holes Creek. There are currently two (2) existing houses on one lot. The proposal would separate the two (2) houses and

create an access easement to the adjoining land in order to get out to Mad River Road. The lot would split off five (5) acres which would leave 6.75 acres. Mr. Schwab stated that if there were frontage on a public road, staff could simply approve the split. However, because the split will involve the extension of an access easement, staff had no alternative but to bring it to the Planning Commission. What is being considered tonight is whether to direct staff to approve the lot split by a simple deed or to require it to be platted.

Staff has reviewed this proposal with the Washington Township Zoning Office which indicated that they have no problem with the particular split involved, being that a new home site is not being created. The Washington Township Fire Department also reviewed this proposal. Their comments concerned the adequacy of fire hydrants and water mains on this particular private lane, and the adequacy of the bridge and private lane to carry fire equipment.

Staff in considering both those recommendations as well as their own information, would recommend that the Planning Commission direct staff to approve the lot split. Staff feels that a new lot is not being created for a building site and both houses are now in the same jeopardy. At the time someone furthers the development and creates new building sites, that would seem to be the time to get into the issue of fire hydrants, water lines, and the adequacy of the bridge.

MOTION: Mr. Bergsten moved to authorize staff to approve the lot split as described. Mrs. Simmons seconded the motion. The motion was approved unanimously.

Hair Factory - Site Plan

Mr. Schwab stated that this site plan review is part of the joint review by Planning Commission and the BAR provided for in the recently adopted Architectural Preservation Ordinance. The Planning Commission will be reviewing the basic layout of the property, the location of screening, parking, driveways, etc. The BAR will approve lighting, the type of screening materials, architectural elevation changes, etc. The project is to be located at 158 South Main Street in the APD. The required number of parking spaces is eighteen (18). The proposed number of spaces shown on the plan is eighteen (18). There will be screening required along the rear property line. In reviewing the adjacent land uses, the structure to the north is a poodle grooming shop and to the south side, there is a dental lab. The proposed project will be bordered by business to the north and south so there is no screening requirement to those areas.

The site plan that was submitted shows the lot to be 55 feet wide and 404 feet in length. The plan shows the 10 foot driveway being extended back and creating fourteen (14) parking spaces across the south property line and approximately four (4) spaces on the north property line.

Mr. Schwab stated that in looking at the site, there is quite a grade change from the front of the lot to the rear of the lot. The area where the garage was will have to be leveled down to bring it to the existing grade.

Mr. Schwab stated that staff has prepared a sketch plan to try to incorporate the recommendations in a more understandable fashion. Staff recommends that screening on the rear property line be located at the rise in grade at the rear of the property. If the screening is placed at the rear of the parking area which is lower in elevation, it really serves no purpose.

Another concern is the width of the driveway. A one-way drive feeding the proposed distance will result in considerable traffic congestion. Staff would much prefer to see a two-way drive. In looking at the site, it appears that the lot is 80 feet wide and not 55 feet as indicated on the site plan. It is, therefore, an adequate width to construct an 18 foot wide, two-way access drive to the rear yard parking area. Should the additional width be found to be correct, it would allow a double sided parking bay to be constructed which would be somewhat shorter in length. This would be more convenient to the persons utilizing the business as well as staying away from the residences in the rear.

Staff recommends to approve the site plan with the following conditions:

- A. The applicant submit a more accurate to-scale drawing to City Staff incorporating the following changes:
1. An 18 ft. wide two-way access drive to the rear yard parking.
 2. A double bay parking design.
 3. A pervious parking surface design may be substituted for asphalt if the City Engineer approves the specifications.
 4. The storm water drainage design of the parking area be approved by the City Engineer.
 5. A row of continuous evergreen screening be added to the rear property line.
- B. The City Planner approve the amended application.

Mr. Schwab stated that should the lot be found to be only 55 feet wide some of these conditions could not be incorporated into the plan, and it would have to be reviewed further.

Mrs. Simmons asked if the applicant was willing to meet the recommendations of staff.

Mr. Bud Jackson, representing the applicant, stated that there would be no problems incorporating staff's recommended changes into the plan.

MOTION: Col. Morrow moved to approve the site plan for the Hair Factory with the following conditions, should the property be found to be 80 feet in width:

- A. The applicant submit a more accurate to-scale drawing to City Staff incorporating the following changes:
1. An 18 ft. wide two-way access drive to the rear yard parking.

2. A double bay parking design.
3. A pervious parking surface design may be substituted for asphalt if the City Engineer approved the specifications.
4. The storm water drainage design of the parking area be approved by the City Engineer.
5. A row of continuous evergreen screening be added to the rear property line.

B. The City Planner approve the amended application.

Mr. Bergsten seconded the motion. The motion was approved unanimously.

There being no further business, the meeting was adjourned.

3/31/81
