

CENTERVILLE PLANNING COMMISSION

The Regular Meeting of the Centerville Planning Commission was held August 31, 1970. In attendance were Bruce Baker, John Butler, Willis Creamer, Nevin Elliott, Marion Loemker, Elmer Tate, Harold Wells, City Manager John Griffin and City Engineer Frank Williams.

The Minutes of the July 27th Meeting were approved.

It was noted that a quorum had failed to assemble for the Special Meeting called for August 19th.

1. A Public Hearing was held on a Request by Zengel Construction Company for a Variance (V-70-5) from Section 15, Item D of the Zoning Ordinance to permit the erection of a sign in a Residential District. Mr. Carl Schaab appeared, on behalf of Zengel Construction Co. and explained, a. that they wish to relocate an existing sign from the corner of Zengel Drive and Far Hills Avenue to lot #336, Pleasant Hill Plat, Section 16, b. that the sign would not be permanent but only for the duration of the development and sale of the plat, estimated to be a year or two, and, c. that the 16' x 12' deminsions cited in the application refer to overall height of the sign and its support.

In reply to a question from the audience, Mr. Schaab explained that the sign will be erected at right angles to Alexandersville-Bellbrook Road. Questions from the Planning Commission brought out that it will be a two-faced sign, that it will not obstruct visibility on the roadways, and that the selection of an R-2 lot as opposed to an R-3 section across the street is due to eminent construction on the R-3 location. It was noted that the Request for Variance failed to indicate that the sign would be temporary.

On motion of Mr. Creamer, seconded by Mr. Elliott this request for variance was unanimously approved by voice vote for a period of 18 months.

2. A Public Hearing was held on a Request by William D. Ahern for a Variance (V-70-6) from Section 15, Figure 2, Item D of the Zoning Ordinance to permit at 33 W. Franklin Street the erection of two signs at a set-back line of 3 feet instead of the required 15 feet.

Mr. Adhern appeared in his own behalf. He explained that the two houses on either side of his property are built almost on the sidewalk and prevent signs affixed to his house from being seen by people approaching on the sidewalk, and that a number of the signs currently existing on Franklin Street are contrary to the ordinance.

No one appeared in objection to the granting of the Variance. Three letters of objection had been received and were described by the City Manager as being in opposition on the general basis of objection to any and all variance from existing ordinances. At the request of the Commission, the City Manager reported that an investigation had turned up the fact that there existed 8 signs at variance with the ordinance, only 2 of which had been granted variances.

It was noted that the uniqueness of the area does not lend itself to uniformity of treatment and that in such an area where older buildings are being desirably remodeled it is more relevant to be concerned with specific cases instead of rote adherence to a norm.

It was the concensus that the signs as proposed were unostentatious and in keeping with the character of the neighborhood.

On motion by Mr. Butler, seconded by Mr. Tate this request for Variance was approved by a 6-1 voice vote.

3. A Public Hearing was held on a Request by Nevin E. and Celia May Elliott for a re-zoning of the property located at 46 E. Franklin Street from R-3 to B-1. (The application incorrectly cited R-2 as existing zoning.)

Mr. Elliott appeared in his own behalf noting that he would abstain from all participation as a Planning Board Member in discussions and action on this matter. He explained that his wife had recently inherited this property and that it is currently in a very run-down condition; it is their intention to remodel and convert it into 4 suites for office use. It was noted that a plumbing business has been operated from the property for some 40 years as a non-conforming use (pre-existing at the time the zoning ordinance was enacted). The plumbing business is still in operation and may legally continue indefinitely under the "grandfather clause" though Mr. Elliott stated that his brother-in-law would move the plumbing business if the conversion to office use is possible.

No one appeared in favor of or opposed to this request for Re-zoning.

Further discussion and action were postponed until the September 28 Meeting at which time more definitive maps of the surrounding area would be available.

4. The Commission discussed the Request of Jack B. Mitchell to subdivide Lots 12 and 13, Benjamin Robbins Plat. It was decided that the matter should be referred to the Municipal Attorney for advice on procedures before pursuing.

5. It had been called to the attention of the Planning Commission that no formal record of their approval of Fireside Drive could be located. It was requested that the record be completed. The City Manager and the City Engineer presented and discussed various drawings showing the evolution over several years of the proposals for access into the Village South subdivision. The City Engineer reported that the street had been constructed to City specifications.

On motion of Mr. Butler, seconded by Mr. Creamer it was unanimously decided to approve Fireside Drive as having been constructed in substantial record with Planning Commission understanding as evidenced by approvals on related requests; cited as reference are drawings related to Contract #6819 of Ralph L. Woolpert Co. specifically a drawing identified by Woolpert File #324-41, dated May, 1966. It was noted during the discussion that there is a service road paralleling State Route 48 the south end of which is to connect with Fireside Drive. It was agreed that the two should be reviewed individually provided it is understood they are to intersect. It was in fact noted that Fireside Drive has been completed and has in fact made provision for the intersection.

During the discussion it was noted that every effort should be made to prevent this type of situation happening again. Woolpert Representatives commented on the substantial improvement that had taken place in documentation of Municipal Actions since the City Manager's position had been filled.

6. Zengel Construction Company submitted for review a preliminary plat of Pleasant Hill, Section 17. On this preliminary plat is depicted a 5-acre park area which is represented as a proposed relocation of a previously designated park area. The City Engineer's report indicates that all lots in Section 17 are larger than the 15,000 sq.ft. minimum required in an R-2 district so that a park designation and donation are not mandatory.

Karl Zengel, appearing on behalf of Zengel Construction Company, explained that they had been unable to reach an agreement with the Park District on price for the first area; he stated that the currently designated park site is suitable for residential development whereas the proposed area is not, primarily because of the availability of sewers and can therefore be purchased for a smaller sum.

Russ Miller, representing the Centerville-Washington Township Park District, said that he was unaware of any definitive proposal from Zengel concerning this new site and could not comment on it without further study.

^{sup} Few residents of the Pleasant Hill Plat (Charles Woeste, James Nutt, Bernie Koziej, Dick Brink) appeared to express their feeling of urgency about the need for a park.

It was pointed out that initial action should be between the Park District Board and Zengel Construction and Mr. Zengel and Mr. Miller agreed to take up the matter within the week. It was requested that copies of any pertinent correspondence be supplied the City Manager and Planning Commission.

7. A request (Z-70-6) for rezoning of property on East Spring Valley Road at Clareridge from R-2 to B-1 was received from Charles R. and Mary A. Rush of Miamisburg. Public Hearing was set for September 28th at 7:30.

8. A request for a Variance (V-70-7) from Section 15, Item D,⁴ of the Zoning Ordinance was received from American Modulars Comporation of Dayton to erect a sign to advertise the sale of lots in Terrace Villa. Public Hearing was set for September 28, 1970 at 7:30.

9. A request for the Re-zoning (Z-70-8) of 3.291 acres along the east side of Lyons Drive 200' north of the Lyons - Sheldon intersection from R-1 to R-3 was received from The American Modulars Corporation of Dayton. Public Hearing was set for September 28, 1970 at 8:00.

10. A. On motion of Mr. Tate, seconded by Mr. Creamer, Robert B. Ferguson's Application #C-7-70 for a 32' Curb Cut on the south side of Iron Gate Drive, 169'0" east of Main Street was unanimously approved.

B. On motion of Mr. Tate, seconded by Mrs. Loemker, Mr. Ferguson's second application for 2 Curb Cuts (#C-8-70) was unanimously approved concerning an 18' cut on the south side of Iron Gate Drive, center line of which is 160' east of Main Street. Regarding the 28' cut on the south side of Iron Gate Drive, the center line of which is 37'6" East of Main Street, it was decided to defer consideration until it could be studied in conjunction with the curb cut proposed on Main Street.

11. On motion by Mr. Butler seconded by Mr. Elliott, the proposed plat of Black Oak II, Section 5, was approved and the provision for staggered set-back lines on Bigger Road, north from and above Ambridge Road was approved. The set-back was staggered on lots from Black Oak II, Section 2, Lots 354 and 355, from 35' to 60' per Woolpert drawing dated May, 1970, #7620.

The Planning Commission then resumed review of the proposed Planning Objectives. The feasibility of using a specific density as a goal was discussed.

Mr. Creamer announced his resignation due to a move to ^{N. Mex} ~~Arizona~~.

Next Regular Meeting was set for September 28, 1970. It was anticipated that a special meeting would be called in the interim.

The Meeting was adjourned.

Submitted by

Marion Loemker
Secretary