

## Planning Commission Meeting Minutes

January 9, 2018 • 6:30 p.m.

The meeting was called to order by Mr. DeGood. Roll call was taken; those present included: Mr. DeGood, Mr. Young, Mr. Erdman, Councilman Mr. Dzyak and Mayor Ann Roth. Staff present: Mr. Dennis Brown, Code Enforcement Officer

Mr. DeGood asked for the approval of the November 7, 2017 and December 5, 2017 meeting minutes. Motion to approve both meeting minutes was made. Hearing no additions or corrections the minutes were approved by roll call. Voting aye: 5 Voting nay: 0

**Public Hearing on a request for a variance at 407 Church St** for a side yard setback variance. Dennis Brown provided background on the case. A permit was sought because of an enforcement action as deck was constructed that infringed onto the required side yard setback. No permit was obtained by the contractor who constructed the deck for the owner. After hearing from the owner and the neighbor and reviewing information data from Mr. Brown a **motion was made and seconded to deny the variance. Roll Call taken. Voting aye: 0 Voting nay: 5**

**Public Hearing on a request for a variance at 126 E. Airport on the permitted use within a B – 2 District.** Applicant presented a proposal to construct a multi-purpose (high) resident residential development (R5). Pete Schwiegeraht with Miller-Valentine presented the project and the proposed site plan. Residents in attendance objected to the proposed variance of the permitted use of the property. After hearing the comments of residents in attendance, Pete Schwiegeraht asked to have the request removed from consideration

**Public Hearing on a request for a variance at 14011 Airport Highway.** Applicant Louisville Title requested a variance on the permitted use within the B-3 Zoning District. The use sought is to allow the construction of a Senior Independent Living Complex. The site plan for the proposed complex was presented. Pete Schwiegeraht of Miller-Valentine indicated that residents would be 55+ in age and that one and two-bedroom units would be available with reasonable rents. Residents in attendance express concerns over the residential nature of the proposed project. **A motion was made and seconded to approve the variance. Chairman DeGood called the role. Voting aye: Mr. Erdman, Mayor Roth, Mr. Dzyak Voting nay: Mr. DeGood, Mr. Young. Variance Approved.**

Public Hearing on a request for a variance at 14011 Airport Highway. The request is for a variance on the allowable uses permitted on the proposed parcel site. Parcel is zoned B-3 and the proposed use is multi-family (high) residential R5. Pete Schwiegeraht of Miller Valentine Group presented the proposed site plan and provided details on the nature of the project. The project titled Turtle Creek Lofts would the construction of 66 units of multi-family housing. The main entrance would be off Waterville-Swanton Road. Estimated construction investment is \$8 Million

dollars. Residents in attendance express concern on the proposed residential use of the property. A review the criteria found in 150.305(H) found that the variance met 2 out of the 4 requirements for variance approval. The residential development could spur commercial development which would satisfy the needs of the residents. **A motion was made and seconded to approve the variance. Chairman DeGood called the role. Voting aye: Mr. Erdman, Mayor Roth, Mr. Dzyak, Mr. DeGood Voting nay: Mr. Young Variance Approved.**

Staff represented a concern with the current zoning code language on “ponds”. Section 150.082 prohibits the installation of a pond within the Village, but recent permit request for a small fish pond was filed. Current code is broad with no definition of a “pond.” Staff asked members to consider amending the Section 150.082 to include a definition of a pond.

The next meeting of the Planning Commission is scheduled for February 6, 2018.

There being no further items to come before the Planning Commission, the meeting was adjourned.



---

Mr. Roger DeGood