

**PLANNING COMMISSION AGENDA  
CITY OF PIQUA, OHIO  
6:00 P.M. - TUESDAY, MAY 6, 2008  
MUNICIPAL GOVERNMENT COMPLEX  
COMMISSION CHAMBERS - 201 W. WATER STREET**

CALL TO ORDER

ROLL CALL

MEETING MINUTES April 1, 2008

OLD BUSINESS

None

NEW BUSINESS

1. Resolution PC 15-08 A request to amend the development plan for the Swift Run Lake R-PUD subdivision to include an advertising sign, said sign to be located along SR 66.
2. Resolution PC 16-08 A request to reconstruct and enlarge a nonstandard driveway use, said use located at 410 Gordon Street.
3. Resolution PC 17-08 A request to change the zoning designation of a 9.28 acre tract of land also known as OUTLOT 180, from R-1 One-family Residential to OS Open Space.
4. Resolution PC 18-08 A request to permit an auto repair and vehicle sales special use, said use to be located at 8750 N CR 25-A.
5. Resolution PC 19-08 A request to reconstruct an existing nonstandard use, said use located at 608 Gill Street.
6. Resolution PC 20-08 A request to enlarge an existing nonconforming light manufacturing use, said use located at 1311 South Street.
7. Resolution PC 21-08 A resolution of support encouraging the State of Ohio to give favorable consideration to the request by the Ohio Historical Society for capital funding for the preservation of the Miami & Erie Canal Locks located at Lockington, Ohio.

OTHER BUSINESS

8. Monthly Report General Information, Legislative Update, Special Projects, Permits

ADJOURNMENT

Adjourn regular session

CITY OF PIQUA, OHIO  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, APRIL 1, 2008 - 6:00 P.M.  
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

**CALL TO ORDER**

6:00 P.M. - Chairman Spoltman called the meeting to order. Mr. Spoltman noted for the record the hearing of each item would be conducted according to a modified Roberts Rules of Order, more specifically as follows:

- A. Clerk to State the Agenda Item
- B. Staff Comments
- C. Applicant/Agent Comments
- D. Other Affected Parties Comments
- E. Board Member Comments and Questions
- F. Board To Take Action On The Item

**ROLL CALL**

Members Present: Mark Spoltman, Jim Oda, Jean Franz, Brad Bulp  
Members Absent: Mike Taylor  
Staff Members: Chris Schmiesing  
Attendees: Janet Hartley, Deanne Whitney, Michael Harwood, Jamie Rowley, Bill Vogt, John Martin

Mr. Bulp was welcomed to the board.

Mr. Spoltman made a motion to excuse Mr. Taylor from the meeting and Mr. Oda seconded the motion. A voice vote resulted in a 4-0 vote in support of the motion.

**MEETING MINUTES**

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the March 4, 2008 meeting minutes included in the agenda packet. Hearing none, Chairman Spoltman asked for a motion to accept the minutes as submitted. Commissioner Oda motioned to approve the March 4, 2008 meeting minutes as submitted and Commissioner Franz seconded the motion. A voice vote resulted in a 4-0 vote in supporting the motion to approve the meeting minutes as submitted.

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. PC 13-08**

A request to permit a special neighborhood business use of a structure with nonstandard use conditions, said structure located at 827 W. North Street.

CITY OF PIQUA, OHIO  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, APRIL 1, 2008 - 6:00 P.M.  
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Mr. Schmiesing described the existing nonstandard parking and setback conditions found at this location. Mr. Schmiesing indicated the most recent use of the property was a personal services neighborhood business on the first floor that has not been in existence for over 12 months, and a dwelling unit use on the second floor. Mr. Schmiesing pointed out that the primary difference between what previously existed at this location and what is being proposed is that the applicant has indicated that he may add massage and tattoo services to the beauty salon personal services use of the first floor.

In response to a question from Mr. Oda, Mr. Schmiesing indicated that the information provided on the application suggest that the previous personal services use had been in existence for the past 20 years or so.

Jamie Rowley of 4239 Piqua-Troy Road approached the lectern to speak on this issue. Mr. Rowley provided a proposed floor plan to the Planning Commission for their review and to be introduced into the record, and described his renovation plans for the property. Mr. Rowley stated that he intends to rent out the four stations for approximately \$150 a month and that there is a possibility he would rent one of the stations out to a tattoo artist who currently resides in the upstairs dwelling unit. Mr. Rowley also pointed out that the tattoo services would be subject to all applicable health inspections and license just the same as the massage and salon services would be subject to certain inspections and licenses.

Mrs. Franz expressed disapproval of tattoo services being provided in the same place of business as salon services.

Mr. Bubp commented on the proposed improvements, the applicability of the building code, and the inspection requirements; Mr. Oda commented on the lack of off-street parking and asked about the proposed management plan for the operation; and, Mr. Spoltman asked about the proposed business hours.

Mr. Rowley responded stating that all applicable code and licensure requirements would be followed; he noted that the parcel is a corner lot and with the available on street parking on the two street frontages he didn't believe the parking would be a problem, adding that he envisions only 3 to 5 employees present at any one time; he stated that he intends for the on site station tenants to provide the basic management of the operation; and, that the business hours would be 10 am until 8 or 9 pm daily Monday thru Saturday with no Sunday hours.

Janet Hartley of 819 W. North Street approached the lectern to speak on this issue. Ms. Hartley commented on the use history of this location and noted that parking at this location has in past been a problem for the neighborhood. Ms. Hartley objected to the tattoo service use citing the tattoo services as being incompatible with the surrounding residential neighborhood.

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Bill Vogt of 928 Young Street approached the lectern to speak on this issue. Mr. Vogt commented on the city of Piqua licensure requirements for tattoo services.

There was a brief discussion about what leeway the board has in attaching conditions to approvals. Ultimately it was decided that no conditions need be imposed.

Noting that the definition of personal services does not specifically mentioned tattoo services, and calling for a strict interpretation of the personal services definition, Mr. Oda moved to approve the special use permit request. Mrs. Franz seconded the motion. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the special use permit.

**2. PC 14-08**

A request to permit an enlargement of a dwelling unit structure with nonstandard use conditions, said structure located at 602 Riverside Drive.

Mr. Schmiesing described the existing nonstandard setback conditions and the development characteristics typical to the surrounding lots and the neighborhood in general.

Michael Harwood of 604 Broadway approached the lectern to speak on this issue. Mr. Harwood identified himself as a business partner of the applicant and also a neighbor to the subject parcel. Mr. Harwood described the purpose for the proposed addition and the nature of the improvements to be made.

Several board members commented on the consistency of the proposed addition with what is already found in the neighborhood.

Mrs. Franz moved to approve the special use permit request. Mr. Bupp seconded the motion. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the special use permit.

**PRESENTATIONS**

**3. Great Miami River Recreational Trail Study**

Mr. Schmiesing provided an overview of the proposed bike trail improvements, highlighting the proposed alignment, project amenities, future extensions/neighborhood connectors, and the project funding.

Mr. Spoltman moved to approve the study as presented and Mrs. Franz seconded the motion. A voice vote resulted in a 4-0 vote in support of the study.

**OTHER BUSINESS**

**4. Making Motions and Creating a Record**

Mr. Schmiesing reviewed the Commissioner article included in the monthly packet and reminded the commission of the importance of

CITY OF PIQUA, OHIO  
PLANNING COMMISSION MEETING MINUTES  
TUESDAY, APRIL 1, 2008 - 6:00 P.M.  
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

properly motioning on an item and creating a record of the actions taken.

**5. Monthly Report**

Mr. Schmiesing provided an update to the Planning Commission on legislative items, planning activities, permit issuances and other items of interest to the Planning Commission that occurred over the previous month.

**6. Lock 10**

Mr. Oda announced the Ohio Historical Society's intentions to request funding from the State of Ohio for the restoration of Lock 10 in Lockington Ohio. Noting the benefits to the Piqua community that will come from the restoration of the lock, Mr. Oda moved that the City of Piqua Planning Commission send a letter of support encouraging the State of Ohio to give favorable consideration to the request by the Ohio Historical Society for capital funding for the preservation of the Miami & Erie Canal Locks located at Lockington, Ohio. Mrs. Franz seconded the motion. A voice vote resulted in a 4-0 vote in support of the motion.

**ADJOURNMENT**

With no further business to conduct it was moved and seconded that the meeting be adjourned. With all those present in favor the meeting adjourned at 7:24p.m.

RESOLUTION No. PC 15-08

WHEREAS, Ed Fry, agent of the Swift Run Lakes R-PUD subdivision development, has submitted a request to amend the development plan for the Swift Run Lake R-PUD subdivision to include an advertising sign, said sign to be located along SR 66; and,

WHEREAS, the 32 square foot "V" sign will be located approximately 20 feet back from the front lot line and approximately 1,250 feet north of the south lot line and be in compliance with sections 154.095 through 154.107 of the City of Piqua Code of Ordinances; and,

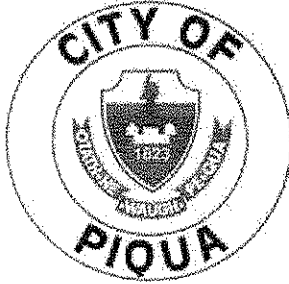
WHEREAS, a development plan for the Swift Run Lake R-PUD subdivision was previously approved in accordance with section 154.044 of the City of Piqua Code of Ordinances; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed amendment to the development plan will be in compliance with section 154.045 and 154.046 of the City of Piqua Code of Ordinances;

NOW THEREFORE BE IT RESOLVED, board member \_\_\_\_\_ hereby moves to \_\_\_\_\_ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member \_\_\_\_\_, and the voting record on this motion is hereby recorded as follows.

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	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## **PLANNING AND ZONING**

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Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: cschmiesing@piquaoh.org

### **STAFF REPORT**

Date: April 18, 2008  
To: Planning Commission Members  
From: Chris Schmiesing, City Planner  
Subject: PC Resolution 15-08

A handwritten signature in black ink, appearing to be "CS", located to the right of the "From:" field.

### **GENERAL INFORMATION**

Applicant: Ed Fry  
Owner: Ed Fry, etal  
Location: Swift Run Lake subdivision  
Zoning: R-PUD  
Land Use  
Existing: Agriculture  
Proposed: One-family detached dwelling units and one-family attached dwelling units.  
Request: To amend the development plan for the Swift Run Lake R-PUD subdivision to include advertising sign to be located along SR 66.

### **DISCUSSION/FINDINGS**

Section 154.044 of the zoning code outlines the requirements for a PUD development plan and states that all structures are to be shown on the approved drawings. The proposed 32 square foot "V" sign is in compliance with all provisions of the zoning code, including the sign standards, less the fact that it was not originally shown on the development plan.

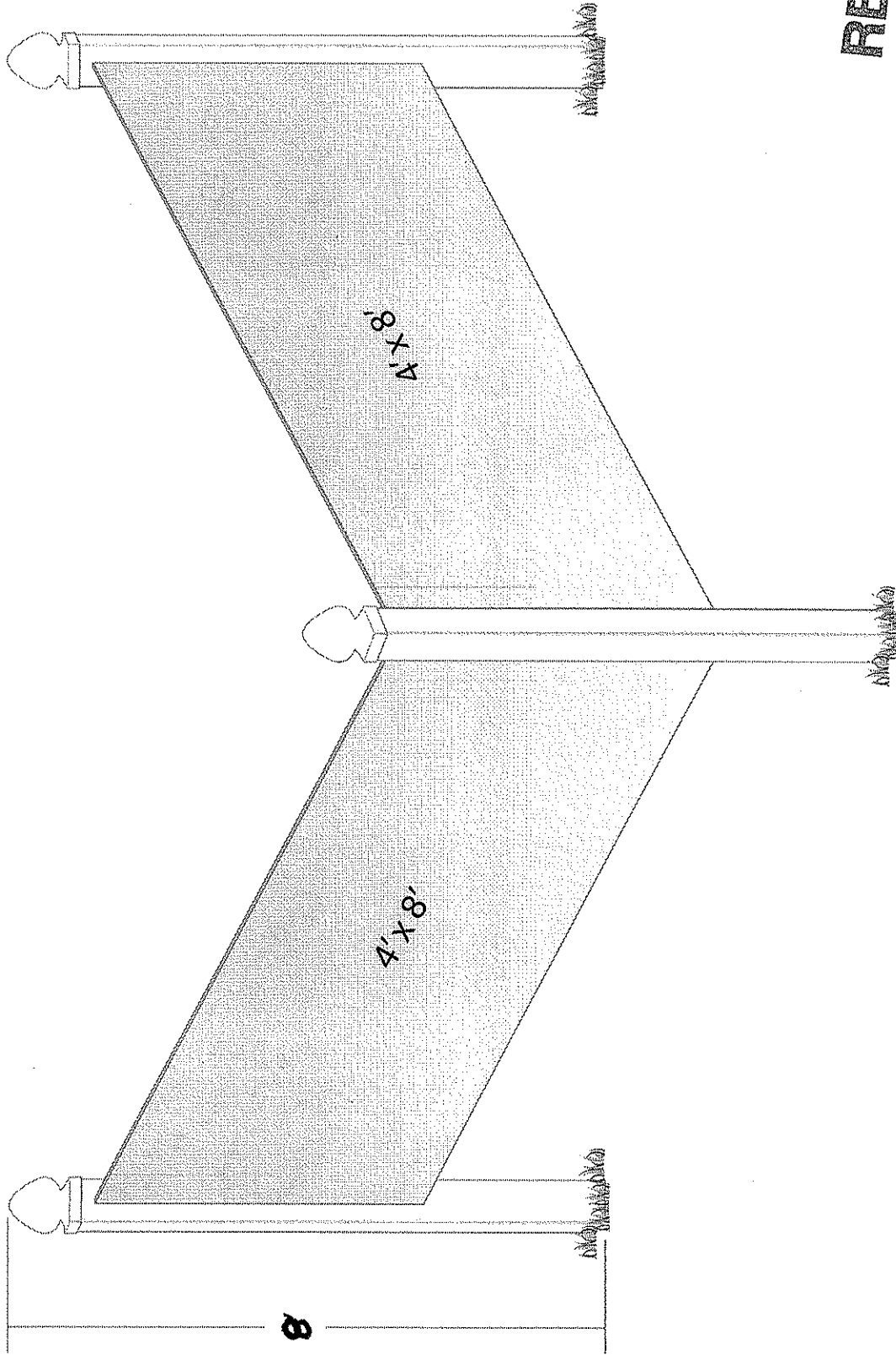
### **CONCLUSION**

The addition of the sign to the development plan is necessary to allow the issuance of permits for this item. The proposed sign is consistent and compatible with the concept plan previously approved by the City Commission and does not significantly alter the development plan previously approved for this project.

### **RECOMMENDATION**

Staff recommends that the Planning Commission **approve** the requested amendment.

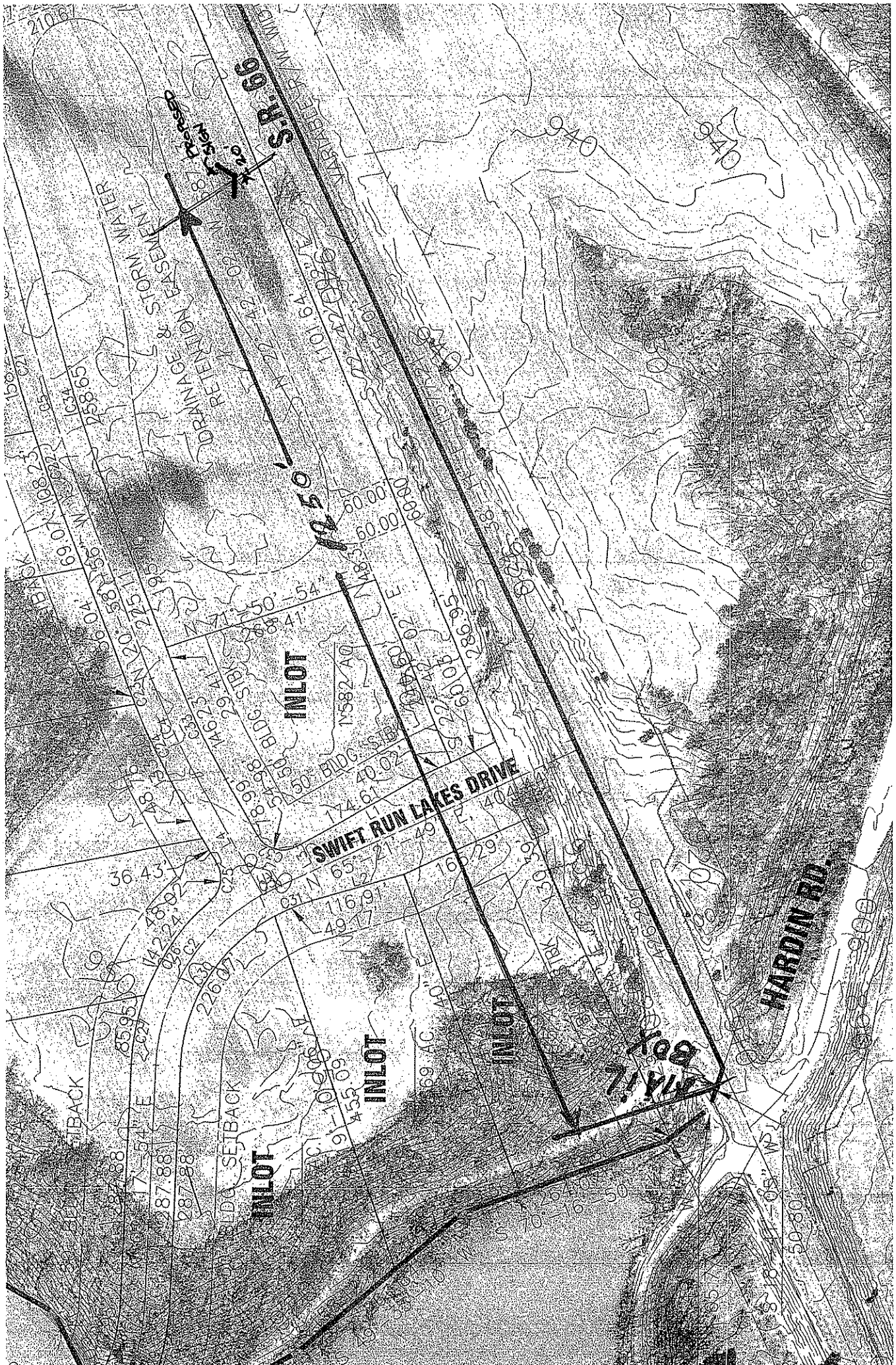
Swift Run Lakes Development



RECEIVED

APR - 8 2008

CITY OF PIQUA  
DEVELOPMENT OFFICE



SR. 66

Retention Easement  
for Storm Water  
Management

INLOT

SWIFT RUN LAKES DRIVE

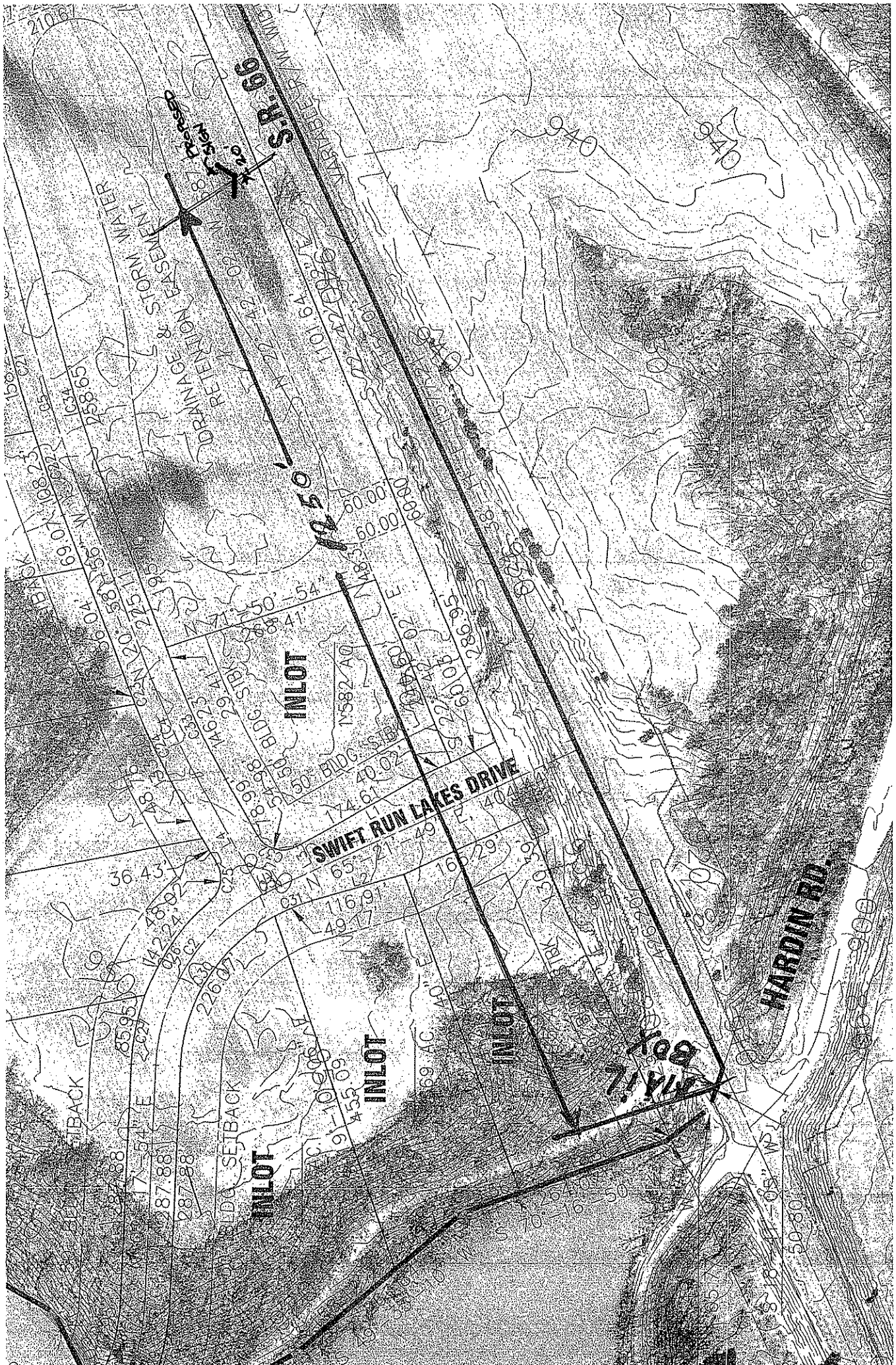
HARDIN RD.

INLOT

INLOT

INLOT

INLOT



SR. 66

Retention Easement  
for Storm Water  
Management

INLOT

SWIFT RUN LAKES DRIVE

HARDIN RD.

INLOT

INLOT

INLOT

INLOT

**RESOLUTION No. PC 16-08**

WHEREAS, William Weber, the owner of 410 Gordon Street, the subject parcel, has submitted a request to permit the reconstruction and enlargement of a nonstandard driveway use, said driveway being located in a front yard and constructed of aggregate materials; and,

WHEREAS, the existing nonstandard driveway use located in the front yard of this location was originally constructed of aggregate materials and section 154.081 of the City of Piqua Code of Ordinances require that a driveway use located in a front or side yard be constructed of an bituminous or Portland cement concrete pavement; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for allowing the reconstruction and enlargement of a nonstandard use with approval of a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

- Will be compatible with the stated intent of the zoning district.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Is compatible with the general economic development policies of the City.
- Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member \_\_\_\_\_ hereby moves to \_\_\_\_\_ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member \_\_\_\_\_, and the voting record on this motion is hereby recorded as follows.

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	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name WILLIAM WEBER Phone 773-1690

Applicant's Address 512 BEAR RUN PIQUA

2. Owner's Name SAME AS ABOVE Phone \_\_\_\_\_

Owner's Address SAME

3. Type of legal interest held by applicant OWNER

4. Location of Special Use Permit request

A. Legal description (Inlot No. or attach legal description) PART INLOT 1425

B. Address 410 GORDOS STREET PIQUA

5. Existing zoning \_\_\_\_\_

6. Existing usage \_\_\_\_\_

7. Proposed usage \_\_\_\_\_

8. Proposed special usage RE-ESTABLISH GRAVEL DRIVEWAY OVER GROWN BY GRASS

9. No. of plot plans submitted (16 required UNLESS waived) N/A

10. Describe the reason for the requested special use:

RE-ESTABLISH GRAVEL DRIVEWAY OVERGROWN BY GRASS

I hereby certify that the proposed request is authorized by the "Owner of Record" and agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant [Signature] Date \_\_\_\_\_

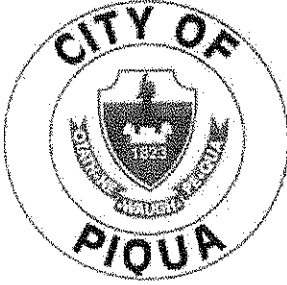
Signature of Owner [Signature] Date 4-9-08

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

\*\*\*\*\* OFFICE USE ONLY \*\*\*\*\*

\$100.00 Fee Paid 100.00 | Date Fee Paid 4-9-08

Receipt No. 180288 P.C. Res. No. \_\_\_\_\_




## PLANNING AND ZONING

Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: cschmiesing@piquaoh.org

### STAFF REPORT

Date: April 18, 2008  
To: Planning Commission Members  
From: Chris Schmiesing, City Planner  
Subject: PC Resolution 16-08

### GENERAL INFORMATION

Applicant: William Weber  
Owner: William Weber  
Location: 410 Gordon Street  
Zoning: R-1 One-family Residential   
Land Use

Existing: One-family detached dwelling unit; detached private garage; aggregate driveway.

Proposed: One-family detached dwelling unit; detached private garage; aggregate driveway.

Request: To permit the reconstruction and enlargement of a nonstandard driveway use.

### DISCUSSION/FINDINGS

Section 154.066 of the zoning code provides the applicant with the opportunity to reconstruct and enlarge a nonstandard driveway use. The existing nonstandard drive to be reconstructed is located in a front yard and has an aggregate surface that was allowed to become overgrown with grass. The enlargement of the driveway would extend the driveway into a side yard. Both the reconstruction and enlargement portions of the proposed driveway use would include an aggregate surface material. Section 154.081 of the zoning code requires driveways in a front or side yard to be constructed with a bituminous or Portland cement concrete pavement. Driveways located in a rear yard are also permitted to be constructed with an aggregate surface material provided a landscape timber or similar physical barrier is provided at the boundaries of the driveway.

The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a permit to allow the enlargement, extension, conversion, reconstruction, or structural alteration of any building, structure, or premises which constitutes a nonstandard use. Such consideration comes by way of the special use provisions, which also include certain criteria to be considered. The following highlights each of the criteria described in those sections and provides staff's analysis of how this request measures up to those standards.

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 16-08

Page 2

Effects on adjacent property, traffic, and city utility service needs?

*Staff Analysis: This project will likely have little or no impact on existing traffic patterns or utility services.*

Density of land use zoning for the subject property and adjacent property?

*Staff Analysis: While the proposed improvement will occupy space and increase the density of the lot development, being that it is a surface treatment only, it will have very little affect on the impact of the development density.*

Degree of hardship upon the applicant which would be caused by failure to grant a permit?

*Staff Analysis: Denying this request will not preclude the owner of this property from installing a driveway. It would simply result in any driveway improvement to be made to be in full compliance with the adopted community standards.*

The proposed special use is compatible with the stated intent of the zoning district?

*Staff Analysis: A driveway commonly exist as a feature incidental to the principal permitted use types found in this district.*

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?

*Staff Analysis: The proposed improvements fail to comply with the adopted community standards regarding the surface material permissible for driveways located in a front or side yard. By lessening the standards the improvements effectively reduce the standards of the entire neighborhood. Migrant dust from an aggregate driveway can be a nuisance for adjacent property owners. The reduction in the community standards and the migrant dust issue both negatively impact the general health safety and welfare and property values of the surrounding properties.*

The proposed special use is compatible with the general economic development policies of the city?

*Staff Analysis: The development of platted building lots with productive use activities that contribute positively to the community is consistent with the general economic development polices of the city. It is difficult to categorize this request as contributing positively to the community.*

The proposed special use conforms to all other applicable codes and regulations of the city?

*Staff Analysis: Aside from the nonstandard aggregate surface material proposed, the information presented conforms to all other applicable codes and regulations of the city.*

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 16-08

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### COMPREHENSIVE PLAN

Throughout the Comprehensive Plan document there is a focus on the built environment and the significance it has on the overall aesthetics of the community. The plan strategies suggest that the community standards should be strengthened to improve the aesthetical value of constructed improvements.

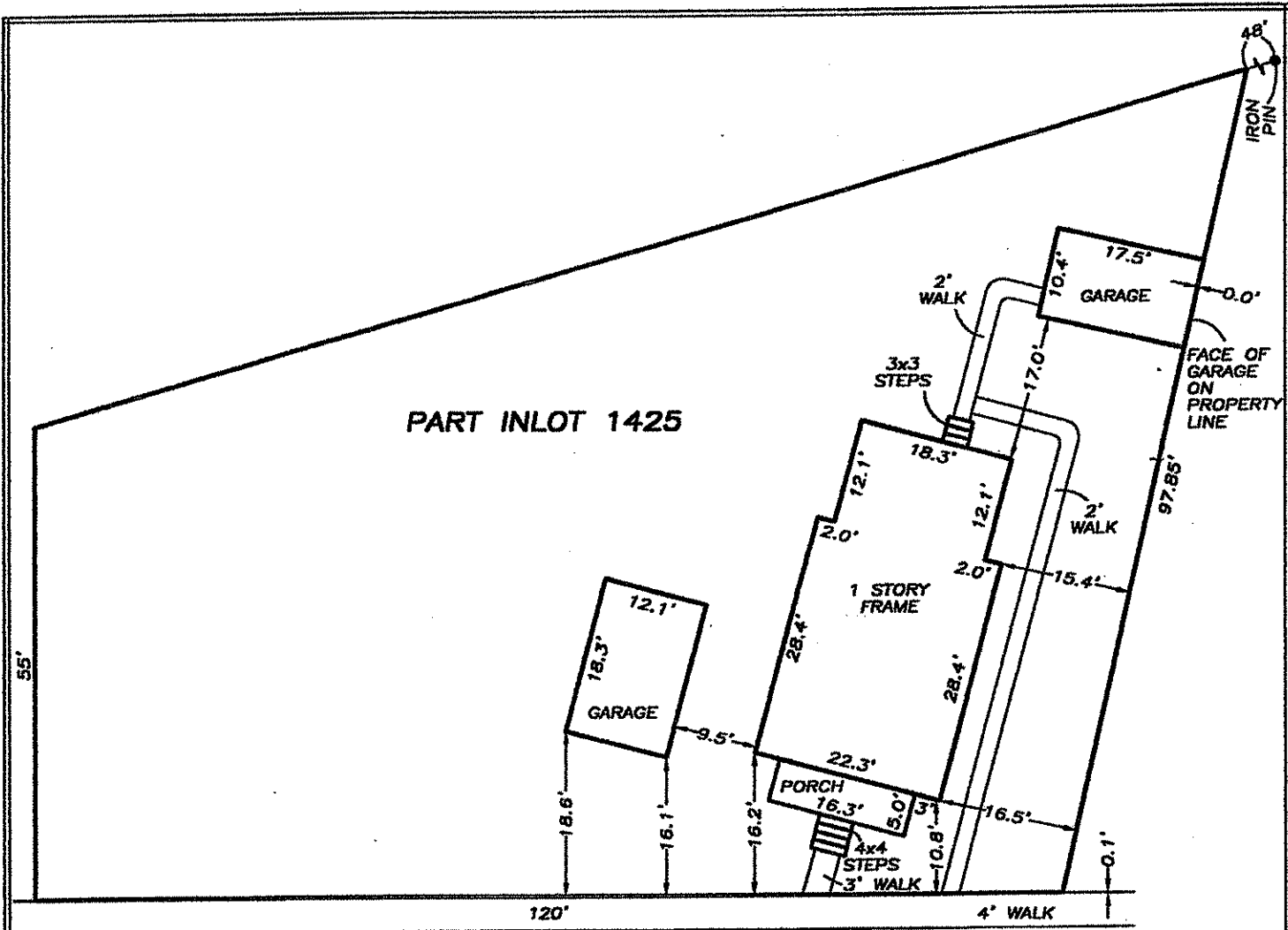
### CONCLUSION

This driveway was *allowed* to become overgrown with vegetation and essential cease to exist. Thus, the proposed driveway improvements could be described as a new improvement to the lot and not a reconstruction of an existing condition. The code requirements for a new driveway improvement to be located in a front or side yard clearly state that the surface is to be bituminous or Portland cement concrete pavement.

### RECOMMENDATION

Staff recommends that the Planning Commission **deny** the request.

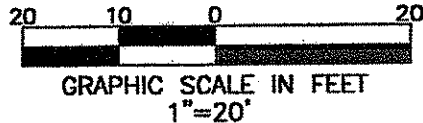




**GORDON STREET 38.75'**

DATE: March 3, 2002
PROJECT # L-02040
DRAWN BY: DGS

ADDRESS: 410 Gordon Street  
 CITY: Piqua  
 COUNTY: Miami  
 LOT NUMBER: Part 1425



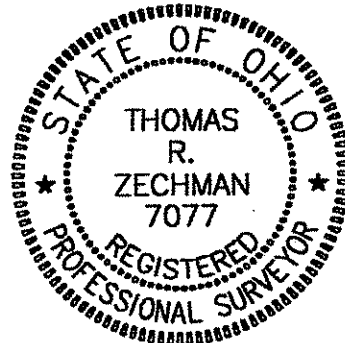
**Mortgage Certification Survey**

I certify that the drawing herein is representative of a true and accurate survey made by the undersigned surveyor; established by actual field measurements; that all properties are within the perimeters therein, and the right of way lines for all streets are completely contiguous to the premises. I further certify that there are no buildings, permanent structures, or encroachments other than those shown herein.

This survey was made for mortgage purposes only. No property line survey was made and no property corner stakes were set.

*Thomas R. Zechman*

**THOMAS R. ZECHMAN**  
 OHIO REGISTERED  
 PROFESSIONAL SURVEYOR #7077





**RESOLUTION No. PC 17-08**

WHEREAS, James A. Hiegel, owner of a 9.28 acre tract of land also known as OUTLOT 180, the subject parcel, has submitted a request to change the zoning designation of the parcel from R-1 (One-family Residential) to OS (Open Space); and,

WHEREAS, section 154.018 of the City of Piqua Code of Ordinances states the principal permitted and special uses permissible in the OS Open Space zoning district, and the current agriculture use of the land is listed as a principal use; and,

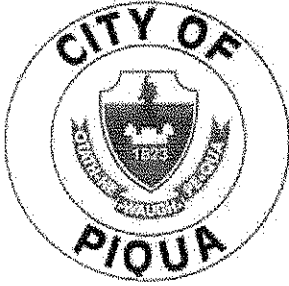
WHEREAS, sections 154.141 of the City of Piqua Code of Ordinances provides the procedure for considering an amendment to the zoning map; and,

WHEREAS, the Planning Commission has studied the request and conducted a public hearing on the matter;

NOW THEREFORE BE IT RESOLVED, board member \_\_\_\_\_ hereby moves to \_\_\_\_\_ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member \_\_\_\_\_, and the voting record on this motion is hereby recorded as follows.

---


	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## PLANNING AND ZONING

Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: cschmiesing@piquaoh.org

### STAFF REPORT

Date: April 18, 2008  
To: Planning Commission Members  
From: Chris Schmiesing, City Planner   
Subject: PC Resolution 17-08

### GENERAL INFORMATION

Applicant: James A. Hiegel  
Owner: James A. Hiegel  
Location: Outlot 180  
Zoning: R-1 One-family Residential  
Land Use  
Existing: Agriculture  
Proposed: Agriculture  
Request: To change the zoning designation of the parcel to OS - Open Space.

### DISCUSSION/FINDINGS

The earliest zoning map record available, the 1971 zoning map, shows the subject parcel zoned as A-1 Agricultural District. The intent of this district, as described in the 1971 edition of the zoning code, was as follows:

*"This district is comprised of certain land being used for agriculture activities, open recreational use, and other open land uses, and is primarily located near the periphery of the urban area."*

In 1982 the zoning map was updated to reflect comprehensive update of the zoning code. On the 1982 adopted zoning map the subject parcel is zoned R-1 One-family Residential. Among other changes, the 1982 amendments to the zoning code resulted in the discontinuance of the A-1 zoning designation and the establishment of an OS-Open Space designation. While it is assumed the discontinuance of the A-1 designation was the impetus for the change in the zoning designation, it is unclear as to exactly why this parcel was zoned residential versus open space. With the residential zoning and development of the contiguous land to the north it is suspected that the R-1 zoning designation seemed logical at the time. The R-1 zoning designation of this parcel continues to the present date.

As in the past, the present use of the land is entirely agriculture in nature. It should also be noted that the tract of land remains one large parcel and has never been platted into individual building lots.

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 17-08

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### COMPREHENSIVE PLAN

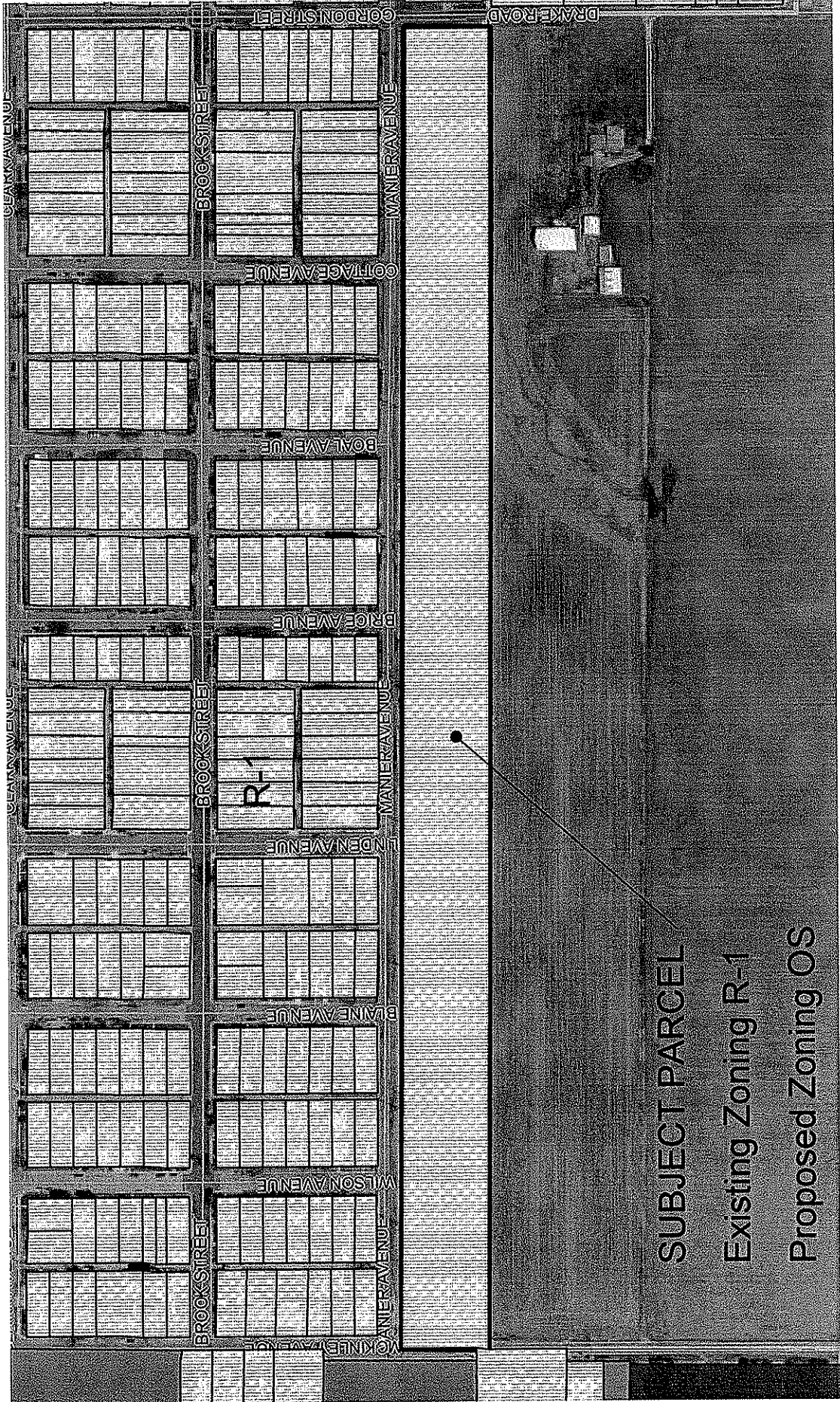
The subject parcel is identified in the Plan as a strategic growth area suitable for expansion of the surrounding residential neighborhoods. The plan also places an emphasis on conserving future strategic growth areas by fully developing, and in some cases redeveloping, established land use areas before growing outward.

### CONCLUSION

This land has been in agriculture use for many years and will likely continue as such into the foreseeable future. While the residential zoning designation may have seemed logical at the time it was applied, it has proven to be an inaccurate designation of the actual use of this parcel. Until such time the community needs or the land owner's preferences predicate a zoning designation other than one that reflects the current use of the land, a zoning designation suitable for the agricultural use of the parcel (the OS Open Space designation) is the best zoning designation for this parcel.

### RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** of this request.



SUBJECT PARCEL  
Existing Zoning R-1  
Proposed Zoning OS

ZONING MAP

RESOLUTION No. PC 18-08

WHEREAS, Finkes Building Company Ltd., on behalf of the owner of 8750 N CR 25-A, the subject parcel, has submitted a request to permit an auto repair and vehicle sales special use, said use located in a B General Business zoning district; and,

WHEREAS, section 154.025 of the City of Piqua Code of Ordinances states the principal permitted and special uses permissible in the B General Business zoning district; and,

WHEREAS, sections 154.140 of the City of Piqua Code of Ordinances provides the procedure for considering a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

- Will be compatible with the stated intent of the zoning district.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Is compatible with the general economic development policies of the City.
- Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member \_\_\_\_\_ hereby moves to \_\_\_\_\_ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member \_\_\_\_\_, and the voting record on this motion is hereby recorded as follows.

---

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name FINKES BUILDING Co. LTD Phone 937-778-3721  
Applicant's Address 8761 Sherry Drive Piqua, Ohio 45356
- 2. Owner's Name KFLP PROPERTIES, LLC Phone 937-418-7815  
Owner's Address 1190 St. Rt. 25A Troy, Ohio
- 3. Type of legal interest held by applicant GENERAL Contractor
- 4. Location of Special Use Permit request  
A. Legal description (Inlot No. or attach legal description) INLOT # 8928  
B. Address 8750 N. County Rd. 25-A PIQUA, Ohio
- 5. Existing zoning B-1
- 6. Existing usage NONE - UNDER CONSTRUCTION
- 7. Proposed usage Company Business offices, Auto Sales, Auto Repair
- 8. Proposed special usage Auto Repair and Auto Sales, Business Offices
- 9. No. of plot plans submitted (~~10~~ required UNLESS waived) \_\_\_\_\_
- 10. Describe the reason for the requested special use:  
To Operate a Auto Repair + Auto Sales Business

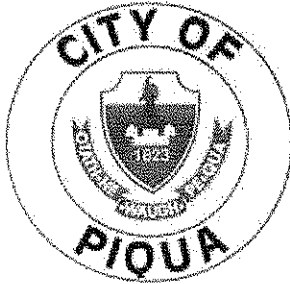
I hereby certify that the proposed request is authorized by the "Owner of Record" and agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant [Signature] Date 4/8/08  
 Signature of Owner [Signature] Date 4/9/08

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

\*\*\*\*\* OFFICE USE ONLY \*\*\*\*\*

\$100.00 Fee Paid 100.00 | Date Fee Paid 4-15-08  
 Receipt No. 180293 | P.C. Res. No. \_\_\_\_\_



## **PLANNING AND ZONING**

Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: cschmiesing@piquaoh.org

### **STAFF REPORT**

Date: April 18, 2008  
To: Planning Commission Members  
From: Chris Schmiesing, City Planner  
Subject: PC Resolution 18-08

### **GENERAL INFORMATION**

Applicant: Finkes Building Company Ltd.  
Owner: KFLP Properties LLC  
Location: 8750 N CR 25-A  
Zoning: B General Business  
Land Use  
Existing: Business Office; Auto Detailing  
Proposed: Auto Repair; Vehicle Sales  
Request: To permit a special use of the premises to allow the auto repair and vehicle sales use activity.

### **DISCUSSION/FINDINGS**

Past improvements to this site were recently destroyed by fire and demolished. More recently the larger tract of land was replatted into two smaller lots a zoning permit was issued authorizing a Business Office use to be constructed on the parcel to the north. During the course of construction the tenant's business plan changed and the land was replatted back into its original larger configuration to accommodate a proposed expanded auto repair and vehicle sales special use of the premise. The previously approved improvements will be adapted to accept the proposed use activity should it be authorized.

As currently approved the site improvements include a parking facility that will be connected to a neighboring parking facility resulting in a shared use facility. This shared use parking facility is permissible; however, as it is currently shown the center row of parking stalls are two stalls deep on the property to the north and only one stall deep on the subject lot. This creates an offset in the maneuvering lane connecting the two lots. It has also been discussed that the proposed improvements to the southern portion of the lot will include an expansion of the parking facility for exterior display of vehicles and an advertising sign. As of this date the plans for these improvements have not been submitted for approval.

The zoning code includes criteria to be given specific consideration when determining whether to authorize a special use. The following highlights each of the criteria described in those sections and provides staff's analysis of how this request measures up to those standards.

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 18-08

Page 2

The proposed special use is compatible with the stated intent of the zoning district?

*Staff Analysis: The proposed uses are consistent with the description of the use definitions for these activities. There is nothing unique or peculiar about either use type that would cause it to be unsuitable as a special use in the subject zoning district.*

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?

*Staff Analysis: The proposed improvements will result in the development of vacant land that currently has no productive use.*

The proposed special use is compatible with the general economic development policies of the city?

*Staff Analysis: The development of platted building lots with productive use activities that contribute positively to the community is consistent with the general economic development polices of the city.*

The proposed special use conforms to all other applicable codes and regulations of the city?

*Staff Analysis: All submittals presented conform or will be amended to conform to all applicable codes and regulations of the city.*

### COMPREHENSIVE PLAN

The subject parcel is conducive to road service type use activities, which is reflected by the projected land use for this area identified by the Comprehensive Plan Conservation and Development Map. The Plan promotes the concept of shared use parking facilities.

### CONCLUSION

The proposed use is compatible and consistent with the surrounding fraternal club, light manufacturing, vehicle sales, and automobile service station uses found in this area. The new construction will result in improvements to the property that will contribute positively to the appearance of the area and the economic development of the community. The maneuvering lane alignment issue must be satisfactorily addressed before a zoning permit will be issued. Likewise, future plans for the southern portion of the subject lot need to be clarified and a interim boundary control may be required.

### RECOMMENDATION

Staff recommends that the Planning Commission **approve** this request.

**RESOLUTION No. PC 19-08**

WHEREAS, John David McCoy Jr., the owner of 608 Gill Street, the subject parcel, has submitted a request to permit the reconstruction of a nonstandard private garage use, said use is located in a R-1 One-family Residential zoning district, is attached to and a part of the principal structure, and lacks the required front, side, and rear yard setbacks; and,

WHEREAS, section 154.022 of the City of Piqua Code of Ordinances requires that the principal structure be situated not less than 6 feet from a side lot line and 30 feet (or 20 % of the lot depth) from a rear lot line; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for allowing the reconstruction of a nonstandard use with approval of a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

- Will be compatible with the stated intent of the zoning district.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Is compatible with the general economic development policies of the City.
- Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member \_\_\_\_\_ hereby moves to \_\_\_\_\_ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member \_\_\_\_\_, and the voting record on this motion is hereby recorded as follows.

---

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name John David McCoy Jr. Phone 773-3374  
 Applicant's Address 608 1/2 Gill St Piqua
- 2. Owner's Name same Phone \_\_\_\_\_  
 Owner's Address \_\_\_\_\_
- 3. Type of legal interest held by applicant owner
- 4. Location of Special Use Permit request  
 A. Legal description (Inlot No. or attach legal description) \_\_\_\_\_  
 B. Address 608 1/2 Gill St.
- 5. Existing zoning \_\_\_\_\_
- 6. Existing usage STORAGE
- 7. Proposed usage garage - STORAGE - WORK AREA
- 8. Proposed special usage SMALL TRUCK GARAGE
- 9. No. of plot plans submitted (16 required UNLESS waived) \_\_\_\_\_
- 10. Describe the reason for the requested special use:

TO KEEP VEHICLES OFF THE STREET

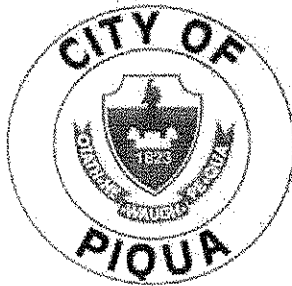
I hereby certify that the proposed request is authorized by the "Owner of Record" and agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant John D McCoy Sr. Date 4-16-08  
Signature of Owner POA for John D McCoy Sr. Date \_\_\_\_\_

Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

\*\*\*\*\* OFFICE USE ONLY \*\*\*\*\*

\$100.00 Fee Paid 100.00 | Date Fee Paid 4-16-08  
Receipt No. 180293 P.C. Res. No. \_\_\_\_\_

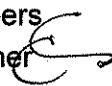


## PLANNING AND ZONING

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Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: cschmiesing@piquaoh.org

### STAFF REPORT

Date: April 18, 2008  
To: Planning Commission Members  
From: Chris Schmiesing, City Planner   
Subject: PC Resolution 19-08

### GENERAL INFORMATION

Applicant: John David McCoy, Jr.  
Owner: John David McCoy, Jr.  
Location: 608 Gill Street  
Zoning: R-1 One-family Residential  
Land Use  
Existing: Two-family dwelling unit; attached private garage  
Proposed: Two-family dwelling unit; attached private garage  
Request: To permit the reconstruction of a nonstandard use.

### DISCUSSION/FINDINGS

The existing portion of the improvements encompassing the private garage area is two stories high with dwelling space improvements above. This area is to be demolished and the private garage reconstructed as a single story improvement with no dwelling space above. As it currently exist the private garage area of the structure includes nonstandard side and rear yard setbacks and does not provide the four off-street parking spaces required for the two dwelling units (2 each). The foot print of the proposed improvements will be virtually the same as the existing improvements found at this location although the structure will be configured as a four car garage.

The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a permit to allow the enlargement, extension, conversion, reconstruction, or structural alteration of any building, structure, or premises which constitutes a nonstandard use. Such consideration comes by way of the special use provisions, which also include certain criteria to be considered. The following highlights each of the criteria described in those sections and provides staff's analysis of how this request measures up to those standards.

Effects on adjacent property, traffic, and city utility service needs?

*Staff Analysis: This project will likely have little or no impact on existing traffic patterns or utility services. It may reduce the dependency on on-street parking spaces to provide for the parking needs of the dwelling units at this location.*

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 19-08

Page 2

Density of land use zoning for the subject property and adjacent property?

*Staff Analysis: The lot as it currently exists is more densely developed than the intent of the district states as being desirable. Nonstandard front, side, and rear yard setbacks can also be found on the surrounding developed lots.*

Degree of hardship upon the applicant which would be caused by failure to grant a permit.?

*Staff Analysis: If this request were denied the current structure could be maintained as it currently exists; or, the existing structure could be demolished and a new improvement could be built in accordance with the code requirements. The latter scenario would produce an attached garage that would be approximately 20 feet wide by 24 feet deep (see Illustration A) – or – a detached garage that would be approximately 26 feet wide by 24 feet deep (see Illustration B).*

The proposed special use is compatible with the stated intent of the zoning district?

*Staff Analysis: An attached private garage use is permissible incidental to the principal permitted use types found in this district and a detached private garage is permissible in this district as an accessory use.*

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?

*Staff Analysis: The proposed improvements would lessen the intensity of the development found on this lot and in all likelihood enhance the general health safety and welfare of the surrounding properties and not negatively affect the property values in the area.*

The proposed special use is compatible with the general economic development policies of the city?

*Staff Analysis: The development of platted building lots with productive use activities that contribute positively to the community is consistent with the general economic development polices of the city.*

The proposed special use conforms to all other applicable codes and regulations of the city?

*Staff Analysis: Aside from the existing and proposed nonstandard use conditions this development includes, the information presented conforms to all other applicable codes and regulations of the city.*

### COMPREHENSIVE PLAN

The Housing chapter of the Comprehensive Plan promotes enhancing and redeveloping existing neighborhoods.

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 19-08

Page 3

### CONCLUSION

The proposed improvements will not eliminate the nonstandard use conditions found at this location. The improvements will result in a reduction in the scale of the building with the nonstandard use conditions and produce a building that is more in scale with its surroundings. Similar improvements could be constructed to smaller dimensions to eliminate the nonstandard setback conditions and still produce a functional building. However, doing so will result in a 54 to 64 percent decrease in available floor area as compared to the existing dimensions of the structure. On the other hand allowing the structure to be constructed to the proposed dimensions will produce a four car garage. This would satisfy the parking requirement that there be two off-street parking spaces provided for each of dwelling unit. The question then becomes, *what is the applicant's intention with regards to the use of this space?*

While it is possible to reduce the size of the proposed structure and comply with the applicable setbacks, this would result in a nonstandard number of off-street parking spaces being provided for the two dwelling units. Allowing the structure to be reconstructed at the proposed dimensions will still result in an overall reduction in the height of the building and in turn reduce the volume and scale of the structure to be more compatible with the surrounding development.

### RECOMMENDATION

Staff recommends that the Planning Commission **approve** this request.

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 19-08

Page 4

### Illustration A

Attached 20 ft by 24 ft Private Garage  
(Principal Structure Setback Requirements Applied)

- Rear Yard = 17.8 ft (20% of lot depth)
- Side Yard = 6 ft (10 ft on side entering garage from alley).



### Illustration B

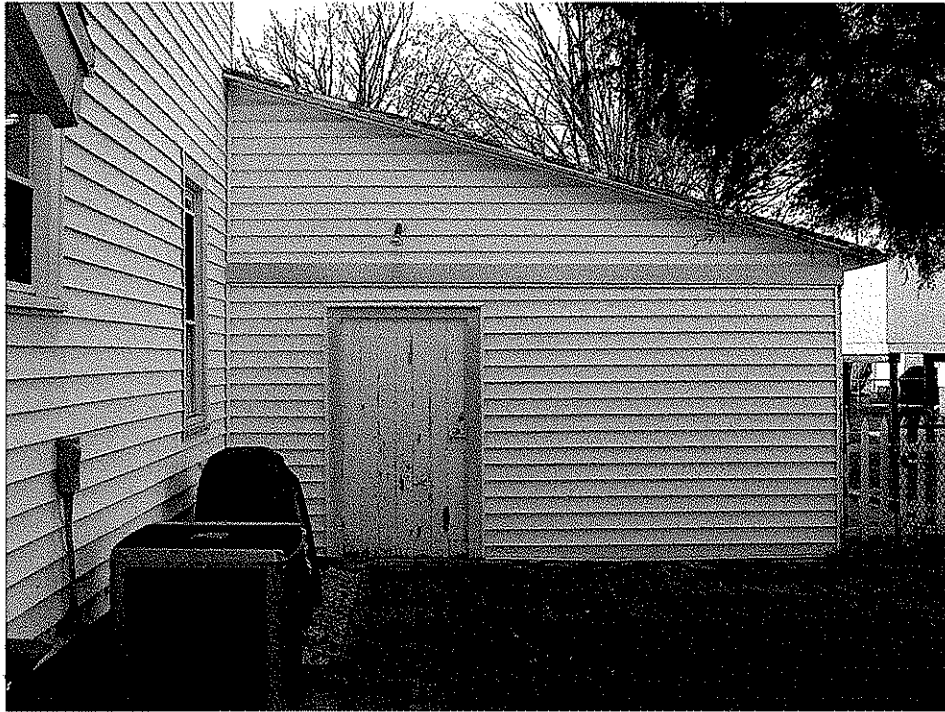
Detached 26 ft by 24 ft Private Garage  
(Accessory Structure Setback Requirements Applied)

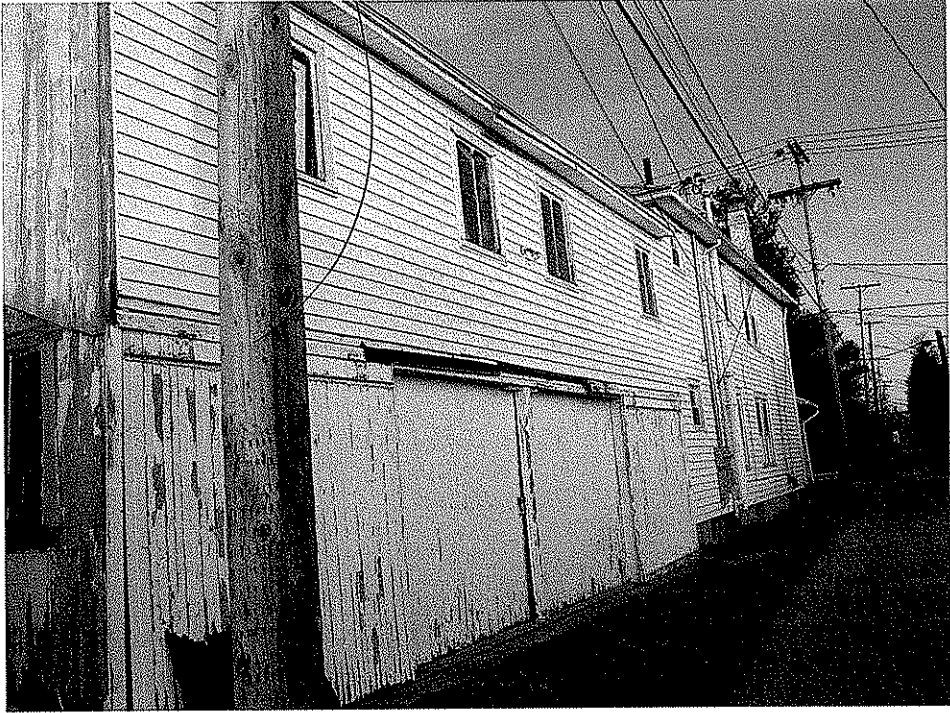
- Rear Yard = 3 ft
- Side Yard = 3 ft (10 ft on side entering garage from alley).
- Minimum Separation from Principal Structure = 10 ft





McCoy  
608 Gill St.  
Piqua





RESOLUTION No. PC 20-08

WHEREAS, Ryan L. Filburn, the owner of 1311 South Street, the subject parcel, has submitted a request to enlarge an existing nonconforming light manufacturing use, said use located in a B General Business zoning district and occupying the principal structure; and,

WHEREAS, section 154.025 of the City of Piqua Code of Ordinances states the principal permitted uses and minimum setback requirements for a principal structure situated in the B General Business zoning district; and,

WHEREAS, sections 154.063 and 154.064 of the City of Piqua Code of Ordinances provides the procedure for allowing the enlargement of a nonconforming use with the approval of a special use permit request; and,

WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has established as fact that the proposed use:

- Will be compatible with the stated intent of the zoning district.
- Will not threaten the general health, safety, and welfare of the surrounding properties, and the adjacent property values will not be negatively affected.
- Is compatible with the general economic development policies of the City.
- Conforms to all other applicable codes and regulations of the city.

NOW THEREFORE BE IT RESOLVED, board member \_\_\_\_\_ hereby moves to \_\_\_\_\_ the request made, as described by this resolution, the testimony provided, and the documents attached hereto, the motion is seconded by board member \_\_\_\_\_, and the voting record on this motion is hereby recorded as follows.

---

	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bubp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name RYAN L. FILBRUN Phone 937-773-5127

Applicant's Address 1311 SOUTH ST. PIQUA OHIO 45356

2. Owner's Name SAME Phone \_\_\_\_\_

Owner's Address \_\_\_\_\_

3. Type of legal interest held by applicant OWNER

4. Location of Special Use Permit request

A. Legal description (Inlot No. or attach legal description) SOUTH EAST CORNER LOT OF MCKINLEY AVE. & SOUTH STREET  
B. Address 1311 SOUTH STREET

5. Existing zoning \_\_\_\_\_

6. Existing usage VINTAGE AUTO PARTS RESTORATION AND PLATING

7. Proposed usage "SAME" (STORAGE AREA)

8. Proposed special usage \_\_\_\_\_

9. No. of plot plans submitted (16 required UNLESS waived) \_\_\_\_\_

10. Describe the reason for the requested special use:

FOR MORE ROOM FOR STORAGE. TO BE COMPLETED JULY 31, 2008

I hereby certify that the proposed request is authorized by the "Owner of Record" and agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature of Applicant [Signature] Date 04-16-08

Signature of Owner [Signature] Date 04-16-08

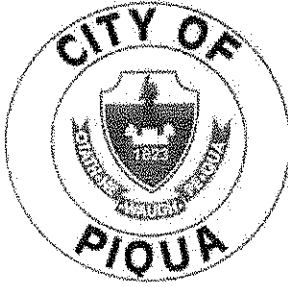
Note: Both the owner and the applicant shall sign when application is made by someone other than the owner.

\*\*\*\*\* OFFICE USE ONLY \*\*\*\*\*

\$100.00 Fee Paid 100.00 Date Fee Paid 4-17-08

Receipt No. 180295 P.C. Res. No. \_\_\_\_\_

RECEIVED  
APR 17 2008  
CITY OF PIQUA  
DEVELOPMENT OFFICE



## PLANNING AND ZONING

Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: cschmiesing@piquaoh.org

### STAFF REPORT

Date: April 18, 2008  
To: Planning Commission Members  
From: Chris Schmiesing, City Planner  
Subject: PC Resolution 20-08

### GENERAL INFORMATION

Applicant: Ryan L. Filburn  
Owner: Ryan L. Filburn  
Location: 1311 South Street  
Zoning: B General Business  
Land Use  
Existing: Light Manufacturing; parking lot  
Proposed: Light Manufacturing; parking lot  
Request: To permit the enlargement of a nonconforming use.

### DISCUSSION/FINDINGS

The existing light manufacturing use of the premises is a nonconforming use. The proposed addition will allow for the relocation of certain materials and equipment that will free up space in the existing manufacturing area. One off-street parking space would be lost as part of the proposed improvements to the site reducing the total off-street parking spaces available to thirteen. The code requirement for off-street parking for this type of use is one space for each employee on the largest work shift plus one space for every 10,000 square feet of floor area. With 12 employees on the largest shift and approximately 4,400 square feet of building this works out to 13 off-street spaces being required.

Conditions related to the nonstandard parking lot maneuvering lanes and setbacks and the loading/unloading area located in the front yard of the structure will not be addressed by the project improvements as they are currently proposed. Nor is the lack of screening between this business and the residential use to the south.

The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a permit to allow the enlargement, extension, conversion, reconstruction, or structural alteration of any building, structure, or premises which constitutes a nonconforming use. Such consideration comes by way of the special use provisions, which also include certain criteria to be considered. The following highlights each of the criteria described in those sections and provides staff's analysis of how this request measures up to those standards.

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 20-08

Page 2

Effects on adjacent property, traffic, and city utility service needs?

*Staff Analysis: This project will likely have little or no impact on existing traffic patterns or utility services. See the following items for possible effects on adjacent property.*

Density of land use zoning for the subject property and adjacent property?

*Staff Analysis: The nonstandard front, side, and rear yard setbacks cause this lot to already be more densely developed than the intent of the district states as being desirable. The extension of the existing building towards the residential use to the south will increase the density of the lot development parallel to the alley south.*

Degree of hardship upon the applicant which would be caused by failure to grant a permit?

*Staff Analysis: The existing development of this site within the physical constraints of the lot boundaries limits the applicant's opportunity to expand at this location.*

The proposed special use is compatible with the stated intent of the zoning district?

*Staff Analysis: The uses permitted in this district are typically more retail in nature than they are industrial. Even so, while light manufacturing is not one of them, there are a number of light industrial special uses that may be permitted in this district.*

The proposed special use does not threaten the general health, safety, and welfare of the surrounding properties and the adjacent property values will not be negatively affected?

*Staff Analysis: The subject premise is maintained in a very clean and orderly fashion. It is not anticipated that the proposed addition or its use will cause an increase in the noise or orders coming from this establishment. The encroachment of the building structure into the minimum rear yard setback, causing the building to be situated even closer to the residential use to the south could potentially have a negative affect on the value of the adjacent residential property.*

The proposed special use is compatible with the general economic development policies of the city?

*Staff Analysis: The development of platted building lots with productive use activities that contribute positively to the community is consistent with the general economic development polices of the city.*

The proposed special use conforms to all other applicable codes and regulations of the city?

*Staff Analysis: Aside from the existing and proposed nonstandard use conditions all submittals presented conform or will be amended to conform to all applicable codes and regulations of the city.*

## STAFF REPORT

Date: April 18, 2008  
Subject: PC Resolution 20-08

Page 3

### COMPREHENSIVE PLAN

The Land Use and Economic Development chapters of the Comprehensive Plan put forth principles that advocate leveraging/maximizing the utilization of existing infrastructure investment in a responsible manner.

### CONCLUSION

The proposed improvements will not eliminate the nonstandard use conditions found at this location. Nor will the proposed construction place the improvements any more out of compliance. In actuality the construction of the proposed addition may reduce noise levels affecting the surrounding properties in a positive manner.

The loss of the one off-street parking space will not place the off-street parking out of compliance. While the scope of the work can not be expanded to remedy the nonstandard parking lot maneuvering lane and setback conditions without adding significant cost to the project, a small amount of landscaping could easily be added to the project scope at a reasonable cost and be planted along the south lot line to soften the transition between the adjacent industrial and residential uses.

### RECOMMENDATION

Staff recommends that the Planning Commission **approve** this request with the following proposed condition:

*The pavement area south of the proposed building addition and south of the southernmost parking stall shall be removed to the north alley right of line and a planting bed with topsoil, mulch, and a minimum of 3 trees and other vegetative plantings shall be installed in this area.*

TO WHOM IT MAY CONCERN,

WE AT D&D CLASSIC BRIGHT WORKS INC., LOCATED AT THE S.E. CORNER OF SOUTH ST. AND MCKINLEY AVE., PROPOSE TO ADD A 20'X24' ADDITION ON THE SOUTH END OF OUR FACILITY. THIS ADDITION WOULD BE ON THE SOUTH WEST CORNER OF OUR FACILITY (SEE ENCLOSED OVERVIEW).

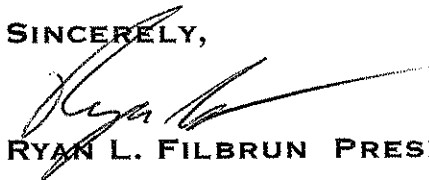
OUR COMPANY RESTORES AND RE-PLATES (CHROME, NICKEL, COPPER, BRASS, AND SILVER) VINTAGE AUTOMOBILE PARTS. THE LARGE MAJORITY OF OUR WORK COMES FROM THE EAST AND WEST COAST AND SOME INTERNATIONAL. WE ARE OBTAINING MORE AND MORE NEW CUSTOMERS AND ARE OUTGROWING OUR FACILITY. WE WOULD LIKE TO ADD THE PROPOSED ADDITION TO ALLOW MORE STORAGE AREA FOR SUPPLIES.

THE ADDITION OF THIS AREA WOULD ALLOW US TO HAVE MORE ROOM FOR OUR RESTORATION AND PLATING PROCESS, BY ALLOWING US TO USE OUR EXISTING AREA EXCLUSIVELY FOR PRODUCTION. THIS IS IMPORTANT TO US SO THAT WE CAN BETTER SERVE OUR EMPLOYEES AND CUSTOMERS.

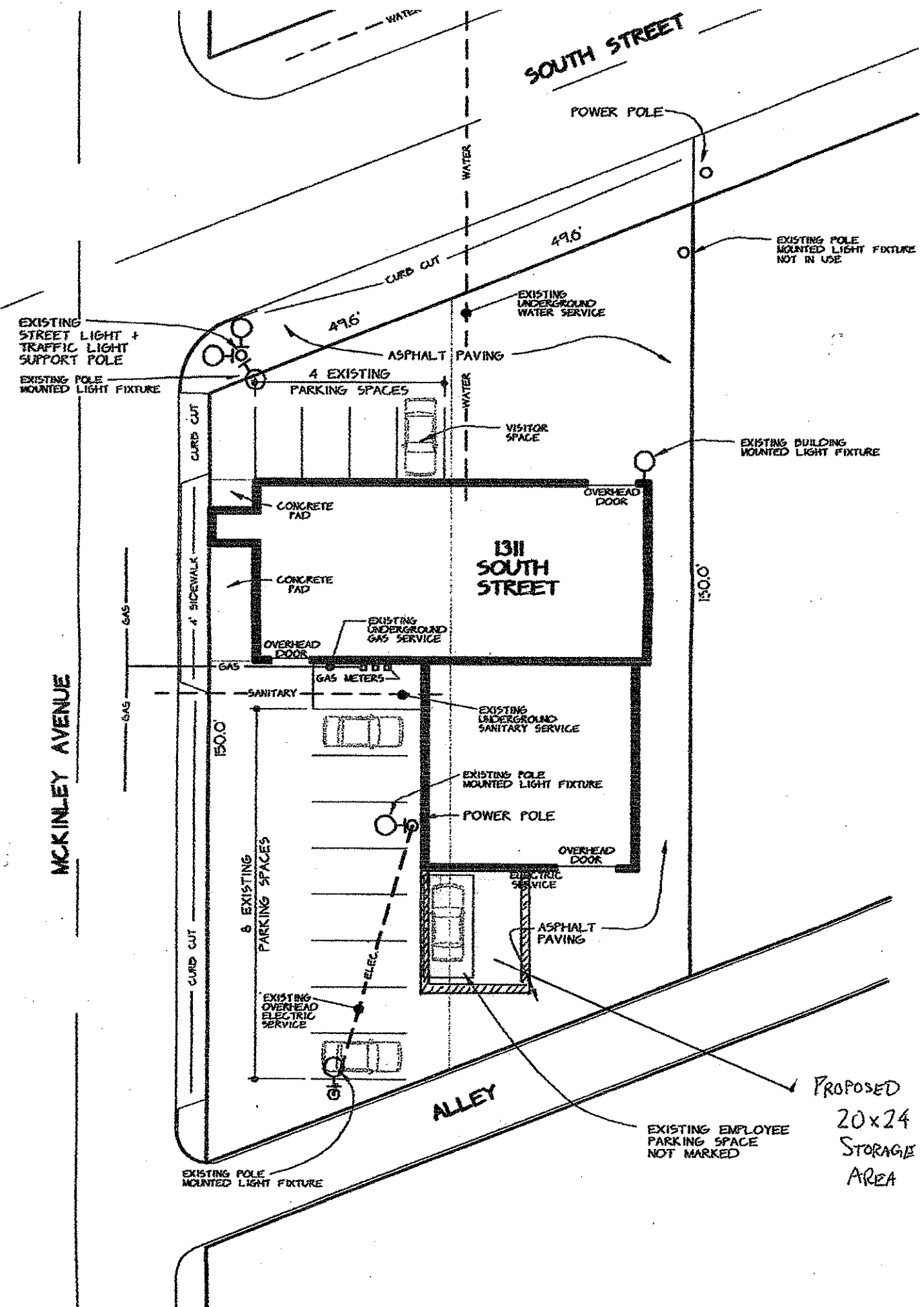
THE PROPOSED ADDITION WOULD NOT IMPACT OUR NEIGHBORING RESIDENTIAL AREA SINCE WE OUR NOT ADDING MANUFACTURING AREA. THE PROPOSED ADDITION WOULD SET BACK 10 FEET FROM THE ALLEY UNLESS OTHERWISE DIRECTED.

ENCLOSED ARE A FEW PICTURES OF CARS THAT OUR FACILITY HAS HAD THE PLEASURE OF WORKING ON.

SINCERELY,



RYAN L. FILBRUN PRESIDENT



MCKINLEY AVENUE

SOUTH STREET

ALLEY

1311 SOUTH STREET

PROPOSED  
20x24  
STORAGE  
AREA

EXISTING EMPLOYEE  
PARKING SPACE  
NOT MARKED

EXISTING STREET LIGHT +  
TRAFFIC LIGHT  
SUPPORT POLE  
EXISTING POLE  
MOUNTED LIGHT FIXTURE

EXISTING POLE  
MOUNTED LIGHT FIXTURE  
NOT IN USE

EXISTING BUILDING  
MOUNTED LIGHT FIXTURE

EXISTING POLE  
MOUNTED LIGHT FIXTURE

4 EXISTING  
PARKING SPACES

6 EXISTING  
PARKING SPACES

CONCRETE  
PAD

CONCRETE  
PAD

EXISTING  
UNDERGROUND  
GAS SERVICE

EXISTING  
UNDERGROUND  
SANITARY SERVICE

EXISTING POLE  
MOUNTED LIGHT FIXTURE

POWER POLE

OVERHEAD  
DOOR

OVERHEAD  
DOOR

OVERHEAD  
DOOR

GAS METERS

SANITARY

GAS

GAS

CURB CUT

4' SIDEWALK

150.0

150.0

49.6'

49.6'

CURB CUT

ASPHALT PAVING

VISITOR  
SPACE

EXISTING  
UNDERGROUND  
WATER SERVICE

POWER POLE

WATER

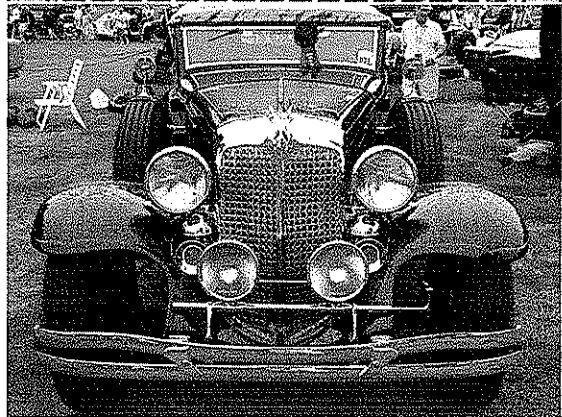
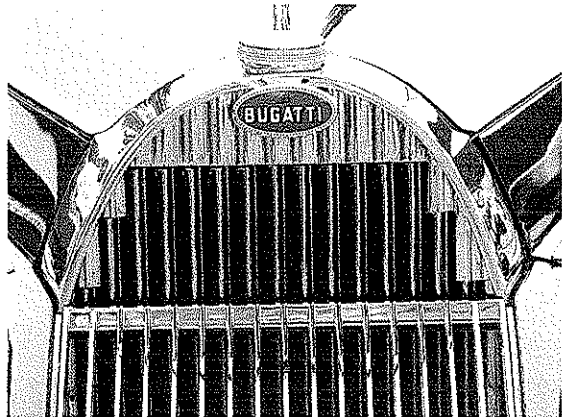
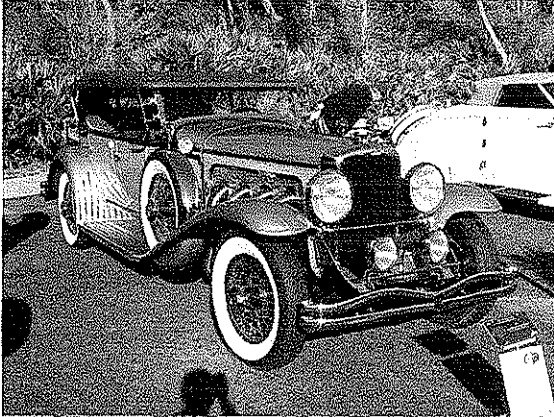
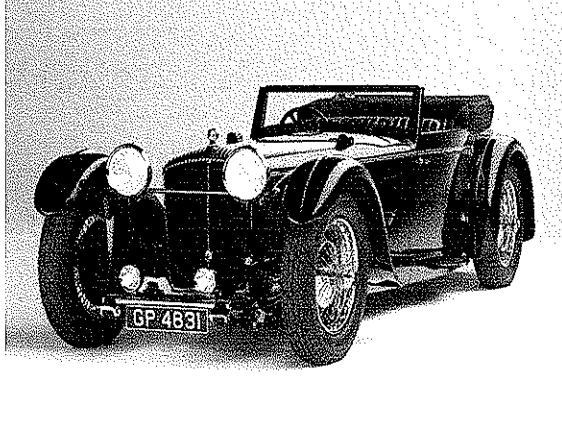
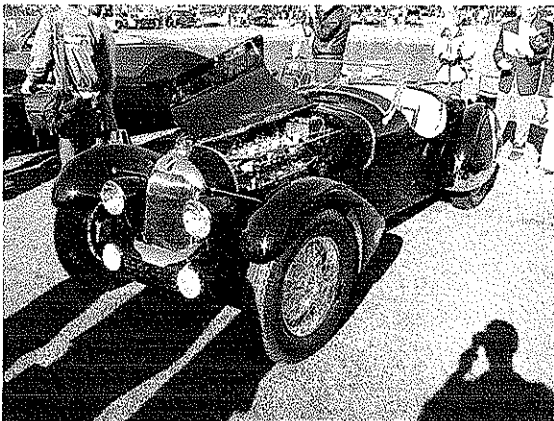
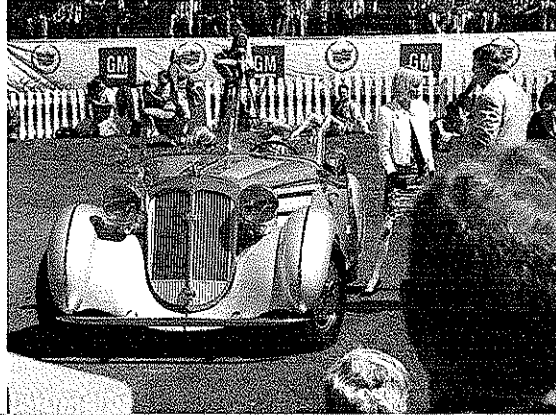
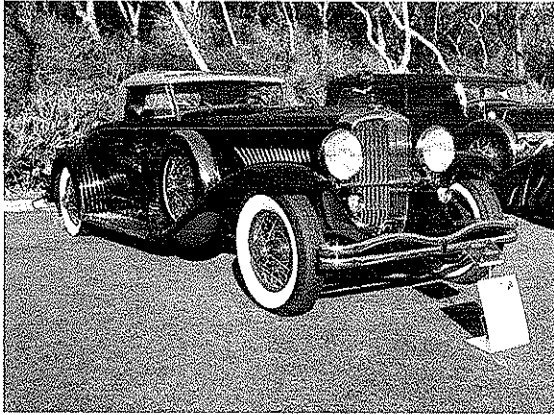
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ELEC.

ELECTRIC  
SERVICE

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**RESOLUTION No. PC 21-08**

WHEREAS, the Ohio Historical Society desires to secure capital funding from the State of Ohio for the preservation of the Miami & Erie Canal Locks located at Lockington, Ohio; and,

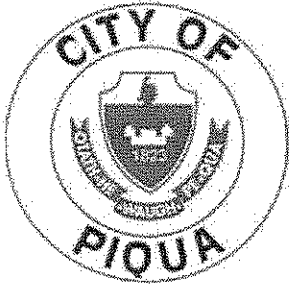
WHEREAS, the City of Piqua Comprehensive Plan identifies the preservation of local and regional historical and culturally significant attractions as being important to the economic vitality and quality of life afforded to local residents and visitors to the community;

NOW THEREFORE BE IT RESOLVED, by the City of Piqua, Miami County, Ohio Planning Commission, the majority of all members appointed thereto concurring that:

The City of Piqua Planning Commission hereby expresses its support of the Ohio Historical Society's request to the State of Ohio for capital funding for the preservation of the Miami & Erie Canal Locks located at Lockington, Ohio.

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	AYE	NAY	ABSTAIN	ABSENT
Mr. Jim Oda	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Brad Bulp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mike Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mrs. Jean Franz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Mark Spoltman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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## PLANNING AND ZONING

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Christopher W. Schmiesing – City Planner  
201 West Water Street • Piqua, Ohio 45356  
(937) 778-2049 • FAX (937) 778-5165  
E-Mail: [cschmiesing@piquaoh.org](mailto:cschmiesing@piquaoh.org)

April 25, 2008

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### \*\*\* MEETING NOTICE \*\*\*

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Please be advised that the City of Piqua Planning Commission will conduct a meeting at the time and location stated below.

TIME: **6:00 P.M.**

DATE: **Tuesday, May 6, 2008**

LOCATION: **Commission Chambers, Municipal Government Complex  
201 W. Water Street**

It has been determined by this office that you may have an interest in an agenda item that will be discussed at this meeting (see enclosed meeting agenda). To view the Planning Commission packet in its entirety, visit [http://www.piquaoh.org/agenda\\_plan\\_comm.htm](http://www.piquaoh.org/agenda_plan_comm.htm) or visit this office.

This is your opportunity to speak in favor of, or object to, the item requested. If you desire to state your opinion concerning this matter and will be unable to attend the meeting, please submit your statement in writing to this office prior to 5pm on the date of the meeting.

Please contact this office if you have any questions pertaining to this notice.

*Chris Schmiesing*

Christopher W. Schmiesing  
City Planner

Enc.

MAY 6, 2008  
 PLANNING COMMISSION  
 MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLITEN BOARD		
PC 15-08	FRY ED	1335 STRATFORD DR	PIQUA OH 45356
PC 16-08	ROWLEY RACHEL	501 BROADWAY	PIQUA OH 45356
PC 16-08	CHARLES HAROLD DALE (TR) & BONNIE J (TR)	649 W NORTH ST	PIQUA OH 45356
PC 16-08	WEBER WILLIAM M & LISA A	517 BEAR RUN	PIQUA OH 45356
PC 16-08	LEVAN LINDA D & RUTH ANN BILLING	428 GORDON ST	PIQUA OH 45356
PC 16-08	MILLER RONALD M & TINA L	604 W GREENE ST	PIQUA OH 45356
PC 16-08	MCCRARY RUTH I TRUSTEE OF RUTH I MCCRAI	423 GORDON ST	PIQUA OH 45356
PC 16-08	HECHT THOMAS L	4209 W ST RT 55	TROY OH 45373
PC 17-08	TUCKER BRENDA C	910 GORDON ST	PIQUA OH 45356
PC 17-08	RAMELMEYER MARTHA R	914 GORDON ST	PIQUA OH 45356
PC 17-08	KOLKER BILL JR	1010 MANIER AVE	PIQUA OH 45356
PC 17-08	FINLEY JERRY L & BARBARA E	6333 NEWBERRY WASH RD	PIQUA OH 45356
PC 17-08	WAGNER TAMALA K	1014 MANIER AV	PIQUA OH 45356
PC 17-08	STAMPER TERRY D & TONY D	PO BOX 339	NORTH HAMPTON OH 45349
PC 17-08	HUELSKAMP JOAN M	928 COTTAGE AV	PIQUA OH 45356
PC 17-08	RYAN MARY ANN	940 COTTAGE AVE	PIQUA OH 45356
PC 17-08	SULLENBERGER PROPERTIES	9829 N SPIKER RD	PIQUA OH 45356
PC 17-08	WARD KENNETH L & LYVONNE M	913 BOAL AV	PIQUA OH 45356
PC 17-08	BALLINGER THELMA C	911 BOAL AV	PIQUA OH 45356
PC 17-08	RUNKLE JIMMY & BABETTE	998 BOAL AVE	PIQUA OH 45356
PC 17-08	BATTEN DONNA	910 BOAL AVE	PIQUA OH 45356
PC 17-08	BUROKER STANLEY A & SHIRLEY	909 BRICE AV	PIQUA OH 45356
PC 17-08	WIEGMAN PATRICIA L	913 BRICE AVE	PIQUA OH 45356
PC 17-08	MAYSE JAMES C & KATHY A	10980 ST RT 66	PIQUA OH 45356
PC 17-08	WATREN NELSON	1309 BROOK ST	PIQUA OH 45356
PC 17-08	MOORE JASON M	809 MCKINLEY AVE	PIQUA OH 45356
PC 17-08	GARBIG ROBERT L & JULIA M	811 MCKINLEY AV	PIQUA OH 45356
PC 17-08	TAYLOR HELEN MARIE	1620 MANIER	PIQUA OH 45356
PC 17-08	RAY MICHAEL LEE & REVA	1600 MANIER AVE	PIQUA OH 45356
PC 17-08	HEARN JUDITH K	910 WILSON AVE	PIQUA OH 45356
PC 17-08	QUAFISI PAOLINA T	908 WILSON AVE	PIQUA OH 45356
PC 17-08	ROTH WENDY E	935 WILSON AV	PIQUA OH 45356
PC 17-08	GAYNOR JOHN E	937 WILSON AV	PIQUA OH 45356
PC 17-08	WILLIAMSON PATRICIA A C/O LAMPE PATRICIA	939 WILSON AV	PIQUA OH 45356
PC 17-08	FOGT NORMA J (TOD) @ (2)	1500 MANIER AVE	PIQUA OH 45356
PC 17-08	WARD RHONDA F	910 BLAINE AVE	PIQUA OH 45356
PC 17-08	TOBE WANDA K	908 BLAINE AV	PIQUA OH 45356
PC 17-08	HOMAN CHRISTIAN J	730 E WALNUT ST	COVINGTON OH 45318
PC 17-08	SHERRY MICHAEL I	1808 CARLYLE DR	PIQUA OH 45356
PC 17-08	LORD SAMMY D	1410 MANIER ST	PIQUA OH 45356
PC 17-08	BELL ANTOINETTEE L	930 LINDEN	PIQUA OH 45356
PC 17-08	HUBER DUSTIN & JENNIFER M CATRON	924 LINDEN AV	PIQUA OH 45356
PC 17-08	NASH ALMEDA	920 LINDEN	PIQUA OH 45356
PC 17-08	VEEN GORDON D & MARY I	1310 MANIER AVE	PIQUA OH 45356
PC 17-08	TRON DARRELL G & JUDY L	1312 MANIER AVE	PIQUA OH 45356
PC 17-08	SHAWLER RAYMOND F	1314 MANIER AVE	PIQUA OH 45356
PC 17-08	BEISNER ALAN E & KARRY K	1316 MANIER AVE	PIQUA OH 45356
PC 17-08	SCHLATTER TIMOTHY W & ROBIN L	914 MANIER AV	PIQUA OH 45356
PC 17-08	PITTMAN THELMA M (LC) %TAMARA OSTENDO	915 GORDON ST	PIQUA OH 45356
PC 17-08	KISER SHIRLEY M	917 MANIER	PIQUA OH 45356
PC 17-08	SHOLLENBERGER MICHAEL & SANDRA	516 W ASH ST	PIQUA OH 45356

MAY 6, 2008  
 PLANNING COMMISSION  
 MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
PC 17-08	WILSON JEANIE L	911 MANIER AV	PIQUA OH 45356
PC 17-08	WOODDELL MARK D	904 MCKINLEY AV	PIQUA OH 45356
PC 17-08	HIEGEL JAMES A	1006 S GORDON ST	PIQUA OH 45356
PC 18-08	SCARBROUGH LIMITED PARTNERSHIP	PO BOX 605	PIQUA OH 45356
PC 18-08	CHANEY GRAEF POST #4874 VFW	P O BOX 572	PIQUA OH 45356
PC 18-08	SHERTEL COMPANY	P O BOX 742	PIQUA OH 45356
PC 18-08	FINKES BUILDING COMPANY, LTD	8767 SHERRY DR	PIQUA OH 45356
PC 18-08	KFLP PROPERTIES, INC.	1190 CR 25-A	TROY OH 45373
PC 19-08	SULLENBERGER RENTALS LLC	9829 N SPIKER RD	PIQUA OH 45356
PC 19-08	WARD CHRISTINA L @(4)	1106 SCUDDER ST	PIQUA OH 45356
PC 19-08	ROOT MICHAEL R & CYNTHIA M	1104 SCUDDER ST	PIQUA OH 45356
PC 19-08	MCCOY JOHN D JR	608 GILL ST	PIQUA OH 45356
PC 20-08	ANGLE ANTHONY W KRISTY YVONNE	1309 SOUTH ST	PIQUA OH 45356
PC 20-08	RFC RENTALS LLC	8163 W SUGAR GROVE RD	COVINGTON OH 45318
PC 20-08	SEIPEL RICKEY L & KAREN L	341 ELLERMAN ST	PIQUA OH 45356
PC 20-08	DAYTON POWER & LIGHT CO %VECTREN ENER	ONE VECTREN SQ PO BX 209	EVANSVILLE IN 47702-0209
PC 20-08	FILBURN RYAN	1311 SOUTH ST	PIQUA OH 45356
ENTIRE PACKET TO:			
	FRED ENDERLE	INTER-OFFICE MAIL	
	CHRIS SCHMIESING	INTER-OFFICE MAIL	
	PLANNING COMMISSION	REGULAR MAIL	
E-MEETING NOTICE TO:			
	AMY WELKER	EMAIL	
	CHRIS BOEKE	EMAIL	
	CITY COMISSION	EMAIL	
	DEAN BURCH	EMAIL	
	DEBBIE STEIN	EMAIL	
	FRED ENDERLE	EMAIL	
	HARRY BUMGARNER	EMAIL	
	LORNA SWISHER	EMAIL	
	MARTIN KIM	EMAIL	
	STACY WALL	EMAIL	
	TOM ZECHMAN	EMAIL	
	WAYNE WILLCOX	EMAIL	
	PIQUA DAILY CALL	EMAIL	
	DAYTON DAILY NEWS	EMAIL	
	WPTW	EMAIL	
	PIQUA TV5	EMAIL	