

**PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, JULY 1, 2008
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS - 201 W. WATER STREET**

CALL TO ORDER

- | | |
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| 1. Chair Comments | Opening Remarks |
| 2. Roll Call | Clerk Calls the Roll |

OLD BUSINESS

- | | |
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| 3. Meeting Minutes | Adoption of June 3, Meeting Minutes |
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NEW BUSINESS

- | | |
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| 4. Resolution PC 33-08 | A request to permit the reconstruction of a one-family detached dwelling unit with nonstandard use conditions (front yard setback and lot frontage), said dwelling unit to be located at 1007 Maple Street. |
| 5. Resolution PC 34-08 | A request to permit the enlargement and reconstruction of a nonconforming private garage with a nonstandard use condition (front yard setback), said private garage to be located on Inlot 8916 on Echo Lake Drive. |
| 6. Resolution PC 35-08 | A request to permit a multi-family dwelling unit special use of an existing structure with nonstandard use conditions (lot area, setbacks, and screening), said structure located at 8470 N. County Road 25-A. |
| 7. Resolution PC 36-08 | A request to amend the zoning chapter of the codified ordinances to modify the code provisions pertaining to minimum side yard setback requirements for temporary and permanent freestanding (detached) signs. |

OTHER BUSINESS

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

- | | |
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| 9. Adjournment | Adjourn session |
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TUESDAY, JUNE 3, 2008 - 6:00 P.M.
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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, Mike Taylor, Jim Oda, Jean Franz, and
Brad Bubp

Members Absent: None

Staff Members: Chris Schmiesing, Becky Cool

Attendees: Catherine Large, Bill Kennedy, Kirsten Sher, Tim Reed,
Vicki Reed, Jim Hiegel, Mike Streib, Russ Lawson, Rick
Rouse, Gary Lensch.

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the May 6, 2008 meeting minutes included in the agenda packet. Commissioner Oda motioned to approve the May 6, 2008 meeting minutes as submitted and Commissioner Franz seconded the motion. Mr. Bubp, Aye; Mrs. Franz, Aye; Mr. Spoltman, Aye; Mr. Oda, and Mr. Taylor, Aye. A roll call vote resulted in a 5-0 vote in supporting the motion to approve the meeting minutes as submitted.

OLD BUSINESS

None

NEW BUSINESS

1. PC 22-08

A request to permit an Elderly Housing Facility special use, said use to be located at 324 W. Ash Street.

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Mr. Schmiesing stated the proposed use is to convert the use of the structure to a Non-Medical Elderly Facility Housing Facility in accordance with State of Ohio Adult Care Facility requirements found in Section 3722 of the Ohio Revised Code.

Mr. Schmiesing explained the existing dwelling unit use of the premises is a principal permitted use. The proposed Elderly Housing Facility is a special use in the R-2 district. The premise has previously been used for similar use activities. The proposed use activity is described as being a "Non-Medical" facility, meaning skilled nursing services will not be provided and residents will be able to care for themselves with little or no assistance. Before it can be converted the applicant will be required to have the building inspector inspect the premises. The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a special use permit. The proposed use will not alter the architecture or character of the existing improvements, nor will it affect any existing nonstandard use conditions found at this location.

Russ Lawson 324 W. Ash Street, applicant approached the lectern and explained it will not be a nursing home, they will have individual suites, and it will be upscale in nature. No medical care will be given, just support will be offered at the home. There will be no changes to the community in a negative way, said Mr. Lawson.

Mr. Spoltman asked how many tenants would they accommodate and would they have automobiles? Mr. Lawson responded stating they expect to have six elderly residents, and do not anticipate a large number of cars. Mrs. Franz inquired if all the rooms would be on the second floor? Mr. Lawson stated yes, and the residents must all be mobile to live there. Mr. Lawson further stated it is possible they may add an elevator at a later date.

Mr. Oda inquired as to the meal preparation. Mr. Lawson stated meals would be prepared for the residents along with snacks on a daily basis. Mr. Spoltman asked if there is a minimum age to become a resident. Mr. Lawson stated residents must be over eighteen years of age with no physical or mental disabilities. Mr. Taylor asked what happens when a resident becomes ill and is unable to care for themselves? Mr. Lawson replied the resident can stay for a limited time, but then must move to a medical facility.

No other persons came forward to speak for or against the resolution.

Mr. Schmiesing advised the commission he had received one telephone call from an adjacent property owner concerned by the Adult Day Care

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Facility description and whether it would include mentally disabled individuals.

Mr. Oda moved to approve the request to grant the Elderly Housing Facility Special Use, as it has met all the criteria as presented by staff. Mrs. Franz seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; and Mrs. Franz, Aye; Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote in supporting the motion to approve the request for the Elderly Housing Facility Special Use.

2. PC 23-08

A request to permit a Building Services special use, said use to be located at 212 Steele Street

Mr. Schmiesing stated the existing warehouse use of the premises is a nonconforming use. The proposed fabrication shop use is one that is similar to the principal uses permitted in the B Zoning district, in particular the Building Services use. It is not anticipated the proposed use will generate a significant volume of traffic, off-street parking demands, noise, odors, or any other objectionable conditions. The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a special use permit. The property is situated in a transitional area that is surrounded by commercial, industrial and residential use types. Thus, the proposed use will be compatible with the surrounding use development types.

Mr. Schmiesing stated he received a letter from the property owner offering his support for the request.

Rick Rouse, 1609 Echo Lake Drive, applicant, approached the lectern and gave a brief overview of his business, and the reason for his request for the Special Use Permit. Several of the Commissioner's asked questions concerning the hours of operation, types of equipment being used, and if any of the by-products were toxic? Mr. Rouse explained his hours of operation would be flexible, but would be 7:00 a.m. - 5:30 p.m. most days. The type of equipment he would be using includes band saws, sanders, mills, lathes, dust collectors, and a jointer. Mr. Rouse indicated the materials used are not toxic. Mr. Schmiesing asked what type of shipments would the business receive, and would there be a lot of truck traffic coming into the business. Mr. Rouse stated he would be receiving wood boards in twelve to sixteen foot lengths as needed, and there would not be any truck traffic. Mr. Spoltman asked if there would be any permanent parking of vehicles at the business? Mr. Rouse stated no.

No other persons came forward to speak for or against the Resolution.

Mr. Taylor moved to approve the request and Mr. Oda seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz,

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Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the request.

3. PC 24-08

A request to permit a Used Oil Services special use, said use to be located at 1400 S. Main Street.

Mr. Schmiesing explained the existing contractor office/shop use of the premises is a principal permitted use. The proposed used oil storage and distribution use is one that is similar to the principal uses permitted in the I-1 and I-2 Zoning districts, in particular the Transportation Terminal use. The proposed improvements to the site include the installation of 3 - 20,000 gallon storage tanks complete with secondary containment provisions. Staff recommends that a landscape plan be put into place along the front and side lot lines to partially screen the use of the site from view, and to enhance the overall appearance of the property given its location on an entrance corridor into the community.

Mr. Oda inquired if the Ohio EPA agency would be involved in the operation?

Bill Kennedy, Safety and Regulatory Compliance Director for RS Used Oil Services, Inc. applicant, 25903 S. Ridgeland Avenue, Monee, Illinois came to the lectern to speak on behalf of the resolution.

Mr. Kennedy stated yes, the Ohio EPA has to sign off on this, and gave a brief explanation of the use of the property. RS has been in business for over 28 years and has 13 current locations from Illinois to Texas, Nebraska to Ohio. Collecting and recycling use motor oils from a vast customer base such as Jiffy Lube, JB Hunt, etc. The collection truck departs each morning to make collections and arrives back at the facility to transfer the oil into storage tanks located inside secondary containment. These tanks are capable of holding over 110 % of the largest tank volume. Once the storage tanks are filled, transport tankers remove the product for distribution to an end user. All of our operations comply with State, Federal and Local Environmental regulations, said Mr. Kennedy. The loading and unloading of the oil trucks would all be done inside the building.

Mr. Spoltman inquired as to where the tanks would be located on the property. Mr. Schmiesing stated for the record Mr. Kennedy's drawing of the area shows the storage tanks being located behind the steel building in the southwest corner of the property.

Commissioner's asked several questions concerning fire suppression, liability insurance, aesthetics of the tanks, and what happens when the business is no longer in existence? Mr. Kennedy answered all questions.

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Commissioner Franz asked Mr. Kennedy to explain the process of loading and unloading of the oil between trucks and tanks. Mr. Kennedy explained the process for loading and unloading the oil. Mrs. Franz asked if the property owner would fix up the property once they moved onto the property, citing it is on an entrance into the city. Mr. Kennedy stated that is something they plan on doing after receiving approval from the city, citing all their properties are very clean. Mrs. Franz asked if Mr. Kennedy would be agreeable to the landscaping proposed. Mr. Kennedy stated he would be willing to look at what the city has asked us to do. Mr. Bulp asked what is under the tanks, and if the tanks are normally full before being emptied. Mr. Kennedy explained there is a cement pad under the tanks and the tanks are usually full before being emptied. Mr. Spoltman asked if there would be multi-compartment tanks or three separate tanks? Mr. Kennedy explained the use of the various tanks and the reason for them.

Mr. Taylor inquired if there would be security on the site at night? Mr. Kennedy explained there is no need for security of the tanks, all of the operations of the tanks are located inside the building.

Mr. Schmiesing asked if RS would be using the old truck dock building, citing both of the buildings are located on the same tract of land, and asked if RS would have offices on site. Mr. Kennedy stated they would only be using the steel storage building, and they do not have offices on site. There could be a shared parking situation if the other building were to be leased at a future date, said Mr. Schmiesing. Mr. Kennedy stated that they do this at other locations now.

Mr. Schmiesing made reference to the location of the lot line at the Bassett Avenue frontage along the rear of the lot, and stated there is a twenty-five foot front setback required. Mr. Schmiesing stated the Planning Commission could proceed with this request with the setbacks as they are provided the setback requirement is expressly modified by the Planning Commission as part of the approval granted. There was discussion concerning the setback.

Larry Kinnison, owner of 1430 Bassett Avenue, voiced his concern over whether the side street would be paved, citing it will be difficult to drive trucks over. Mr. Kinnison asked to review the area in question and asked several questions.

Mr. Spoltman inquired if the Fire Department would review the location of the fire hydrants? Mr. Schmiesing stated the Fire Department is part of the review team and has already previously reviewed the project with no concerns noted. Mr. Kinnison voiced his concern about a water line running through the property near Bassett Avenue.

Mr. Taylor asked if the tanks couldn't go back in the rear what would happen? Mr. Schmiesing stated if the plans were significantly altered

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from what is approved by this body, they would have to come back to the board for approval.

Mr. Oda moved to approve with reference to staff's analysis of the code criteria, the resolution with the condition that a landscaping plan be provided, and a zero front setback from Bassett Avenue be allowed. Mrs. Franz seconded the motion as stated. Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote in approving the resolution as stated.

4. PC 25-08

A request to permit the alteration of a nonstandard lot to allow the construction of a one-family dwelling unit principal use structure to be constructed on Inlot 2889 located on Cottage Avenue.

Mr. Schmiesing described the request noting it is for a one-family dwelling unit, private garage, and gravel driveway. This would permit the alteration of a nonstandard lot to allow the construction of a one-family dwelling unit. The proposed development includes a gravel driveway in a side yard, and gravel driveways are only permitted in a rear yard. The proposed front and rear yard setbacks do not comply with the established setback requirements.

The development of this lot with the proposed one-family dwelling unit use would be a positive thing for the neighborhood, if the architecture, orientation, and placement of the proposed improvements are sensitive to the established character of the neighborhood.

There was discussion concerning the front and side yards, and what determines the front and side yard location, and the gravel driveway. Mrs. Franz asked if any of the neighbors had made any comments? Mr. Schmiesing stated he had heard nothing from the neighbors in regards to this resolution. Mr. Franz stated she would not object to the five-foot rear yard setback. Mr. Oda also stated he did not have problem with the setback.

Dale Sink, 6510 N. Rakestraw Road, Covington, applicant approached the lectern and explained why the house is being placed on the property this way.

Commissioners voiced various concerns on the setbacks from Cottage Avenue, and the various sizes of the other homes in the area.

Mrs. Franz inquired if the trees would be saved that are on the lot at this time. Mr. Sink stated the owner would like to save the trees if possible.

Jim Hiegel, Gordon Street, voiced his opinion on the location of the house on the lot, and stated he would like to recommend they set the

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house at least three feet higher from the street in case of a rain event like we had previously that flooded the area.

Mike Streib, proposed owner, explained the reason for sitting the house the way it is shown noting there are several trees located there, and the neighbors have a bow window he does not want to block.

Mrs. Franz moved to recommend approval of the request. Mr. Bulp seconded the motion. Mr. Oda, Aye; Mr. Bulp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay. None. A roll call vote resulted in a 5-0 vote in supporting the motion to approve the request.

Mr. Spoltman and Mr. Oda stated they both felt the placement of the house on the lot was ok and explained the reason for going against the staff recommendation at this time. Mr. Spoltman thanked Mr. Schmiesing

5. PC 26-08

A request to permit the reconstruction of an accessory structure with nonstandard use conditions, said use located at 1207 Gordon Street.

Mr. Schmiesing explained the applicant is proposing a detached private garage. The existing lot is a nonstandard lot. The proposed 24 foot by 16 foot garage will have a side yard setback of less than the three foot code would require to the south side lot line. The current gravel driveway is zero feet from the same side lot line. In fact, it extends beyond the lot line and appears to be shared with the neighboring property.

Pat Kaiser, 7139 Rangeline Road, Covington, came to the lectern to explain the setup of the garage and the reason for the request.

There was discussion of the possibility of moving the garage back approximately several feet to increase the setback to the lot line. Mr. Kaiser stated there is not a lot of room to move the garage over. Mr. Schmiesing stated maintaining a one and one-half foot setback would keep the garage door in line with the driveway.

Cathy Large, 1207 Gordon Street, property owner explained the reason for the request to put the garage back where it was, citing it was not on the property line to begin with. Mr. Schmiesing asked how Mrs. Large knew where the physical property line is? Mrs. Large explained a physical survey had been done previously before putting the fence up. Mr. Bulp asked Mrs. Large if we approve this with one and one-half foot setback off the property line you would be ok with this? Mrs. Large stated yes, that she would be ok with that. Mr. Bulp stated he

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felt it would be a good idea to get a survey done to make sure the physical markers are there.

Mr. Schmiesing stated there would be a permit review, and footer and setback inspection and they would be looking for a physical survey marker to reference.

Jim Hiegel, Gordon Street, stated Mrs. Large is a good neighbor and felt it would be a hard for her to have to move the garage three feet at this time, and voiced his approval of the one and one-half foot move.

Mr. Spoltman stated he felt the board had addressed the setback issue at this time and asked for a motion.

Mr. Bubp moved to recommend approval of the request with the condition the garage have a one and one-half foot minimum setback to the south lot line. Mr. Taylor seconded the motion. Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye and Mr. Spoltman, Aye. Nay, None. The roll call vote resulted in a 5-0 vote in favor of approving the resolution with the noted conditions.

6. PC 27-08

A request to permit the enlargement of an existing principal structure with a nonstandard use conditions, said use located at 610 S. Downing Street.

Mr. Schmiesing stated the request is to permit the alteration of a nonstandard lot to allow for the construction of an attached front porch. The existing lot is nonstandard. The proposed 6-foot by 17 foot 3 inch porch will have side yard setbacks of less than the six feet the code requires.

No one came forward to speak for or against this resolution.

Mr. Bubp moved to approve the request as amended. Mrs. Franz seconded the motion as is. Roll call, Mr. Oda, Aye; Mr. Bubp, Aye; Mrs. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. Roll call vote resulted in a 5-0 vote to approve the resolution as is.

7. PC 28-08

A request to permit the alteration of a nonstandard lot to allow the construction of a one family dwelling unit principal use structure, said lot being Inlot 3905 located on Orr Street.

Mr. Schmiesing stated the proposed use is to permit a one-family dwelling unit, and driveway. The existing platted lot is generally equal in depth and width to the dimensions of the lots found in the area. The front entrance to the proposed dwelling unit will be oriented towards the Orr Street frontage with the driveway and off

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street parking to be entered from the alley located along the west lot line.

Mr. Oda inquired as to the design of the house?

Jerry Lensch, Habitat for Humanity, explained the type of house that is to be built on the property. Several questions were asked including if it would be a single story home with a front porch and the concern for the need for storage. Mr. Lensch answered all the concerns.

Mr. Schmiesing stated he was intrigued about comment of having a larger front porch and encouraged the board to require the porches to be included in the designs.

Mrs. Franz moved to approve the request with the stipulation the house plan include a front porch, Mr. Oda seconded the motion. Roll call, Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye; Nay, None. A roll call vote resulted in a 5-0 vote to approve the request with the stipulation the house plan include a front porch.

8. PC 29-08

A request to permit the alteration of a nonstandard lot to allow the construction of a one family dwelling unit principal use structure, said lot being Inlot 3906 located on Orr Street

Mr. Schmiesing stated this is the same as PC 28-08 except it is located on the corner lot.

Mr. Lensch stated it is a corner lot and they are requesting a variance to the setback requirements. This house will have a long full front porch, said Mr. Lensch.

Mr. Schmiesing stated he would like to acknowledge the work that Habitat for Humanity does, and express appreciation for their mission and what they are trying to accomplish. Mr. Schmiesing expressed appreciation for Habitat's willingness to add the front porch and encouraged Habitat to take any reasonable measures available to add some character to the architecture of the homes they build.

Mr. Oda moved to recommend the approval of the request with the condition that a porch be included. Mr. Bubp seconded the motion as stated. Roll call, Mr. Oda, Aye; Mr. Bubp, Aye, Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the request with the condition that a front porch be included.

9. PC-30-08

A proposal to amend the zoning chapter of the codified ordinances to modify code provisions pertaining to the allowable height, area, and location for an accessory structure.

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Mr. Schmiesing handed out updated versions to the Board and went over the changes that were made, which are shown in the red on the handouts.

Mr. Spoltman stated this is a great thing, and fits in with what the community wants to do.

Mr. Oda moved to recommend the approval of the resolution with the updated information presented at this meeting. Mrs. Franz seconded by motion as stated. Roll call, Mr. Oda, Aye; Mrs. Bubp, Aye, Mr. Taylor, Aye, Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A roll call vote resulted in a 5-0 vote to approve the resolution with the updated information presented at this meeting.

10. PC 31-08

A proposal to amend the zoning chapter of the codified ordinances to modify code provisions pertaining to allowable number, area, and type of signs for a special event.

Mr. Schmiesing explained the need and nature of the proposed revisions and handed out an updated copy with the revisions shown in red.

Mr. Bubp moved to recommend the approval of the resolution with reference to the updated handout provided at this meeting. Mr. Oda seconded the motion as stated. Roll call, Mr. Oda, Aye; Mr. Bubp, Aye, Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. A roll call vote resulted in a 5-0 vote to approve the resolution.

11. PC 32-08

A proposal to amend the zoning chapter of the codified ordinance to modify the code provisions pertaining to minimum permit requirements and restoration standards for demolition projects.

Mr. Schmiesing passed out an updated copy of the proposed amendments to the zoning code and explained the changes with reference to the updates provided.

Mr. Oda moved to approve the resolution. Mr. Taylor seconded the motion. Roll call, Mr. Oda, Aye; Mr. Bubp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. A roll call vote resulted in a 5-0 vote to approve the resolution.

OTHER BUSINESS

12. 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.

Mr. Schmiesing provided an overview of the methodology and timeframe for the demolition of the old Piqua Memorial Hospital buildings.

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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 8:37p.m.

RESOLUTION No. PC 33-08

WHEREAS, Angler Construction, on behalf of the owner of the subject parcel, has submitted a request to permit the reconstruction of a one-family detached dwelling unit with nonstandard use conditions (front yard setback and lot frontage), said dwelling unit to be located at 1007 Maple Street; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances states that a special use permit may issued to allow the issuance of a building permit to permit the reconstruction of a premises which constitutes a nonstandard use and describes three criteria in addition to the special use criteria that shall be considered; and,

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

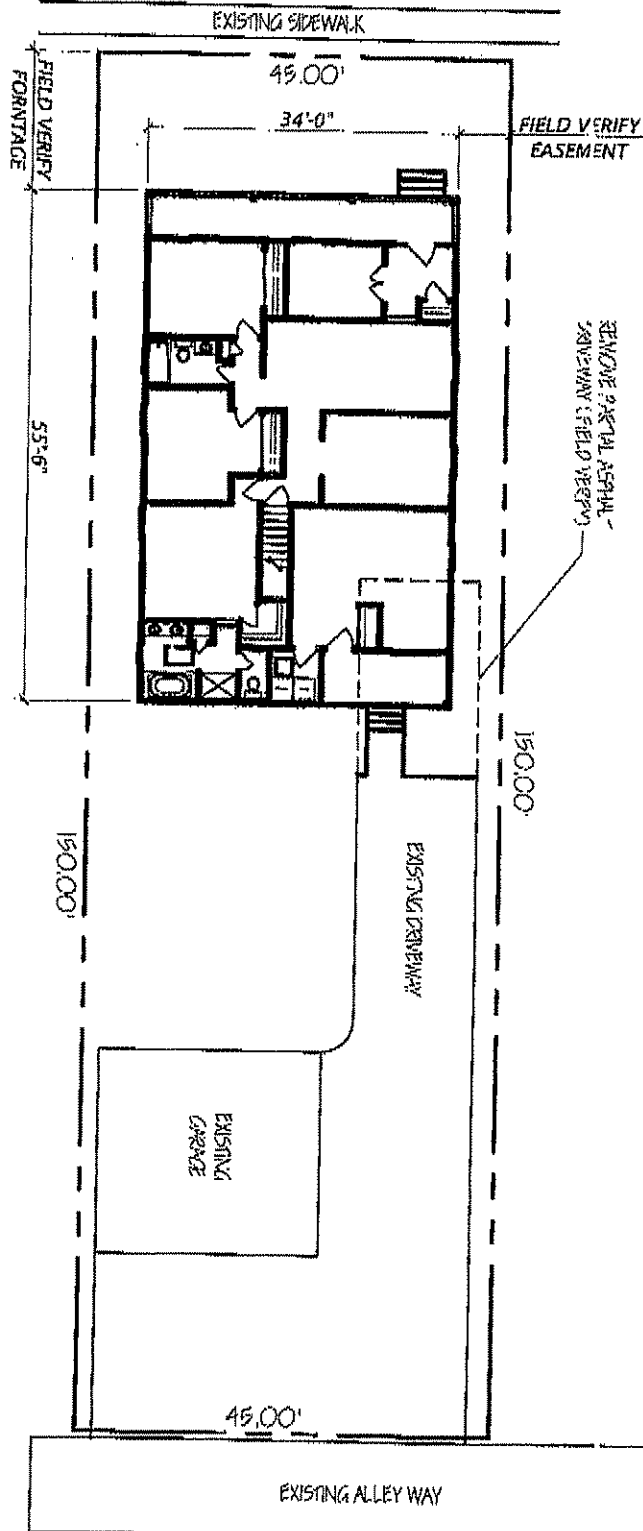
WHEREAS, the Planning Commission has studied the request, conducted a public hearing on the matter, and has given specific consideration to the criteria to be considered prior to acting on a special use request,

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 herby 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"/>

MAPLE STREET

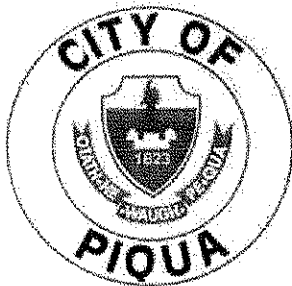
3



SITE PLAN
SCALE: 1/8"=1'-0"

THIS PLAN IS THE PROPERTY OF THE DRAFTER AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE DRAFTER. THE DRAFTER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING ALL DIMENSIONS AND CONDITIONS IN THE FIELD. THE DRAFTER'S OFFICE IS NOT RESPONSIBLE FOR ANY CHANGES OR MODIFICATIONS TO THIS PLAN AFTER IT HAS BEEN ISSUED.

<p>POINT TO POINT DRAFTING SERVICES</p>	<p>• FLOOR PLANS • MECHANICAL LAYOUTS • SITE LAYOUTS</p>	<p>• 3D CAD MODELS • 3D RENDERING • 3D ANIMATION</p>	<p>PROJECT: LARISSA REAVIS 1007 MAPLE STREET PIQUA, OHIO 45323</p>	<p>DATE: 08-08-2018 DRAWN BY: JAVIER MANGON</p>	<p>SCALE: 1/8"=1'-0"</p>	<p>SHEET NUMBER: 1 OF 1</p>
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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: June 20, 2008
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: PC Resolution 33-08

GENERAL INFORMATION

Applicant: Angler Construction
Owner: Larrisa J Reaves
Location: Inlot 4873
Zoning: R-1 One-family Residential
Land Use
Existing: One-family dwelling unit (destroyed by explosion); private garage; gravel driveway
Proposed: One-family dwelling unit; private garage; gravel driveway
Request: To permit the reconstruction of a one-family dwelling unit.

DISCUSSION/FINDINGS

The lot was occupied by a one-family dwelling unit up until it was involuntarily destroyed by a recent explosion. The neighborhood is built out and the existing and proposed gravel drive, private garage and one-family dwelling unit improvements are compatible and consistent with the existing improvements found in this neighborhood. As with most of the lots and structures found in this neighborhood, the lot frontage and front yard setbacks are nonstandard.

The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a permit to allow the reconstruction alteration of nonstandard lot. 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.

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

Staff Analysis: The size and orientation of the proposed improvements will be consistent and compatible with the established character of the neighborhood.

STAFF REPORT

Date: June 20, 2008
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Page 2

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

Staff Analysis: The previous improvements were involuntary destroyed. Hence, denying the applicant the opportunity to rebuild at this location would cause a significant hardship in this particular case.

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

Staff Analysis: A one-family dwelling unit use is permissible as a principal permitted use in this district and consistent and compatible with the surrounding uses.

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 be harmonious with the surrounding properties.

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

Staff Analysis: The development and/or redevelopment 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 and will be subject to the zoning and building permit review process.

COMPREHENSIVE PLAN

This proposal is consistent with the goal, principles, objectives and strategies described in the Land Use, Redevelopment, Hosing, and Economic Development chapters of the Comprehensive Plan. In particular, the utilization of an existing platted lot for residential infill development in an established neighborhood already serviced by developed infrastructure.

CONCLUSION

The redevelopment of this lot with the proposed one-family dwelling unit use will have a positive impact on the neighborhood. The proposed setbacks and structure type are typical of the structures and setbacks found in this neighborhood.

RECOMMENDATION

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

RESOLUTION No. PC 34-08

WHEREAS, Ron Chalmers, owner of the subject parcel, has submitted a request to permit the enlargement and reconstruction of a nonconforming private garage with a nonstandard use condition (front yard setback), said private garage to be located on Inlot 8916 on Echo Lake Drive; and,

WHEREAS, section 154.063 of the City of Piqua Code of Ordinances states that a special use permit may issued to allow the issuance of a building permit to permit the enlargements and or reconstruction of a premises which constitutes a nonconforming use and describes three criteria in addition to the special use criteria that shall be considered; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances states that a special use permit may issued to allow the issuance of a building permit to permit the enlargements and or reconstruction of a premises which constitutes a nonstandard use and describes three criteria in addition to the special use criteria that shall be considered; 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 given specific consideration to the criteria to be considered prior to acting on a special use request,

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 herby recorded as follows.

	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"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name RON Chalmers Phone 773 0005
Applicant's Address 1500 Echo Lake Dr
- 2. Owner's Name Same Phone Same
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) _____
B. Address IN LOT 8916
- 5. Existing zoning R1-A
- 6. Existing usage Private garage
- 7. Proposed usage Private garage
- 8. Proposed special usage antique auto storage
- 9. No. of plot plans submitted (16 required UNLESS waived) _____

10. Describe the reason for the requested special use:

reconstruction / in large ment of existing
no standard use

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 Ron Chalmers Date 6-10-08

Signature of Owner Ron Chalmers Date 6-10-08

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

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

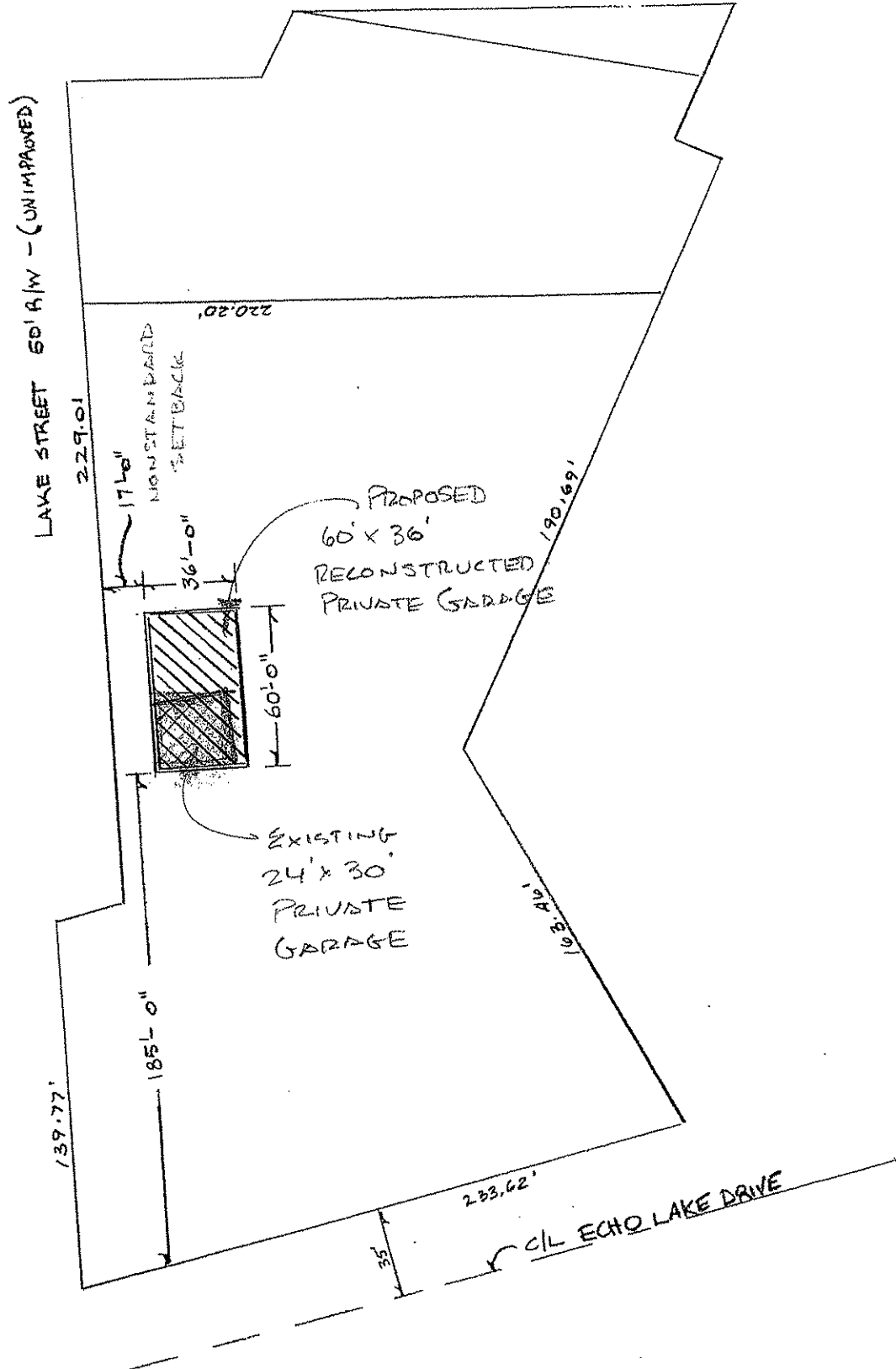
\$ 75⁰⁰ PER ES

\$100.00 Fee Paid 75⁰⁰

Date Fee Paid 6.10.08

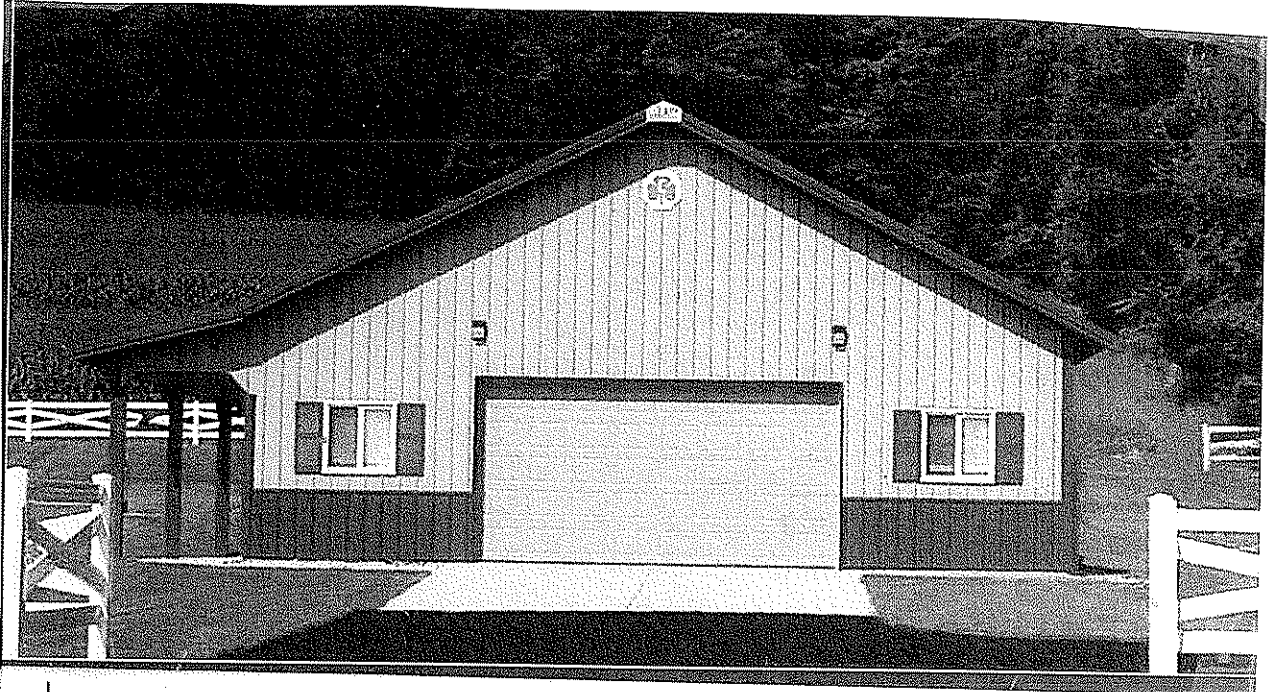
Receipt No. 180341

P.C. Res. No. _____



JAMES RONALD CHALMEAS
 IN LOT 6916 PROPOSED 36' x 60' GARAGE

Front View



Side View



36' x 60'

PROPOSED FUTURE DEVELOPMENT



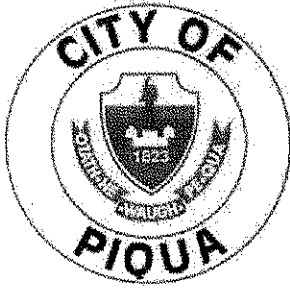
McMaken Lot 1

McMaken Lot 2

McMaken Lot 3

Chalmers Lot 2


House APPROX. 1800 SQ. FT.



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: June 20, 2008
To: Planning Commission Members
From: Chris Schmiesing, City Planner 
Subject: PC Resolution 34-08

GENERAL INFORMATION

Applicant: Ron Chalmers
Owner: Ron Chalmers
Location: Inlot 8916
Zoning: R-1 One-family Residential
Land Use
Existing: Nonconforming and nonstandard private garage; gravel driveway
Proposed: Nonconforming and nonstandard private garage; gravel driveway
Request: To permit the enlargement and reconstruction a nonconforming and nonstandard private garage.

DISCUSSION/FINDINGS

The subject parcel is 1.451 acres and perched atop a retaining wall along side an incline in the Echo Lake Drive roadway. The parcel is mostly covered by mature trees and other vegetation with a small clearing a fair distance back from the roadway where an existing 24' by 30' private garage is situated. The propose 36' by 60' private garage would be situated so the northwest corner of the building matches the existing structure location with the enlargement extending to the south and east, or towards the interior of the lot. The existing nonstandard 17'-0" setback to the north lot line will remain unchanged. To the north of the north lot line lies and unimproved portion of Lake Street right of way that is land lock – with no connectivity to any existing street right of way - and very unlikely to be developed as currently platted. The proposed structure will be stick frame construction on a footing/foundation and concrete slab, with the exterior sides and roofs to be covered with a steel siding/roofing material.

The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a permit to allow the reconstruction alteration of nonstandard lot. 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 REPORT

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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: The size of the structure will well exceed what is typical in this neighborhood, although the area is somewhat a transitional area between the urban and rural environment and other examples of large oversized accessory structures can be found in the immediate vicinity. Likewise, the lot area is unusually large compared to the area of a typical lot in this zoning district, and in fact is more than 10 times the area required for this zoning designation. Hence, the oversized nature of the proposed structure will hardly have a noticeable impact on the density of the development found in this neighborhood.

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

Staff Analysis: The owner currently enjoys a nonconforming private garage use of the existing improvements found at this location. With the focus of the request being the size of the structure and the applicant's desire to increase available storage area, one could make a reasonable case that denial of this application would create hardships that would not otherwise exist if the structure were permitted.

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

Staff Analysis: The private garage use is permissible accessory to a principal permitted use in this district. However, because no principal use exists on this lot, the use is currently classified as nonconforming. Beyond the use status, the private garage use is a use typically found in this district and is consistent and compatible with the surrounding uses.

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 and the use thereof is very unlikely to negatively affect the surrounding properties.

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

Staff Analysis: The development and/or redevelopment 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 nonconforming and nonstandard use conditions this development includes, the information presented conforms to all other applicable codes and regulations of the city and will be subject to the zoning and building permit review process.

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Date: June 20, 2008
Subject: PC Resolution 34-08

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COMPREHENSIVE PLAN

This proposal is mostly consistent with the goal, principles, objectives and strategies described in the Land Use, Redevelopment, and Economic Development chapters of the Comprehensive Plan. However, the compatibility of the steel siding and roofing materials does raise some concern. While other barn like structures can be found in the vicinity of this parcel, those structures were "original" to the development of this area and retain the character and charm of a structure from an era gone by.

CONCLUSION

The secluded nature and size of this lot, given its elevation above the roadway, the many trees and bushes covering the land, and the abundance of acreage, along with the placement of the proposed structure being well off of the roadway, will render the size and finish materials of this structure virtually invisible to the surrounding properties.

RECOMMENDATION

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

RESOLUTION No. PC 35-08

WHEREAS, Edwin Liette, owner of the subject parcel, has submitted a request to permit a multi-family dwelling unit special use of an existing structure with nonstandard use conditions (lot area, setbacks, and screening), said structure located at 8470 N. County Road 25-A; and,

WHEREAS, section 154.066 of the City of Piqua Code of Ordinances states that a special use permit may issued to allow the issuance of a building permit to permit the conversion and or enlargement of a premises which constitutes a nonstandard use and describes three criteria in addition to the special use criteria that shall be considered; 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 given specific consideration to the criteria to be considered prior to acting on a special use request,

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 herby recorded as follows.

	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"/>

CITY OF PIQUA, OHIO

Application for Special Use Permit

1. Applicant's Name EDWIN LIETTE Phone 937-418-0278

Applicant's Address 9300 COUNTRY CLUB RD PIQUA, O.

2. Owner's Name EDWIN LIETTE Phone 937-418-0278

Owner's Address 9300 COUNTRY CLUB RD PIQUA, O.

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 8490 N COUNTY RD. 25A, PIQUA, O.

5. Existing zoning BUSINESS

6. Existing usage OFFICE + 29 VACANT ROOMS

7. Proposed usage EFFICENCY + 1 BEDROOM APARTMENTS

8. Proposed special usage _____

9. No. of plot plans submitted (16 required UNLESS waived) 10

10. Describe the reason for the requested special use:

There is a demand by older people having lost their spouse need a small unit that they can afford.

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 Edwin Liette Date 6-5-08

Signature of Owner Edwin Liette Date 6-5-08

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 June 5, 2008

Receipt No. 180336 P.C. Res. No. _____

June 03, 2008

To: City of Piqua
From: Edwin L. Liette
Ed Liette Realty, Inc.

Planning and Zoning Department
RE: Proposed changes for 8670 North County Road 25A, Piqua, Ohio 45356
Application for Special Use Permit

I am submitting for Special use Permit for the above stated property. Please review the following items I have detailed and feel will both enhance the property's appearance and functionality.

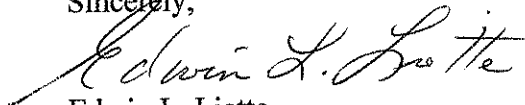
Ed Liette Realty, Inc. office is located in the center of this complex. I have had a new roof installed over the entire building. The building has been completely rewired and has wired smoke detectors in each unit. I plan to make efficiency apartments with each room and some one bedroom apartments. I would plan to make these changes in three phases.

The entire building would be refaced. Each unit will have its own heating and cooling equipment. All new thermopane windows will be installed. The entire inside will be refurbished. Two black top parking spaces will be provided for each residence.

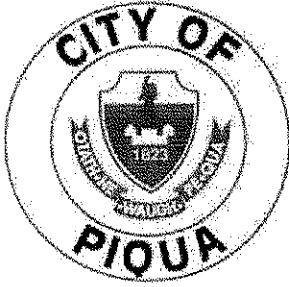
My intention is to cater to senior citizens since all units are on 1st floor. And due to the economic times, some of the older people need to down size.

Thank you in advance for you consideration in this matter.

Sincerely,




Edwin L. Liette
Ed Liette Realty, Inc.



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: June 20, 2008
To: Planning Commission Members
From: Chris Schmiesing, City Planner 
Subject: PC Resolution 35-08

GENERAL INFORMATION

Applicant: Ed Liette
Owner: Ed Liette
Location: 8470 N County Road 25-A
Zoning: B – General Business
Land Use
Existing: Professional Office; pre-existing multi-family dwelling unit use; nonstandard gravel and asphalt parking areas
Proposed: Professional Office; pre-existing multi-family dwelling unit use; nonstandard gravel and asphalt parking areas; and new multi-family dwelling units
Request: To permit the conversion of the former motel use to individual efficiency and one bedroom apartments, and to enlarge the existing nonstandard asphalt parking area.

DISCUSSION/FINDINGS

The subject parcel was formerly operated as the Piqua Motel and the motel use has been discontinued for a number of years. Since that time the structure has remained mostly unoccupied less the conversion of the lobby space into realtor office. The proposed plan suggests the possibility of 29 individual dwelling unit spaces being included in this project. The plan also suggest that the existing asphalt parking area immediately adjacent the building will be extended into the front yard to establish and additional 24 parking spaces. Likewise, the applicant indicates that the building will be refaced and that new windows and heating and cooling units will be installed in each unit and that each unit will be refurbished. The applicant has indicated that the intent is for this facility to cater to senior citizens. No information regarding age restrictions has been provided by the applicant.

The zoning code includes criteria to be given specific consideration when determining whether to authorize the issuance of a permit to allow the reconstruction alteration of nonstandard lot. 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: June 20, 2008
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Effects on adjacent property, traffic, and city utility service needs?

Staff Analysis: This project will likely generate a minimal amount of additional traffic and utility service needs and 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: With no change in the overall dimensions of the building footprint proposed, the impact on the development density will be null. The proposed parking lot improvements would be subject to the setback and development standards applicable to the district.

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

Staff Analysis: The zoning designation of this property affords the owner a variety of use options in addition to the dwelling unit special use being considered. Therefore, denial of this request would cause no plausible hardship.

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

Staff Analysis: The proposed use is compatible with the stated intent of the 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 nature of the proposed use in conjunction with the physical characteristics of the existing structure and site could result in undesirable conditions being present at this location if the design of the use and the supporting improvements are not carefully thought out and implemented. For example, the residents have no private outdoor space as the plan is currently drawn. This may result in residents seeking out and creating an outdoor space in an undesirable location if this concern is not addressed by the plan.

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

Staff Analysis: The adaptive reuse and or redevelopment of existing buildings with productive use activities that contribute positively to the community is consistent with the general economic development policies 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 and will be subject to the zoning and building permit review process.

STAFF REPORT

Date: June 20, 2008
Subject: PC Resolution 35-08

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COMPREHENSIVE PLAN

This proposal is mostly consistent with the goal, principles, objectives and strategies described in the Land Use, Redevelopment, Housing, and Economic Development chapters of the Comprehensive Plan. However, there are concerns presented in the Housing chapter of the Existing Conditions and Technical Memorandum Appendix to the Plan, when it comes to the creation of additional apartments within the community.

CONCLUSION

The number of apartments available in Piqua already makes up a percentage of the housing stock that is more than sufficient with regards to providing this type of living option. The structure could easily be converted to multiple commercial tenant spaces for use as professional offices and or road service commercial use types. However, if there is no market interest in the commercial development of the site, the multi-family use may provide a reasonable reuse alternative for the existing improvements found at this location if the project is fully developed to afford the residents the basic amenities essential to a quality living that measures up to the adopted community standards. Hence, if the multi-family use is the only use option the current owner is willing to pursue, and if no sale of the land is foreseeable, perhaps the best use of the Planning Commissions' time and energy in considering this request would be to focus on maximizing the improvements to be included with this project to improve not only the subject buildings, rather the entire parcel.

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** this request subject to the following requirements.

In lieu of installing the proposed asphalt to create additional parking spaces:

The applicant shall secure the services of a professional landscape architect licensed in the State of Ohio to prepare a landscape plan for the entire property to be presented to and approved by the Planning Commission prior to the proposed multi-family use of this building commencing. Said landscape plan shall include densely spaced trees and other plantings throughout the front yard of the parcel along both the County Road 25-A and Hetzler Road frontages; and incorporate a variety of plantings and hardscape improvements at the rear of the existing buildings (including pathways to and from) to create one or more open air common spaces with sitting facilities and the like for the relaxation and enjoyment of the residents; and, said plans shall indicate the existing gravel driveway to and from Hetzler Road is to be excavated and restored with topsoil and grass; and, the plan shall indicate the reconstruction of the existing gravel parking area in accordance with the applicable zoning standards of the City of Piqua, except no curbing shall be required along those borders of the pavement except for the edge nearest to the apartment building; and, all of the proposed interior and exterior improvements to the building shall be completed within one year of the approval date of this resolution.

RESOLUTION No. PC 36-08

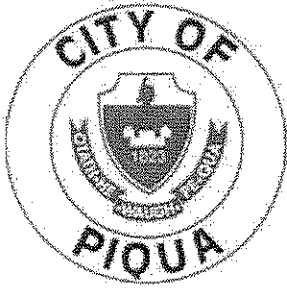
WHEREAS, the City, has submitted a request to amend the zoning chapter of the codified ordinances to modify the code provisions pertaining to minimum side yard setback requirements for temporary and permanent freestanding (detached) signs; and,

WHEREAS, sections 154.141 of the City of Piqua Code of Ordinances provides the procedure for considering an amendment to the zoning code; 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 as Exhibit 'A', 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 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"/>




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

MEMORANDUM

June 20, 2008

To: Planning Commission
From: Chris Schmiesing, City Planner 
Re: Proposed Amendments to Zoning Code

Included with this memo you will find Exhibit 'A' which includes the proposed amendments to the adopted community standards related to side yard setbacks applicable to certain sign types.

The current code provisions require a 30 foot side yard setback for a temporary or permanent detached or freestanding sign type. Obviously for lots with less than 60 feet in width, this provision presents a challenge. Hence, the proposed revisions include reducing the required side yard setback for these sign types.

The code amendments are shown with the proposed insertions underlined and proposed ~~deletions~~ shown with a strike through line.

EXHIBIT 'A'

§ 154.100 TEMPORARY SIGNS.

(A) *Intent.* The intent of this section is to recognize the rights of an individual to display noncommercial messages protected by the First Amendment, and to recognize the individual or entity who occasionally desires to display a temporary commercial message in conjunction with a permitted land use, and to provide the time, place, and manner limitations allowing certain sign types for these purposes. It is further intended to recognize the negative affect temporary signs can have on the attractiveness of a community, including the deterioration of the natural environment, the clutter temporary signs contribute to the landscape, the distractions and obstructions this sign type may cause to motorist, and the hazards that the aforementioned concerns may cause. Thus, this section is intended to establish regulations that allow temporary signs without their becoming a nuisance to the community.

(B) *Permitted temporary sign types.* Any of the temporary sign types indicated, with a message type the same as the message type heading under which the sign type is listed, shall be permitted as an accessory use to a lawfully established principal, special or nonconforming use conducted on the premise, subject to the limitations included in this code.

(1) *Noncommercial message.*

(a) *Off-premise.*

1. Banner sign.
2. Ground sign.
3. Monument sign.
4. Pole sign.
5. Window sign.

(b) *On-premise.*

1. Banner sign.
2. Ground sign.
3. Monument sign.
4. Pole sign.
5. Window sign.

(2) *Commercial message.*

(a) *Off-premise.*

1. Ground sign.
2. Monument sign.

(b) *On-premise.*

1. Banner sign.
2. Ground sign.
3. Monument sign.
4. Window sign.

EXHIBIT 'A'

(c) *Off/on-premise.*

1. Banner sign.
2. Ground sign.
3. Monument sign.
4. Pole sign.
5. Window sign.

(C) *Height, area, and setback regulations.*

(1) *General requirements for temporary signs.*

Sign Type	Maximum Height	Maximum Sign Area	Maximum Lot Area	Minimum Setback from Front Lot Line	Minimum Setback from Side and Rear Lot Lines
Banner sign	8 feet	24 sq. feet	< 1 acre	10 feet	30 feet <u>5 feet</u>
Banner sign	12 feet	32 sq. feet	1 acre to 5 acres	20 feet	30 feet <u>5 feet</u>
Banner sign	24 feet	50 sq. feet	> 5 acres	50 feet	30 feet <u>5 feet</u>
Ground sign; monument sign; pole sign	4 feet	6 sq. feet	< 1 acre	2 feet	30 feet <u>5 feet</u>
Ground sign; monument sign; pole sign	6 feet	12 sq. feet	1 acre to 5 acres	10 feet	30 feet <u>5 feet</u>
Ground sign; monument sign; pole sign	8 feet	32 sq. feet	> 5 acres	20 feet	30 feet <u>5 feet</u>
Window sign	First floor windows	50% of a building's total window surface area	N/A	N/A	N/A

(D) *Other regulations.*

(1) *Location.*

(a) Temporary signs shall be permitted on the building face or in the yard adjacent to any building elevation facing a street, parking lot, drive through lane, or service drive, subject to the setbacks established by this section of the code and provided the sign face is oriented towards the same street, parking lot, drive through lane, or service drive to which it is adjacent.

(b) Banners authorized for display on utility poles by the city manager shall be permitted.

(2) *Number.* The maximum allowable number of temporary signs shall be in accordance with the following limitations:

(a) Off-premise noncommercial message signs – Unlimited.

(b) On-premise noncommercial message signs – Unlimited.

(c) Off-premise commercial message signs – No more than one sign may be displayed at any one time on a single lot.

(d) On-premise commercial message banner, ground, or monument signs – No more than one sign per 100 feet of property frontage may be displayed at any one time on a single lot.

EXHIBIT 'A'

(e) Off/on-premise commercial message signs - No more than one sign may be displayed at any one time on a single lot. When a structure or business location to be advertised for sale or lease or rental has an obsolete attached or an obsolete detached sign accessory to the structure or business for sale or lease or rental, the obsolete sign shall be used to advertise the business for sale or lease or rental, and no temporary off/on-premise commercial message sign shall be permitted for this purpose.

(3) *Landscaping.* None required for this sign type.

(4) *Period of display.*

(a) Noncommercial message signs may be displayed for an unlimited period of time

subject to the provisions included in § 154.100(D)(4)(d).

(b) Off-premise commercial message temporary signs and off/on-premise commercial message signs may be displayed for the duration of the event or activity for which the sign is advertising provided all temporary signs are removed at such time the event or activity it advertises is discontinued or the sign message becomes obsolete.

(c) On-premise commercial message signs may be displayed for a period of time not to exceed 90 consecutive days not more than three times in any 12-month period, provided 90 days has lapsed since the most recent past display of a temporary on-premise commercial message sign at the same location for any message displayed.

(d) All temporary signs shall be removed at such time when the event or activity the sign advertises is discontinued or the sign message becomes obsolete.

('97 Code, § 150.707) (Ord. 42-96, passed 9-17-96; Am. Ord. 25-06, passed 10-17-06) Penalty, see § 154.999

§ 154.101 PERMANENT; DETACHED SIGNS.

(A) *Intent.* The intent of this section is to recognize the rights of an individual to display noncommercial messages protected by the First Amendment, to recognize the individual or entity who desires to display a permanent commercial message in conjunction with a permitted land use, and to provide the time, place, and manner limitations allowing certain detached sign types for this purpose. It is further intended to recognize the negative affect oversized and misplaced permanent signs can have on the attractiveness of a community, including the deterioration of the natural environment, the clutter freestanding signs contribute to the landscape, the distractions and obstructions this sign type may cause to motorist, and the hazards that the aforementioned concerns may cause. Thus, this section is intended to establish regulations that allow permanent detached signs without their becoming a nuisance to the community.

(B) *Permitted permanent detached sign types.* Any of the detached sign types indicated, with a message type the same as the message type heading under which the sign type is listed, shall be permitted as an accessory use to a lawfully established principal, special or nonconforming use conducted on the premise, subject to the limitations included in this code.

(1) *Noncommercial message.*

(a) *On-premise.*

1. Canopy sign.
2. Ground sign.
3. Monument sign.
4. Pole sign.

(2) *Commercial message.*

(a) *On-premise.*

1. Canopy (freestanding) sign.
2. Ground sign.
3. Monument sign.

EXHIBIT 'A'

4. Pole sign.

(b) *Off/on-premise.*

1. Ground sign.

2. Monument sign.

(C) *Height, area, and setback regulations.*

(1) General requirements for primary permanent detached signs.

Sign Type	Maximum Height	Maximum Sign Area	Minimum Lot Area	Minimum Setback from Front Lot Line	Minimum Setback from Side and Rear Lot Lines
Canopy (detached) sign	20 feet	1 sq. foot per lineal foot of the width of the canopy face to which the sign will be attached, not to exceed 50 sq. feet	N/A	10 feet	10 feet
Ground sign; monument sign	8 feet	25 sq. feet	< 1 acre	2 feet	30 feet 10 feet
Ground sign; monument sign	12 feet	50 sq. feet	1 acre or more	10 feet	30 feet 10 feet
Pole sign	8 feet	25 sq. feet	< 1 acre	2 feet	30 feet 10 feet
Pole sign	20 feet	50 sq. feet	1 acre or more	10 feet	30 feet 10 feet

(2) General requirements for primary secondary permanent detached signs.

Sign Type	Maximum Height	Maximum Sign Area	Minimum Lot Area	Minimum Setback from Front Lot Line	Minimum Setback from Side and Rear Lot Lines
Ground sign; monument sign; pole sign	4 feet	6 sq. feet	N/A	2 feet	5 feet

(D) *Other regulations.*

(1) *Location.*

(a) Primary and secondary permanent detached signs shall be permitted in any yard fronting a street, or a parking lot, drive through lane, or service drive on the same lot, subject to the general requirements established by this section of the code and provided the sign face is oriented towards the same street, parking lot, drive through lane, or service drive to which it is adjacent.

(b) Primary and secondary permanent detached signs shall be accessible by maintenance vehicles from the lot occupied by the use to which the sign is accessory.

(2) *Number of signs.*

(a) The maximum allowable number of primary permanent detached signs shall be as follows:

1. Each lot shall be permitted one ground sign or monument sign per street frontage contiguous to the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided no other primary detached sign type as described by § 154.101(D)(2)(a)(2), exist on the same lot.

EXHIBIT 'A'

2. Each lot shall be permitted one pole sign per lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided no other primary detached sign type as described by § 154.101(D)(2)(a)(1), exist on the same lot.

3. Each lot with multiple business establishments shall be permitted to utilize each ground sign, monument sign, or pole sign permitted in accordance with § 154.101(D)(2)(a)(1) or (2), as a joint identification sign, and may increase the total sign area by 10 square feet for each primary message added to the sign, provided no sign area shall exceed 100 square feet.

4. Each lot shall be permitted one canopy (detached) sign per street frontage contiguous to the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory.

5. In addition to, but not in lieu of, the permanent detached sign allowance provided by § 154.101(D)(2)(a)(1) and (2) of this code, each lot within 1,500 feet of the centerline of Interstate 75 shall be permitted one pole sign per lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided the sign face area does not exceed 200 square feet, the sign height does not exceed 80 feet, and the minimum setback to all lot lines is 20 feet. This sign may be used as a joint identification sign.

6. Each lot shall be permitted two ground signs or monuments signs for each drive through lane located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided the sign face area of each sign does not exceed 32 square feet and the height of the signs do not exceed eight feet.

7. Each subdivision shall be permitted two ground signs or monument signs per entrance street to the subdivision, provided the signs are located on a lot contiguous to the lot or lots occupied by the subdivision to which the sign is accessory, and provided no other primary detached sign type exist on the same lot.

8. When a structure or business location to be advertised for sale or lease or rental has an obsolete detached sign on the same lot as and accessory to the structure or business for sale or lease or rental, one obsolete detached sign shall be permitted to be used to advertise the business for sale or lease or rental, and no temporary off/on-premise commercial message sign shall be permitted for this purpose.

(b) The maximum allowable number of secondary permanent detached signs shall be as follows:

1. Each lot shall be permitted one ground sign, monument sign, or pole sign for each drive opening from a street frontage, service drive, or parking lot facility located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory.

2. Each lot shall be permitted two ground signs, monument signs, or pole signs per drive through lane located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory.

(3) *Landscaping.* Each freestanding sign permitted, shall be effectively landscaped with living plant material to be maintained in good condition at all times. The minimum landscaped area shall include the base of all freestanding signs, and extend in all directions at least three feet beyond all sign faces and supporting structures. Exposed foundations and pole supports must be constructed or encased with a finished material such as brick, stone, or wood, or be screened with evergreen plantings.

('97 Code, § 150.708) (Ord. 42-96, passed 9-17-96; Am. Ord. 25-06, passed 10-17-06) Penalty, see § 154.999

§ 154.103 SPECIAL SIGNS; REQUIREMENTS.

(A) *Intent.* The intent of this section is to recognize the rights of an individual to display noncommercial messages protected by the First Amendment, to recognize the individual or entity who desires to display a portable commercial message in conjunction with a permitted land use, to recognize the for certain signs to be erected and maintained in the discharge of government functions, and to provide the time, place, and manner limitations allowing certain special sign types for these purposes. It is further intended to recognize the negative affect oversized and misplaced signs can have on the attractiveness of a community, including the deterioration of the natural environment, the clutter signs contribute to the landscape, the distractions and obstructions this sign type may cause to pedestrians and motorist alike, and the hazards that the aforementioned concerns may cause. Thus, this section is intended to establish regulations that allow special signs without their becoming a nuisance to the community.

(B) *Permitted special sign types.* The following special sign types shall be permitted in all use groups, subject to the limitations included in this code.

(1) *Special sign types.*

(a) Flags.

(b) Governmental signs.

EXHIBIT 'A'

- (c) Interior signs.
- (d) Traffic control signs.
- (e) Portable signs.

(C) *Height, area, and setback regulations.*

(1) General requirements for special signs.

Sign Type	Maximum Height	Maximum Sign Area	Minimum Lot Area	Minimum Setback from FRONT Lot Line	Maximum Projection from Structure Face into Required Minimum Setback Area
Flag; noncommercial message	None				
Flags; commercial message	30 feet	25 sq. feet	< 1 acre	10 feet	10 feet
Flags; commercial message	50 feet	50 sq. feet	1 acre or more	30 feet	10 feet
Interior signs	None				
Governmental signs; traffic control signs	In accordance with the federal, state or local law, regulation, or ordinance necessitating the sign.				
Portable signs	6 feet	12 sq. feet	None	0 feet	4 feet

(D) *Other regulations.*

(1) *Location.*

(a) The permitted location of a flag shall be as follows:

1. Flags shall be permitted in any yard on the same lot as the use to which the flag is accessory, subject to the general requirements established by this section of the code.
2. Flags shall be permitted on each building elevation facing a street, parking lot, drive through lane, or service drive on the same lot, provided a public entrance serving the business establishment to which the sign is accessory exist on the same building elevation to which the flag will be affixed, and subject to the general requirements established by this section of the code, provided no flag shall be permitted when a nonconforming, abandon or obsolete permanent detached sign or permanent attached sign exist on the same lot.
3. Flags authorized for display on utility poles by the city manager shall be permitted.

(b) Governmental signs and traffic control signs shall be permitted in any location required by the federal, state, or local law, regulation, or ordinance necessitating the sign.

(c) The permitted location of a portable signs shall be as follows:

1. Portable signs shall be permitted in any yard fronting a street, or a parking lot, drive through lane, or service drive on the same lot, serving the business establishment to which the sign is accessory and provided the public entrance is on the same building elevation to which the sign will be adjacent, subject to the general requirements established by this section of the code, provided the sign face is oriented towards the same street, parking lot, drive through lane, or service drive to which it is adjacent.
2. When a location on the lot occupied by the business establishment to which the sign is accessory is not available, a portable signs shall be permitted on a public sidewalk adjacent to a public entrance serving the business establishment to which the sign is accessory, provided the sign is located within ten feet of the public entrance to the business establishment, does not occupy more than 25% of the public sidewalk width, and is not located in a tree lawn area, subject to the general requirements established by this section of the code.

(2) *Number of signs.*

EXHIBIT 'A'

(a) Each lot shall be permitted three flags.

(b) The number of governmental signs and traffic control signs permitted shall be in accordance with the federal, state, or local law, regulation, or ordinance necessitating the sign.

(c) One portable sign shall be permitted for each business establishment facing a street, parking lot, drive through lane, or service drive on the same lot, provided a public entrance serving the business establishment to which the sign is accessory exist on the same building elevation to which the sign will be adjacent, subject to the general requirements established by this section of the code, and provided no portable signs shall be permitted when a nonconforming, abandon or obsolete permanent detached sign or permanent attached sign exist on the same lot as the business to which the portable sign is accessory; and, no portable sign shall be permitted when a permanent detached sign exist on the same lot as the business to which the portable sign is accessory; and, no portable sign shall be permitted when a permanent attached sign does not exist on the same building elevation as the public entrance to which the portable sign will be adjacent.

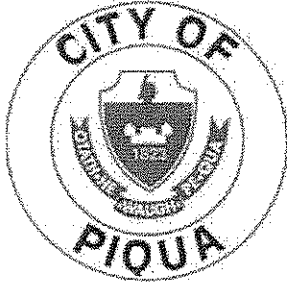
(3) *Period of display.*

(a) The period of display for a portable sign shall be in accordance with the following limitations:

1. Portable signs shall be permitted from dawn to dusk, during the hours the business establishment to which the sign is accessory is open to the public.

2. Portable signs shall be permitted during typical weather conditions, provided the sign is removed from display during periods of snow or ice accumulation, periods of weather with wind gust exceeding 15 MPH, or any other period of inclement weather that may cause the sign to become a potential hazard to the public.

('97 Code, § 150.710) (Ord. 42-96, passed 9-17-96; Am. Ord. 25-06, passed 10-17-06) Penalty, see § 154.999



PLANNING AND ZONING

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June 20, 2008

*** MEETING NOTICE ***

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, July 1, 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 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.

JULY 1, 2008
 PLANNING COMMISSION
 MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY STATE ZIP
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLITEN BOARD		
PC 33-08	WEBER JEREMY B & MANDY R	1004 MAPLE ST	PIQUA, OH 45356
PC 33-08	DENNIS PATRICIA A	1008 MAPLE ST	PIQUA, OH 45356
PC 33-08	HAYES NANCY L	1009 MAPLE ST	PIQUA, OH 45356
PC 33-08	REAVES LARISSA J	1007 MAPLE ST	PIQUA, OH 45356
PC 33-08	MONROE DOUGLAS G	P O BOX 1866	PIQUA, OH 45356
PC 33-08	ANGLER CONSTRUCTION SERVICES	1524 E SECOND ST	DAYTON, OH 45403
PC 34-08	CONGDON JAMES W & TERESA	1114 LAKE	PIQUA, OH 45356
PC 34-08	CHALMERS JAMES RONALD	1500 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	HANSEN HAL F	1119 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	WOLFE JERRY A & PHYLLIS K	1203 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	ELLIOT JOSEPH E II	1123 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	MCKENEN JAMES CRAIG & KATHY ANN	3215 W ZIEGLER RD	PIQUA, OH 45356
PC 34-08	MCKENEN CHARLYNE F (LE) & JAMES P (LE)	1308 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	MONNIN ISADORE TRUSTEE & BETTY TRUS	1113 LAKE ST	PIQUA, OH 45356
PC 34-08	CASSEL HARLEY M & EMIGINE	1301 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	MANSON NICHOLAS M	1300 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	RICE JAMES S	1206 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	LILLICRAP ROGER C (LE) @ (4)	1204 ECHO LAKE DR	PIQUA, OH 45356
PC 34-08	FRENCH MARGARET L	1127 N SUNSET DR	PIQUA, OH 45356
PC 35-08	HYLTON ALBERT L & DORIS J	8625 N HETZLER RD	PIQUA, OH 45356
PC 35-08	SCHULZ BRANDON	8450 N DIXIE DR	PIQUA, OH 45356
PC 35-08	ED LIETTE REALTY INC	8470 N CO RD 25-A	PIQUA, OH 45356
PC 35-08	MAXWELL MARTIN CRAIG	6940 ST RT 589	FLETCHER OH 45326
PC 35-08	SCHILLER PERRY J & ELIZABETH M	920 SCENIC KNOLL	TIPP CITY OH 45371
PC 35-08	CARMACK CAMERON D & ERNESTINE C	1231-1237 CAMARO CT	PIQUA, OH 45356
PC 35-08	PENCE PROPERTIES LLC	1075 SHOOP RD	TIPP CITY OH 45371
PC 35-08	SPIRIT LIFE CHURCH	8527 N CO RD 25A	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 COMMISSION	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	