

PLANNING COMMISSION AGENDA
CITY OF PIQUA, OHIO
6:00 P.M. - TUESDAY, OCTOBER 7, 2008
MUNICIPAL GOVERNMENT COMPLEX
COMMISSION CHAMBERS - 201 W. WATER STREET

CALL TO ORDER

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

OLD BUSINESS

- | | |
|--------------------|---|
| 3. Meeting Minutes | Adoption of September 2, 2008 Meeting Minutes |
|--------------------|---|

NEW BUSINESS

- | | |
|------------------------|--|
| 4. Resolution PC 39-08 | A request to permit the alteration of a nonstandard porch use, said use located at 419 Garnsey Street. |
| 5. Resolution PC 40-08 | A request to permit the vacation of the Campbell Street right of way from Water Street to the north end. |

OTHER BUSINESS

- | | |
|-------------------|--|
| 6. Monthly Report | General Information, Legislative Update, Special Projects, Permits |
|-------------------|--|

ADJOURNMENT

- | | |
|----------------|-----------------|
| 7. Adjournment | Adjourn session |
|----------------|-----------------|

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 2, 2008 - 5:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

CALL TO ORDER

5:00 P.M. – Acting Chairman Oda called the meeting to order. Mr. Oda 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

Mr. Taylor moved to excuse Chairman Spoltman and Mr. Bupb from the Planning Commission Meeting of September 2, 2008. Mrs. Franz seconded the motion. Mrs. Franz, Aye: Mr. Taylor, Aye: and Mr. Oda, Aye. Nay, None. A voice vote resulted in a 3-0 vote to excuse Chairman Spoltman and Mr. Bupb from the September 2, 2008 Planning Commission Meeting.

Acting Chairman Oda stated for the record due to the two absent members, all three members must vote in affirmation on any action taken at this meeting.

ROLL CALL

Members Present: Mike Taylor, Jim Oda, and Jean Franz
Members Absent: Chairman Spoltman and Brad Bupb (Mr. Bupb arrived at 5:30 P.M.)
Staff Members: Chris Schmiesing, Becky Cool
Attendees: Ed Liette, John Bright

MEETING MINUTES

Acting Chairman Oda asked if there were additions, deletions or corrections to be made to the July 1, 2008 meeting minutes included in the agenda packet. Mrs. Franz made a motion to approve the July 1, 2008 meeting minutes as submitted and Mr. Taylor seconded the motion. Mrs. Franz, Aye; Mr. Oda, Aye: and Mr. Taylor, Aye. A roll call vote resulted in a 3 -0 vote in supporting the motion to approve the meeting minutes as submitted.

OLD BUSINESS

Mrs. Franz motioned to bring Resolution PC-35-08 back to the table for consideration. Mr. Taylor seconded the motion. Mrs. Franz, Aye: Mr. Taylor, Aye: and Mr. Oda, Aye. A voice vote resulted in a 3-0 vote in support of bringing Resolution PC-35-08 back to the table.

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 2, 2008 - 5:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

1. 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

Mr. Schmiesing stated the request is to permit the conversion of the former motel use to individual efficiency and one-bedroom apartments, catering to senior citizens, and to enlarge the existing nonstandard asphalt parking area. Mr. Liette submitted a landscaping plan on August 21, 2008, as was previously requested by the Planning Commission. Mr. Schmiesing explained the two small circles shown on the plan indicate two trees that were added after the drawing was submitted. And noted the parking area had been modified to include twenty-nine parking spaces. Mr. Oda asked if there have been any changes to the staff recommendations, and Mr. Schmiesing indicated the staff report stands as previously submitted.

Ed Liette, petitioner approached the podium and gave a brief overview of the plans for improvements, which include thermal pane windows for the front of the building and vinyl siding above the brick on the front and on both ends and back of the building. Mr. Liette further stated he plans to plant nine trees along the Hetzler Road side. Mrs. Franz asked if he was planning on installing concrete benches for sitting. Mr. Liette stated his plan included a 20' x 20' patio in the rear of the building to sit on. Mr. Schmiesing pointed out the plans do not describe what type of materials are to be used for the 20'x 20' patio in the rear nor is there any indication as to what size of trees will be planted. Mr. Liette stated he was not sure what size the trees are because he had left it up to the landscaper, but there are nine small trees and two others that will be large enough for shade. Mrs. Franz recommended that nursery stock trees be used, and further stated she likes the look of the project and the parking lot area.

Mr. Bupb arrived at 5:30 P.M.

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

Mrs. Franz moved to recommend approval of the request with the conditional approvals as previously stated, and to grant the Special Use, as it has met all the criteria as presented by staff. Mr. Taylor seconded the motion. Mr. Oda, Aye; Mr. Bupb, Aye; Mr. Taylor, Aye, and Mrs. Franz, Aye. Nay, None. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the request with the conditions previously stated for the Special Use Permit.

NEW BUSINESS

1. PC 37-08

A request to permit a carry out (vending cart) special use of a portion of public right of way located in the Central Business District at the intersection of Main Street and High Street, and also at the intersection of Wayne Street and High Street

Mr. Schmiesing stated the proposed street vendor use provides an amenity currently missing from the downtown and will introduce an added element of interest to the Main Street experience. Mr. Schmiesing also noted that the numerous regulations and requirements governing this use will ensure the public health, safety, and welfare is protected.

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PLANNING COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 2, 2008 - 5:00 P.M.
MUNICIPAL GOVERNMENT COMPLEX - COMMISSION CHAMBERS

Mr. Schmiesing suggested the Planning Commission include the following conditions with the approval of this request;

1. With reasonable notice provided to the proprietor, the MainStreet board of trustees may prohibit or limit the hours of operation of this use during the times and dates of special events to be held in the downtown area when said events have been authorized by the City of Piqua.
2. With reasonable notice provided to the proprietor, the City of Piqua City Manager may prohibit or limit the hours of operation of this use for any reason deemed appropriate and necessary to protect and promote the best interest of the community.

Mrs. Franz asked what the hours of operation would be and what the MainStreet Piqua comments were on this type of operation in the downtown. Mr. Schmiesing stated the hours of operation would be normal business hours and noted that MainStreet Piqua is supportive of this request.

No one came forward to speak for or against the Resolution.

Mr. Schmiesing stated for the record the applicant was told there would be a number of meetings required for the approval of this request, and that the Planning Commission should not be offended that the applicant is not present at this meeting as he was advised he need not attend them all.

Mr. Taylor asked if the cart would be moving to several different locations downtown or be stationary. Mr. Schmiesing explained the cart would be located in several different locations on the mall strip. Mr. Oda stated when this request came before the Downtown Design Review Board the comment was made that food vendor carts were present in the late nineteenth and early twentieth century in downtown Piqua.

Mr. Taylor moved to approve the request with stipulations outlined in the staff report and to grant the Special Use, as it has met all the criteria as presented by staff. Mr. Bulp seconded the motion. Mr. Oda, Aye; Mr. Bulp, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; Nay, None. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the request for the Special Use Permit with the stipulations in the staff report.

2. PC 38-08

A request to permit a neighborhood business (Salon) special use of a portion of a dwelling unit located at 1011 Broadway

Mr. Schmiesing stated the proposed use, if permitted, would establish a business use within a residential district. The number of proposed off-street parking spaces will establish a parking lot use. Mr. Schmiesing noted the parking lot layout shown fails to provide the minimum maneuvering and ingress/egress features required for a parking facility. In addition, the surface material and stall dimensions are not indicated on the drawing provided and it is unclear whether these two elements of the parking facility will be in compliance or not. The availability of adequate off-street parking and the possible future use of this space for another type of Retail Commercial and Service Use raise legitimate concerns regarding the impact the proposed use will have on this neighborhood.

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
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Mr. Oda asked if a business has been previously located in this location. Mr. Schmiesing stated there is evidence of a half address having previously existed at this location.

John Bright, 225 Nottingham Rd., Dayton, Ohio, representing the applicant Jeffrey Young, came forward and explained the previous use of this location was a salon about ten years ago. Mr. Bright stated Mr. Young would like to relocate his business from 420 W. High Street to this location and keep it in Piqua. Mr. Bright further stated the traffic flow would not be disruptive to the area with the low volume of customers daily.

There was discussion about the parking area in the rear, the use of the garage, and who would be utilizing the parking area on a daily basis and the type of material to be used in the parking area was also discussed.

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

Mr. Schmiesing voiced his concern about the use of gravel for what will in essence be a commercial parking area in a residential district.

After a brief discussion concerning the parking area Mrs. Franz moved to approve the request with the stipulation to require the installation of landscape timbers around the perimeter of the gravel parking facility. Mr. Bubb seconded the motion. Mr. Oda, Aye; Mr. Bubb, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye. Nay, None. A roll call vote resulted in a 4-0 vote to approve the request with the conditions noted.

OTHER BUSINESS

12. Monthly Report

Mr. Schmiesing stated the Monthly Report was not available in time for the meeting and it will be provided at the next meeting.

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 6:10 p.m.

RESOLUTION No. PC 39-08

WHEREAS, Tom Cline on behalf of Dean Miller, the owner of 419 Garnsey Street, the subject parcel, has submitted a request to permit the alteration of a nonstandard porch use, said porch being located in a side yard; and,

WHEREAS, the existing nonstandard porch use located in the side yard of this location has a side yard setback of four (4) feet and section 154.022 of the City of Piqua Code of Ordinances require that a porch use located in a side yard be set back six (6) feet from the side lot line: and,

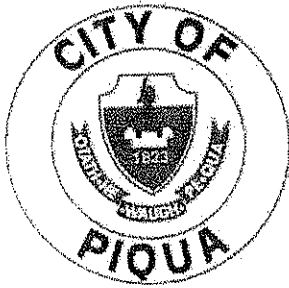
WHEREAS, section 154.066 of the City of Piqua Code of Ordinances provides the procedure for allowing the alteration of a nonstandard use with approval of a special use permit request; and,

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 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

STAFF REPORT

Date: September 25, 2008
To: Planning Commission Members
From: Chris Schmiesing, City Planner
Subject: PC Resolution 39-08

GENERAL INFORMATION

Applicant: Tom Cline
Owner: Dean Miller
Location: 419 Garnsey Street
Zoning: R-1 (One-Family Residential)
Land Use
Existing: One family dwelling unit
Proposed: One family dwelling unit
Request: To permit an alteration (add a roof) to a porch with a nonstandard side yard setback.

DISCUSSION/FINDINGS

The subject porch use with a nonstandard side yard setback is an existing condition at this location. However, the placement of a roof over the porch constitutes an alteration to a nonstandard condition which necessitates Planning Commission approval of a special use permit prior to the issuance of zoning and building permits.

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: The proposed use is likely to generate a no increase in traffic to and from this location. The use will likely have no impact on existing demands placed utility services.

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

STAFF REPORT

Date: September 25, 2008
Subject: PC Resolution 39-08

Page 2

Staff Analysis: The established setbacks within this neighborhood are mostly nonstandard. The proposed alteration does not intensify the development density of the subject parcel or the neighborhood in general.

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

Staff Analysis: The proposed roof was installed without the appropriate permit approvals having been secured. Therefore, any hardship related to removal of an installed improvement was self-imposed. The applicant has an existing porch use, as well as other improved exterior spaces, that are permitted to exist without the proposed roof improvements being installed. Thus, the denial of this request would cause no plausible hardship to the applicant.

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

Staff Analysis: The intent of the R-1 zoning district is focused on providing a stable residential district. This request has little bearing on the intent of 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 impact of a porch that rises from the surrounding grades to a minimal elevation is minimal compared to a vertical wall and roof structure that rises to a significantly higher elevation and shifts the "building wall" much closer to the neighboring property. However, the non-enclosed open construction of the proposed roof cover is not as invasive to the setback area as an enclosed structure would be and is less likely to affect the general health and values of the surrounding properties.

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

Staff Analysis: The economic policies of the City encourage productive use activities that contribute positively to the community.

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

Staff Analysis: The proposed project either complies or will be required to comply with all other code and regulation requirements.

COMPREHENSIVE PLAN

Generally speaking the goals, principles, objectives and strategies described in the Comprehensive Plan are supportive of increased density within residential districts so long as the uses and improvement do not adversely affect the character and well being of the subject neighborhood.

STAFF REPORT

Date: September 25, 2008
Subject: PC Resolution 39-08

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CONCLUSION

Absent any community standards describing the desirable appearance and finishes to be used when making additions or alterations to existing structures, the proposed alteration does not raise any legitimate concerns from a community standards perspective.

RECOMMENDATION

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

CITY OF PIQUA, OHIO

Application for Special Use Permit

- 1. Applicant's Name Tom CLINE Phone (937) 264-5581
- Applicant's Address 5784 POE AVE DAYTON OH. 45414
- 2. Owner's Name JEAN MILLER Phone (937) 723-1994
- Owner's Address 419 GARRETT ST.
- 3. Type of legal interest held by applicant CONTRACTOR
- 4. Location of Special Use Permit request
 - A. Legal description (Inlot No. or attach legal description) _____
 - B. Address SAME 419 GARRETT ST.
- 5. Existing zoning R-1
- 6. Existing usage FRONT PORCH COVER
- 7. Proposed usage COVERED FRONT PORCH.
- 8. Proposed special usage NON-STANDARD 5 YD SETBACK
- 9. No. of plot plans submitted (16 required UNLESS waived) WAIVED.
- 10. Describe the reason for the requested special use:
TO OBTAIN ZONING PERMIT

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.

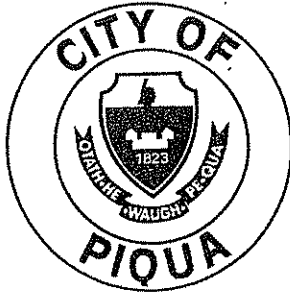
Signature of Applicant Tom Cline Date 9-18-08
 Signature of Owner Jean E Miller Date 9-18-08

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 4/00 | Date Fee Paid 9/18/08
 Receipt No. 186201 | P.C. Res. No. _____

RECEIVED
 SEP 18 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) 778-0809
E-Mail: cschmiesing@piquaoh.org
Website: <http://www.piquaoh.org/zoning.htm>

August 21, 2008

Tom Cline
5784 Poe Avenue
Dayton, OH 45414

RE: 419 Garnsey Street – Zoning Permit Request

Dear Tom:

The plans submitted for the above referenced project have been reviewed with the following concerns noted.

The side yard setback of the proposed covered porch addition is nonstandard. The zoning code requires a 6 foot side yard for the zoning district in which this property is located.

Therefore, the Planning Commission must approve a special use permit for the enlargement of the nonstandard use condition before a zoning permit and building permit can be authorized to allow work to proceed on this project. A special use permit application and a building permit informational handout are enclosed with this letter for your use.

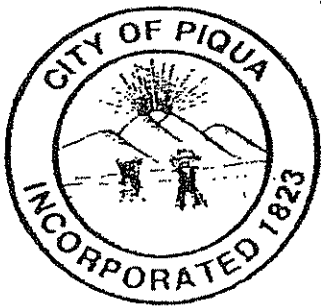
If you have any questions concerning this correspondence please do not hesitate to call me.

Sincerely,

Christopher W. Schmiesing
City Planner

Enc.

c: Dean and Georganna Miller



CITY OF PIQUA, OHIO

201. West Water Street • Piqua, Ohio 45356

ZONING PERMIT Z - 104-08

Applicants Name: Tom CLINE Phone: (932) 224-1581

Applicants Address: 5784 PDE AVE DAYTON OH. 45414

Owner's Name: DEAN Y GEORGINA MILLER Phone: (932) 772-1994

Owner's Address: 419 GARNSLEY ST. PIQUA OH. 45356

Project Location: SAME Zoning: _____

Inlot _____ Outlot _____ Parcel Desc: _____

New Construction _____ Remodel _____ Estimated Cost: \$ 6,000

Building Square Footage: _____ Number Of Employees: _____

Number Of Parking Spaces: _____ Plans Submitted: _____

Existing Use Of Structure Is: RESIDENTIAL

Briefly Describe The Proposed Usage Of The Structure:

ERECT 10x12 PATIO COVER ON EXISTING CONCRETE

I hereby certify that the proposed work is authorized by the Owner of Record and that I have been authorized by the owner to make this application as his "Authorized Agent" and we agree to conform to all applicable laws of the City of Piqua, Ohio.

Signature Of Applicant Or Owner: Tom Cline (BUSCHUS) Date: 8/15/08

***** For Office Use Only *****

Fee Paid: \$50 Date: 8/15/08 Receipt No: 18037P

Preliminary Review by: CS Date: 8.20.08

Zoning Permit Approved by: _____ Date: _____

- APPLICANT COPY _____
- MIAMI CO. BUILDING DEPT. _____
- WASTEWATER DEPT. _____
- UTILITIES DEPT. _____
- MONTHLY FILE _____
- PUBLIC FILE _____

NOTIFICATION STATUS

TIME: _____

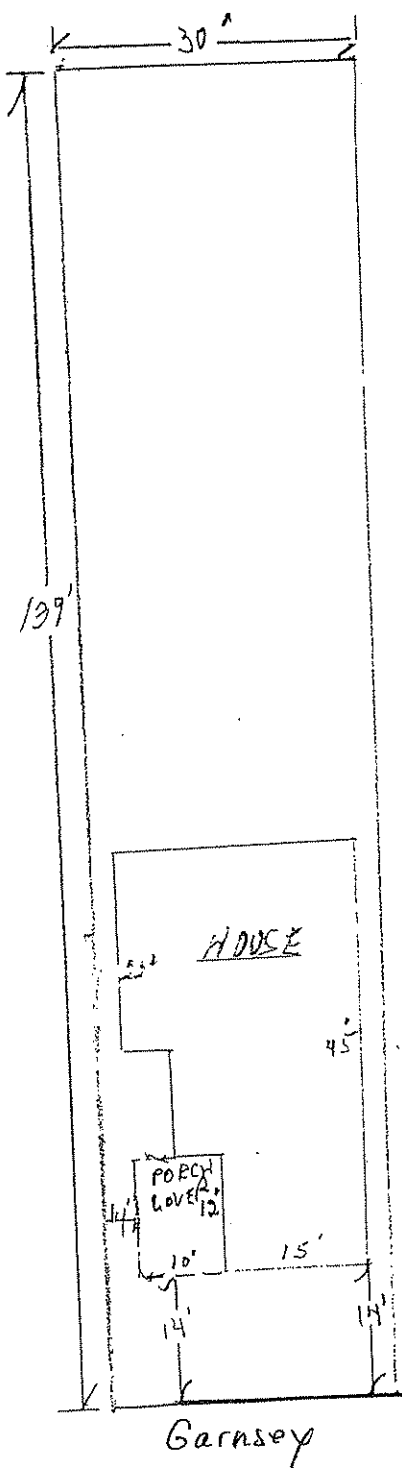
DATE: _____

CONTACT: _____

PICK UP: _____

SEND: _____

CUSTOMER DEAN & GEORGINA MILLER BUSCHURS HIC
5784 POE AVE.
ADDRESS 419 GARNSEY ST. DAYTON, OH 45414
PIQUA OH. 45356
PHONE (937) 773-1994 PH 264-5581
FAX 264-3698
SCALE 20:1 SITE MAP



(Not connected)

RESOLUTION No. PC 40-08

WHEREAS, pursuant to article 92.07 of the City of Piqua Code of Ordinances, Michael P. Yannucci, the adjacent property owner, has filed with the Clerk of the Commission a petition requesting that an improved portion of the Campbell Street Right of Way from Water Street to the north end be vacated; and,

WHEREAS, pursuant to Section 98 of the City of Piqua Charter the City Commission has adopted Resolution R-94-08 declaring their intention to vacate the subject right of way; and,

WHEREAS, pursuant to Section 98 of the City of Piqua Charter notice of the intent has been served on the abutting property owners and the Planning Commission has conducted a public hearing to consider the request to vacate the subject portion of right of way, and the commission has determined the vacation of the right of way will not impair the maintenance or improvement of existing or proposed infrastructure;

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 VACATION
OF PUBLIC RIGHT-OF-WAY

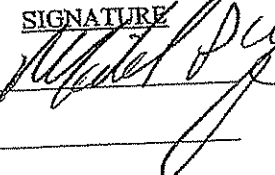
1. Applicant's Name Michael P. Yannucci Phone # 773-3161
 Applicant's Address 333 W. High Street Piqua, OH 45356
2. Owner's Name Michael P. Yannucci Phone # 773-3161
3. Type of legal interest held by applicant Owner of Property
4. Location of Public Right-Of-Way Vacation request Campbell Street (South Half)

See Exhibit A

City owned Alley will be maintained.

5. Describe the reason for the requested Vacation of Public Right-Of-Way
Parking, and management of ingress and egress.

6. Property owners adjacent to Right-Of-Way to be vacated.

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
<u>Michael P. Yannucci</u>	<u>320/322 W. Water St. 400 W. Water St.</u>	
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature of Applicant  Date _____

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

\$100.00 Fee Paid \$ 100.00

Date Fee Paid 8/7/08

Receipt No. 180372

Res. No. _____

RESOLUTION NO. R-94-08

A RESOLUTION OF INTENT TO VACATE
PUBLIC RIGHT-OF-WAY

WHEREAS, pursuant to Piqua Charter Section 98, this Commission must adopt a resolution expressing its intention to vacate a portion of platted Campbell Street (north of Water Street) right-of-way.

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

SEC. 1: This Commission hereby intends to vacate a portion of platted Campbell Street (north of Water Street) right-of-way as described in Exhibit "A" attached hereto. The City Manager or his duly authorized representative is hereby directed to cause notice of this Resolution to be served by certified mail upon all persons whose property abuts said tract. Said notice shall state the time and place at which objections can be heard by the Planning Commission.

SEC. 2: This Resolution shall take effect and be in force from and after the earliest period allowed by law.


THOMAS D. HUDSON, MAYOR

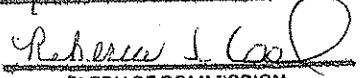
PASSED:

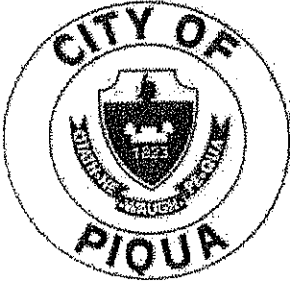
September 2, 2008

ATTEST:

Rebecca J. Cool
REBECCA J. COOL
CLERK OF COMMISSION

I, the undersigned Clerk of the City Commission of the City of Piqua, Ohio do hereby certify that the above Resolution R-94-08 is a true, accurate and correct copy of Resolution R-94-08 passed by the Commission of the City of Piqua, Ohio, on the 2 day of September, 2008


CLERK OF COMMISSION



PLANNING AND ZONING

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

August 18, 2008

MEMORANDUM

TO: Frederick E. Enderle

RE: **Request for Commission Legislation to Declare Intent to Vacate a Portion of the Platted Campbell Street Public Right of Way**

A request to vacate the remaining portion of the platted Campbell Street public right of way north of Water Street has been received by this office. As you will recall the northernmost portion of Campbell Street right of way was previously vacated earlier this year. The portion of right of way affected by this request begins at Water Street and ends approximately 180 feet to the north. The property found on either side of the right of way is owned by the proprietor of the Jamieson & Yannucci Funeral Home. The impetus for the vacation request is the property owner's recent acquisition of these properties and the desire to rework this area to better compliment the use of the surrounding properties. Currently, the only traffic volume of any significance that this section of Campbell Street experiences, is generated by adjacent funeral home, dwelling unit, and professional office space uses. The petitioner indicates that it is his intent to continue to allow the adjacent property owners use of the vacated portion of Campbell Street as needed to access/exit their property.

To consider a request to vacate public right of way, section 98 of the City Charter requires the commission to first pass a resolution declaring its intention to do so. Therefore, I am forwarding this request for the City Commissions' adoption of said resolution. In doing so, the City Commission will be authorizing this request to be advanced to the Planning Commission to conduct a public hearing and further study this request. After such time the Planning Commission has held a public hearing to consider all of the facts pertaining to this matter, the item will be returned to the City Commission with the Planning Commissions' recommendation for approval or denial of this request. A recommendation for approval will result in the City Commission being asked to consider the adoption of an ordinance to approve the vacation of the subject right of way.

Staff's initial observations concerning this request finds that the subject right of way does not appear to be essential to the surrounding neighborhood or to the maintenance of city services provided to this area. Enclosed for the City Commissions' reference in considering this request, please find a copy of the application submitted to this office.

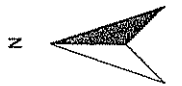
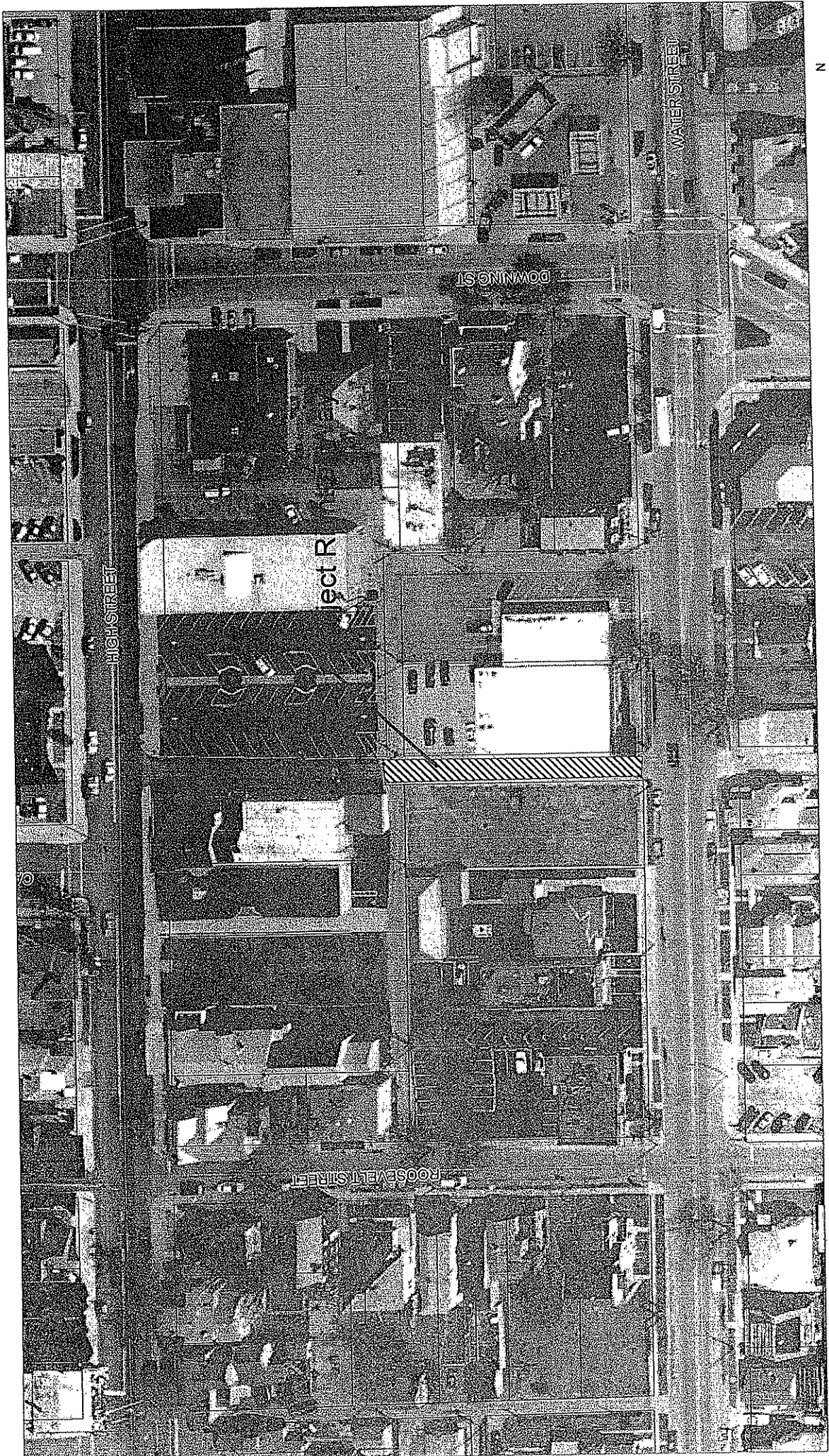
Sincerely,

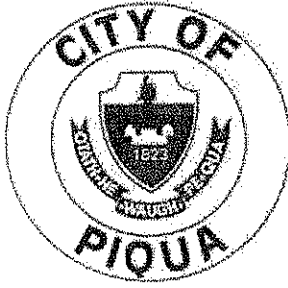
Chris Schmiesing

Christopher W. Schmiesing
City Planner

Enclosures

EXHIBIT A





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

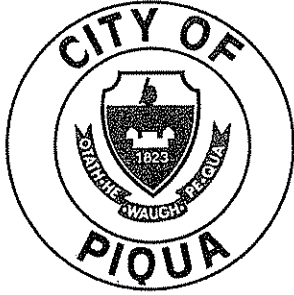
September 9, 2008

LEGAL NOTICE

Pursuant to Section 98 of the City of Piqua Charter, notice of the City of Piqua City Commissions' declaration of intent to vacate a portion of Campbell Street right-of-way beginning at Water Street on the south end and extending north to the north end of the Campbell Street right-of-way, and notice of the City of Piqua Planning Commission meeting date, time, and location, at which a public hearing will be conducted concerning this matter, said meeting to be held on Tuesday, October 7, 2008 at 6:00 P.M. in the Commission Chambers located on the 2nd floor of the Municipal Government Complex, 201 West Water Street, Piqua, Ohio, is hereby provided.

Christopher W. Schmiesing
City Planner

PUBLISH: Saturday, September 20, 2008



PLANNING AND ZONING

Christopher W. Schmiesing – City Planner
201 West Water Street • Piqua, Ohio 45356
(937) 778-2049 • FAX (937) 778-0809
E-Mail: cschmiesing@piquaoh.org
Website: <http://www.piquaoh.org/zoning.htm>

September 9, 2008

TO: _____ AT&T
Legal Mandate Group, Rm 225
3233 Woodman Drive
Kettering, Ohio 45420

_____ Vectren Energy Delivery of Ohio
Troy Service Center
1300 Experiment Farm Road
Troy, Ohio 45373

_____ D.P.&L.
2385 Campbell Road
Sidney, Ohio 45365

_____ Time Warner Cable
1450 Experiment Farm Road
Troy, Ohio 45373

_____ City of Piqua Power System
Ed Krieger

_____ City of Piqua Engineering
Amy Havenar

_____ City of Piqua Water System
Ron Klima

_____ City of Piqua Wastewater
Dave Burtner

_____ City of Piqua Street Department
Doug Harter

_____ City of Piqua Health Department
Amy Welker

_____ City of Piqua Police Department
Bruce Jamison

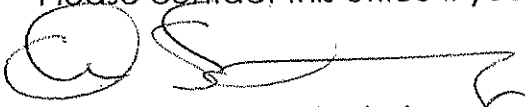
_____ City of Piqua Fire Department
Gary Connell

*** REQUEST FOR COMMENTS ***

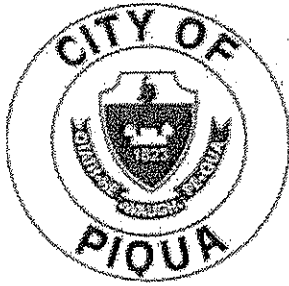
Please review the enclosed item and notify this office in writing with any concerns or comments your office may have regarding this matter.

This is your opportunity to speak in favor of, or object to, the requested item. Please email your comments to cschmiesing@piquaoh.org or mail them to the address listed above so that they are received by this office no later than 5 p.m. on October 7, 2008.

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


Christopher W. Schmiesing
City Planner
City of Piqua

Enc.



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

September 26, 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, October 7, 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.

OCTOBER 7, 2008 PLANNING COMMISSION MAILING LIST

RESOLUTION	NAME	MAILING ADDRESS	CITY, STATE, ZIP
MEETING NOTICE AND AGENDA TO:			
	MUNICIPAL GOVERNMENT COMPLEX PUBLIC BULLITEN BOARD		
PC 40-08	YANNUCCI MICHAEL P	333 W HIGH ST	PIQUA, OH 45356
PC 40-08	ROWELL DELLA M	408 W WATER ST	PIQUA, OH 45356
PC 40-08	SKINNER DORIS E	810 S ROOSEVELT AV	PIQUA, OH 45356
PC 40-08	SHIVELY WILLIAM A	116 E MAIN ST	FLETCHER OH 45326
PC 40-08	REISER W JOSEPH & LAURIE WINANS REISER	406 S RIDGE AVE	TROY, OH 45373
PC 40-08	XSSV PROPERTIES LTD	414 W WATER ST	PIQUA, OH 45356
PC 40-08	HUNOLT JERRY E	PO BOX 1660	PIQUA, OH 45356
PC 40-08	ROUTSON MICHAEL M	407 W HIGH ST	PIQUA, OH 45356
PC 40-08	TERRY L JONES D C INC	210 N DOWNING ST	PIQUA, OH 45356
PC 39-08	MILLER DEAN	419 GARNSEY ST	PIQUA, OH 45356
PC 39-08	CLINE TOM	5758 POE AVE	DAYTON, OH 45414
PC 39-08	STEWART ALLEN & PENNY R	415 GARNSEY 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	
	AMY HAVENAR	EMAIL	
	WAYNE WILLCOX	EMAIL	
	PIQUA DAILY CALL	EMAIL	
	DAYTON DAILY NEWS	EMAIL	
	WPTW	EMAIL	
	PIQUA CHANNEL 5	EMAIL	