

CITY OF MADEIRA
PLANNING COMMISSION
May 17, 2021 at 7:00 P.M.

*Meeting proceedings will be available to the public via Zoom
(Link is on the calendar for this meeting on www.madeiracity.com)*

This regular meeting of the Planning Commission is subject to Section 121.22 of the Ohio Revised Code, which is otherwise referred to as Ohio's Open Meetings Act. Because some applications are "quasi-judicial" in nature, the Planning Commission is authorized by Ohio law to adjourn the meeting for the purpose of deliberating the merits of such applications (*See, TBC Westlake v. Hamilton County Bd. of Revision*, 81 Ohio St.3d 58; *State ex rel. Ross v. Crawford County Bd. of Elections*, 125 Ohio St.3d 438; *Pennell v. Brown Twp.*, 2016-Ohio-2652; *Wightman v. Ohio Real Estate Comm'n*, 2017-Ohio-756; *State ex rel. Eaton v. Erie County Bd. of Elections*, 2006-Ohio-966; *Beachland Enters. v. City of Cleveland Bd. of Review*, 2013-Ohio-5585). If the Planning Commission elects to do so, it will temporarily adjourn the meeting after all of the Public Hearings have concluded. Then, upon completion of deliberations, the Planning Commission will resume the meeting to discuss the application(s), vote on the same, and address any items remaining on the agenda. The Planning Commission may delay voting on (or "table") an applicant's request if it determines additional information from the applicant or the administrative staff is necessary. While the applicant is not required to be present when the vote is taken, the applicant may stay in the chambers during deliberations and the meeting, once resumed, will remain open to the public. All of the Planning Commission's decisions will become final as soon as the Commission (i) votes to approve the meeting minutes for the subject meeting where an application was orally voted upon, (ii) the Commission votes in favor of a resolution related to an applicant's request, or (iii) administrative staff issues written correspondence indicating whether the application was approved or denied.

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL**
- **REVIEW OF MEETING PROCESS AND PROCEDURE**
- **ACCEPTANCE OF AGENDA**
- **NOTICE OF OTHER MEETINGS OR EVENTS**
 - City Council May 24, 2021 at 7:30 pm
 - Mayor's Court May 26, 2021 at 6:30 pm
 - "Sleep Health" Senior Commission Event June 2, 2021 from 1 pm to 2:30 pm
 - Inclusion Committee June 3, 2021 at 7:00 pm
 - Board of Zoning Appeals June 7, 2021 at 7:00 pm
 - Parks & Recreation Board June 9, 2021 at 7:00 pm
 - Large Item Pick-Up (Wednesday Trash Day) June 12, 2021
 - City Council June 14, 2021 at 7:30 pm
 - Mayor's Court June 16, 2021 at 6:30 pm
 - Large Item Pick-Up (Thursday Trash Day) June 19, 2021
 - Public Works Committee of Council June 21, 2021 at 5:00 pm
 - Senior Commission June 21, 2021 at 6:00 pm
- **CORRESPONDENCE**
 - None

Continued on Next Page ->

- **GUESTS AND REGISTERED VISITORS**

- None

- **HEARINGS ON APPLICATIONS**

- Public Hearing No. 1, Case PC-21-009 – continued from April 19, 2021
Address: 7200 Treetop Lane
Applicant: John Henry Homes, Inc.
Owner: Same
Request: Rezoning Change from Residence B (Single Family) to Residence A (Single Family)
- Public Hearing No. 2, Case PC-21-016– continued from April 19, 2021
Address: 7825, 7827, & 7845 Euclid and
7832, 7838, & 7842 Laurel
Applicant: Matt Stanley, Legendary Custom Homes
Owner: Same
Request: Approval of a Preliminary Development Plan – Code Section 150.42
- Public Hearing No. 3, Case PC-21-015
Address: 6050 Arnett Street
Applicant: Ted Redmond
Owner: Robin and Gregory Wagner
Request: Request for a Lot Split (2 Lots with Lot Size Variances)

- **COUNCIL REPORT**

- **NEW BUSINESS**

- Zoning Code Update – “Cube Based” Corner Lot Discussion

- **OLD BUSINESS**

- Comprehensive Plan Report

- **ACCEPTANCE OF MINUTES**

- Planning Commission Special Meeting Minutes - April 8, 2021
- Planning Commission Meeting Minutes – April 19, 2021

- **ADJOURNMENT**

PLANNING COMMISSION STAFF REPORT

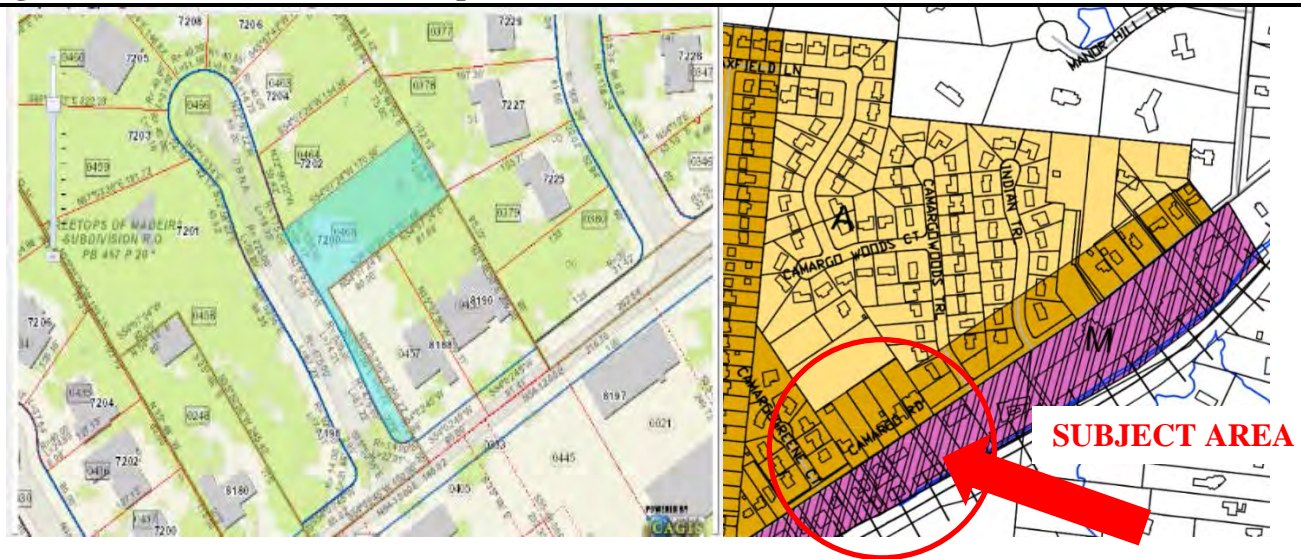
Public Hearing Number: 1

Case Number: PC-21-009

Address: 7200 Treetop Lane
Applicant: John Henry Homes, Inc.
Property Owner: Same

Zone: Residence B
Request: Rezoning Change from Residence B (Single Family) to Residence A (Single Family)
Code Section: Section 150.10, Section 150.29 Lot Requirements (Table C.1)

Legal Notice: City of Madeira Website – April 9, 2021
Meeting Date: Continued from April 19, 2021



Overview: The property is currently vacant and is part of the Treetops subdivision. The subject property is in the Residence B zoning district. The Applicant is requesting to re-zone the parcel to Residence A in order to be consistent with the current zoning in the balance of the subdivision.

Under this proposal, the dimensions of the subject parcel will not be changed. The use will remain as single family residential, but with different lot requirements. The subject parcel currently meets the lot requirements for a property in the Residence A district. Minimum lot size in Residence A is 11,700 square feet, and the subject parcel is 12,457 square feet, not including the narrow piece of land running to Camargo Road.

Property History: The Applicant requested a height variance to construct a new house on 7200 Treetop Lane in April, 2020 (BZA Case #20-005); the BZA denied this request.

Abutting Property Uses: The adjacent properties to the North are zoned Residence A; to the East are zoned Residence A and B; to the West are zoned Residence B. All of the adjacent properties are used as single family residential. The property to the South, across Camargo Road, is in the M/CBD and is currently being used a commercial garage.

Public Comment: None to date.

PLANNING COMMISSION STAFF REPORT

Public Hearing Number: 2

Case Number: PC-21-016

Address: 7825, 7827 & 7845 Euclid and
7832, 7838 & 7842 Laurel

Property Owner: Matt Stanley, Legendary Custom Homes
Applicant: Same

Zone: TROD (Transitional Residential Overlay District)
Request: Approval of a Preliminary Development Plan – Code Section 150.42

Legal Notice: City of Madeira website – April 9, 2021
Meeting Date: Continued from April 19, 2020

Subject Area:



Euclid Properties:



Laurel Properties:



Proposed Development

Laurel Side:



Euclid Side:



OVERVIEW:

The Applicant is submitting the Preliminary Development Plan for a residential project on Euclid and Laurel Avenues. The proposed project will include 13 detached single-family houses with individual courtyard green space for each house.

The Applicant secured a zone change on the subject properties in 2020 to incorporate them all into B/TROD. The B/TROD permits this type of single-family development by allowing for modified lot requirements, such as lot size, setbacks, or frontage requirement. Please reference Code Sections 150.42.F and G regarding the details required for the Preliminary Plan submission. Staff has reviewed the Applicant's submission, and there is an appropriate amount of information provided to move the application forward for Planning Commission's review.

Highlights of the Preliminary Plan include:

- The subject property is 1.5 acres; the TROD zoning allows for 10 units per acre, which would permit 15 units on the property. Thirteen (13) units are proposed.
- Full landscape plan, with plant types, is provided on Sheet L-101 of the submission.

- Exterior materials include: Hardie board/siding; Dutch Quality stone veneer; composite deck materials with black aluminum rails; metal roof accents; and scalloped white picket fencing.
- Euclid Side Lots:
 - Front yard setback = 25.96'
 - Lot depth = 104.95'
 - Lot width = 33.5' to 39'
 - East side setback = 9.85'
 - West side setback = 10/65'
- Laurel Side Lots:
 - Front yard setback = 20'
 - Lot depth = 98' to 146' (lots are on angle)
 - Lot width = 31.6' to 81.42'
 - East side setback = n/a (24' driveway, plus greenspace)
 - West side setback = 9.17'

The proposed development, as presented, does not require any variances.

Procedurally, upon Planning Commission approval of the Preliminary Plan, the developer has six months in which to submit a final development plan for the project. The final development plan must be “substantially consistent” with the approved Preliminary Plan. Approval of the Preliminary Plan does not authorize the developer to proceed with construction on the project. The developer is required to submit a Final Development Plan for approval by the Planning Commission before any permits are issued for the project.

The Application has been provided to the City’s Architectural Review Officer (ARO) for review. The ARO report will be provided to Planning Commission upon its completion.

PROPERTY HISTORY: In 2020, the Applicant requested and was granted a zone change for the properties at 7825, 7827 and 7845 Euclid, as well as 7832, 7838 and 7842 Laurel. The request was to rezone a portion of the properties that face Laurel Avenue from BA/RSB to B/TROD to allow the area to be developed residentially.

In 2019, Planning Commission recommended, and City Council approved, a zone change from B/TROD to BA/RSB for the subject property. The net effect of this zone change was to adjust the northern boundary of the Laurel Avenue properties to allow adequate space for a proposed office/retail building and parking.

In 2015, a sign variance was requested for 7832 Euclid, but the request was withdrawn. The other properties on Euclid do not have any previous zoning requests on record.

ABUTTING PROPERTY USES: Properties to the North and East are zoned TROD; the property to the South is Main Street Core (MSC) and the property to the West is BA/RSB.

PUBLIC COMMENT: None at this time.

PLANNING COMMISSION STAFF REPORT

Public Hearing Number: 3

Case Number: BZA-21-015/PC-21-015

Address: 6050 Arnett Street
Applicant: Ted Redmond
Property Owner: Robin and Gregory Wagner

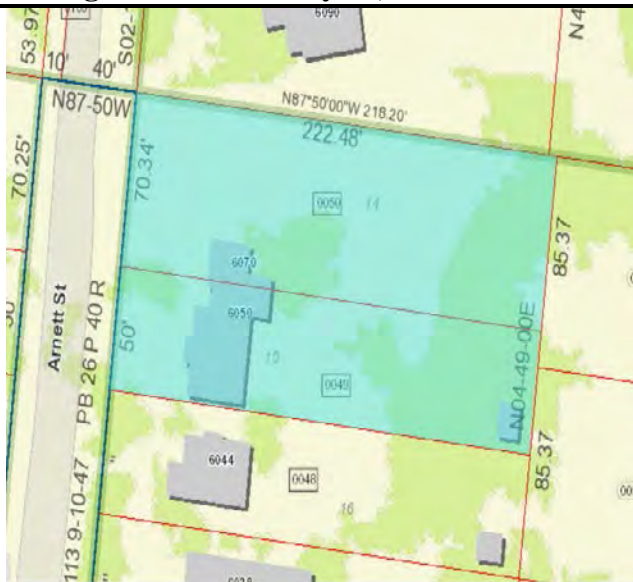
Zone: Residence A (Single Family)

Request: Lot Split Request (2 Lots) with Lot Size Variances - Lot Width and Width to Depth Ratio

Code Section: Section 150.29, Table C.1 – Lot Requirements

Legal Notice: City of Madeira website – May 7, 2021

Meeting Date: May 17, 2021



Overview: The Applicant has requested a lot split for the property located at 6050 Arnett Street. A variance is required because each of the lots will have 60.17 feet frontage on Arnett Street. Per Table C.1 in the Zoning Code, lots in the Residence A District must have a minimum width of 75 feet.

Additionally, the proposed lots exceed the required width to depth ratio of 3:1. The proposed lots are 60.17 feet wide and have a depth of 222.48'. The resulting lots would be 13,386.6 square feet, thus exceeding the required minimum 11,700 square foot lot size for the Residence A district.

Procedurally, if BZA approves a requested variance such as this, then the lot split request will be reviewed by Planning Commission for a final determination on the lot split request.

BZA approved the request at the April 20, 2021 meeting. In discussion of the request, Mr. Karoly noted the lots are currently nonconforming, and the split would create two lots that are slightly more conforming.

Property History: There are no previous zoning requests on file for this property.

Abutting Property Uses: Properties on all sides of this property are zoned Residence A and are used as single-family residences.

Public Comment: As of March 26, 2021, one (1) comment has been received (by email) by a neighboring property owner in favor of this variance request.

Ms. Rachael Smith, 6037 Arnett, spoke at the BZA hearing and asked about the plans for the lots. She asked if residents would be able to see the house plans at the Planning Commission stage. Mr. Moeller said Planning Commission could request to see the plans, to ensure they meet all setbacks requirements, as a condition of the lot split.



City of Madeira
Board of Zoning Appeals
7141 Miami Avenue
Madeira, OH 45243
513-561-7228

RECEIVED: 3/5/2021

Date

Fee Paid: _____

Date Paid: _____

Case No: _____

DISCLAIMER: ALL INFORMATION ON THIS FORM WILL BECOME PUBLIC RECORD

Variance Application

TYPE OF VARIANCE REQUESTED:

Please check appropriate box

| TYPE | FEE CHARGED |
|---|--|
| <input checked="" type="checkbox"/> Residential | Variance fee of \$50.00 + \$1.50 per \$1000.00 of total cost for additions; \$0.75 per \$1000.00 for a new house |
| <input type="checkbox"/> Commercial | \$150 + \$1.50 per \$1000 of total cost |
| <input type="checkbox"/> Panhandle Lot | Variance fee of \$50.00 + \$1.50 per \$1000.00 of total cost for additions; \$0.75 per \$1000.00 for a new house |
| <input type="checkbox"/> Conditional Use | \$150 + \$1.50 per \$1000 of total cost |
| <input type="checkbox"/> Non-Conforming Use | \$150 + \$1.50 per \$1000 of total cost |
| <input type="checkbox"/> Other | See City Staff to determine |

Please indicate the Madeira Zoning Code Section that pertains to the variance request (*circle one*):

Chapter 150: Zoning Code

Chapter 153: Excavating, Filling, and Grading of Land

Chapter 151: Subdivision Regulations

Other: _____

Estimated project cost: \$350,000 Please describe requested variance: We would like to split the existing 70' / 50' lots at 6050 Arnett into two buildable 60.17' lots for new homes for us (Ted and Colleen) as well as our son (Kyle) and his family.

PROPERTY INFORMATION:

| | |
|---------------------------------------|---|
| Address: | 6050 Arnett St, Cincinnati, OH 45243 |
| Book, Page & Parcel number: | Book 525, Page 0025, Parcel 525-0025-0049-00 |
| Current Zoning Designation: | A |
| Adjacent Property Zoning Designation: | North: <u>A</u> South: <u>A</u> East: <u>A</u> West: <u>A</u> |

APPLICANT:

| | | | |
|----------|--------------------------------------|----------------------|-------------------------|
| Name: | Ted Redmond | Daytime Telephone #: | 513-673-3696 |
| Address: | 6240 Kincora Ct, Cincinnati OH 45233 | Evening Telephone #: | |
| | | Email Address: | kyleredmond81@gmail.com |

OWNER (if different from applicant):

| | | | |
|----------|--------------------------------------|----------------------|------------------|
| Name: | Robin and Gregory Wagner | Daytime Telephone #: | 513 314 - 0955 |
| Address: | 6050 Arnett St, Cincinnati, OH 45243 | Evening Telephone #: | 513 314 - 7125 |
| | | Email Address: | WAGNERRW@aol.com |

PAST VARIANCES:

Have any variances been requested, granted or denied on the subject property?

☐ Yes

☒ No

If yes, please provide date(s) and details (*attach separate page if necessary*):

None to our knowledge

SUBMISSION REQUIREMENTS:

Fourteen (14) copies of this application, the variance request worksheet and all the materials listed in the applicable table attached must be submitted **at least 28 days prior** to the Board of Zoning Appeals meeting in order for the application to be placed on the agenda. **All materials must be assembled in separate packets – please FOLD rolled drawings.**

Stamped surveys will be required for any dimensional variance, including: a) New Dwellings; b) Additions with setback and/or lot coverage percentage requests; c) Commercial building projects; d) Sign Location variance requests closer than 10' from the right-of-way and e) Accessory Structures that exceed the allowable square footage by zoning district or are closer than 10 feet to the property line.

Any blanks or incorrect information on this application will be considered an incomplete application which may result in your request being delayed until the next meeting.

I certify that the information contained in this application and supplements is true and correct. Applicant hereby grants permission to the City of Madeira Board of Zoning Appeals and City staff to visit the subject property to review variance requests.

Applicant Signature: Ted Redmond dotloop verified
03/03/21 9:03 AM EST
MR30-QKII-ID21-SK4E Date: 03/03/2021

I/we authorize to file and proceed with this application for a variance concerning my property as stated in this application. It is the applicant's responsibility to notify the property owner(s) of the Board of Zoning Appeals decision.

Owner Signature: Robin W Wagner DocuSigned by:
4438C4C131E7450... Date: 3/2/21

THIS SECTION TO BE COMPLETED BY STAFF

| | | Initials |
|--------------------------------------|--|----------|
| BZA Meeting Date: | Date: | |
| Legal Notice Published: | Date: | |
| ARO Review (<i>if applicable</i>): | Date: | |
| BZA Decision (<i>circle one</i>): | Approved Approved w/ Conditions Denied | |
| Property owner at BZA Meeting: | | |
| Applicant at BZA Meeting: | | |

Fill in the table below to verify that this information was submitted. Write "submitted" where it is not asking for number of feet. Please use decimals.

| | Applicant Reply/Checklist | Staff |
|--|--|-------|
| List of property owners within 200 ft of the subject property | Clark, Hodges, Ikedo, Niver, Graham | |
| SITE PLAN REQUIREMENTS | | |
| Site plan, BASED ON A REGISTERED SURVEY , including the following: | Surveyor Name: Timothy King | |
| a) Complete property line, showing dimensions and metes and bounds. | submitted | |
| b) Street names | Arnett and Cherokee appear on survey | |
| c) Title, scale and north arrow. Scale should be 1"=20' | submitted | |
| d) Existing and proposed structures on the subject site | existing home at 6050 Arnett to be torn down | |
| e) Setback lines shown as dashed line on plan (See Section 150.24 of the Zoning Code) | Front: _____ Rear: _____ Side: _____ Side: _____ submitted | |
| f) Distance from existing structures on subject property to property line in feet. Include all projections outside foundation walls | Front: 37' Rear: 143' via Cagis Side: 2' Side: 53.6' | |
| g) Distance from proposed structures on subject property to property line in feet. Include all projections outside foundation walls | Front: _____ Rear: _____ Side: _____ Side: _____ TBD | |
| h) Existing structures on adjacent property | 6044 Arnett St | |
| i) Distance from existing structures on adjacent property to property line nearest subject property. How was this measured? | North: _____ East: _____ South: 10.6' West: _____ via Cagis | |
| ELEVATION REQUIREMENTS | | |
| Elevations of all sides, including the following: | | |
| a) Label and describe all relevant proposed materials (siding, paving, etc) and colors | TBD, still choosing house plans | |
| b) Proposed distance from finished grade to finished floors and top of structure | TBD, still choosing house plans _____ Feet | |
| c) Proposed distance from finished grade to top of highest point of the structure | TBD, still choosing house plans _____ Feet | |
| MISCELLANEOUS REQUIREMENTS | | |
| Proposed Lot Coverage % (footprint of proposed compared to lot size within r-o-w) | TBD, still choosing house plans | |
| Topography, at 2' increments, drawn to scale depicting existing and proposed changes | TBD, still choosing house plans | |
| Will proposed variance result in any change in surface water drainage in either direction or volume from subject site? Explain how determined and mitigated. | not to the best of our knowledge | |
| Completed variance request worksheet. | submitted | |
| UPON REQUEST | | |
| Landscape Plan | | |
| Rendering illustrating the proposed project | | |
| OPTIONAL | | |
| Photos of the site | | |
| Letters in support of the project | | |

MADEIRA CITY PLANNING COMMISSION

VARIANCE REQUEST WORK SHEET

TO BE COMPLETED BY THE APPLICANT

Property Location: 6050 Arnett St Request Type: re-divide existing land into two 60.17' wide buildable parcels

- (1) Will the property in question yield a reasonable return or can there be any beneficial use of the property without the variance? Without the variance, the contingency on our offer to purchase the property will void the offer
- (2) Is the variance necessary to preserve a substantial property right (the reasonable enjoyment and use of the property) which is already possessed by the owners of other properties in the same area? Yes, we need the variance in order to build 2 homes on the 120.34' wide lot. If we do not receive the variance, we will not be purchasing the land.
- (3) Are there exceptional or extraordinary conditions which apply to the subject property that do not apply generally to other properties in the same area? No, we are simply requesting the same variance that was granted in 2019 to the properties at 6038 and 6032 which were built on two 50' lots
- (4) Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer a substantial detriment as a result of the variance? There would not be any negative impact on the area, just two brand new homes
- (5) Would the variance adversely affect the delivery of governmental services (e.g. water, sewer, garbage)? It would not
- (6) Were the applicable zoning restrictions in place when the property was purchased or acquired by the applicant? Did the applicant have a reasonable means of determining what zoning restrictions were in effect at the time the property was acquired? Yes the restrictions were in place, which is why we placed a contingency on our offer regarding variance approval for two buildable 60.17' lots
- (7) Can the property owner's predicament feasibly be obviated through some method other than a variance (such as a zoning change or redesign of the proposed plan)? No
- (8) Can the spirit and intent behind the zoning requirement be observed and substantial justice done if the variance is granted? The spirit and intent of this variance request is to allow us (Ted and Colleen) to build next to our son and our grandchildren while also allowing them to live in their dream community and be able to send their children (currently 1 and 3) to Madeira schools.

BOOK: 525 PAGE: 0025

PARCEL:

BASIS OF BEARINGS:
MINIX HEIGHTS SUBDIVISION
P.B. 26, PG. 40 & 41

DEED OF RECORD
O.R. , PG.



- ① JOHN H. CLARK TR
O.R. 14281, PG. 1054 (0.4457 ACRES)
AUDITOR'S PARCEL: 525-0025-0002
- ② LYNNE M. HODGES
O.R. 12731, PG. 1418 (0.867 ACRES)
AUDITOR'S PARCEL: 525-0025-0143
- ③ LIN IKEDO
O.R. 13948, PG. 73 (0.641 ACRES)
AUDITOR'S PARCEL: 525-0025-0145
- ④ BEN & ARIANA NIVER
O.R. 13895, PG. 1188 (0.583 ACRES)
AUDITOR'S PARCEL: 525-0025-0051
- ⑤ RONALD V. GRAHAM
O.R. 10115, PG. 9 (0.252 ACRES)
AUDITOR'S PARCEL: 525-0025-0048

| AREA TABLE | |
|-------------|--------------|
| TRACT 'B' | 0.3083 ACRES |
| TRACT 'C' | 0.3073 ACRES |
| TOTAL AREA: | 0.6156 ACRES |

- LEGEND**
STANDARD SYMBOLS THAT MAY APPEAR ON THIS DRAWING:
- IP FOUND-5/8"
 - IP FOUND-1"
 - IP SET - 5/8"
 - IP SET - 1"
 - * IRON PIPE FOUND
 - PK FOUND
 - MAG NAIL SET
 - ✕ RR SPIKE FOUND
 - ✕ RR SPIKE SET
 - CONC. MON. FOUND
 - HUB & TACK SET
 - △ STONE FOUND
 - ✕ CROSS NOTCH SET
 - ⊕ BENCH MARK
 - ⊞ LATH SET ON-LINE

AREA PRE-CUT-UP: 0.6156 ACRES

CURRENT OWNER:
MEGAN REDMOND
O.R. PG.
AUDITOR'S PARCEL 525-0025-

NOTE:

CITY OF MADEIRA ZONING: RESIDENCE 'A'
CURRENT SETBACK REQUIREMENTS:
FRONT YARD SETBACK: 50.0'
SIDE YARD SETBACKS: 9.0' (TOTAL 20')
REAR YARD SETBACK: 40.0'
PROPOSED SETBACKS:
FRONT YARD SETBACK: 50.0'
SIDE YARD SETBACKS: 6.0' (TOTAL 12')
REAR YARD SETBACK: 40.0'

PARCEL CUT-UP

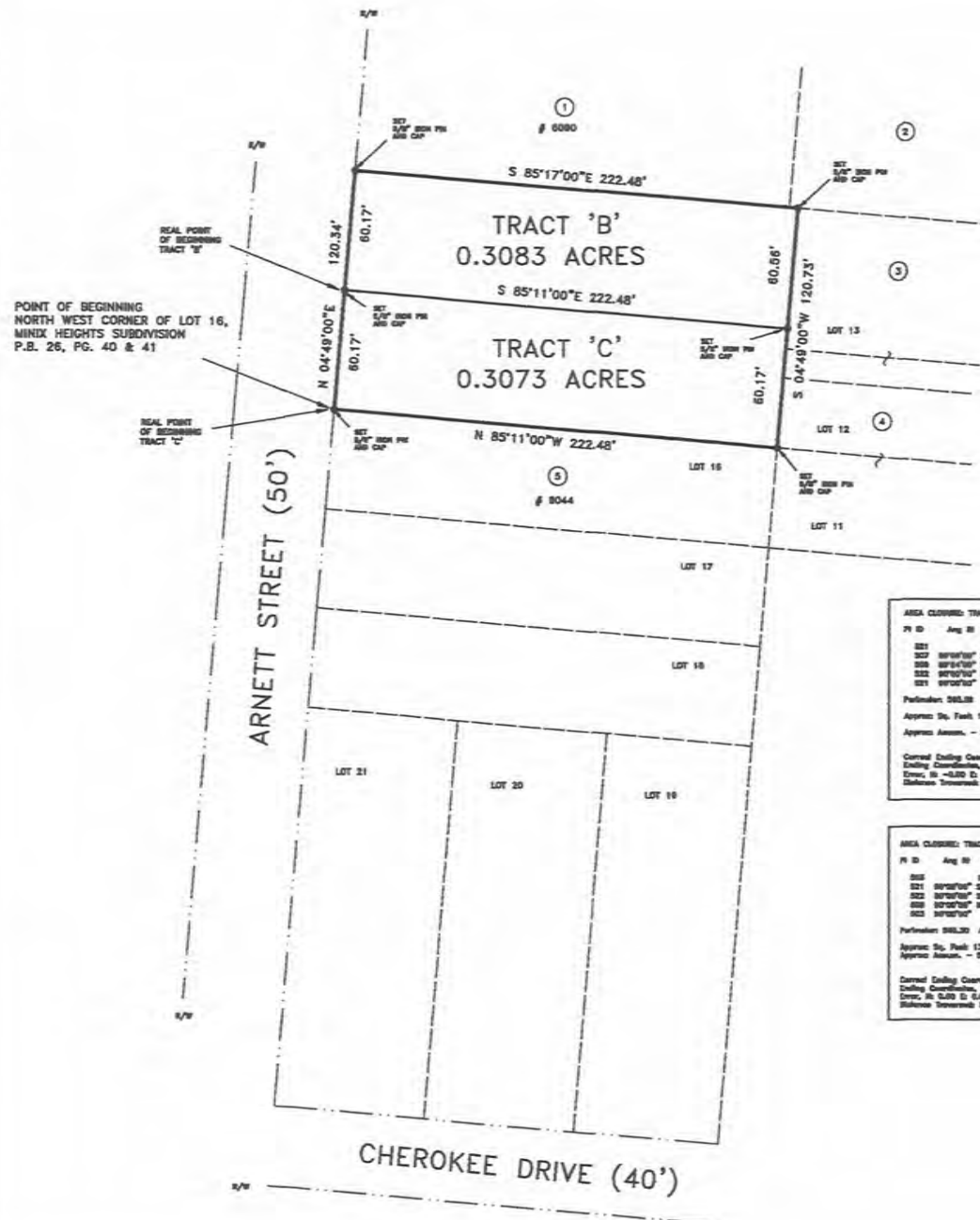
SITUATED IN
SECTION 17, TOWN 4, F.R. 2
MIAMI PURCHASE
COLUMBIA TOWNSHIP
CITY OF MADEIRA
HAMILTON COUNTY, OHIO

2/19/2021

J. T. KING & CO., INC.
CIVIL ENGINEERS • LAND SURVEYORS
8800 MONTGOMERY ROAD • SUITE "218"
CINCINNATI, OHIO 45242
TELEPHONE: (513) 792-7067 FACSIMILE: (513) 792-7067

MEGAN REDMOND
6050 ARNETT STREET
CINCINNATI, OHIO 45243

| | | | |
|--------------------------|--------------------------|---------------------|--------------------------|
| APPROVED BY: J. T. K. | DRAWN BY: NORDLOH | DATE: 2/16/2021 | CDD NAME: REDMOND.CDD |
| SCALE: 1"=40' | DWG NAME: REDMOND.DWG | FILE No. 21028-S | |



AREA CLOSED: TRACT 'B'

| PI ID | Ang B | Bearing | Distances PI ID | Bearing | Closing |
|-------|--------------|---------|-----------------|--------------|----------|
| 321 | N 04°49'00"E | 80.17 | 327 | S 85°17'00"E | 4851.582 |
| 327 | S 85°17'00"E | 225.48 | 328 | S 04°49'00"W | 5484.719 |
| 328 | S 04°49'00"W | 12.36 | 323 | S 85°11'00"W | 4851.530 |
| 323 | S 85°11'00"W | 225.48 | 321 | N 04°49'00"E | 4851.530 |
| 321 | N 04°49'00"E | | | | |

Perimeter: 985.39 Area: Perimeter: 985.39
Approx. Sta. Feet: 15420 Acres: 0.3083
Approx. Area: - Sta. Feet: 15420 Acres: 0.3083

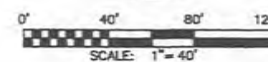
Current Ending Coordinates: North: 5442.052 East: 4816.336
Ending Coordinates: North: 5442.052 East: 4816.336
Error: N: -0.00 E: -0.00 Total: 0.00 Sta. Feet: 94°00'00"E
Distance Traveled: 985.39 Closure: 0.0000

AREA CLOSED: TRACT 'C'

| PI ID | Ang B | Bearing | Distances PI ID | Bearing | Closing |
|-------|--------------|---------|-----------------|--------------|----------|
| 325 | N 04°49'00"E | 80.17 | 321 | S 85°17'00"E | 4851.530 |
| 321 | S 85°17'00"E | 225.48 | 322 | S 04°49'00"W | 5484.719 |
| 322 | S 04°49'00"W | 12.36 | 323 | S 85°11'00"W | 4851.530 |
| 323 | S 85°11'00"W | 225.48 | 325 | N 04°49'00"E | 4851.530 |
| 325 | N 04°49'00"E | | | | |

Perimeter: 985.39 Area: Perimeter: 985.39
Approx. Sta. Feet: 15420 Acres: 0.3083
Approx. Area: - Sta. Feet: 15420 Acres: 0.3083

Current Ending Coordinates: North: 5442.052 East: 4816.336
Ending Coordinates: North: 5442.052 East: 4816.336
Error: N: -0.00 E: -0.00 Total: 0.00 Sta. Feet: 94°00'00"E
Distance Traveled: 985.39 Closure: 0.0000



This is a detailed plat map of a portion of Township 36 North, Range 10 West. The map shows several streets: Johnson St on the left, Arnett St running vertically through the center, and Kenwood Rd on the right. Numerous land parcels are depicted, many of which are shaded in gray. Each parcel is labeled with a unique number, such as 6062, 6058, 6052, 6022, 6158, 6162, 6182, 6192, 6015, 6016, 6248, 6260, 6070, 6044, 6038, 6032, 6031, 6043, 6101, 6090, 6069, 6057, 60436047, 6023, and 6024. The map also includes various survey lines with bearings and distances, such as N87-50W, S02-10W, N85-17-00E, and S85-17-00E. A 'MINIX HTS SUB R.O. PB 26 P 40' is also indicated. The map is a technical drawing with precise lines and text, typical of a surveyor's plat.

CAGIS User
CAGIS |

These minutes have not been approved by the City of Madeira Planning Commission. Drafts of minutes have not yet been reviewed or corrected. Amendments may be made before a final approved version of the minutes is available. While comments are welcomed, we do not engage in changing or revising drafts of minutes until directed by a majority of the members of the Planning Commission at a public meeting. The City of Madeira makes no warranty, expressed or implied, concerning the accuracy, completeness, reliability or suitability of these minutes until they are approved by the Madeira Planning Commission.

**MADEIRA PLANNING COMMISSION
SPECIAL MEETING MINUTES
APRIL 8, 2021**

I. CALL TO ORDER

Robert Hintz called the meeting to order at 7:03 p.m.

II. ROLL CALL

Mr. Moeller noted that all members were present.

III. ZONING CODE DISCUSSION

- A. Mr. Moeller said the Law and Safety Committee reviewed the zoning code changes and asked for additional review on some issues.
- B. Councilmember Scott Gehring presented the list of issues.
 - 1. Lot coverage calculation in Residence B/R3: Recommendation is to include only primary structure, rather than the primary structure, decks, and accessory structures.
 - a. Deck size: Recommendation to limit to 25% of footprint of primary structure and must maintain setbacks.
 - b. Accessory structures: No recommendation as already limited in size.
 - 2. Impervious surfaces: Recommendation is allow up to 60% without City's approval, rather than the 40% in the revised code.
 - 3. Corner lots: Recommendation is to review side yard setbacks.
- C. The Commission discussed the recommendations and issues surrounding them, including covered decks, patios, and storm water runoff.
- D. The Commission agreed to:
 - 1. Keep accessory structures in the lot coverage calculation and limit size to 160 square feet.
 - 2. Remove decks from lot coverage calculation but limit them to 25% of primary structure footprint.
 - 3. Keep the 40% impervious surface calculation with up to 60% if approved by City. Uncovered decks would be expressly excluded from the calculation.
- E. The Commission began discussion on the setbacks on corner lots and agreed to table it for an informal study of existing corner lots.
- F. Regarding a few other suggestions, the Commission agreed not to state a minimum house size in R3; they agreed to leave the yard sale duration at three days to allow for three-day weekends.

IV. ADJOURNMENT

Mr. Hintz adjourned the meeting at 8:20 p.m.

Robert Hintz
Planning Commission Chair

Tom Moeller
City Manager

DRAFT

These minutes have not been approved by the City of Madeira Planning Commission. Drafts of minutes have not yet been reviewed or corrected. Amendments may be made before a final approved version of the minutes is available. While comments are welcomed, we do not engage in changing or revising drafts of minutes until directed by a majority of the members of the Planning Commission at a public meeting. The City of Madeira makes no warranty, expressed or implied, concerning the accuracy, completeness, reliability or suitability of these minutes until they are approved by the Madeira Planning Commission.

**MADEIRA PLANNING COMMISSION MINUTES
APRIL 19, 2021**

I. CALL TO ORDER

Robert Hintz called the meeting to order at 7:05 p.m.

II. PLEDGE OF ALLEGIANCE

Mr. Hintz led the Pledge of Allegiance.

III. ROLL CALL

A. Members present:

Robert Hintz, Chairman
Melisa Adrien
Carly Chu
David Dye
Barry Feist
Chad Shaffer
Doug Moormann, Council Rep.

B. Officials/Staff present:

Thomas W. Moeller, City Manager
Lori Thompson, Assistant City Manager
Brian Fox, Law Director

IV. REVIEW OF MEETING PROCESS AND PROCEDURE

Mr. Hintz reviewed the process for hearing and deliberating on cases.

V. ACCEPTANCE OF THE AGENDA

Motion to approve the agenda made by Mr. Moormann, second by Mr. Dye. Motion passed by unanimous roll call vote.

VI. NOTICE OF OTHER MEETINGS OR EVENTS

- | | |
|------------------------------|-----------------------------|
| • City Council | April 26, 2021 at 7:30 p.m. |
| • Board of Zoning Appeals | May 3, 2021 at 7:00 p.m. |
| • Mayor's Court | May 5, 2021 at 6:30 p.m. |
| • Inclusion Committee | May 6, 2021 at 7:00 p.m. |
| • City Council | May 10, 2021 at 7:30 p.m. |
| • Parks and Recreation Board | May 12, 2021 at 6:30 p.m. |
| • Senior Commission | May 17, 2021 at 6:00 p.m. |

VII. HEARINGS ON APPLICATION

A. Public Hearing No. 1, Case PC-21-009

Address: 7200 Treetop Lane

Applicant: John Henry Homes, Inc.

Owner: Same

Request: Rezoning Change from Residence B (Single Family) to Residence A (Single Family)

- Mr. Moeller stated the request is for a zoning change for Lot 8 of the subdivision. The lot was subdivided off the two parcels that front on Camargo Road, which are zoned Residence B. The developer would like to change the zoning to A to make it more consistent with the rest of the subdivision. The change would allow the height of the primary structure to be 35 feet rather than 28 feet. A height variance for the property was denied by the BZA in April 2020.
- Josh Blatt, of John Henry Homes, said they missed the fact that Residence B homes had a lower height requirement when they created the subdivision. This lot is the lowest in the subdivision and would look out of place at the lower height. When asked, Mr. Blatt said the height of the house would be within the Residence A requirements.
- Mr. Moeller said the BZA denied the variance because there no practical difficulty or hardship was shown. Mr. Blatt added that during the process, he realized that the variance route was not the right one in this case and that rezoning made more sense.
- Mr. Moeller said the Planning Commission has 45 days to make a recommendation to Council to either approve or deny the rezoning. Council would then proceed with the legislative process that includes three readings and a public hearing.
- Ben Taylor, 8190 Camargo, said he opposes the request because the houses are eyesores and the tall houses detract from the character of their neighborhood.
- Mr. Blatt said if the lot were not rezoned they would build either a two-story home with a very flat roof or a ranch. Ranches are typically 60 feet deep, about 15 feet deeper than the home would be if the rezoning were approved, and the ranch would be closer to the property line. Mr. Moeller added the buildable area of a Residence B lot would be larger, as the setbacks are smaller; the lot coverage, however, could not exceed 28%.

Motion to table the request to encourage the developer to consider a ranch-style home and meet with the neighbors made by Mr. Moormann, second by Ms. Adrien. Motion approved by unanimous roll call vote.

B. Public Hearing No. 2, Case PC-21-016

Address: 7825, 7827, & 7845 Euclid and 7832, 7838, & 7842 Laurel

Applicant: Matt Stanley, Legendary Custom Homes

Owner: Same

Request: Approval of a Preliminary Development Plan – Code Section 150.42

- Mr. Moeller presented a preliminary development plan for the review. In his review, Mr. Ballweg, the Architectural Review Officer, identified several issues.

- Matt Stanley, of Legendary Custom Homes, was administered the oath and said the property, with its detached single-family homes and grassy areas, is designed to provide a transition from the main street core to the outer areas. In discussion, he said the homes would be in the \$799,000 range, and there would be an HOA for landscaping, although he could look into adding guidelines for appearance of the properties as well.
- The Commission discussed the height of the structures allowed. The TROD states the units on Euclid could be up to 35 feet; there are no provisions as to the heights of the units on Laurel.
- Ms. Adrien asked if Mr. Stanley would be willing to address the details regarding setbacks and height and other the comments from the ARO and bring back the preliminary design next month; Mr. Stanley said he would. Mr. Moormann emphasized the importance of making sure all aspects of the project were up to code given the prominence of the development in the community.
- The Commission continued the discussion of the height of the units on Laurel. Mr. Fox said the Commission could set the height as a condition of the approval of the preliminary plan if they chose to do so.

Motion made by Mr. Hintz, second Ms. Adrien, to adjourn for deliberation at 8:32 p.m. Motion approved by unanimous roll call vote

Motion to reconvene the meeting made by Mr. Hintz, second by Ms. Chu, at 8:52 p.m. Motion approved by unanimous voice vote.

Motion to table the approval on the preliminary development plan for the applicant to provide clarity on the issues presented by the ARO and to work with the ARO to provide a street elevation showing the height of the buildings made by Mr. Hintz, second by Mr. Shaffer. Motion approved by unanimous roll call vote.

VIII. COUNCIL REPORT

- A. Mr. Moormann reported the Park Master Plan Steering Committee is moving forward with planning for McDonald Commons.
- B. Council approved contracting with a consultant to determine if the City's rental buildings would qualify for historic status, allowing the City to create a Downtown Redevelopment District.
- C. Council agreed to electric upgrades at the Train Station; they are also looking into options for remediating the lead paint on the building's exterior.
- D. This year the brush and limb pickup will be in zones, similar to leaf pickup.

IX. NEW BUSINESS

- A. Zoning Code Update—Corner Lot Review
 - 1. Mr. Fox said the items discussed at the April 8 special meeting were incorporated into the revised zoning code.

Motion to incorporate these changes into the earlier changes that were provided to Chapter 150 made by Mr. Hintz, second by Mr. Feist. Motion passed by unanimous roll call vote.

2. Ms. Thompson presented information on current regulations for corner lots, including the number of secondary frontage cases that came before the BZA in recent years. She said that many of the cases were for fences; many of these would be addressed with the already proposed changes to the code. Some were for second-story additions that extended only the current plane of the home, not the footprint, but still required variances because the existing home was in the corner lot setback.
3. The Commission discussed addressing these variances with a cube concept. Under this concept, Staff could approve an addition that does not change the existing footprint of the home, even if the current home is in the secondary setback. If the existing footprint has a protrusion into the setback, Staff could approve an addition that squares it out. In this case, the addition may extend into the setback, but it would extend no further than the existing protrusion.
4. There was discussion about changing the setback requirements for the secondary frontage, since there are so many homes that are nonconforming with the current requirements. Some members of the Commission said it would be difficult to determine what that requirement should be; Mr. Moeller added that even if the requirements were halved, there would still be many homes in Residence B that would be nonconforming.
5. Mr. Fox said he would draft the language for the cube-based code for corner lots, and present it to the Commission at the next meeting.

X. OLD BUSINESS

A. Comprehensive Plan Report

1. Emil Lisziansky, of Envision, reported a Federal earmark request was submitted to Congressperson Wenstrup for the Miami Avenue project.
2. Last year's request for a mini grant for the Dawson promenade has been resubmitted to Hamilton County Planning and Development. Ms. Thompson said the request has made the first cut, and a final application is due May 3.
3. The City will be applying for a grant from the SORA Transit Infrastructure Fund for part of the Miami Avenue project.

XI. ACCEPTANCE OF MINUTES

Motion to approve the minutes from the March 15, 2021 regular meeting made by Mr. Feist, second by Mr. Moormann. Motion passed by 4-0-2 roll call vote, with Mr. Hintz and Ms. Chu abstaining.

XII. ADJOURNMENT

**Motion made by Mr. Hintz, second by Ms. Chu, to adjourn the meeting at 9:36 p.m.
Motion passed by unanimous voice vote.**

Robert Hintz
Planning Commission Chair

Tom Moeller
City Manager