

LIBERTY TOWNSHIP ZONING COMMISSION
February 20, 2019
6:00 PM
MEETING MINUTES

The Zoning Commission was called to order at 6400 Princeton Road at 6:00 P.M. by Chairman Forrest Holger. The Pledge of Allegiance was recited by those in attendance.

Upon call of the roll, members in attendance were Forrest Holger, James Dobrozsi, Mike Dunn, Mike Stater and Wayne Bradshaw. Also in attendance was alternate board member Anu Mital. Staff members Bryan Behrmann (Director of Planning & Zoning) and Mark Elma (Senior Planner) were also in attendance.

Mr. Holger reviewed the procedures of the hearing and performed a group swearing in.

Mr. Holger reviewed the three cases that **would not** be heard.
ZC18-028- Aspin Trails LLC.-Continued by Applicant
ZC18-030 - Todd Homes LLC.-Continued by Applicant
ZC18-033- Delhi Hills Flower & Garden Center Inc.-Withdrawn by Applicant

Mr. Holger called for the approval of the meeting minutes from the November 19, 2018 Zoning Commission meeting first so Mr. Mital could leave after the approval of the minutes. Mr. Stater removed himself from the board since he was not present at the meeting under consideration and Mr. Mital joined the board.

Mr. Holger asked if anyone had any modifications. No one indicated any changes were necessary.

Mr. Bradshaw made a motion to **APPROVE** the meeting minutes from the November 19, 2018 Zoning Commission meeting. Mr. Dunn seconded. Upon call of the roll: Mr. Bradshaw – yes; Mr. Dobrozsi – abstain; Mr. Holger – abstain; Mr.; Mr. Dunn – yes; Mr. Mital - yes. The motion passed.

Mr. Holger called for the approval of the meeting minutes from the December 17, 2018 Zoning Commission meeting. Mr. Holger asked if anyone had any modifications.

Mr. Bradshaw requested to make a change to the minutes to reflect what he said regarding the Sunrise View Circle case.

Mr. Behrmann stated it was ok to make the motion with the additional comments and staff would update the minutes.

Mr. Bradshaw made a motion to **APPROVE** the meeting minutes from the December 17, 2018 Zoning Commission meeting, with additional comments suggesting that the township consider sending out notices to all township HOA's representatives. Reminding them that any kind of variance has to come through the township. Mr. Dobrozsi seconded. Upon call of the roll: Mr. Bradshaw – yes; Mr. Dobrozsi – yes; Mr. Holger – yes; Mr. Stater – yes; Mr. Dunn – yes. The motion passed.

Mr. Holger called for case **ZC19-001 – Minor Modification to PUD Shannon Ridge.**

Mr. Behrmann presented the staff report, a PowerPoint presentation and case materials.

Mr. Dobrozsi asked for clarification on what the board would be voting on. Mr. Behrmann stated that nothing is changing on the lot sizes or configuration and the applicant is only proposing a change to the text of the previously approved building materials.

Mr. Dobrozsi asked for clarification regarding the images in the presentation and asked where they came from. Mr. Behrmann stated that, the images were illustrative only and just samples of previously built homes by Schmidt Builders. The board would only be voting on the text presented.

Mr. Bradshaw asked how consistent are these requirements with “craftsman” style homes in Carriage Hill? Mr. Behrmann stated Carriage Hill has the same brick and stone requirements, and have not had a lot of pushback. Other similar neighborhoods like Turnbridge and Shannon Ridge has allowed Craftsman style where the applicant has submitted a catalog of typical elevations for staff review and approval. This is the first time it was included in the text.

Mr. Dobrozsi made the point that the board is voting on the text and the zoning department would review the plans for adherence to the text. Mr. Behrmann stated correct. Mr. Dobrozsi does not believe the images provided come off as Craftsman style.

Mr. Dobrozsi stated is was difficult to try to identify an aesthetic value in text, if we had examples of what they were going to use and ask the board to vote on that would one thing, but deal with it as text and forget about the pictures and pretend because they don’t represent what he feels is a craftsman style structure.

Mr. Bradshaw asked for clarification on how many builders are building in the subdivision. Mr. Behrmann explained it was his understanding there were three separate property owners (Schmidt, Drees, and the developer) and at least 2 builders.

Mr. Bradshaw Asked if the original stone and brick requirement stays. Mr. Behrmann said that is correct and the developer wishes to give some options to homebuyers in the area.

Mr. Bradshaw asked if the language in the proposal is only for the Schmidt Builders. Mr. Behrmann stated No, it would be for all the properties in the Shannon Ridge subdivision.

Mr. Bradshaw commented that there would kind of a miss match of home styles once everything is done. Different builders, different styles etc. felt it was a somewhat odd approach.

Mr. Holger asked if there were any other questions of staff. There were none.

Mr. Holger asked to hear from the applicant.

Applicant Timothy Mann, 8042 Strout Road, Clarksville Ohio stated that there are three builders in the community, but is unsure if one builder would be building homes. The developer also has control of several parcels. Mr. Mann explained that it was their intent to have a mix of elevations, and materials to create variations from house to house and create a custom feel to the neighborhood. It is not their intent to have less expensive elevations, but more expensive to add value to the neighborhoods. Mr. Mann stated Schmidt Builders has received requests for craftsman style looks.

Mr. Dobrozsi stated that the sample elevations do not look “craftsman”. Mr. Mann explained that they had discovered what craftsman is for one person isn’t what craftsman means for another.

Mr. Mann stated they have worked with Bryan, hired an architect to apply an artisan style to apply to their current building plans that could be incorporated into their elevations. Elevations need to meet all proposed criteria to qualify for approval. Mr. Mann stated their intent is to make a nicer appearance to the neighborhoods as well as meet the intent of their customers.

Mr. Holger asked if there were any questions for Mr. Mann.

Mr. Dobrozsi asked Mr. Mann if their architect thought the township needed to reduce the amount of masonry on the building to have a craftsman style? Mr. Mann stated No, that was not what they requested of their architect. They asked their architect to take existing elevations with brick and stone and make modifications to create a craftsman type elevation.

Mr. Dobrozsi followed up by asking what predicated the reason for a reduction in masonry materials? Mr. Mann stated the request is based on customer requests and that Schmidt Builders tries very hard to mix elevations in the same price point.

Mr. Dobrozsi asked if their architect made the recommendation to change the standard because they thought existing standards would prohibit the craftsman style? Mr. Mann stated no.

Mr. Dobrozsi clarified if the request presented was to reduce the amount of masonry because potential customers have shown an interest in buildings with less masonry than what have in the standard today. Mr. Mann said yes.

Mr. Dobrozsi stated that he was going to look at this case as a reduction in stone and not relevant to the style being recommended because the craftsman style could be achieved with the current standards. The board is just looking at a change in materials and not a resulting style. Mr. Mann confirmed that the board could look at it that way.

Mr. Stater asked for clarification regarding what was being approved. Would the existing standard, that requires a 36" of full brick and wainscot stone wrap at the water line all the way around the building still be required? And how would that transition look? Mr. Mann stated yes that was still a requirement.

Mr. Holger noted that Item C mentions "Front facing gables, which shall be brick and/or stone, shakes (Hardi-Plank, Cem-Plank, wood, or vinyl)" so he asked if the gray area (shown on the image) will actually be vinyl? Mr. Mann clarified vinyl shakes.

Mr. Dobrozsi asked for clarification of vinyl shakes. Mr. Behrmann clarified where vinyl is allowed with the current standards.

Mr. Bradshaw: Please clarify what "showing a lot of interested from your customers" means, how many of the 84 sites do you believe would fall under the Craftsman style?

- Mr. Mann: I'm not sure how to answer that, I would guess 1/3 to a 1/2 and clarified it was only a guess. In addition, the images presented were only a representation of the text. If the verbiage was approved some of the homes would have more brick and stone; pointing to examples from the images presented. The intent is to have attractive, mix of nice homes using the various materials available.

Mr. Holger asked if there were any other questions of the applicant. None

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Mr. Bradshaw made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Stater seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Holger commented about having different builders in this development, and noted that he believes that Carriage Hill has six builders. Mr. Behrmann confirmed that he was not sure exactly how many builders there are in Carriage Hill, but there have been quite a few throughout the development.

Mr. Holger stated that he thinks the craftsman style is becoming more popular, and that he agrees with Mr. Dobrozsi's comments about taking off the decorative trim and pillars and you have lost the craftsman look. I think Jamie referred to it as arts and crafts style from the early 1900's.

Mr. Holger stated that he believes craftsman is becoming a popular style and isn't opposed to a change but not sure if a mix of styles is appropriate; it's up to the developer.

Mr Stater: thinks it comes back to whole basis of our zoning resolution. We look at these PUD's and put the requirements of all brick and or stone, and maybe we have to consider these other alternatives that are more in line with what's happening today.

Mr. Dobrozsi stated that he sees it as a lessening of the standard, and there are no real guarantees it will be an improvement.

Mr. Bradshaw noted that part of the question he asked is if they have approved similar standards in other subdivision. He confirmed that the answer is yes, and questioned if they can be consistent? In other situations, we have had elevations to look, where in this case we do not. We are looking at these rules and trying to make them fit. Mr. Dobrozsi agreed. I cannot see anything showing this is an improvement.

Mr. Dunn said they were more expensive, and his concern is building cheaper houses that are more expensive.

Mr. Holger asked Mr. Dobrozsi if he thinks this goes in the other direction where it lessens the look and value in the neighborhood. Mr. Dobrozsi explained that he does not think there is anything in the current standards that would eliminate the possibility of designing a craftsman style; or an arts and crafts style. I don't think it's preventative to that.

Mr. Holger asked the board if there were any more thoughts or further discussion.

Mr. Stater explained that he was just trying to weigh what he is hearing, and that they want to hold a standard of what we want Liberty Township to look like. It is not a bunch of tract housing with aluminum siding. We are just trying to be consistent with what we have done in other places.

Mr. Holger asked the board to look at the amendment changes on page 3 and if there is anything that stands out to anyone? Mr. Holger's concern is that he did not want to see vinyl on the front, but I think that is only the shakes can be vinyl, the vertical boards have to be the hardy board. Mr. Behrmann explained that if it is not the shake in the peaks it has to be the cement board or hardi plank. Even if it's not supported, just like it is now.

Mr. Holger explained that even if it is supported, it can still be the hardy board siding and that is his sticking point on this. Even though it is a hardy board plank on the front, this looks to me like vinyl on the front of a house. I know we've permitted that on some of these non-supported structures above, but on these lower sections here (referring to image).

Mr Stater stated that he thinks it is hard to determine an aesthetic criteria that says if you meet all of these guidelines that's a craftsman style. I think that is the issue.

Mr. Dobrozsi noted that as the applicant said, you can google craftsman and you'll see many pictures of craftsman. Craftsman is subjective.

Mr. Holger confirmed what the board is being asked to vote on tonight is the page 3 the items in red that is the amendment to the PUD. Mr. Holger called for a motion.

Mr. Dunn made a motion to **Deny** Case ZC19-001. Mr. Stater seconded. Upon call of the roll: Mr. Dobrozsi – yes; Mr. Dunn – yes; Mr. Stater – yes; Mr. Bradshaw – no; Mr. Holger - no. The motion passed.

Mr. Stater stated that in the coming months from now if a developer comes in with a totally new development and wants a preliminary and wants craftsman style homes, for us to consider that were a standard may not be maintained as outlined in our resolution. We would require them to have an actual portfolio of homes they are proposing. So, we could look at them and then identify if we feel they are warranted for making any kind of decision. Since we don't have that tonight.

Mr. Holger called for case **ZC19-0002– 8259 Poppy Lane – Minor Modification to Final PUD.**

Mr. Behrmann presented the staff report, a PowerPoint presentation and case materials.

Mr. Holger asked if there were any questions for the staff.

Mr. Holger stated that he did not see a drawing looking at the property directly to the west of the applicant's property. Mr. Behrmann confirmed that he believes it is vacant referring to aerials from 2018.

Mr. Dunn asked about the house two over to the west; Is there a setback issue with that house? Mr. Behrmann stated that he doesn't know, but it looks like its 50 feet. There are shadows on the aerial that make it look closer. It's my assumption it does meet the 50 foot set back.

Mr. Dunn state that the reason that he asks it one drawing shows the 50 foot set back straight across but the housing is staggered to go with Poppy Lane. Point being it won't be really noticeable because that lot seemed to have extra space.

Mr. Holger asked to hear from the applicant.

Applicant, Scott Lucke of the Lucke Group , 8825 Chapel Square Drive, Cincinnati Ohio 45249, stated that the lots were very tight as far as width goes requiring them to build deep. Mr. Lucke explained that it was a consistent house plan with other houses they have built in the neighborhood; however, with the curve of Poppy Lane caused issues with the placement of the house. He also stated this was the most challenging lot in the subdivision.

Mr. Holger asked if there were questions of the applicant.

Mr. Dobrozsi asked if this was a spec house. Mr. Lucke replied it was for a customer's request.

Mr. Stater stated that he wanted to confirm the building materials would be consistent with the existing structure. Mr. Lucke said yes

Mr. Stater asked if there any line of site issues for the house next door. Mr. Behrmann stated he did not believe there would be.

Mr. Holger asked if there was anyone to speak as a proponent of this case. No one spoke

Mr. Holger asked if there was anyone to speak as an opponent of this case. No one spoke.

Mr. Holger asked if there was anyone to speak as a neutral party of this of this case. No one spoke.

Mr. Bradshaw made a motion to **CLOSE THE PUBLIC HEARING**. Mr. Dunn seconded. Upon the call of the roll, the motion passed. **PUBLIC HEARING CLOSED**.

Mr. Holger asked if there was any discussion regarding the case

Mr. Dunn asked staff if we got any comments back regarding the case. Mr. Behrmann explained that everyone within 200 feet were notified and we did not receive any comments.

Mr. Holger asked if there was any further discussion on this case. It seems pretty cut and dry. 4 foot variance into the current set back.

Mr. Dobrozsi asked if the road behind the house is Orchard Court and if that was part of the original subdivision. Mr. Lucke confirmed that is correct.

Mr. Dobrozsi noted that many of these properties that back up to that the subject property actually front Orchard Lane. Mr. Lucke confirmed that is correct.

Mr. Holger called for a motion on the case:

Mr. Bradshaw made a motion to **APPROVE** Case ZC19-002 as presented by staff. Mr. Stater seconded. Upon call of the roll: Mr. Bradshaw – yes; Mr. Dobrozsi – yes; Mr. Holger – yes; Mr. Stater – yes; Mr. Dunn - yes. The motion passed.

Mr. Behrmann noted that the only thing left on the agenda is the election of the Chairman and Vice Chairman.

Mr. Holger noted that he has served as Chairman for the last couple of years and that he takes it as an honor to serve as Chairman; however, he also understands that there are other people here who may want to take a leadership role. If there is anyone who would like to step forward to be Chairman we would like to hear from you. Otherwise do we have any other nomination for Chairman?

Mr. Dunn made a motion to nominate Mr. Holger for Chairman. Mr. Stater seconded. Upon call of the roll: Mr. Dunn – yes; Mr. Stater – yes; Mr. Holger – yes; Mr. Dobrozsi – yes; Mr. Bradshaw - yes. The Motion passed.

Mr. Holger called for nominations for Vice Chairman.

Mr. Dobrozsi noted that he would like to continue the role through 2019, but if anyone else would like to do it he would be step down.

Mr. Dunn made a motion to nominate Mr. Dunn for Vice Chairman. Mr. Stater seconded. Upon call of the roll: Mr. Dunn – yes; Mr. Stater – yes; Mr. Holger – yes; Mr. Dobrozsi – yes; Mr. Bradshaw - yes. The Motion Passed.

Mr. Holger made a motion to **ADJOURN ZONING COMMISSION MEETING**. The motion passed unanimously and **ZONING COMMISSION MEETING ADJOURNED**.

Respectfully submitted,

Forest Holger, Chairman

Mark Elma, Secretary