

PUBLIC HEARING
VARIANCE FOR 134 EDMONDS DR.
MAY 19, 2014

A Public Hearing was held on Monday, May 19, 2014 regarding a variance request for 134 Edmonds Dr., Commercial Point, Ohio. Solicitor Hess led the Public Hearing. He informed Council that we were here tonight to listen to the requester of the variance as well as anyone from the public who might have concerns or questions regarding the variance. He explained the process of what needs to happen. He said notices were sent to the adjoining property owners informing them of the hearing as well as publish the Public Hearing in the local newspaper. He said both of these steps were completed.

Solicitor Hess said there was a plan submitted to our Zoning department for a residential home. After that plan was approved, it was discovered that the porch was not included in the approved plan. The addition of the porch that the buyers are requesting will impede on the 30' setback by approximately 18". He said it is the Council's choice as to accept this variance or not.

Solicitor Hess opened the floor to anyone here tonight that might want to address Council regarding the variance. Mr. John Oberlin, VP of Maronda Homes said the variance they are requesting is not for the whole house. It does not change the foundation of the house. He said it is only the porch that was omitted from the original plans that were submitted. He said he had met with the customer and took full responsibility for this error. He feels with the proposed porch being added to the home, it gives it a much better look. He has stopped production on the home and is in hopes of getting some type of answer from Council tonight.

Mr. Shelton said that he was at the address yesterday. He noticed a house at 132 Edmonds and 136 Edmonds. He had concerns about side window views of school busses etc being blocked. Once he checked out the other homes, he noticed that wasn't a concern any longer since neither one of these homes had windows on this side. Mr. Shelton asked if the variance was approved tonight, when would construction restart and the home be complete. Mr. Oberlin said he would have to resubmit the plans with the porch added. He estimates roughly 3 weeks to get everything back and then construction would begin. Approximately 3-4 months to be complete. Mr. Shelton said one of the concerns is the foundation is already there, footers around the home are open and with school being out in less than a few weeks, it is a safety hazard. Mr. Oberlin said he would have it backfilled this week. He said he doesn't need the additional permit to backfill, so that will be completed by the end of the week.

Ms. Evans asked if any concerns were heard from any of the neighbors. Mr. Oberlin said he had heard from no one.

Mr. Shelton said 132 Edmonds was sold and there are people living there. He asked if the people buying 136 Edmonds were aware of what was going on. Ms. Hastings said she heard from the resident at 132 Edmonds the day the letters were received. This resident just wanted to know what the variance request was for and to make sure there wasn't going to be a multi-family housing unit going in next door. This homeowner said she had no other concerns or issues with it. Ms. Hastings said no notice was sent to 136 Edmonds. Mr. Oberlin asked if Council would feel more comfortable if he would go to the new home buyers of 136 Edmonds and let them know what was going on at 134 Edmonds and have them sign off on something. Mr. Shelton said full disclosure, thinks they should know. Ms. Evans feel that we should be 150% sure that the neighbors at 136 Edmonds do know what is going on. Mr. Oberlin said he would make contact with the new buyers. Ms. Evans wanted to clarify that this was a new home being built and that we do not set precedence on already existing homes.

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Mr. Sadler asked Engineer Grosse from an engineering point of view, were there any concerns. Engineer Grosse said on this particular location, no. He feels the porch will make it look better as well.

Mr. Shelton asked if our Zoning Inspector approved of the addition of the porch. Ms. Hastings said he approved the plan as it was submitted. The variance approval was strictly up to Council. The Zoning Inspector has no further vote for the variance.

Mr. Shelton made a motion, seconded by Mr. Sadler to approve this variance request for 134 Edmonds Dr., Commercial Point to include an 18" encroachment of the 30" setback and backfilling of the footers as well as contingent upon a signature being received from 136 Edmonds with no objections. A roll call vote was taken: Mr. Laxton – Yes, Mr. Sadler – Yes, Ms. Evans – Yes, Mr. Shelton – Yes. The motion passed.