

Brookville Planning Commission
Regular Meeting
October 17, 2019

The Regular Meeting of the Brookville Planning Commission was called to order by Chairperson Henderson at 7:30 p.m. on October 17, 2019 in the City Council Chambers. The Pledge of Allegiance was recited. Mayor Letner; Members Boose, Claggett, Cordes, Schreier and Sievers; Law Director Stephan and Clerk Wheeler were present. City Manager/Interim Finance Director Keaton and Zoning Officer Snedeker were absent.

Chairperson Henderson reminded the Meeting is being recorded.

Roll Call by Clerk Wheeler.

Motion by Claggett, second by Cordes to approve the Agenda as presented. All yeas, motion carried.

Motion by Sievers, second by Schreier to approve the Minutes of the August 15, 2019 Regular Planning Commission Meeting; the Minutes of the August 28, 2019 Special Planning Commission Meeting; and the Minutes of the September 17, 2019 Special Planning Commission Meeting. All yeas, Motion carried.

Chairperson Henderson informed Planning Commission has received a request for a variance on a detached garage at 228 Charlie Court. He informed the proposed garage exceeds the City's Codified Ordinance of 768 square feet.

Law Director Stephen informed City Staff has met with Mr. Tim Via. He stated this parcel is more than four acres, which is not a traditional lot for the area. He stated acreage was recently added to this lot. He described the request meets all other setbacks and requirements. He stated the variance has been requested for an 864 square foot detached garage.

Member Boose asked if the lot is at the back of a cul-de-sac?

Law Director Stephan described at the back of this cul-de-sac is Mr. Via's driveway, which then winds back to his four acres.

Member Claggett asked when acreage was added to the lot, was there any stipulations made that the four acres couldn't be divided into smaller lots in the future?

Law Director Stephan advised it was specifically platted as one lot and it would have to come back to Planning Commission to be re-platted.

Member Claggett asked shouldn't City Staff have rejected this application, then it would have gone to the Board of Zoning and Appeals?

Law Director Stephan stated City policy has always been that Planning Commission has been permitted to waive certain building sizes, particularly on new projects.

Chairperson Henderson asked if there are any HOA requirements?

Law Director Stephan stated there are covenants for this HOA that state materials used need to match the home. He stated that is something Mr. Via will have to discuss with the other property owners and the HOA.

Member Cordes asked if there is any particular reason for the requested size of the garage?

Chairperson Henderson stated that is a standard size for a Morton brand building size, which is the brand Mr. Via intends to build. He stated Brookville does not have very many 4.3 acre lots in the City, so Mr. Via would be able to create a bigger building on his lot.

Member Schreier stated the proposed garage wouldn't even look like a very big building on that size of a lot.

Chairperson Henderson stated there are no adjacent property owners and the house can't even be seen from the road. He stated he has no issues with this request.

Discussion on the height of the proposed building and what is allowed in our Code.

Member Schreier asked if Zoning Officer Snedeker had any issues with the request?

Law Director Stephan stated he did not based upon the size of the lot therefore the additional square footage wouldn't have much of an impact.

Mayor Letner stated with the type of lot this is, it is all wooded, you can't see anything on this lot from Charlie Court or from Johnsville Brookville Road.

Member Boose asked if an additional request will be needed for a variance on the height of the building?

Law Director Stephan advised the request tonight is to approve the design for a 24' x 36' detached garage.

Member Boose stated if the size of the garage is approved, he doesn't want to get in the middle of an HOA squabble if the construction materials do not match?

Law Director Stephan informed Planning Commission is only giving the zoning approval with the variance for size, but nothing to do with construction materials, only from a zoning side and Mr. Via will need to address the materials used with the HOA.

Motion by Schreier, second by Letner to approve the site plan as submitted for a 24' x 36' detached garage at 228 Charlie Court. All yeas, motion carried.

Brad Peters, of 312 E. Westbrook Road, stated he is surprised this request was approved. He asked if it would have been approved if it were a two-acre lot or even a one-acre lot? He stated there needs to be consistency throughout the City.

Chairperson Henderson stated the acreage does matter because of the adjacency to neighbors. He stated they need to look at all the neighbors, the impact it might have on them, and the more acreage there is the harder it is to be seen by the neighbors.

Mr. Peters stated there is an Ordinance though for it that states what the height should be.

Mayor Letner stated there was a similar instance when Speedway wanted to build Speedway North. Their proposed sign was two sizes larger than our Ordinance allowed and they requested a variance. He stated it was approved and in the end, it looked really good and turned out to be a good deal overall.

Chairperson Henderson thanked him for his opinion and stated Planning Commission values feedback.

Chairperson Henderson informed Zoning Officer Snedeker is absent, but he did provide a packet of information including violations, permits and a tornado update.

Law Director Stephan had no report.

There was no Old Business.

There was no New Business.

Member Claggett asked if there is a tentative start date for the GM site?

Law Director Stephan informed Staff is being told anytime. He informed silt fence is to be up this week and a track hoe was there today. He stated the new zoning classification of I-2 will be effective as of tomorrow. He informed they are currently working on a wetlands issue, but we should see activity very soon.

Mayor Letner stated the general contractor is being very vigilant on everything being in place.

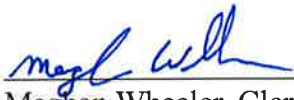
Member Claggett stated construction at the new BP gas station seems to be flying along.

Mayor Letner informed it is scheduled to open around the end of November.

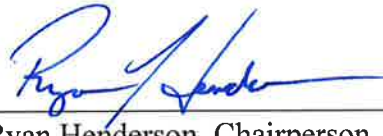
Law Director Stephan reported Zoning Officer Snedeker has recently received the signage information for the site and it will be similar to what has previously been there.

Mayor Letner described the station itself, will be a first of its kind type of store, so they are being very particular on the construction with the bricks, stones etc.

Motion by Claggett, second by Schreier to adjourn. All yeas, motion carried.



Meghan Wheeler, Clerk



Ryan Henderson, Chairperson