

MINUTES OF A REGULAR VOTING MEETING OF THE
FAIRFIELD PLANNING COMMISSION
JUNE 12, 2019

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order. Members present: Scott Lepsky, Don Hassler, Dean Langevin, Bill Woeste, and Dale Paullus. Motion to excuse Terry Senger and Brian Begley carried unanimously.

MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held May 8, 2019 were approved unanimously.

OLD BUSINESS

NEW BUSINESS

Minor Modification of Village Green PUD - Storage Barns – 4742 Circle Dr.

An application was submitted by a resident at 4742 Circle Drive, located in the Village Green PUD, to allow the installation of a 7 foot tall resin storage shed. Erin Lynn, Planning Manager, gave a brief history of the Village Green PUD. The Residential Restrictions and Requirements were approved in 1997, and are similar to the Stockton Station Residential Restrictions. Neither PUD allows storage barns. The city enforces the restrictions in both of these neighborhoods. An anonymous complaint was received by the Zoning Division regarding the applicant's shed. A zoning letter was sent to the applicant to remove the shed from the property. The applicant spoke to Brian Jump, Code Enforcement Supervisor, and told him that he was the original owner of the house and knew about the storage barn restriction. Ms. Lynn stated that she drove around the subdivision and did not see any other storage barns. She did find 3 smaller storage containers in the neighborhood. Storage barns are considered structures and must be positively anchored to the ground. Storage containers are generally used for small items like gardening tools or patio furniture pillows and are portable. Lynn referenced a map of the subdivision. The minimum lot size in the City of Fairfield is 12,000 square feet. Because Village Green is a PUD, many of the lot sizes were permitted to be smaller, because there are open space requirements to offset the smaller lots. Village Green park is one of those open spaces, as well as a pocket park and a few open lots throughout the neighborhood. There are 159 total lots in Village Green; 119 of those lots are less than 12,000 square feet, including the applicant's lot. The applicant's property was discussed. The lot is 7,840 square feet, with a 6.5 foot side yard setback. The house sits 50 feet from the rear property line. Throughout the subdivision, there are 51 lots that are less than 8,000 square feet. Many of the lots average a 20-25 foot rear yard setback, while corner lots average a

10 foot rear yard setback. The typical minimum rear yard setback in residential zoning districts is 30-35 feet. One of the reasons for the prohibition on storage barns in this PUD is because of the small lots. The request is considered to be a minor modification, because it is only for this parcel, and not the entire subdivision. She stated that the decision that is made on this minor modification will set a precedent for the entire subdivision. There was a request to allow storage barns in Stockton Station a few years ago, and that request was declined. Steve Wolterman, Law Director, explained that the Planning Commission was hearing this item because it is a minor modification; if it were a major modification, City Council would be considering the request. He compared a minor modification request to a variance request. Mr. Langevin asked what precedent would be set if the Commission approved this one case. Mr. Woeste stated that a precedent would be set because if you approve one person, that opens it up to every other person in the neighborhood to potentially request a shed.

Daryl Haydon, 4742 Circle Drive, was in attendance and spoke. He said he noticed other things in the subdivision that are not permitted, so he decided to install the storage shed on his property to store his lawnmower. The shed has been up since April 9. Prior to installing the shed, the lawnmower was stored in the yard under a tarp. He keeps his property and his home well maintained. He asked his neighbors if they had any objections to the shed, and no one objected. He does not think an anonymous complaint should even be considered. Mr. Langevin said his dilemma is property owners can put the smaller storage bins and things under tarps all over the yard and that is allowed, but his property and the shed look nice and the shed is not permitted. He asked if the Commission could put rules on the size, location, and material of the shed if it was approved. His is right up against the house and it looks nice. Mr. Wolterman stated that they could not create those types of rules for a minor modification; they would have to change the whole deed restriction on sheds. Mr. Lepsky said he had no problem with this particular case, but he doesn't like that it could impact the entire PUD. He thinks the decision is better suited to be considered by City Council. The restrictions have been in place for 22 years. This property does not have any distinguishing characteristics that would justify the modification. Ms. Lynn added there are no guidelines or standards to even review a modification against; it would be difficult to even discuss the issue. She also reminded the Commission that there is a section in the code that requires an accessory building to be placed a minimum of 6 feet from the primary structure. Mr. Woeste said this case is not a minor modification and should not even be discussed at the Planning Commission level. If the modification was approved, the Commission has the potential to be inundated with the same request from the 159 other residents in Village Green.

Scott Lepsky, seconded by Bill Woeste, motioned to deny the minor modification of the Village Green PUD to allow a storage shed, because of the larger implication to the PUD and the issue is better suited to be considered and discussed as a major modification to the PUD restrictions by

City Council. Motion carried 5-0. Mr. Wolterman offered to discuss the City Council process with the applicant off the record in the hallway.

Dedication Plat – 9491 Seward Rd.

This is a request for a dedication plat for 9491 Seward Road, located on the west side of Seward Road between Route 4 and the railroad tracks. The business that is located there, WD Enterprises, wishes to expand their building. In order to expand, they must combine three lots and dedicate an additional 7.5 feet of right of way to meet the Thoroughfare Plan requirement in that area. The correct amount of right of way is oftentimes acquired when a property redevelops.

Scott Lepsky, seconded by Don Hassler, motioned to approve the dedication plat as submitted. Motion carried 5-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Fairfield Forward Comprehensive Plan - Future Land Use Plan

Ms. Lynn reported that she has received the first draft of the new Comprehensive Plan. She plans to bring different sections to the Planning Commission to review at upcoming meetings. She discussed and described each land use classification of the Future Land Use Plan. The major change to the current land use plan is the addition of two new land use classifications; Mixed-Use and Mixed-Use Industrial. Mr. Hassler said he thinks the Mixed-Use needs to be closely monitored and should limit new businesses to those who will bring in a large tax base. Mr. Lepsky stated that the areas of Mixed-Use are a concern to him because of their location. Ms. Lynn said the Mixed-Use areas located in Small Area plans will have specific guidelines for each location. The zoning code update will also allow for tighter rules and restrictions for these land uses. Mr. Woeste said the new land uses will offer more flexibility with development.

Dale Paullus reported that Miami Chapel Cemetery is being dedicated this Saturday. The dog park is on schedule to open later this year.

Bill Woeste reported that Chick fil A and Berd's Grill and Bar held their ribbon cuttings.

Motion to adjourn carried unanimously.

Scott Lepsky, Chairman

Lynda McGuire, Secretary