

MINUTES OF A REGULAR VOTING MEETING OF THE
FAIRFIELD PLANNING COMMISSION
SEPTEMBER 8, 2021

Scott Lepsky called the Regular Meeting of the Fairfield Planning Commission to order. Members present: Scott Lepsky, Don Hassler, Martin Medler, Melissa O'Brien, Bill Woeste, and Gwen Ritchie. Motion to excuse Brian Begley carried unanimously.

MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held August 25, 2021 were approved unanimously.

OLD BUSINESS

- I. Conditional Use Six Month Review – Jarv Auto Repair– 160 Donald Drive, Unit B

This item will remain on the table until the end of the meeting, to allow the applicant time to arrive.

NEW BUSINESS

- I. Conditional Use – LA Borne Church – 5961 Boymel Dr. Unit 5

An application has been submitted for conditional use approval to operate a church in the C-2 zoning district. This property is located in Fair Oaks Plaza and is surrounded by retail businesses, restaurants, a banquet hall, and three other churches. Erin Lynn, Planning Manager, referenced the floor plan and stated that the entire space is about 3200 square feet, with 1700 square feet dedicated to the worship area. The worship area allows occupancy for 245 people and requires 31 parking spaces. There are over 400 parking spaces in the upper portion of this shopping center.

The applicant was in attendance. He is currently operating his church in Fairfield Township and has 45 members and over 20 children that attend services. They have outgrown the space they are in and would like to relocate to Fairfield. Services will be held on Wednesday and Friday, 5:00 pm to 7:00 pm and Sunday 10:30 am to 1:00 pm. In the future, they plan to have music practice on Saturday afternoons. There was discussion regarding the Kid's Room shown on the floor plan. The applicant confirmed that the children have lessons in this room during the regular church service. It will not be used for daycare or babysitting. Mr. Woeste informed the applicant that Receptions tends to have a lot of cars on weekend nights that may affect parking in front of the proposed church.

Scott Lepsky, seconded by Bill Woeste, motioned to approve the conditional use as long as the following conditions are satisfied: 1. The applicant shall obtain a building permit from the city prior to making any interior renovations. 2. The applicant shall obtain a certificate of occupancy from the city prior to occupying the building. Motion carried 6-0.

II. Building Façade Approval – Berkey Custom Homes – 5780 High Point Ct.

Melissa O'Brien is a resident of the Emerald Lake Subdivision and a member of the HOA Board, therefore she recused herself from the meeting.

An application has been submitted for approval of the building façade of a new single-family home at 5780 High Point Ct. in the Emerald Lake Subdivision. This home will be located in the new section of Emerald Lake, in the non-Reserves. The proposed home will be an all brick ranch with a front entry garage. It will have a decorative gable with Hardie-board siding that breaks up the roofline. The Development Agreement states the front elevation of the home must be all brick or stone. Ms. Lynn stated that Planning Commission has previously approved other houses with this type of siding in the roofline. There was discussion regarding Hardie-board and gable construction. Ms. Lynn said that the Building Official, Lee Rosato, said that gables constructed with brick are more expensive and more difficult to build. Ms. Ritchie agreed that it would be difficult to construct the gables with brick. Ms. Lynn stated that staff has not been consistent in bringing these approvals before the Commission. Fischer Homes submitted elevations that were pre-approved by the Commission. Elevation submissions by others that resembled these pre-approved elevations were approved at staff level. Going forward, she would like to have permission from the Commission to approve elevations that have Hardie-board in the roofline only in the non-Reserves section of the subdivision.

Kevin Keyes, applicant, was in attendance. He said he thinks the Hardie-board gable is decorative and breaks up the roofline. Structurally it does not make sense to brick the gable.

Bert Huffer, 5973 Emerald Lake Drive, was in attendance. He said he objects to this particular house model, the Georgetown, because there is already a Georgetown in the Reserves at 31 Edna Court and one on High Point Court that is under construction. He said he recalls a meeting from May 27, 2020 when 31 Edna Court was discussed. He stated that Steve Wolterman, from the Law Department, said that homes built in the Reserves must be different from homes outside the Reserves. Mr. Wolterman stated that the elevations they were discussing during that particular meeting were in the Reserves. The home being discussed tonight is in the non-Reserves. An existing house in the non-Reserves should not be replicated in the Reserves, but an existing house in the Reserves can be replicated in the non-Reserves. In fact, if homes in the Reserves are indeed being replicated in the non-Reserves, the Commission may want to take a closer look at the architectural diversity of the homes that are being approved in the Reserves section of the

subdivision. Ms. Lynn stated that the Georgetown at 31 Edna Court was heard at two or three meetings and revised before it was approved. The same floor plan can have multiple different elevations. Ms. Ritchie said ranch homes can only be so different from one another.

Sean Jarvis, 6267 Casey Court, was in attendance. He asked how many front entry garages were permitted in this section of the subdivision. This proposal is the second one; they are permitted to have a total of four in this section. He stated that when the house at 31 Edna Court was approved, he remembers discussion that it would not be permitted to be built again. There was discussion regarding the siding that was required to be removed from the back bump-out on the first floor at 31 Edna Court, vs the house at the corner of Waterfront Court and Casey Court. The siding on the corner house was in the roofline on the back of the house, and not on the first floor elevation and was not required to be removed. Mr. Wolterman asked Mr. Keyes to plan appropriately for the side entry garage requirements so he does not need to come to the Commission for a variance to allow more front entry garages.

Scott Lepsky, seconded by Gwen Ritchie, motioned to approve the elevation as submitted. He stated that he took into consideration Mr. Rosato's suggestion regarding the gable construction and that the Hardie-board siding breaks up the brick. Motion carried 6-0.

Ms. Lynn asked if staff could be given authority to approve ranch elevations with minimal siding in the roofline in the non-Reserve section. Mr. Wolterman said that Mr. Keyes could submit a set of elevations at a later meeting and receive pre-approval from the Commission, but giving staff authority to approve the elevations is not on the agenda; residents were not notified that it would be an item to be discussed, therefore it cannot be approved this evening. Mr. Wolterman suggested that Mr. Keyes talk to the HOA and get a consensus from them going forward on these elevations.

Ms. O'Brien returned to the meeting.

OLD BUSINESS

I. Conditional Use Six Month Review – Jarv Auto Repair– 160 Donald Drive, Unit B (Tabled)

A conditional use was approved for Jarv Auto Repair at the January 27, 2021 Planning Commission meeting. One of the conditions of approval was that a six-month review was required. The applicant, Juan Rocha, was not in attendance for the last meeting, nor for this meeting. Ms. Lynn stated that she informed Mr. Rocha after the last meeting that the Commission will be voting on this issue tonight, whether or not he was in attendance. There was discussion on the conditions of approval and items that have not been completed. Mr. Lepsky

stated that the issues that we have had with similar businesses in the area is why the six-month review is important. Mr. Woeste said the conditional use approval should be revoked and the applicant should be required to resubmit. He said he thinks that would send a message to the applicant. Mr. Kathman stated that if the conditional use approval is revoked, then the business would be operating as a zoning violation. Mr. Wolterman said the Commission could also table the request, rather than voting on the item this evening.

Scott Lepsky, seconded by Bill Woeste, motioned to remove this agenda item from the table. Motion carried 6-0.

Scott Lepsky, seconded by Martin Medler, motioned to deny the continuance of the conditional use approval. Motion carried 6-0.

REPORTS/STUDIES/GENERAL DISCUSSION

Mr. Kathman reported that he submitted a proposal to the Butler County Commissioners for ARPA funds this week. The money was requested for three projects: \$3.5 million for Great Miami Trail extension, \$5 million for Route 4 redevelopment, and \$550,000 for a sanitary sewer expansion on Seward Road for a potential high-water user.

Ms. Lynn reported that there is a public hearing scheduled for September 27 for a residential development at Mack Road and S. Gilmore Road.

Motion to adjourn carried unanimously.

Scott Lepsky, Chairman

Lynda McGuire, Secretary