

CITY OF PIQUA, OHIO
PLANNING COMMISSION MEETING MINUTES
TUESDAY, JANUARY 26, 2010 - 7:30 P.M.
MUNICIPAL GOVERNMENT COMPLEX -COMMISSION CHAMBERS

CALL TO ORDER

7:30 P.M. – Vice Chairman Oda called the meeting to order. Mr. Oda noted for the record the hearing of each item would be conducted according to a modified Roberts Rules of Order, more specifically as follows:

- A. Clerk to State the Agenda Item
- B. Staff Comments
- C. Applicant/Agent Comments
- D. Other Affected Parties Comments
- E. Board Member Comments and Questions
- F. Board To Take Action On The Item

ROLL CALL

Members Present: Jim Oda, Jean Franz, Mark Spoltman, and Mike Taylor
Members Absent: Brad Bubp
Staff Members: Chris Schmiesing, Becky Cool, Bill Murphy
Attendees: Mackenzie Emrick, Michael & Heather Bell,

Motion was made by Mr. Oda, seconded by Mr. Taylor, to excuse Mr. Bubp from the January 26, 2010 Planning Commission Special Meeting. Voice vote, Mr. Oda, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay: None. Motion carried unanimously.

MEETING MINUTES

Chairman Spoltman asked if there were additions, deletions or corrections to be made to the January 5, 2010 meeting minutes included in the agenda packet. Mr. Oda stated he would like to amend the minutes on the first page, the fourth line from the bottom to correct the spelling of “Jen Fanz” to Jean Franz. Mr. Oda made a motion to approve the January 5, 2010 meeting minutes as submitted, and amended. Mr. Taylor seconded the motion. Mr. Oda, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. A roll call vote resulted in a 4-0 vote in supporting the motion to approve the meeting minutes as submitted, and amended.

NEW BUSINESS

1. PC-03-10

A Resolution recommending an amendment to Sections 154.001 and 154.129 the zoning code to incorporated provisions relating to Swimming Pools, Spas, and Hot Tubs

Mr. Schmiesing stated he would like to recognize several people in attendance with an interest in this resolution. Mr. Bill Murphy, Assistant City Manager/Economic Development Director for the City of Piqua, Mackenzie Emrick, and Michael & Heather Bell.

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Mr. Schmiesing stated the purpose of this resolution is to update the zoning code provisions to include location, setback, safety, and screening standards for swimming pools, spas, and hot tubs. The amendment also aims to establish congruency between the codes applicable at the time of development (health, building, and zoning) and those applicable post-development (property maintenance and health). A swimming pool, spa, or hot tub should be allowed to exist as an accessory structure on a lot adjacent to the principal structure to which it is accessory when the swimming pool, spa, or hot tub can exist under such circumstances without becoming an attractive nuisance within the neighborhood concerned.

There was discussion on the various types and sizes of swimming pools this would apply to, the placement of the swimming pools, spas, and hot tubs away from the Public Right of Way, the need for fencing or screening around the swimming pools, spas and hot tubs, the reason for the placement of the swimming pools, spas, and hot tubs in the rear of the property and on empty lots, and when a permit is required for a swimming pool, spa, or hot tub.

Mr. Schmiesing provided a detailed reviewed the proposed changes to the zoning code text.

Questions were raised concerning the use of an empty lot contiguous to a property, or a lot in the middle of the block, and the placement of a swimming pool, spa, or hot tub on the property. Mr. Schmiesing explained how the proposed changes would impact the locations described and noted that in all instances a property owner with a double lot would still have the option to replat the two lots into one to be able to use the ground for a use accessory to the principal use.

Mr. Schmiesing explained that the proposed changes to the code were prompted by Mackenzie Emrick's request to place a pool on a vacant lot several doors down and across the alley from the lot occupied by her residence.

Public Comment

Mackenzie Emrick, 123 Linden Avenue, came forward and explained the type of swimming pool she intended to install on the empty lot behind her home. Ms. Emrick stated she has spoken with her neighbors and they see no problem with the pool or the location. Ms. Emrick's only request is the placement of the swimming pool be where she can see it from her home.

There were several questions regarding the size and type of swimming pool, and the location by board members. Mr. Oda asked Ms. Emrick if she understood where the swimming pool was to be placed on her lot, and if she understood the setbacks that are required. Ms. Emrick stated she understood and was ok with the requirements as stated.

Mr. Schmiesing stated the swimming pool would require a fence with a self-latching lockable gate and asked if that would be a problem. Ms. Emrick stated she has plans to have a self-latching gate that is lockable.

A motion made by Mrs. Franz to adopt the resolution was seconded by Mr. Oda. Voice vote, Mr. Oda, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. A voice vote resulted in a 4-0 vote to approve the resolution.

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Mr. Schmiesing stated the Zoning Code changes recommended would be forwarded to the City Commission for their consideration at their February 2, 2010 meeting. Mr. Schmiesing invited Ms. Emrick and Mr. & Mrs. Bell to attend the meeting if they so desire.

OTHER BUSINESS

Amend the 2010 Meeting Schedule

Mr. Schmiesing noted the Piqua City Commission has decided to change the day of their City Commission meetings to the first and third Tuesday of each month, thus the Planning Commission will need to change their meeting date.

Several days were discussed and it was decided to move the meeting day for the Planning Commission to the second Tuesday of the month at 6:00 P.M. All members in attendance were in agreement with the second Tuesday of the month at 6:00 P.M.

Moved by Mr. Oda, seconded by Mrs. Franz, to change the day of the Planning Commission Meetings to the second Tuesday of each month at 6:00 P.M. beginning February 9, 2010. Voice vote, Mr. Oda, Aye; Mr. Taylor, Aye; Mrs. Franz, Aye; and Mr. Spoltman, Aye. Nay, None. Motion resulted in a 4-0 voice vote to change the day of Piqua City Planning Commission Meetings to the second Tuesday of each month at 6:00 P.M. beginning February 9, 2010.

Membership Review

Mr. Schmiesing reminded Jim Oda and Mike Taylor their seats on the Planning Commission would be expiring in March of 2010, and asked if they have completed their applications and turned them in if they so desired to continue on the Board. The deadline for turning in applications is February 1, 2010, said Mr. Schmiesing.

ADJOURNMENT

With no further business to conduct it was moved and seconded that the regular meeting be adjourned. With all those present in favor the regular meeting was adjourned at 8:25 p.m.