

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, JUNE 15, 2016
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:00 p.m.

Members Present: Chairman Pat Lucking, Commissioners Kristi Conrad, Douglas Reeder, and Fiona Sayer

Others Present: Zoning Administrator Dale Cooney

Absent: Commissioner Lake Bechtell and Council Liaison Bill Cook

2. MINUTES – May 17, 2016

Commissioner Sayer moved to approve the minutes of May 17, 2016 as presented. Commissioner Conrad seconded the motion. Motion carried 4-0.

3. PUBLIC HEARINGS

3a. Consider Variance Request and Conditional Use Permit Request of Steve Kleineman of SKD Arcitects for grading the property at 5145 Weeks Road

Chairman Lucking introduced the agenda item. He said that Steve Kleineman, architect for the homeowners, is proposing to regrade areas of the property in conjunction with construction of a new house.

Lucking said that Section 1140:19(5) of the Zoning Ordinance states that any elevation increase or decrease of more than 2 feet in any area greater than 300 square feet requires a variance, and that the proposed request would alter the existing grade by more than two feet in an area of 6,345 square feet.

Lucking said that Section 1140:19(2) of the Zoning Ordinance requires a Conditional Use Permit for grading impacting more than 200 square feet of surface area, and more than 20 cubic yards of soil volume. He said that he applicant is proposing to impact 19,415 square feet of surface area and 1770.48 cubic yards of volume.

Chairman Lucking opened the public hearing and asked if the applicants wanted to make any comments.

Steve Kleineman, applicant, said that the site plan paints the picture for the request. He said the existing home is an older home and did not have a walkout. He said that the homeowners preferred space for a walkout instead of going up in height, and that the lowered height will be less obtrusive. He said that the house is generally in the same place on the site. Kleineman said that the driveway will be improved by pulling it away from the lot line. He said the driveway grade will also allow for single level living by putting the main floor of the house and the garage on the same level.

Kleineman said that the proposal is well under most limits of the city code and that the property owners are not trying to make the project any bigger than it has to be.

Regarding the tuck-under garage, Kleineman said if it were not there, there would either be a significant wall on that side of the garage or there would be significant backfill around the base of the garage.

Kleineman said that the lot is a natural walkout lot since the grade falls away steeply on the lake side, and that they are simply evening the grade in that area to allow for the walk out. He said that

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the proposal was meeting all of the city requirements except for grading. He also said that he thought the project handled the limitations of the site sensitively and is working with the existing contours of the land.

Commissioner Conrad said that she thought the applicants were impacting quite a bit of the existing grade, which is over 20 times the limitation of the city code. Conrad asked if they had considered changing the height of the house or the garage that would allow for a walkout lower level without disturbing so much soil.

Kleineman said that the property owners wanted to limit the number of steps between the house and the garage. He said that the applicants wanted to nestle the house on the lot, and make a house with a low profile.

Lucking asked Conrad what were her main concerns. Conrad said that 47,000 cubic feet of dirt is a lot of dirt. She said that the property doesn't do what the applicant wants it to do, so they are making it do what they want.

Kleineman said that he did not agree, and that the property works well within the existing grade. He said that they are able to keep most of the trees on the property because of how they are handling the grading. He said that no retaining walls are proposed on the walkout side of the house.

Reeder said that he hates to lose any trees and that the replacement trees will be much smaller than the large trees being removed. But, Reeder said that losing some trees is unavoidable. He said that he thought this was a reasonable plan, and much more reasonable than the project at 5105 Weeks Road that was approved by the city.

Reeder said that he wonders why the city's ordinance is so restrictive. He said that he thinks the proposal is reasonable, but that it also greatly exceeds permitted grading allowances.

Sayer asked about runoff. Kleineman said that the proposed grading will not impact runoff, other than the increase in hardcover. Kleineman said that he works on many houses that push the limits of the zoning code, and that this house, by comparison, is trying to be careful.

Lucking asked where the road that goes past the lower garage leads to. Reeder said that the road is an easement to a city-owned lift station.

Lucking asked about the color rendering and that it seems to minimize the grade. Kleineman said that the rendering is exactly correct, and that the 3d models are very accurate. Kleineman said that the angle of the image does impact the perception of the grades a little bit.

Lucking said that, looking from the side, the neighbors would not notice change in grade from the walkout area.

Chairman Lucking closed the public hearing and entertained a motion on the application.

Motion by Reeder to approve the variance request as proposed. Reeder said that the hump in the center of the property creates a practical difficulty circumstance not created by the homeowner. Motion was seconded by Sayer. Motion carried 3-1 with Conrad voting against.

Motion by Reeder to approve the conditional use permit request as proposed based on the findings and conditions of staff. Motion was seconded by Sayer. Motion carried 3-1 with Conrad voting against.

Chairman Lucking said that the original intent of the grading ordinance was to avoid situations similar to what had happened in the past where a builder had built footings at grade and then

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backfilled around the house for the finished grade. He said that the ordinance is strict in order to prevent similar situations in the future. He said that a variance is the best way to prevent this, but that some reasonable projects may also be required to get a variance because of it.

4. NEW BUSINESS

5. LIAISON REPORT

Council Liaison Bill Cook was not in attendance to present a report.

6. ADJOURN

Motion by Chairman Lucking to adjourn the meeting. Commissioner Reeder seconded the motion. Motion carried 4-0. The meeting was adjourned at 7:52 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator