

MINUTES OF MEETING

INDIAN HILL PLANNING COMMISSION

January 15, 2019

The regular meeting of the Indian Hill Planning Commission was held on Tuesday, January 15, 2019 at 7:00 p.m. in the Council Chambers of the Village Administration building.

Members Present: Paul F. Madden
Richard C. Wiggers
Rita M. Stolper

Members Absent: Abbot A. Thayer
Joseph W. Rhodenbaugh

Officials Present: Jonathan D. West, Assistant City Manager

Visitors Present: Barrett Chapel, Barrett Wise
Jason Wise, Barrett Wise
Patrick Nesbitt, 4855 Burley Hills Drive

Chairman Madden calls the meeting to order and asks for those in attendance to please stand, raise their right hand, and be sworn in prior to presentation of the cases.

Item Number 1: Minutes and Findings of Fact for the December 18, 2018 meeting: Chairman Madden asks for comments or corrections to the December 18, 2018 Planning Commission minutes and Findings of Fact. There being none, Mr. Wiggers made a motion to approve the minutes and Findings of Fact. Mrs. Stolper seconded, and the motion was approved by a unanimous voice vote.

Item Number 2: Case #19-001: Kevin and Dolores Kurtz are requesting approval of a resubdivision of Lot 18 (4790 Burley Hills) and Lot 19 (4770 Burley Hills), Burley Hills Subdivision. The applicants are requesting approval to split off a 4.5' wide strip of land from Lot 18 and then consolidate the land with Lot 19 in order to accommodate the side yard setback requirement for a planned addition to the home at 4770 Burley Hills.

Staff Report: Mr. West reviews previous actions and property history as follows:

- October 23, 1944 – The Planning Commission approved the Final Plat for Burley Hills Subdivision.
- ~ 1981 – The southern 0.5 acre was split off of 4770 Burley Hills (Lot 19) and combined with a portion of 4750 Burley Hills (Lot 20) for the creation of a new lot and construction of a new home.
- ~ 1987 – 4790 Burley Hills (Lot 18) purchased a 30' x 250' strip of land in the rear of the home from 4775 Miami (Lot 26) to accommodate the rear

yard setback requirement for an addition to the rear of the home. At that time, the Indian Hill Subdivision Ordinance did not require Planning Commission approval for a transfer of property between adjoining owners.

The Village of Indian Hill Subdivision Ordinance, **Section 9.1** Procedure for Resubdivision, states: "For any change in a map of an approved or recorded subdivision plat, if such change affects any ...lot line..., such parcel shall be approved by the Planning Commission..."

Mr. West states that the properties are located in District "C" – one acre minimum. Existing Lot 18 contains 1.928 acres minus the 0.025 acre proposed to be split and transferred to Lot 19 (will be left with 1.903 acres). Existing Lot 19 contains 1.294 acres plus the 0.025 acre proposed = 1.319 acres. The adjustment in lot lines is consistent with the approved subdivision plat, the zoning ordinance, and the subdivision ordinance, and the lots meet the minimum lot size and frontage.

The reduction in lot area will not affect the required setbacks for the existing structures on Lot 18. The closest building is an accessory structure and is located 180' from the south side yard, which meets the minimum required side yard setback of 15'.

The additional 0.025 acre lot area will allow the homeowners on Lot 19 (4770 Burley Hills) to meet the required minimum side yard setback of 20' to construct a new two car front entry garage on the first floor, additional living space on the second floor, and an elevator that is needed for the homeowners to age in place.

Mr. West reviews the construction plans for the addition as well as the site photos that show how the addition will be built into the area that is currently the driveway. There is currently a side entry garage, and the applicants are proposing a front entry garage.

Staff finds that the applicant has met all of the submission requirements for resubdivision approval. The approval should be subject to a consolidation replat being filed after completion of the lot split and transfer of land.

All adjacent property owners have been properly notified. Staff has been contacted by several adjacent property owners who were inquiring about the request. After explaining the request and the proposed addition, they were all supportive of the request.

Mr. Wiggers made a motion to approve the request. Mrs. Stolper seconded, and the motion was approved by a unanimous voice vote of all members present.

There being no further business to come before the Commission, Mr. Wiggers made a motion to adjourn. Mrs. Stolper seconded, and the motion was approved by a unanimous voice vote.

Respectfully submitted,

Paul F. Madden, Chairman

ATTEST:

Jonathan D. West, Secretary Pro-tem