

Planning Commission

7:00 pm Monday, January 27, 2014

Meeting Minutes

Mr. Bridgman called the meeting to order at 7:03pm.

Roll Call: Members Present: Mr. Bridgman, Mr. Elliott, Mr. Hatfield, Mr. Otto and Mr. Fields

Members Absent: Mr. Finchum and Mr. Watson

Staff Present: Patricia M. Higgins, Village Manager

Election of Officers

Mr. Bridgman welcomed Mr. Fields and announced the commission needed to elect officers; a chairman and vice chairman. Mr. Hatfield nominated Mr. Bridgman and Mr. Elliott seconded the motion. For Vice Chair, Mr. Otto nominated himself and Mr. Elliott seconded the nomination. For 2014, Mr. Bridgman will be Chairman and Mr. Otto, Vice Chair.

Minutes

Mr. Bridgman stated that revised minutes for the September 23, 2013 meeting were at each chair and the minutes reflected Mr. Otto served as chairman that evening. Mr. Hatfield asked if a motion was made regarding the Der Dutchman Report? Mrs. Higgins indicated that the audio was not working properly so she was asking for help this evening. Mr. Otto indicated he made the motion to recommend to Village Council to approve the Der Dutchman Report and Mr. Hatfield seconded the motion, the motion passed. Mr. Bridgman called for a motion to approve the minutes as amended, Mr. Otto made the motion and Mr. Elliott seconded, the motion passed.

Regional Planning Commission Reports

Mrs. Higgins indicated she has been attending the meetings on behalf of the village. From attending the meetings, development is picking up, especially residential. Mr. Bridgman asked if there were any projects of note. Mrs. Higgins indicated that a residential subdivision was planned off of Carter Road in the Township. Mr. Otto asked if they would be served by village water and sewer. She indicated the homes would be served by septic systems and it was not clear if the village would provide the water. Another residential project of note is off of Laura Marie and we have been approached to have a loop connection to the water service to be constructed. Mr. Elliott stated that this project had a fire hydrant nearby and this project is in the village water service district. Mr. Bridgman asked if further development occurred along Carter, would we try to have these developments served by the village

water and sewer. Mrs. Higgins indicated that she continues to encourage the county to look at how sewer can be extended instead of installing septic tanks throughout the county.

Old Business

None

Public Hearing

Mrs. Higgins began the presentation by announcing that this evening a Public Hearing was being held for an application for a Bed and Breakfast at 161 Edwards Street. The applicant is Kathy Worley. Approval of this use requires a Conditional Use Approval. Mrs. Higgins reviewed the requirements as stated in the Zoning Code specifically for a Bed and Breakfast. At this time, a brief overview of the project was presented.

As discussed, the application is for a Bed and Breakfast to be located at 161 Edwards Street. The property is described as being unique because the house and front yard are in the village, while the garage and backyard are in Wayne Township. The entire property is a little over 2 acres.

The property is zoned R-4 Medium Density Residential District. The surrounding property is zoned R_4 to the north, Suburban Office/Institutional to the east, AR-1 multi family to the south and residential in the township.

The owner of the property is Kathy Worley and the owner intends to use the two story single family home for the bed and breakfast. The single family home according to the Warren County Auditor report is a three bedroom home with 2,152 square feet. Two of the three bedrooms on the second floor will be used by visitors. One room has a king size bed and the other room has a queen size bed. The application indicated the visitors would share a bathroom. However, at this time, the owner is installing a bathroom in the queen bedroom so each room will have their own bathroom.

Up to four people could stay at one time. A paying guest would stay for no more than seven consecutive nights at any single visit and no more than a total of 28 nights in any calendar year.

The owner will reside in the home using the full bathroom and ground floor office as the private space. The first floor also is the location of the kitchen facility. The home has three entrances, one at the front of the house, one off the deck and another entrance through the north side of the property. The owner has also installed seven smoke detectors and is working with the Warren County Building Inspection Department to address building code issues.

The owner/operator will provide one meal each day by serving a hot breakfast. The owner/operator will also served a light snack as guests arrive. No more than two employees will be hired.

The property will not be available for rent for special gatherings such as weddings, banquets and/or parties. The owner stated that she wants the bed and breakfast to remain a quiet retreat with no public disturbances.

Mrs. Higgins continued to review the standards as outlined in Section 153.201 Bed and Breakfast Inns from the Zoning Code. She indicated that she reviewed the application and visited the site. The standards discussed included:

1. The home must be a single family detached dwelling. The home is a single family detached home in the village.
2. Guest Rooms are permitted for no more than 4 bedrooms per structure. The home will use two rooms for guests.
3. Owner/operator shall live full time on the premises. The applicant is the owner/operator and will be residing on the site using the office and full bath on the first floor.
4. Approval from the Fire and health officers. The owner indicated that she was working with Warren County Building Officials and the Fire Chief. The inspections were not completed, a handrail needed to be installed before the home would be approved.
5. Meals; no more than one meal shall be served. The owner indicated a hot breakfast would be served.
6. Consecutive Nights: a paying guest may stay at a bed and breakfast for no more than seven consecutive days and no more than 28 nights per year. The owner indicated this rule would be followed.
7. Bathrooms: a minimum of one bedroom is required. The home will actually have two bathrooms prior to opening.
8. Guest register would be maintained. The operator is very concerned that good guests are served.
9. Special Gatherings can not be held on the site. The owner has indicated weddings, parties or gatherings will not be permitted.
10. Business License is required. The owner indicated she is working towards obtaining a license from the village.
11. Public Nuisance rules and regulations must be followed. The owner indicated she will do as much as possible to maintain a quiet retreat.
12. Employees can not be greater than two in number, the owner indicated that she does not plan to have more than two employees.

Mr. Otto asked where the new bathroom was to be located. Ms. Worley indicated the smaller of the two bedrooms. Mr. Bridgman asked the applicant if the new bathroom would be a full bath and the applicant said yes. Mr. Bridgman asked if the owner was going to reside in the house and the office would be her bedroom. Ms. Worley indicated she would reside in the home. Ms. Worley indicated that she would use the bathroom downstairs. Mr. Elliott asked if the existing bathroom would have an entrance from the king size bedroom. She indicated that the bedroom would have an entrance. Mr. Bridgman asked if she was working with the Building Official. Ms. Worley stated she was working with the County and the remaining issue was the handrail. Ms. Worley also asked for permission to put up a sign and provided examples of signage for the discussion.

Mr. Bridgman asked when will the bathroom be finished. Ms. Worley stated it might take 2 weeks to finish the bathroom. Ms. Worley also stated she wanted to bring people into the community by promoting local activities, restaurant discounts and product.

Mr. Elliott asked if this use would be covered by the hotel tax. Mrs. Higgins indicated she would have to look into this question.

Mr. Hatfield indicated he was aware of the property and wanted more information regarding the office/bedroom arrangement. The art room and the office are the same size. The office is large and there is a table in the middle of the room as well as a sleep sofa. Would this qualify as a bedroom if it did not have a closet? Mr. Bridgman asked for the property to be further defined. Closets are not required as described by Mr. Otto. Mr. Hatfield discussed that the owner quarters has certain rules that should be reviewed because of not having a closet. Ms. Worley indicated she could add an armoire. Mr. Elliott also mentioned that the bathroom on the first floor did not have a door. Need to modify the floor plan before the next meeting.

Mr. Bridgman asked if anyone in the audience would like to speak to this application.

Mr. Rasper, 680 High Street, owner of property next to the applicant, southwest of the applicant stated he had questions and concerns regarding the application. He wanted to know if the hot tub would be used by the guests. He also wanted to know when breakfast would be served and if food would be cooked outside. Mr. Otto responded that it would be very difficult to regulate cooking outside and summarized Mr. Rasper's concerns over the existing peace and quiet of the area.

Mr. Rasper also voiced concern that the existing environment is quiet and enjoyable and what if someone comes with a recreation vehicle and they run the motor every night. Where would a motor home park on the site. Mr. Bridgman stated there were rules regarding motor homes in the Zoning Code.

Mr. Rasper also wondered what would the people do during the day? Is there the possibility of a lot of people coming and going?

Mr. Hatfield indicated he lives nearby and noted there is a lot of traffic and noise already on the street. A discussion continued regarding how will the area change when people will not be known. Quaker Heights Care Community has 100 beds and lots of visitors on a daily basis; the area has visitors every day. With regard to visitors if a visitor is unruly, what can be done.

Ms. Worley wanted to let the audience know that there are unruly children in the apartments next door and have called the police. She indicated that she wants to have a quiet establishments.

Ms. Pat Tibbs, representing Mrs. Scherer, who lives at 673 Miami, adjacent to the property stated they were concerned with the project. Her questions were how safe will the area be with guests coming and going. How are guests checked out? How will waste be handled, will there be more waste, more traffic? Will there be a dumpster. Where will cars park? If the owner moved will the property be able to start another business? Noise is a concern and even though Quaker Heights is across the street, their deliveries are made on the other side of the building.

A discussion continued regarding the need for visitors and the need to be safe.

Ms. Worley responded that she is willing to work with everyone. She has two large garbage cans that should be sufficient and she did not see the need for a dumpster. With regard to parking cars, she was thinking that the cars would be parked in the direction of Miami.

A discussion continued regarding property values and would the properties in the area be impacted. If the bed and breakfast was successful it could increase the value, while if the home became rundown; that could impact the surrounding area.

Mrs. Higgins asked how guests were selected. Ms. Worley is joining a website that takes reservations and credit card information. Through the research, the only issued found was that sometimes people skip out but the solution is to collect the money.

Mr. Hatfield wanted to know how many bed and breakfasts are in Waynesville.

Mrs. Hernandez wanted to know how close a bed and breakfast can be to a school. Mrs. Hernandez voiced concerns regarding the fact that there are 3 homes occupied by single woman. If someone is nervous, call the police. A discussion regarding sex offenders and the closeness to the school was highlighted.

Mrs. Higgins asked the applicant to describe the hot tub and intended use. Mrs. Worley indicated that it is not being used but she intends to have the tub operational. She will advise the visitors to be respectful.

Mr. Bridgman thanked everyone for coming and welcomed the visitors to come back.

Mr. Bridgman announced new business to consider was a letter from Quaker Heights Care Community requesting a six month extension on the Final Plan approval received last year. Mrs. Higgins briefly explained that last winter; the Planning Commission approved their addition. If construction does not start within one year, an extension must be granted. The extension would be granted for six months. Mr. Elliott asked if additional costs would result because of the delay. Mrs. Higgins stated that the code allows for the village to charge the applicant for additional engineering costs. Mrs. Higgins also stated that the village would have to closely review the plans after a year to determine if changes were made. Mr. Elliott also noted this impacts the village's street improvement plans because of the construction trucks.

A motion was made to approve the extension and note if additional costs are incurred, the applicant would be responsible and this would be outlined in a letter prepared and signed by the Village Manager. The motion was made by Mr. Otto and seconded by Mr. Hatfield to have a letter written letting them know the plans would need to be reviewed and the extension is approved for six months.

Mr. Bridgman stated with no other business, the meeting was adjourned at 8:55pm