

Violet Township Board of Trustees

August 2, 2017

Public Hearing

Heron Crossing Planned Residential District Modification of Development Text and Development Plan - Case Number 01-ZC-2017

Mr. Dunlap made the motion to open the Public Hearing for Case Number 01-ZC-2017 at 8:13pm. Request filed by M/I Homes to modify the approved Development Text & Development Plan for Heron Crossing to allow homes to be placed closer to the rear property line and to relocate a multi-use path to another location within the Open Space. Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mr. Myers, yes. Motion carries 3-0.

Mr. Myers recused himself from the meeting because he has an interest in the adjoining property and asked Vice Chairman Terry Dunlap to take over the meeting.

Also present were: Kelly Sarko, Zoning Inspector and Jennifer Huber, Township Legal Counsel

Case Number 01-ZC-2017: An application filed by M/I Homes, Inc. for property consisting of 107.297 acres known as Heron Crossing on the north side of Refugee Road and west of Tollgate Road. This application requests to modify the approved Development Text to allow certain portions of single family homes to be placed closer to the rear property line and to modify the Development Plan to relocate the multi-use path to another location in the open space.

The first modification is for the Development Plan. The multi-use path is now being moved to the west side of the tree line to get it away from the homes.

The second request is modification of the Development Text on page 5. Originally the approved Development Plan allows for a 35 foot rear yard setback. That section states:

“The minimum rear yard setback for each home shall be 35'. No structure may be constructed within the rear yard setback area, provided, however, patios, fences, pools and any other non-structural (no foundation) assemblage may be erected in such area and shall further comply with the requirements of the Violet Township Zoning Resolution”.

Ms. Sarko explained that some of the homes are deep and that morning rooms cannot be constructed so it was an option but it is not available on some of the home models.

They proposed a revision to the Development Text in that section which we further modified and they agreed. It reads as follows:

“The minimum rear yard setback for each home shall be 35'. No structure may be constructed within the rear yard setback area, provided, however, that any of the following may be placed no less than 25' from the rear property line: morning rooms constructed by the project developer or its duly authorized successor or assign, uncovered decks, fireplaces, stoops, steps and bay windows. Patios, fences, pools and any other non-structural (no foundation) assemblage may be erected in such area and shall further comply with the requirements of the Violet Township Zoning Resolution. This shall not preclude any owner from seeking a variance from these provisions.”

Ms. Sarko explained this text will allow a morning room constructed by the developer is permitted be 25 feet from a rear property line. Anything else, like a patio roof, a three season room or something else that is not constructed by the developer; excluding a deck would require a variance from the BZA.

Mr. Jason Francis of M/I Homes was present. Mr. Dunlap asked if the morning room was part of the house. Mr. Francis said it was and it is 4 seasons. It is a 10 by 12 fully

enclosed space. He said there were two homes models that that would not allow the construction of a morning room.

Ms. Sarko stated she had not yet received the Development Text and they agreed on the language today. Mr. Francis has agreed to provide revised Development Text as well as the language as well as a revision date on the copy.

Mr. Monhollen made a motion to close the Public Hearing for 01-ZC-2017. Seconded by Mr. Dunlap. Roll call vote: Mr. Monhollen, yes; Mr. Dunlap, yes. Motion carries 2-0.

Mr. Dunlap explained they would vote on this at the next meeting.

Mr. Myers returned to the meeting. Mr. Dunlap relinquished the Chair to Mr. Myers.

Mr. Monhollen made a motion to adjourn at 8:24 pm. Seconded by Mr. Dunlap. Roll call vote: Mr. Monhollen, yes; Mr. Dunlap, yes; Mr. Dunlap, yes. Motion carries 3-0.

Respectfully Submitted,

Brian Sauer, Fiscal Officer

Joniann Goldberg, Administrative
Assistant

Approved by:

Terry J. Dunlap, Sr., Trustee

Darrin Monhollen, Trustee

Harry W. Myers, Jr., Trustee

Date: _____