

Glendale Planning and Historic Preservation Commission
Monday, September 12, 2022
Meeting Minutes

Pursuant to notice, the Glendale Planning & Historic Preservation Commission met at 5:30 pm on Monday 12 September 2022 at the Glendale Town Hall.

In Attendance: Chairman Tom Breidenstein, Vice Chairman Tom Kerr and Secretary Leslie Cooper and members Bob Kooris, Beth Sullebarger and Randy Green. Village Administrator David Lumsden and Village Clerk Becky Terrell were also present. Dan Mayzum and Mayor Don Lofty were absent.

Unless otherwise indicated, it should be assumed that Mayor Lofty has abstained on all Commission votes, either because they involved Certificates of Appropriateness or because they involved matters which are likely to come before Council where he presides.

Chairman Tom Breidenstein called the meeting to order at 5:30 p.m. and declared a quorum present.

Agenda Items

I. Review and approval of 1 August 2022 Regular Meeting Minutes.

Ms. Sullebarger moved to defer action on the 1 August minutes to the October meeting. Vice Chairman Kerr seconded the motion and it passed via unanimous Planning Commission voice vote.

II. Old Business

20 W. Fountain Ave., Gregory & Marcia Moye, new single-family home. Mr. Vincent Terry, architect and Mr. and Mrs. Moye, property owners, were present to represent the revised application that reflects changes based on the previous Planning Commission review. Originally, according to Mr. Terry, it was believed there was general agreement that the driveway could be moved and rebuilt, but that may have changed. The revisions include garage front windows with soldier brick above windows; materials on second floor changed; slope of gazebo roof changed; hip roof changed at side house connection; sloped roof on rear above the deck and removed high portion. Chairman Breidenstein stated a letter was received from Mr. Terry regarding footprint comparisons. Ms. Sullebarger said that the Moyes have a right to build and the plans meet the

code regarding side yards and set back and the Commission generally approves applications if they meet zoning and Historic Guideline requirements. This is the first change on the block in more than a century and once built, the house will be there for the foreseeable future. Because of the implications, the Planning Commission has to evaluate if the proposal meets the zoning codes, design requirements in code and the guidelines within the physical context of where it is. Ms. Sullebarger appreciated the revisions and expressed concerns about whether design meets requirements in the code starting with the footprint. Village Administrator Lumsden stated that a new structure cannot exceed the footprint of an adjacent pivotal structure. However, 30 W. Fountain is not listed as pivotal (it is contributing) and is not relevant as a footprint reference. Ms. Sullebarger asked about the front set-back and Mr. Terry stated the choice was to set back further out of respect and privacy for the neighbor. Ms. Sullebarger sees that the 2 unresolved issues are the massing of the proposed house and the garage placement in front; as all others are detached in rear yard. Mr. Terry said important to have attached and would destroy back yard if drive into the back yard and more appropriate to have garage in the front as seen in other areas. The lot is only 90' wide, narrower than the other homes making the rear placement more difficult. Mr. Terry wants to negotiate the easement in return for separate driveway. Plan B if not resolved, could take the existing driveway and create a separate branch for the proposed home. Secretary Cooper asked about the two homes referenced with front facing garages and Ms. Sullebarger stated that part of the consideration is the proposed home context. It was also clarified that the referenced houses were built prior to the zoning code and Historic Guideline implementation.

Neighbor Comments:

Mr. Jason Phillabaum wrote letter to Commission about why the neighbors believe the proposal is non-compliant and there was possibly an inappropriate transfer as the lot was originally part of 30 W. Fountain. He also stated that the only way to remove the easement is via court or agreement. He also stated that two straight driveways are not an option as the steps recently approved by the Planning Commission and installed were to utilize the driveway's existing footprint, which would be rendered useless with loss of easement. Neighbors on West Fountain all oppose the design because it looks like 21st century structure in a 19th century context. Ms. Sullebarger said while the 21st century feel may feel incorrect, the Commission must ensure that all design requirements are met.

Mr. Steve Thomas, 30 W. Fountain. They knew of the empty lot and the likelihood a home would be built, but felt that the Historic Guidelines would be applied and any new building would be required to represent one of the styles listed in the guidelines. Ms. Sullebarger asked about the driveway change [Thomases want no change]. They stated that the agreement about the driveway was made with the previous owners (Brooks) and not with them.

Mr. & Mrs. Ray and Kim Wood, 25 W. Fountain. They stated that the Village designation as a landmark has raised the bar for new structures. This proposed home does not conform to the historic designation of Glendale nor the surrounding homes. The proposed log cabin on Coral Avenue was deemed non-conforming to requirements, withdrawn from review and not constructed. The Navarro plot subdivision had to be revised to allow a home of a certain size and setback. They agree that the Moyes have a right to build on the lot; but the building needs to meet historic guidelines as outlined in the guidelines booklet.

Mr. Paul Soukup, 775 Congress. He stated that the footprint of the house should be looked at within context of the lot size. Green space would be saved if there is no garage behind the structure.

Mr. Larry Bonhaus; 780 Congress. He stated that great pains have been taken by himself and surrounding homeowners to preserve and protect the historic homes. He noted potential scale issues in the submission that minimizes the garage impact and noted the back wall of garage and house will be largest expanse of brick in the Village at over 100' long with no windows. He stated that allowing non-conforming architecture starts the path away from preservation which could cause a review of the Planning Commission and membership requirements and would endanger the Village's Landmark status.

Mr. Brien Dickson, 785 Congress, He stated that a proposed addition to his property had been previously reviewed and an effort was made and reviewed to ensure the addition matched the existing details. The same scrutiny should be used for a new home.

Applicant Response

Mrs. Moye stated that the reaction is based on first rendition, and the goal is approval. Village Administrator Lumsden stated that the revised drawings had been provided to the Woods and Thomas' earlier and they also have a physical copy. Mr. Phillabaum stated the feedback provided stands after reviewing the new renderings.

Chairman Breidenstein said that the Planning Commission is required to act within 75 days from application which expires on 28 September unless the homeowner agrees to waive the time limits. Chairman Breidenstein summarized the overall sentiment of the neighbors and his view that the architectural style selected is the objection. If required to vote at this meeting and polling the members it was determined that there would be at least 4 votes in opposition to the application. Chairman Breidenstein asked if the Moyes would waive the time limit and review the feedback and provide revised drawings for the November meeting. The Moyes agreed to waiving the 75-day requirement. Ms. Sullebarger motioned to defer action until the November meeting. Mr. Kooris seconded the motion and it passed via unanimous Planning Commission voice vote.

24 East Sharon Ave., Kim Fry, front yard fence withdrawn. – Mr. Lumsden noted that this application had been withdrawn, and that he has a writing from the property owner regarding withdrawal.

III. **New Business**

Appropriateness Review of Official Applications

1. **933 Congress Ave., Elizabeth & Brett Ferrell, driveway and fence with motorized gate.** **Mr. Rod Sidley**, architect, was present to represent the application stating that this is the final stage of a more extensive remodel and includes replacing damaged or missing fence components. Mr. Green asked about the turn-around design and Mr. Sidley stated that there needs to be room to turn around for delivery vehicles outside of the gate. Mr. Green followed up asking if the turnaround encroaches on the property line and Village Administrator Lumsden stated that the 5' set back required is maintained. Mr. Green moved to approve the application as submitted. Ms. Sullebarger seconded the motion and the motion passed via unanimous Planning Commission voice-vote.
2. **1045 Laurel Ave., Lux Pools by Design, in-ground pool (Conditional Use).** **Mr. Scott Hickey**, Lux Pools by Design representative was present to represent the application. He stated that there is a heavy tree line on both sides of the property and the neighbors have been contacted and have no objection to the application. Chairman Breidenstein asked if the fence is part of the application and Mr. Hickey stated that there is an existing fence that will require an extension. Ms. Sullebarger noted out the 3 factors to be considered in Conditional Use

- applications; Impact to traffic, impact to the neighborhood and impact to the Village Plan and stated that this application did not significantly impact any of the three. Mr. Green motioned to recommend the application to Council. Vice Chairman Kerr seconded the motion and the motion passed via unanimous Planning Commission voice-vote.
3. **18 W. Sharon Ave., St. Gabriel Consolidated School, awnings. Ms. Megan Holtz,** St. Gabriel School representative stated that the request is to install awnings on the east side of the facility and there is no decision made regarding lettering on the awning. Ms. Sullebarger asked the material [canvas]. Ms. Sullebarger moved to approve the application as submitted. Vice Chairman Kerr seconded the motion and the motion passed via unanimous Planning Commission voice-vote.
 4. **1136 N. Troy Ave., Jose Garcia, fence. Mr. Garcia,** homeowner was present to represent the application stating that the intent is to install a 6' dog ear privacy fence in the back yard, similar to a previously approved fence down the street. Chairman Breidenstein clarified that the fence's finished (or "good") side must face the neighbor [agreed]. Ms. Sullebarger asked about the existing fence [yes, but does not go to the back of the property line] and asked if it is possible to install the same type of fence in the backyard. He is concerned that the dog will climb the fence if it is in the old style. Vice Chairman Kerr moved to approve the application as submitted. Mr. Green seconded the motion and the motion passed via unanimous Planning Commission voice-vote
 5. **930 Laurel Ave., Christie & Steve Sawyer, addition. Mr. Sawyer,** homeowner was present to represent the application. The request is for a small addition on the back of the house to replace and extend the 1990's addition. The exterior will have the same finish, the windows will be simulated divided light and the roof will be the same as the existing and the brick exterior will be whitewashed. Ms. Sullebarger motioned to approve the application as submitted. Vice Chairman Kerr seconded the motion and the motion passed via unanimous Planning Commission voice-vote
 6. **200 E. Sharon Ave., Timothy & Jenny Kilgore, porch. Dr. Kilgore,** homeowner was present to represent the application. The project began as a replacement of a porch element and it became a demolition project as issues were identified. Chairman Breidenstein asked if the design was identical [yes]. Village Administrator Lumsden stated he had a conversation with Mr. Kilgore regarding the state of the porch and approved the demolition for safety concerns. Mr. Kooris moved to approve the application as submitted. Mr. Green seconded the motion and the motion passed via unanimous Planning Commission voice-vote

7. **349 Cleveland Ave., Bonito Fulton, Deck and Fence.** Mr. Ron Robuck was present to represent the application. The original deck was torn down for safety reasons and this is to replace the deck using composite materials and 210 linear feet of chain link fence is being requested for removal and replaced with 3' high white vinyl picket fence. Village Administrator Lumsden stated that for picket fences there is a minimum opening of 50% (2" board, 2" opening). Chairman Breidenstein asked if there was a drawing of the fence and placement and Mr. Robuck said he did not have one prepared. Mr. Green moved to approve the deck with changes made to drawing and defer the fence until drawing is submitted and reviewed. Vice Chairman Kerr seconded the motion and the motion passed via unanimous Planning Commission voice-vote

IV. Public Comment & Other Business

1. **Sign Ordinance.** Ms. Sullebarger motioned to forward the revised Sign Ordinance language to Council. Mr. Green seconded the motion and the motion passed via unanimous Planning Commission voice vote.

V. Adjournment: At 7:00 p.m. Vice Chairman Kerr motioned to adjourn the meeting Mr. Kooris seconded the motion and it passed unanimously via Planning Commission voice vote.

Next regular meeting – Monday October 3, 2022 at 5:30 pm

Submitted by Secretary Leslie Cooper

As assisted by Clerk Becky Terrell