



CITY OF OLMSTED FALLS
PLANNING AND ZONING COMMISSION
MINUTES
JUNE 19, 2019
7:30 PM
26100 BAGLEY ROAD
OLMSTED FALLS
COUNCIL CHAMBERS

Commission Members Present: Garry Thompson, Dave Fenderbosch, Gary Pehanic, Michelle Hawkins, Cornel Munteanu, Peter Carpenter.

Also present City Planner George Smerigan. Board member Brett Iafigliola arrived at 8:25
Audience attendance was 4.

Gary Thompson called the meeting to order at 7:31 pm.

AGENDA ITEMS

1. **Planning & Zoning Case #12-2019** – A request by Trinity Church, owner of 9500 Lindbergh Blvd, PP# 291-15-004 for final plan approval for an addition to the existing church.

Mr. Thompson administered the oath.

Mr. Thompson went over the materials in the P & Z packet which included remarks from Engineer Don Sheehy saying he had no objection to the plans and recommended approval of the final site plan. Also included is the final site plan and plans for renovations /addition dated 06/03/2019. Mr. Lander stated for final site approval they needed to demonstrate that they did not need a storm water management plan. Because the addition is less than one tenth of an acre it was not required. Mr. Lander stated they attended the Architectural Board of Review (ABR) meeting last Thursday and were granted approval for the landscape plan and signage. Mr. Lander gave a brief rundown of the landscaping and the signage that was approved by ABR. Mr. Thompson then deferred to City Planner, George Smerigan. Mr. Smerigan stated this is the third time the board has seen this. If you recall the board granted the conditional use permit, then preliminary site plan approval and some variances were also approved. Since then the plans have been reviewed by the city engineer and they did not have to do water quality because the amount disturbed is so small. Mr. Smerigan spoke with Mr. Sheehy and he satisfied with the board going ahead and granting approval. Obviously, he will have final sign off when they get their building permit but he is recommending that you proceed. Trinity has been to ABR and have gotten their approvals. Their final plan is in conformance with their preliminary plan. Their landscaping, their building and their signage have all been reviewed and approved. Mr. Smerigan stated he did not see any issues and from a planning and zoning standpoint and he is recommending the board grant final approval this evening. Mr. Lander then added that Trinity Church did actually go through the lot split and consolidation. Mr. Thompson said he was going to reference that and he asked if this was finalized. Mr. Thompson asked Mr. Smerigan if Trinity was in compliance with all of the variances and Mr. Smerigan stated that they comply with either the zoning code or the variances that the board granted. Mr. Thompson stated that he knew it was a little bit tricky with the ten ft. and it changed some things for them. Mr. Smerigan stated it

did change some things but they are in compliance with what you have previously approved. Mr. Thompson asked if there were any questions from the board. Mr. Pehanic asked about the comment made about storm water. Mr. Smerigan explained that if more than an acre is disturbed there are certain provision under Ohio EPA that have to be done. The question was does it have to be done and the answer is no because he is disturbing less than an acre. The only thing that he has to do is make the city engineer happy with how he is handling the storm runoff.

Mr. Thompson moved to **approve** the request by Trinity Church owner of 9500 Lindbergh Blvd. as requested; Hawkins **seconded**. Poll: 6 ayes, 0 nays. **Motion carried.**

2. **Planning & Zoning Case #17-2019** – A request by Clint Williams, owner of 9805 Columbia Road (front building) and 9807 Columbia Road (rear residence), for an informal discussion regarding parking lot design.

Ken Martin, Architect 31 E. Bridge St., Berea Ohio. Mr. Martin passed out a revised site plan for the board to discuss. Mr. Martin stated he is representing Clint Williams at tonight's informal discussion. Two significant things happened since the submission of the site plan that you have before you. And those being that at first Clint was going to go in kind with the neighbor and attempt to work out an easement situation between the two properties for additional parking and that has now turned into Clint actually acquiring the land and it will be incorporated into the two parcels that are on the corner of Sprague and Columbia. Mr. Martin then presented a new plan to the board. The new plan is reflective of that condition of the purchase and secondarily, and perhaps more importantly, that there is a house that is behind the current church building and this will be removed. This affords Clint Williams more parking spaces. Mr. Martin stated that plan number one with the church building on the corner built in approximately 1845 and most recently used at an antique shop so that would put it into a retail category of the C-3 zoning district that this building is in. The land right adjacent to it is a residential use. On the plan before you vehicles will enter from Columbia Rd. and be able to park in four spaces that are close to the neighbor and there will be a two foot landscape buffer around those spaces. The cars can proceed to the south to access spaces five through ten with five being a handicap accessible space with accessibility into the rear of building with a handicap ramp and also a set of steps leading to the existing door. Parking spaces eight through ten are near an existing apron that will lead the exit into Sprague Rd. Mr. Martin pointed out the yellow area on the plan which is the property that Clint Williams is purchasing from the neighbor. Mr. Martin went over the photos on pages two and three of the plan explaining the different angles and view of the existing buildings. Page four is the survey and pages five and six are more detailed plans for the parking, landscape and lighting. Mr. Martin went on to say that Clint Williams chose a philosophy with Grand Pacific Junction (GPJ) that he would take those buildings and improve the inside and the outside without knowing who is going to use the buildings. The same thing will happen at this site as well. Currently there is no specific use intended use, however, if you look at the C-3 zoning there are fifteen permitted uses and five conditional uses. Since there is a direct relationship between the number of cars you can get on

the site and the square footage of the building that limits you to some degree to balance along the design level. In this case there can be thirteen cars and 1600 sq. ft. of building space. A restaurant is based upon 50 sq. ft. per car. So that would mean he would need 34 spaces for parking and we don't have that. Mr. Martin also stated there should be a fifteen-foot setback between the C3 and a dwelling district. Where spaces eleven though thirteen are, they are asking for a gravel parking lot to match the existing gravel parking lot. Mr. Martin also pointed out that a parking lot is not allowed to be put in a riparian setback and it shows on drawing number five that 120-foot measurement for the riparian setback. Mr. Thompson stated the riparian setback on page five is showing the measurement from the center of the river but isn't it measured from the high-water mark? Mr. Smerigan stated that is correct from the normal high-water mark but this should still be ok. Mr. Martin stated on drawing number six he went to the GIS county records and explored all of the different elevations that are currently existing on the properties. What it is telling him is that that you come from the vehicle entry from Columbia Rd. and go up a little grade and then get to a kind of flat point between spaces five through ten and then start to go down a grade and go out through the lower apron. It all seems to work. Mr. Martin stated that most deceiving part is on drawing number one you can see the green lower section all along Sprague Rd. that is 365 feet long and is owned by the State of Ohio. The state took an awful lot of land to get the bridge in. Mr. Thompson asked if there was an existing easement for the drive on Sprague to go across that property. Mr. Martin stated the state put it in. Mr. Smerigan stated it was just like any other driveway in the city it is all right-of-way. This is the same thing here. It is in the right-of-way and he has a right to use it.

Mr. Martin stated that this pretty much sums up what Clint Williams hopes to do with the property.

Mr. Smerigan stated one of his initial concerns was what is being done to accommodate the parking and the way he has done it there is sufficient parking to accommodate every use that could potentially go into that building with the exception of a restaurant. Whether it is an office, retail or whatever, he will still meet the parking requirements and in most cases will exceed the parking requirements. Mr. Smerigan went on to say that if Clint Williams wanted to put a restaurant in there then he would have to come back. Mr. Smerigan stated that we are going to have a couple of issues buying that strip to put the parking on. The issues are going to be that the parking is not going to meet the side yard setback to residential, the required fifteen feet, so a variance will be required. We will also probably need a variance on the other side where it is close to the right-of-way. Mr. Smerigan said neither of those variances cause him any heartburn. The other thing we have to deal with is the fact that the property is zoned residential and not commercial. He will be putting commercial parking spaces on a residential property and there are two ways to handle this. One is to get that small piece of property re-zoned which does not make sense given the time involved in re-zoning. What makes the most sense is to seek a variance to permit the use of that land for parking even though it is in a different zoning district because the parking is associated with this property. Mr. Thompson agreed and the area is not very large. Mr. Smerigan stated that these variances make the most sense and that his property has a lot of

character and this could be a really cool facility, a very positive addition to the city. Mr. Smerigan stated he is quite comfortable that he can create enough parking for anything other than a restaurant. It also looks like he is well out of the riparian setback. Mr. Smerigan is comfortable with the granting of the variances. Mr. Thompson asked if there would be a variance required for the gravel parking instead of pavement. Mr. Smerigan answered yes that the code requires it to be paved. Mr. Pehanic stated that he has always pictured that corner of Sprague and Columbia as the southern entrance to Olmsted Falls and it has been an eyesore and he really appreciates what Clint Williams is doing for this building. Clint Williams stated that he would like to see a historic marker at the building as well. Mr. Fenderbosch stated that years ago there was parking along Sprague Rd. and it was a real hazard. Mr. Thompson added that that was also before Sprague Rd. was widened and the new bridge built. Mr. Fenderbosch added that there were also greenhouses on the lower portion of the land at one time and asked if Clint had plans to extend down to that area. Mr. Williams explained that there is a pretty steep drop about fifteen feet and no plans to extend down that way. Mr. Thompson stated that this is an informal discussion this evening so no decisions will be made. Mr. Martin stated he will be back at the next meeting with the appropriate requests. Mr. Smerigan stated he needs a formal application that identifies the variance requests, finalize the lot split, and the final development plan.

- 3. Planning & Zoning Case #18-2019 – Review of Ordinance 33-2019 – “AN ORDINANCE AMENDING SECTION 1470.10 OF THE OLMSTED FALLS CODIFIED ORDINANCES ENTITLED “ESTABLISHMENT OF DESIGNATED WATERCOURSES AND RIPARIAN SETBACK” AND SECTION 1470.11 ENTITLED “ESTABLISHMENT OF WETLAND SETBACKS” AND DECLARING AN EMERGENCY” (Council is requesting that Planning & Zoning Review and submit comments, if any, prior to their adoption)**

Mr. Smerigan stated that this has come out of some concerns raised by the administration and this board had some riparian setback variances here recently. Some that we have had, the entire house, and in one case the entire property was in the riparian setback so the question posed him as to whether or not the riparian setbacks that are in the city’s regulations are consistent with the riparian setbacks in other communities. Based on his experience we have some exceptionally large setback requirements. These were based on recommendations by an environmental preservation group and were adopted without any modifications so they are extensive and, in his opinion, somewhat excessive. Mr. Smerigan stated that he works with a number of communities so he sees these kind of setback requirements all the time. He was asked what would be more consistent with what he is dealing with in other communities and what he sees in other communities. So, what you have here is a suggestion to shorten these up to some extent. The biggest one that concerns him is the 300-foot setback requirement. This measurement is not from the center line but from the high-water mark. Some of the smaller streams have little flood plain area in them so the high-water mark is way over at the base of the bank and then you are going 300 feet from there. That means to have nothing within that 300 ft. setback you are losing

the value of view to that water course. This is Olmsted Falls and part of what makes us unique is the fact that we have the falls, we have the water and that is an attraction. Mr. Smerigan went on to say that virtually none of downtown would exist if these regulations were in place when it was built. None of it. This should give you some idea as to what we are dealing with. He thinks it makes sense to pare these back to something that is reasonable. The intent here is to keep from having the bank erode and this was the discussion we had the other night for resident that wanted to run the steps down. Running steps all the way down that bank would put that bank in danger and probably cause more things to slide which is why we would not go forward without some geotechnical analysis or something of that nature. That makes a great deal of sense down the bank but we are talking about 300 ft. away from the bank we are really not talking about anything that will affect the riparian portion of the stream. This is why he suggested moving these setbacks. Understand that the way these numbers came out is that they are based on the watershed area for these streams and some of these streams have fairly large watersheds. That doesn't mean that the stream is large and that doesn't mean that the banks go back that far. Like the case heard earlier, the stream isn't that big of a stream but he calculated he needed to be 120 ft. back so that means that the whole rear portion of the property is unusable. There is no advantage to the city to have that much unusable land if it is not actually affecting the stream. That is where it comes down to whether or not the standards that we have are excessive to accomplish what they are meant to accomplish and whether or not they are counterproductive to using our water courses as attractions for the city. This is the concern that the administration has and that is why you see the draft before you that reduces them. The other part of this is setbacks from wetlands. You can't use the wetlands and we all know that. But then we draw an area around the wetland and say that you can't use the area that is next to the wetlands. The largest one that he is dealing with any other community is 25 ft. Most cities don't have extra setback from the wetlands, they just say you have to stay out of the wetlands. But we do, we have 125 ft. So if you have a small wetlands on your property, then take 125 ft. all the way around it that is a huge portion of property that is unbuildable. That is where the idea of reducing these amounts came from. In his opinion these reductions are reasonable and make sense. Mr. Smerigan than asked the board if they had any questions.

Mr. Thompson asked if the ordinance deals with the very distinct difference between Rocky River where Clint is proposing his project which is basically rock and cliff and the stream is probably 50 ft. below that point vs. Plum Creek which is much smaller, but when Plum Creek floods, the stream bed is not as confined as Rocky River. Mr. Smerigan stated there is a provision in there that says where the flood plain exceeds that difference then you have to be out of the flood plain. You can't build in the flood plain no matter what. There are some streams that have no bank at all and some that have very steep banks and as long as you are away from the top of the cliff you are ok. Mr. Thompson asked if this addresses that. Mr. Smerigan stated this won't change the fact that you cannot build within those flood plain areas. That is in a separate portion of the regulation and that is not changing. We don't want people to put things in an area that is going to flood. Mr. Fenderbosch asked who determines the setback on a flood plain. Mr. Smerigan stated that in order for people to get flood insurance, you have to have flood

plain regulations and they must meet a minimum criteria. We have some and we have a provision that says you cannot build anywhere that is a designated flood plain and we have maps that show where those boundaries are but it is local regulation. Mr. Thompson asked that the record reflect that Mr. Iafigliola came in at 8:25 pm. Mr. Thompson asked if the city had someone proposing to build something and is this how it came about. Mr. Smerigan reiterated that the administration has been seeing some of the variances and issues and the discussion that came up was that the streams and the falls are what make us what we are and does it make sense to be so far back from them that you don't get the aesthetic value of them. He was asked if our regulations were comparable to other communities where he worked or had experience. Mr. Smerigan said he had to tell them that no, our regulations and setbacks were much greater than any other community he works in. The typical range for riparian setbacks, again depending on the community and the size of the stream, go from about 25 ft. to 150 ft. Mr. Smerigan stated that he works for Strongsville, Beachwood and Pepper Pike and their standards a significantly less than ours and he certainly don't think their standards are lax, he just feels that the standards that were adopted here are overly aggressive and he does not think it is necessary to be 300 ft. from the high water mark of some of our streams to protect them. He stated that the smaller number did not change. He said he can't tell the board how often he is contacted by the Building Department because we have so many properties that are within those huge boundaries. We have some residents that can't put on a front porch let alone a back porch without a variance to the riparian setback and this just does not make sense. Mr. Thompson asked if Mr. Smerigan was recommending that the minimum on the first one of 300 ft. on both sides of all watercourses be stuck completely. Mr. Smerigan stated yes and then what happens is number two will becomes number one and instead of saying between 20 sq. miles and 300 square miles it will just be anything over 20 square miles which is typically the way it is done. Mr. Thompson asked if this was based on watershed maps in existence. Mr. Smerigan replied yes and we have those streams already designated. Mr. Iafigliola stated that he wanted to speak briefly. This is before Planning & Zoning (P & Z) tonight because Council is requesting comments prior to the adoption. Mr. Smerigan replied that this is correct. Mr. Iafigliola asked what the time line is for Council. Mr. Smerigan stated that it is on first reading and was then sent here to P & Z for comments. Mr. Smerigan stated that typically the P & Z actions would be to take a vote to recommend approval, recommend denial, or recommend modifications and this action would go back to Council as P & Z's recommendation. Mr. Iafigliola also asked if the board could table this as well. Mr. Smerigan stated yes and he is sure that Council would like them to be comfortable with the recommendation they you send back to them. If the board feels that they need more time to do that he assumes that Council would be fine with that. Mr. Iafigliola stated that he prepared a few questions that he wants to get into the minutes. We heard Mr. Smerigan testify as to what other cities do and his first questions is that he is not versed as to whether these numbers are or are not reasonable. He would like to have Mr. Smerigan provide copies of at least three comparable cities for content. Mr. Iafigliola stated that this is an issue that cannot be taken lightly and he feels it would be wise to see what other cities already have in place. Second comment he has is what is driving this proposal. It could be maybe there are a handful of properties to develop or development concept out there, or is this a citywide address to better

facilitate potential development. So, if it the later, to better facilitate potential development, he does not think this is a bad thing by itself. But Council and this board really need to understand that that this is significant deal. This takes property that is unvaluable to property that becomes highly valuable. This knowledge there is a development that is currently under construction that had wetlands and needed setback and designed their parking lot and building around what they were doing. Mr. Iafigliola said this is a big deal. What he doesn't know if it is a big deal because they are way over the line or because something else is going on. What is driving this proposal? Mr. Iafigliola would also caution Council that if this is to avoid variance requests, such as the one that was before us where the resident wanted to do something in their own backyard, they have to weigh that against the unintended consequences of making a change and then not really seeing what may or may not happen. He stated he is not suggesting that this is a reason to act or not act so don't misinterpret, but give it some thought because we really are affecting land value properties when you do that. Mr. Smerigan stated that what we are doing with excessive regulation is we are reducing the value of properties in the city and hurting the City in that regard. If I have a small wetland on my property and I work around that wetland, but in addition to the wetland I have to leave an area of 125 ft. from every edge of that wetland. That is a huge area. You have a wetland maybe the size of this room and then add the setback and now the entire site can't be used. That does not make sense from an economic development standpoint or from a land use standpoint. The wetland is protected so it can't be used, but then to give up other land that is good land because of the wetland starts to get very negative in terms of property values in the city. Particularly when other communities are not requiring the same thing. This board has granted variances to the wetland setbacks and to the riparian setback as well and we have done that because in a lot of cases the setback requirement made no sense because they weren't anywhere near the watercourse they were just inside the number. It isn't really related to them building over the bank, they were building on a flat property away from the bank. If you recall the swimming pool that we did, they were nowhere near the bank steep slope. But their whole house was in the setback as well as the pool. If you recall we granted setback variances to the wetlands for Clover because otherwise they could not get the building on the site. Mr. Iafigliola stated that he is not advocating one way or the other and all of these points are well taken. What he said he is saying is that Council is requesting comments and these are the sort of things that are possibly changing. There are also some people in this community right, wrong, or otherwise that would rather have the development infringement to maintain the natural setting. Discussion ensued regarding the riparian setback measurement. Mr. Iafigliola indicated that it would be helpful to have an example for instance of #2 in 1470.10(b). Mr. Iafigliola went on to say that these numbers are in a vacuum and for instance number two states "*A minimum of 120 ft. on both sides of all watercourses draining an area greater than 20 square miles....*" Mr. Iafigliola asked what creek this applies to. All he is saying that he would like to see what these mean like here is an example. Mr. Smerigan stated that Rocky River and Plum Creek drain those sorts of areas. These would fall into the 120 ft. setback area. Mr. Iafigliola asked if there was any area that would fall into the old # one (300 ft. setback). Mr. Smerigan replied yes, mostly at the northern end of the city. He explained that it kicks over from one category to the next. Mr. Thompson asked if there were maps that show this. Mr. Smerigan stated that what we have to do is when someone applies for something, we have to calculate what the amount of the water shed is up stream from where they are. He went on to say that there are watercourses designated in the

regulation but the boundaries of the riparian setback are not shown on a map. Mr. Thompson stated that if he has a house on the river and he has to apply for this because he wants to build something, then it has to calculate from that point up river how many square miles that is draining? Mr. Smerigan answered yes. That is the standard in the code. Mr. Pehanic stated that 1470 is not that old and when it was established these boundaries that were established, no particular property was given any consideration and general setbacks. Mr. Smerigan stated exactly. The language was written from a model that was developed by an environment group not the EPA, but an organization here in northeast Ohio that was involved in preservation. This language is word for word the model. The model language was just taken and adopted without mapping the boundaries. Typically, what communities do is take that model language and adjust it to the nature of their community and that was not done here that he can see. Mr. Pehanic asked where the numbers in the new ordinance came from. Mr. Smerigan stated he provided those. Mr. Pehanic stated that Mr. Smerigan works for several different communities and he knows what kind of numbers that they are working with for riparian and these numbers reflect reasonable numbers. Mr. Smerigan stated yes, they do. He went on to say that in Beachwood and Strongsville they make you preserve the wetlands but then they don't then require an additional setback from the wetlands. Mr. Fenderbosch asked that if the ordinance is changed will residents still have to come before this board to ask for a variance. Mr. Smerigan stated yes, but by changing these setbacks we will reduce the number of cases that we will have because more things will be outside of the setback. But anyone within the setback will still need to seek a variance. Mr. Thompson asked if the language is the same in other communities or totally different language. Mr. Smerigan stated that some communities have used the same model but just changed the setback requirements and others have totally different standards and don't use that language at all. The problem is always trying to relate it to what you are trying to protect which is the stream. Some communities deal with the stream bank as opposed to how much of an area drains. Their position is it does not matter whether the water shed is 10 acres or 10,000 acres. Some regulations deal with setbacks from the top of bank as opposed to the mean high-water mark. He went on to explain that Lake Erie is at an all-time high so that the streams going into Lake Erie are at all-time highs too. So, what is the mean high-water mark? Streams also meander so the watercourse changes over time so the mean high-water mark changes over time so what you have is a regulation that is a moving target. The top of the bank is the top of the bank unless it is eroding. What some communities have done is regardless of what the stream is doing down below, if there is a bank they want to protect it. That is what they relate to as opposed to the stream. Mr. Thompson stated so that they are regulating the bank and so many feet from the bank. Mr. Pehanic stated that his thoughts are if these new numbers have a positive impact on residents that want to do something that would currently be in violation of the riparian and give them the opportunity to not be in violation of the riparian setback to him that is a good thing. Mr. Thompson stated that maybe we need to review the high-water mark as well. Mr. Smerigan stated he is not opposed to reviewing because he feels we have some issues here. Mr. Iafigliola would like to see what other cities do. Discussion continued about the possible changes to be made and should the entire ordinance be looked at such as the mean high-water mark, setback, should this be mapped out. Mr. Thompson stated that it makes more sense to him to be able to look at a map which is definable. Mr. Smerigan stated that we need to decide what we are concerned about, if it is the steep slopes then let's figure out where they are and protect those.

Mr. Smerigan stated that it would solve a lot of problems when someone comes into the building Department to look at a map and say it is in or it is out of the riparian setback. Mr. Fenderbosch stated he lives in the Mill River Condominiums about 50 feet from the river which has never come over its banks and he does not need flood insurance. He said some areas just don't need this ordinance. Mr. Smerigan said that if this ordinance was in effect when Mr. Fenderbosch's home was built, it would not have been built as well as the shopping center. Mr. Thompson stated that we still need to protect the water ways. Mr. Smerigan agreed but he feels there is a better way to do this. Mr. Smerigan stated that what this ordinance did was create a lot of legal non-conforming properties. If these homes within the riparian setback were to burn down they cannot be reconstructed in the same spot because our regulations say that if your home is damaged by more than 50% and it is a non-conforming, the structure cannot be rebuilt. It has to be re-built in conformance with the code. The problem with this is that it kills a lot of land sale deals and re-financing because he is obligated if asked what the law is. He is asked this all the time. He gets referred by the Building Dept., calls from appraisers, and he writes all kinds of zoning letters that tell people if they are in compliance or not. He has to tell banks all the time that the homes are legal-non conforming and would require a variance to rebuild. The banks don't want to hear that. The bank is not willing to take that risk to loan on a property that is not in compliance. Mr. Iafigliola stated that he feels that it would be wise to have someone from the EPA or Northeast Ohio Regional Sewer District because regional wide flooding remains an issue and it would be wise to reach out to someone with that background and ask what they see. Mr. Thompson stated he is not opposed to this. Mr. Munteanu asked Mr. Smerigan if he could get three other communities languages for the board to look at and compare. Mr. Iafigliola also added that the board could re-think this whole thing and maybe go to a mapped base system rather than the high water verbiage. Mr. Thompson agreed and added that the maps can be changed as the water ways change. He also asked for some other options. Mr. Thompson asked for a motion to table.

Mr. Iafigliola moved to **table** in order to gather more information; Fenderbosch **seconded**. Poll: 7 ayes, 0 nays. Motion carried.

COUNCIL LIAISON REPORT - *No report.*

OTHER BUSINESS – *None*

APPROVAL OF MINUTES

Mr. Thompson asked if there were any corrections to the minutes. Mr. Iafigliola stated that on page 11, line 42 the work *lite* needs to be changed to *lit*. He also asked for everyone to look at page 11, line 19 is a motion carried and then we amended the motion on page 12 in line 10. He thinks it is right but he would like everyone to read again because it was an odd situation. Mr. Thompson stated that he feels it was ok.

Mr. Pehanic moved to **approve** the minutes as amended; Fenderbosch **seconded**. Poll: 6 ayes, 1 abstain (Munteanu). **Motion carried.**

ADJOURNMENT

Mr. Pehanic **moved** to adjourn; Fenderbosch **seconded**. Poll: 7 ayes; 0 nays. **Motion carried.**

Meeting adjourned at 9:15 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Chairman

Date