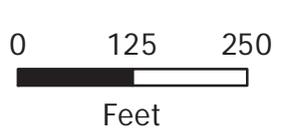


**Liberty Twp**

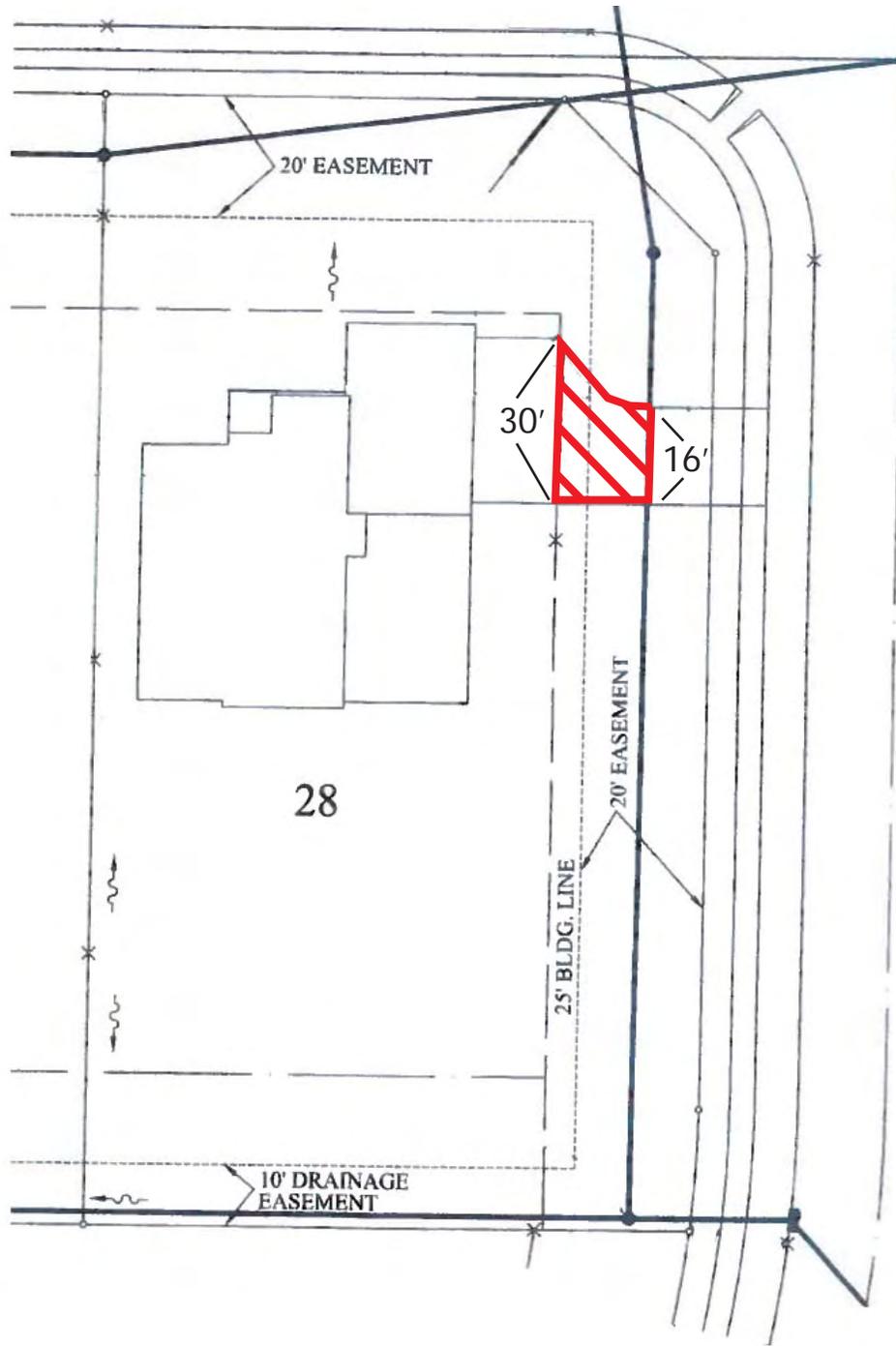
**SITE**



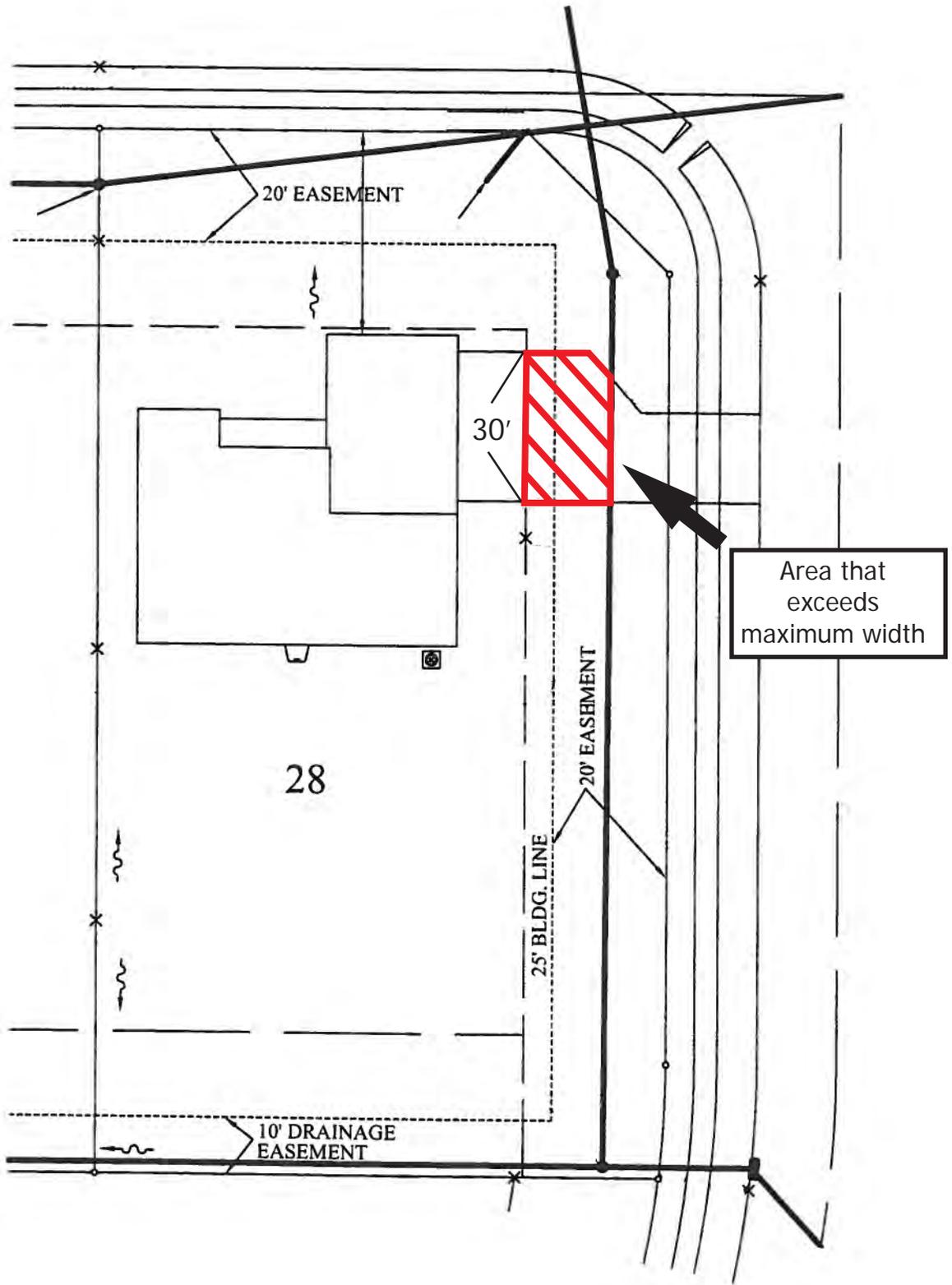
13-081AA  
Administrative Appeal  
Wedgewood Glen- Virginia Homes  
4163 Bidle Court



# Previously Approved Site Plan



# Applicant's Preferred Option



# CITY OF DUBLIN DRIVEWAY CODE

Dublin, Ohio Code of Ordinances

## § 153.210 DRIVEWAYS.

(A) Each driveway shall be located and designed in a manner that provides for the safety of motorists and pedestrians.

(B) A driveway serving a residential parking area or lot shall be regulated as follows:

(1) *Curb cuts.* The location of curb cuts or points of ingress/egress shall be restricted to promote traffic safety, and limited to one per single-, two-, or three-family dwelling. Two curb cuts may be permitted only after the review and approval of the Director of Land Use and Long Range Planning in accordance with the following criteria:

(a) A maximum of 40% of linear curb distance along the lot frontage may be removed for driveway curb cuts except as otherwise limited in this section.

(b) All impervious surface area, including but not limited to, buildings, driveways, vehicular use areas, patios, decks, and other accessory structures may not exceed 60% of the lot.

(c) The design function and appearance of driveways leading from an additional curb cut shall be compatible with and complementary to the building it serves as well as the surrounding neighborhood by the use of consistent paving materials.

(d) The curb cuts shall be located to provide adequate distance from adjacent properties or intersecting streets to prevent vehicle and pedestrian conflicts. The placement of an additional curb cut shall not conflict with existing utility or infrastructure improvements including but not limited to curb inlets, manholes, yard drains, meter sets, and valves.

(2) *Setbacks.* Driveways shall be set back at least three feet from a side lot line. Where a single common drive is provided for two adjoining lots no driveway setback is required along the common property line.

(3) *Pavement width.*

(a) *Curb line.* All driveways shall have a minimum width of ten feet and a maximum width of 20 feet in addition to two, 3-foot flares, one on each side, measured at the curb line or edge of pavement for uncurbed streets.

(b) *Right-of-way line.* All driveways shall have a minimum width of ten feet and a maximum width of 20 feet as measured at the public or private street right-of-way.

(4) *Front-loaded garages.*

(a) *Pavement width. Right-of-way line to garage facade.* Driveways for front-loaded garages shall not exceed 30 feet in width between the right-of-way line and the nearest portion of the front facade of the garage. Driveway width in addition to pavement width measured at the right-of-way shall be tapered

## CITY OF DUBLIN DRIVEWAY CODE

toward the lot line nearest the garage. The taper shall not exceed 45 degrees as measured from the centerline of the existing or proposed driveway. No driveway pavement shall be permitted to extend beyond the front facade of the garage.

(b) *Landscaping.* The unpaved tapered area between the sidewalk and/or right-of-way shall be landscaped. A minimum of 75% of the area formed by the taper shall contain plant material which may consist of a mix of shrubs, ornamental grasses, and/or perennials with a minimum planting of three shrubs. Mature plant material height shall be a maximum of 30 inches with 50% of the plant material at a minimum mature height of 12 inches. Lawn art, sculptural pieces, decorative fountains, edging material taller than six inches, and similar features or structures are prohibited in this area.

(5) *Side-loaded garages.*

(a) Side-loaded garages on corner lots are subject to the same provisions as front-loaded garages except for the following.

(b) *Pavement width.*

1. Right-of-way line to building setback line. The width of pavement between the public or private street right-of-way and building setback lines shall not exceed 20 feet.

2. Beyond the building setback line. Driveways for side-loaded garages shall not exceed 30 feet in width as measured from the garage vehicle opening to the opposing edge of pavement.

(6) *Courtyard-style garages.*

(a) *Pavement width.*

1. Right-of-way line to building setback line. The width of pavement between the right-of-way and building setback lines shall not exceed 20 feet.

2. Beyond the building setback line. The width of driveways for courtyard-style garages shall not exceed 85% of the width of the facade of the primary structure, not including the garage.

(b) *Landscaping.* Landscaping shall be used to screen pavement in the courtyard area from the public street right-of-way or private street. A landscape bed with a minimum width of four feet shall extend from the edge of driveway pavement towards the street and shall contain plant material which may consist of a mix of shrubs and deciduous trees, ornamental grasses, and/or perennials. Mature plant material height shall be a minimum of 30 inches.

(7) *Front yard lot coverage.* Lot coverage in the yard space between the public street right-of-way or private street, side property lines, and building setback lines shall not exceed 35%.

(8) *Pavement material.* The primary pavement material on driveways and any driveway additions shall be identical. Approved primary pavement materials include asphalt, concrete, brick, concrete pavers, colored and imprinted concrete, or natural stone pavers or flagstones. The use of gravel as a driveway material is not permitted. Secondary materials such as brick or stone may be used for driveway borders or insets.

(C) A driveway serving a commercial parking area or lot shall be regulated as follows: driveways

## CITY OF DUBLIN DRIVEWAY CODE

shall be designed so that vehicles entering or leaving such parking lot will be traveling in a forward motion. Driveways shall have a maximum width of 30 feet at the street right-of-way line and a maximum width of 40 feet at the curb line, including two 10-foot radii curb returns. Driveways, exclusive of curb returns, shall be ten feet or more from the side lot line and 20 feet or more from another access drive measured at the street right-of-way line. Driveways shall be limited to one per lot or parcel of land or shall be limited to one for each 200 feet of frontage.

(D) Exceptions to divisions (B) and (C) above require review and approval by the Director of Land Use and Long Range Planning or designee(s). Appeals may be made to the Board of Zoning Appeals in accordance with § 153.231(F).

('80 Code, § 1193.11) (Ord. 12-89, passed 2-21-89; Am. Ord. 17-07, passed 4-9-07; Am. Ord. 28-08, passed 5-19-08) Penalty, see § 153.999

**Disclaimer:**

This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality. American Legal Publishing Corporation provides these documents for informational purposes only. These documents should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of a Code of Ordinances should be consulted prior to any action being taken.

For further information regarding the official version of any of this Code of Ordinances or other documents posted on this site, please contact the Municipality directly or contact American Legal Publishing toll-free at 800-445-5588.

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014R

April 9, 2007

Page 2

Held

20

## **CITIZEN COMMENTS**

Wallace Maurer, 7451 Dublin Road referenced the October, 2006 Council meetings and the March 19, 2007 meeting in regard to misrepresentations of his character, behavior, ideas and intelligence, as displayed at the podium. In the October meetings, a line of thought was brought forward that he was a "fatuous, futile waster of Council's time." A mathematical computation was done of his speaking time of 10 minutes per month in the two sessions which constituted two hours per year of wasting of time. In the March 19 Council meeting, the word "babbling" was used, which brought into play some other dimensions of his failure – lack of intelligence or even senility. In order to correct those misrepresentations, he needs to bring to view two pieces of chronology: in the municipal firing of a municipal employee on the night of June 3, 2002, he asked the question about the cause of the firing. He then spent 27 consecutive five-minute slots speaking to Council, seeking information about the firing. Halfway through this process, a Council Member told him that citizens were able to examine the documentation, although he had not been aware that was possible.

Mayor Chinnici-Zuercher pointed out that Council has previously indicated that they will not have him speak any longer on this topic. Is there another topic which Mr. Maurer would like to address in the time remaining?

Mr. Maurer responded that at the last meeting, a Council Member noted there are reasonable restrictions of time, place and manner on First Amendment rights to free speech. The word "efficiency" in running a meeting was referenced. This word can apply to a multitude of wrongdoings. Every dictator has always claimed efficiency as a reason to justify suspending the laws of a country. Inside and outside of the U.S., people have called it the greatest country on earth. It depends upon the grounds to which someone is speaking. There is one tiny but mighty ground for saying that, and it is that the country makes the possession of free speech an automatic birthright of any native-born citizen or naturalized citizen.

## **LEGISLATION**

### **POSTPONED ITEMS**

#### **Resolution 15-07**

#### **Authorizing the City Manager to Enter into an Agreement with TechColumbus.**

Ms. Grigsby noted that as the memo indicates, staff continues to work on preparing the information requested by Council. Staff recommends Council postpone this item until the April 23 Council meeting.

Ms. Salay moved to postpone Resolution 15-07 to the April 23 Council meeting.

Mr. Reiner seconded the motion.

Vote on the motion: Ms. Salay, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mayor Chinnici-Zuercher, yes; Mrs. Boring, yes.

#### **Ordinance 14-07**

#### **Requesting Approval to Change the Name of Scherers Place to Laser Lane in the City of Dublin, Ohio.**

Ms. Grigsby noted that a new name has been proposed by staff, and staff is awaiting word from the company officials regarding the proposed name. Staff recommends postponing this item until the April 23 Council meeting.

Mrs. Boring asked if this is a matter of courtesy. She was not aware that approval from the company was needed for this change.

Ms. Grigsby responded that the original request came from the company, so staff wants to ensure that they find the new proposed name to be acceptable.

Mr. Reiner moved to postpone Ordinance 14-07 to the April 23 Council meeting.

Ms. Salay seconded the motion.

Vote on the motion: Ms. Salay, yes; Mr. Keenan, yes; Mayor Chinnici-Zuercher, yes; Mrs. Boring, yes; Mr. Reiner, yes.

## **SECOND READING/PUBLIC HEARING - ORDINANCES**

### **Ordinance 17-07**

#### **Amending Sections 153.002, 153.071, 153.072, and 153.210 of the Dublin Codified Ordinances Regarding Residential Driveways. (Case No. 06-133ADM)**

Mr. Gunderman noted these amendments relate to residential driveways and involve these Code sections: definitions; minor modifications on lawn and yard space setbacks

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014R

April 9, 2007

Page 3

Held

20

for consistency reasons; language related changes to Section 153.072 on building setbacks and setback lines. Most of the substantive changes are in Section 153.210 regarding driveways. He noted the following amendments:

- Codifying language that reflects current practice - permitting one curb cut for residential property, but an additional curb cut is possible if certain criteria are met
- How close a residential driveway can come to a side property line – it remains three feet
- No setbacks are required for common drives
- Curb lines remain unchanged from current code -- at the curb line, a minimum of 16 feet of width for the driveway, a maximum of 26 feet
- At the right-of-way line, a minimum of 10 and maximum of 20 feet of width

The critical issue relates to the 30 feet of driveway width. Through all of these changes, staff is dealing with the prospect of having wider driveways than have previously been permitted under the Code. The Code previously limited the effective width of the driveway to be a distance as wide as the opening of the garage door. While 30 feet would be permitted in most cases, there are some other limitations written into the Code, principally, that the driveway cannot exceed more than 35 percent of the front yard area.

Mrs. Boring asked whether a four-car garage would result in a driveway wider than 30 feet.

Mr. Gunderman responded affirmatively. The example is based on a two-car garage scenario. The driveway width is permitted to be as large as the garage opening. He reviewed the various scenarios and how the Code would be applied to each, including side load garages, front load garages and courtyards. He emphasized that the front yard lot coverage is a limiting factor, regardless of other conditions. It cannot exceed 35 percent of the front yard. In some planned districts, it may be even more restrictive.

The pavement materials are also addressed. The pavement types can be mixed, as long as it is carried out in a reasonable pattern. It cannot be used on only the widened area. He offered to respond to questions.

Mr. Reiner asked what comprises the screening.

Mr. Gunderman responded this includes plant materials. The annotated text calls for a mix of materials, over 12 inches and not beyond 30 inches high.

Mr. Reiner asked if materials are to be evergreen or deciduous.

Mr. Gunderman responded he does not believe it is required to be evergreen – it calls for a mix of shrubs and grasses.

Mayor Chinnici-Zuercher noted that there are a number of residences with circular driveways with two entrances. Will these be grandfathered under the Code changes?

Mr. Gunderman responded that is correct.

Mayor Chinnici-Zuercher asked for clarification that the City would still permit circular driveways under the revised Code.

Mr. Gunderman responded that the previous Code was silent on this matter, and the regulations are now within the Code.

Ms. Saly noted that in the slide containing the materials, it appears one driveway has an inset of brick or stamped concrete. In the photo in the handout, it appears the driveway is edged in a different material. Is that permitted?

Mr. Gunderman responded that it would be permitted.

Mrs. Boring asked about a driveway on the side of a garage. In many cases, this offers extra parking on the side of the house, keeping cars off the street. What is the thinking behind this provision?

Mr. Gunderman responded that there was a previous amendment to the Code which prohibited parking on the side of the house. This provision was carried over due to the concerns about the impact on the neighboring property.

Mrs. Boring stated that additional sideyard setback requirements could be placed upon the side garage parking in order to reduce any impact on the neighbor.

Mr. Gunderman responded this is possible in areas with larger lots.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 9, 2007

Page 4

Held

20

Mrs. Boring asked if a resident could request this permission through the Board of Zoning Appeals.

Mr. Gunderman responded there is no provision for that to be done as a routine matter. The homeowner would have to demonstrate an unusual hardship before consideration could be given.

Mrs. Boring asked for input from other Council Members.

Ms. Salay responded she does not support sideyard parking, as she has observed it done very poorly in the City of Columbus and other areas. While it could work on large lots, most Dublin neighborhoods would not accommodate this without imposing on the neighbors.

Mrs. Boring noted that in Franklin, Tennessee, materials were used that made the driveways more attractive. Was consideration given to this?

Mr. Gunderman responded that staff did not explore this topic.

Mrs. Boring suggested that Council give direction to staff to explore the other driveway materials.

Ms. Salay commented she would support this direction, as most neighborhoods are built in planned districts where the developer could be given the direction to make the driveways more attractive.

Mayor Chinnici-Zuercher noted that language in the document could encourage materials other than asphalt and concrete. There are many alternative materials for driveways and sidewalks available. She would support staff review of this for ultimate expansion of the Code section.

She noted that she has observed more recreational vehicles parked in driveways, especially in those areas where a driveway addition has been done. She had understood that the Dublin Code prohibits this.

Mr. Gunderman responded that there is a time limitation on parking these vehicles on the property. He agreed that the driveway additions do lead to more recreational vehicle parking.

Mayor Chinnici-Zuercher noted that the Code enforcement staff should be more vigilant in this matter.

Mr. Gunderman commented that the widening for a parking space is permitted only on the outside edge of the lot, not on the inside edge in front of the house.

Mr. Reiner noted that at times, the sidewalk from the front door is brought down to the driveway to allow access to the car without stepping on the landscaping or lawn. Will there be a restriction on this?

Mr. Gunderman stated that if can be defined as a sidewalk and has demarcation from the driveway, it would be considered as a sidewalk.

Mr. Keenan stated that one of the benefits of the side parking in the driveway is that it does help reduce the on street parking for those with large families and a large number of vehicles.

Vote on the Ordinance: Mr. Keenan, yes; Mr. Reiner, yes; Ms. Salay, yes; Mrs. Boring, yes; Mayor Chinnici-Zuercher, yes.

Mrs. Boring moved to direct Planning staff to consider use of alternative materials for driveways.

Ms. Salay seconded the motion.

Vote on the motion: Mr. Keenan, yes; Ms. Salay, yes; Mrs. Boring, yes; Mr. Reiner, yes; Mayor Chinnici-Zuercher, yes.

**Ordinance 18-07  
Amending Sections 150.003, 153.074, and 153.080(D) of the Dublin Codified Ordinances Regarding Swimming Pools. (Case No. 07-010ADM)**

Mr. Gunderman noted that there are no fundamental policy changes or technical regulation changes. All of the regulations that were part of the Building Code are being relocated to the Zoning Code.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

March 19, 2007

Page 19

Held

20

requirements with her. The applicant will be held accountable to the Code in this regard. There are also Codes about permitted hours for trash pick-up.

Mrs. Boring asked about page 46, under 3(c), Conditional Uses, where the language is ambiguous. It notes, "gasoline service station, provided that no more than eight (8) fueling positions shall be permitted." Other language states, "In the event that a gas station is allowed as a conditional use ...." This needs to be clarified to denote that a gas station needs approval as a conditional use.

Mayor Chinnici-Zuercher suggested that a motion be formulated to address the issues regarding the alley landscaping, prohibiting the car wash use, and addressing the integrated streetscape issue.

Mrs. Boring stated that her intention in regard to the gas station is to limit it to four double pumps, but eliminate the language "shall be allowed" in the text and clarify that it is a conditional use.

Mr. McCash moved to approve Ordinance 16-07 with the conditions that the text language be revised to eliminate the language "shall be permitted" from the conditional use section in Subarea F; that enhancement of the alleys with landscaping be addressed as part of the final development plan approval process; that at the final development plan stage, further consideration be given to the layout of the neighborhood commercial area, such as integrating buildings versus free-standing single-use buildings and creating a town center with a streetscape; and that the list of prohibited uses in Subarea F be revised to include car washes.

Vice Mayor Lecklider seconded the motion.

Mr. Hale indicated that the applicant is in agreement with the additional conditions.

Vote on the motion: Mr. Keenan, yes; Mr. Reiner, abstain; Mrs. Boring, yes; Mr. McCash, yes; Vice Mayor Lecklider, yes; Mayor Chinnici-Zuercher, yes.

Mrs. Boring asked as a matter of record why a member abstained from voting.

Mr. Smith responded that it is the Chair's discretion to ask for the reason for the abstention.

Mayor Chinnici-Zuercher asked Mr. Reiner to indicate for the record his reason for abstention.

Mr. Reiner responded that he believes that one of the companies he owns may have dealings with one of the investors in this project and so he chose to abstain. He is not certain of this, but abstained for this reason.

Mr. Hale added that Mr. Edwards is an investor in this development, and Mr. Edwards is also an investor in separate entities – primarily apartment entities. Mr. Reiner has partial ownership in these.

Mr. McCash noted he is confused, as Mr. Reiner participated in this discussion.

Mayor Chinnici-Zuercher asked the Law Director for his opinion, given the fact that Mr. Reiner participated in the discussion.

Mr. Smith stated that if a Council Member believes he or she has a conflict, it should be set forth at the outset and the member should ask to be excused from the deliberations. If a member has a conflict, they should not try to influence the vote or the content of the project.

**INTRODUCTION/FIRST READING – ORDINANCES**

**Ordinance 17-07**

**Amending Sections 153.002, 153.071, 153.072, and 153.210 of the Dublin Codified Ordinances Regarding Residential Driveways. (Case No. 06-133ADM)**

Mr. Keenan introduced the ordinance.

Judson Rex, Planner stated that this ordinance is related to the regulations regarding residential driveways. The purpose is to establish clear guidelines for the design and placement of driveways within the City's residential neighborhoods. The staff report indicates that the Planning & Zoning Commission reviewed the proposed ordinance both in November of 2006 and in February of 2007. At the November work session, the Commission provided input in response to several specific questions from staff. This

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

March 19, 2007

Page 20

Held

20

input has guided the development of the ordinance. He suggested that Council review the slides contained in the packet prior to the next hearing.

In response to Mr. Rex's question about Council's desire for a full presentation, Vice Mayor Lecklider noted he would like more detail provided either tonight or at the next hearing.

Mr. Rex noted that there are four sections proposed for amendment: Section 153.002 regarding definitions; related minor modifications to 153.071 and 153.072 to make the Code consistent; and to 153.210 regarding driveways. Much of the language in the driveway portion reflects existing administrative policy used over the years, but not codified. Recently, many residents have requested additional driveway width and the existing Code did not permit that. Staff hopes to address existing issues in some of the older neighborhoods with this update.

It was the consensus of Council to have a detailed presentation at the second reading on April 9.

Mayor Chinnici-Zuercher suggested that staff also address the issue about circular driveways, as recently reported in the *Columbus Dispatch*.

There will be a second reading/public hearing at the April 9 Council meeting.

**Ordinance 18-07**

**Amending Sections 150.003, 153.074, and 153.080(D) of the Dublin Codified Ordinances Regarding Swimming Pools. (Case No. 07-010ADM)**

Vice Mayor Lecklider introduced the ordinance.

Mr. Rex noted these changes consist of minor revisions related to residential swimming pools. Staff has taken a portion of the Building Code that contains land use oriented language, combined it with some zoning regulations and centralized these for ease of use. It has been relocated into the "Accessory Uses and Structures" portion of the Code. Hopefully, this will be easier for residents to reference and will help staff provide accommodations for those who want to build swimming pools. Jeff Tyler, Chief Building Official has assisted with this process.

There will be a second reading/public hearing at the April 9 Council meeting.

**Ordinance 19-07**

**Authorizing the Acquisition of a Combined 2.221 Acres, More or Less, Fee Simple Interest, a Combined 0.668 Acre, More or Less, Permanent Easement, a Combined 0.025 Acre, More or Less, Temporary Construction Easement From Shamrock Crossing, LLC, Located North of West Dublin-Granville Road, City of Dublin, County of Franklin, State of Ohio, for the Shamrock Crossing Boulevard Extension, and Declaring an Emergency.**

Mr. Keenan introduced the ordinance.

Ms. Brautigam stated this relates to acquisition of property for the road extension. Staff is requesting passage by emergency at the second reading/public hearing on April 9.

Mr. McCash asked about the purpose for the request for emergency passage, as this relates to a private development.

Ms. Grigsby responded that it is necessary in order to coordinate timing with regard to the developer's subsequent sale to another owner – the Lexus dealership. When Shamrock Crossing LLC owns the property, the City will then execute the tax increment financing agreement in keeping with the timing agreed upon.

**INTRODUCTION/PUBLIC HEARING - RESOLUTIONS**

**Resolution 14-07**

**Appointing Members to the Various Boards and Commissions of the City of Dublin.**

Vice Mayor Lecklider introduced the resolution.

He moved approval of the following appointments: reappointing Kevin Walter to a four-year term on Planning & Zoning Commission; appointing Christine Groomes to the unexpired term of Rayna Jones on the Planning & Zoning Commission; reappointing William Souders to a three-year term on the Architectural Review Board; appointing Tom Currie to a three-year term on the Architectural Review Board; reappointing Keith Blosser to a three-year term on the Board of Zoning Appeals; appointing Sean Cotter to a three-year term on the Board of Zoning Appeals; reappointing Robin Campbell and Melinda Carr to three-year terms on the Community Services Advisory Commission; appointing Patrick Costello to a three-year term on the Community Services Advisory Commission; reappointing Bridget Dritz to a three-year term on the Parks & Recreation Advisory Commission; appointing Ned McCoy to a three-year term on the Parks &



**PLANNING AND ZONING COMMISSION**

**RECORD OF ACTION**

**FEBRUARY 15, 2007**

CITY OF DUBLIN.

**Land Use and  
Long Range Planning**  
5800 Shier-Rings Road  
Dublin, Ohio 43016-1236

Phone: 614-410-4600  
Fax: 614-410-4747  
Web Site: [www.dublin.oh.us](http://www.dublin.oh.us)

The Planning and Zoning Commission took the following action at this meeting:

2. **Administrative Request 06-133ADM – Residential Driveways**  
**Request:** Review of City Code and Policies regarding residential driveways.  
**Staff Contact:** Judson J. Rex, Planner.  
**Contact Information:** (614) 410-4654/jrex@dublin.oh.us.

**MOTION:** To approve the changes and revisions to the driveway ordinance and to forward this revised ordinance to City Council as presented.

**VOTE:** 6 – 0.

**RESULT:** The revised ordinance regarding residential driveways was approved and will be forwarded to City Council.

STAFF CERTIFICATION

  
\_\_\_\_\_  
Judson J. Rex  
Planner

## **2. Administrative Request 06-133ADM – Residential Driveways**

Judson Rex said after receiving Commission input at the November work session, Planning has revised the driveway ordinance. He said the Zoning Code Definition, Lot and Yard Space Requirements, Building Lines along Public Rights-of-way, and Driveway Sections have been revised. He said other sections in addition to the Driveway Section are being revised due to the fact that other sections refer to it. He said in the Definitions Section, definitions have been added relating to curb line, driveway, and the different types of garages. Mr. Rex said the Lot and Yard Space Requirements Section was subject to minor modifications to coordinate with the Driveway Section, dealing with setbacks and lot coverage. He said in the Building Setback Lines Along Public Rights-of-way and Private Streets Section the definition of Building Setback needed modified to coordinate with changes to allow parking on driveways within the building setback, which was previously prohibited by Code. Mr. Rex said the site triangle portion of this section was also updated to reflect the City Engineer's most current policy.

Mr. Rex said Chapter 153.210 – Driveways is now organized into eight subsections. He said the first was curb cuts and the existing administrative policy of how additional curb cuts are handled has been implemented into the Code, including the four criteria that must be met. He said the second subsection, setbacks, was another existing policy that requires a three-foot setback to be maintained except where there is a common drive between two lots. He said the pavement width section remains unchanged, but it has been separated out for quick reference. He said the curb line and rights-of-way line maximum and maximum widths section has not changed. Mr. Rex said the two sections for front-loaded garages restrict the pavement width to a maximum of 30 feet and require a taper where the driveway is wider than at the right-of-way line. Landscaping will also be required in the unpaved tapered area. He said for side-loaded garages, the pavement width is restricted to 20 feet from the right-of-way line to the building line, and then 30 feet is the maximum beyond the building setback line. Mr. Rex said for courtyard-style garages, the pavement width is restricted to 20 feet, similar to side-loaded garages, and the pavement width beyond the building setback line has been revised to not exceed 85 percent of the width of the house. The area within the courtyard will be required to be screened from the public or private street. He said the Front Yard Lot Coverage has not changed, but has been separated for easy reference. He said 35 percent is the maximum front yard lot coverage. Mr. Rex said the pavement material types have been limited to asphalt, concrete, brick pavers, and concrete pavers, and the secondary material allowed to be used for borders, insets, and other accents on the driveway. He concluded his presentation.

Mr. Walter noted that a driveway was defined as a hard-paved surface. He asked how that applied to unpaved driveways, such as gravel driveways. Mr. Rex said gravel was not a permitted driveway surface material. He said existing gravel driveways were legally non-conforming and would have to come into compliance or get a variance if any changes were proposed.

Mr. Zimmerman asked about the new crushed stone hard surface product being used. Mr. Rex said it was not defined in the revised Code, but it could possibly be approved administratively if material specifications were provided and the appropriateness for the neighborhood was considered. Ms. Jones said the new material might be a solid surface hybrid that would work. Mr. Rex said a chip and seal process had been used before and he thought it was close to a hard-paved surface. He said it would be considered administratively. Mr. Langworthy said loose

gravel was difficult to maintain due to drainage problems and necessary grading. He said a product that looked like gravel, but was locked in place would be fine.

Mr. Gerber asked how many driveway improvement permits were issued per year. Mr. Gunderman estimated perhaps 20 to 30 driveway improvements per year.

Mr. Fishman asked if the driveway shape remained the same and only the material was changed was a permit necessary. Mr. Gunderman did not think so.

Mr. Fishman asked if a driveway was rebuilt, does it have to be brought into compliance. Mr. Gunderman said if the driveway is rebuilt, with new material underneath it, they should get a permit and comply with the Code.

Mr. Sanholtz asked if the permit process also involved whether or not the apron was removed next to the right-of-way. Mr. Gunderman said the removal of the apron area requires an Engineering review.

Mr. Fishman confirmed that Planning was in favor of expanding driveways beyond the garage door. Mr. Gunderman said the ability to make the width of the driveway pavement wider than the door opening was included in the Code.

Mr. Gerber said that all the Commissioners' concerns had been addressed and Mr. Rex did a very good job. Mr. Rex said all of Planning had assisted him.

**Motion and Vote:**

Mr. Gerber moved to approve the changes and revisions to the Driveway Ordinance and to forward this revised ordinance to City Council. Mr. Sanholtz seconded the motion, and the vote was as follows: Mr. Walter, yes; Mr. Fishman, yes; Ms. Jones, yes; Mr. Zimmerman, yes; Mr. Sanholtz, yes; and Mr. Gerber, yes. (Approved 6 – 0.)

**3. Administrative Request 06-121ADM – Residential Appearance Standards**

Judson Rex presented this administrative request for potential changes to the Residential Appearance Code, Section 153.190. He explained that each issue would have a slide shown with graphics, which include the current requirements, and then a question will be asked regarding the issue. He encouraged questions.

***Application of the Appearance Code Standards***

**Current Requirement:**

Mr. Rex said Code requires that houses requesting a 25 percent expansion of the livable area, or a significant exterior alteration must comply with the appearance standards. He said the definition of a significant exterior alteration is defined in the Code as a change in roofline, adding or removing windows or doors, altering projections and recesses, or changing the exterior building materials. He said some of these changes that are specifically listed in the Code could be interpreted to be minor. He said simply replacing a window with a door opening with the current Code language could be applied and the entire Appearance Code would have to be complied with.



CITY OF DUBLIN.

Land Use and  
Long Range Planning  
5800 Shier-Rings Road  
Dublin, Ohio 43016-1236

Phone: 614-410-4600  
Fax: 614-410-4747  
Web Site: [www.dublin.oh.us](http://www.dublin.oh.us)

## PLANNING AND ZONING COMMISSION WORKSHOP

### MEETING MINUTES

NOVEMBER 9, 2006

1. **Administrative Request 06-133ADM – Residential Driveways**
2. **Administrative Request 03-053ADM – Amendments to Planning and Zoning Commission Rules and Regulations**
3. **Administrative Request 04-080ADM – Amendments to the Corridor Development District (CDDS)**

#### **Administrative Business:**

Chair Rick Gerber called the meeting to order at 6:30 p.m. Other Commissioners present included: Todd Zimmerman, Ted Saneholtz, Rayna Jones, and Kevin Walter. Tom McCash and Warren Fishman were absent. Staff members present included: Gary Gunderman, Jennifer Dutey-Readler, Tammy Noble, Jamie Adkins, Claudia Husak, Judson Rex, Joanne Ochal, Frank Ciarochi and Flora Rogers.

#### **1. Administrative Request 06-133ADM – Residential Driveways**

Judson Rex presented this administrative request. He said it was reviewed at the September 21, 2006 meeting and the Commission asked staff to review criteria for residential driveways. He said that the current regulations are Sections 153.071(B), 153.072(A) (3), and 153.210(A). The current regulations prohibit parking within the required yards, and limit the width of driveways to a maximum of 20 feet and minimum of 10 feet at the right-of-way line and a maximum of 26 feet and a minimum of 16 feet with at the curb line. The current Code also reads that in no case shall the width of the drive way exceed the width of the garage entrance. Mr. Rex said that staff does not recommend the width at the right-of-way and curb lines be changed.

Mr. Rex said that he will ask specific questions about each of the issues associated with driveways and include a recommendation and graphics with each question. He said staff would like to get a consensus or direction on each question.

#### Front-loaded Garages

Question 1: Regarding front-loaded garages and the issue of parking within the required front yard and staff believes that the current Code regulation is not reasonable because it does prohibit parking on the driveway pavement within the front yard setback.

Should the Code be modified to allow parking on driveways within the front yard for front loaded garages?

The Commission agreed that parking on driveways within the front yard should be permitted.

Question 2: Regarding the width of the driveway, the current Code reads that it can not exceed the opening on the garage door, and staff believes that a wider driveway than the garage opening is useful and is a convenience for the residents.

Should the Code be modified to allow a driveway to be wider than the opening on a front-loaded garage?

The Commission agreed.

Question 3: Regarding the addition of parking and back-out space for front-loaded garages, staff believes that it should an option extended to homeowners who can comply with reasonable rules.

Should the Code be modified to allow parking and back-out space in addition to regular driveway width?

The Commission agreed.

Question 4: Regarding the location of driveway additions on both sides of the driveway, staff believes it should be restricted and recommends that additions be extended from the driveway to the nearest side property line.

Should the Code be modified to restrict driveway additions only toward the nearest side property line?

The Commission agreed that the addition should only be on one side; however it may be allowed on either side depending on the situation.

Question 5: The current pavement setback of three feet which staff believes is an adequate requirement and recommends that it continue. Shared driveways would be an exception.

Should the Code continue to limit the pavement setback to three feet?

The Commission agreed upon the three-foot setback.

Question 6: Regarding the maximum driveway width, staff believes that the maximum driveway width should be 30 feet.

Should the Code be modified to restrict the maximum width of driveway pavement?

The Commission agreed.

Question 7: Regarding landscaping, staff believes that some landscaping is useful if it does not limit visibility.

Should the Code be modified to require some landscaping when driveway additions are proposed?

The Commission agreed that landscaping should be encouraged but be subject to the approval of the Director, based on safety and other considerations.

Question 8: Regarding pavement beyond the garage, staff believes that parking space behind the front façade of the garage should not be permitted.

Should the Code be modified to limit driveway pavement beyond the front façade of front-loaded garages?

The Commission agreed.

#### Sideloaded/Courtyard Garages

Question 9: Regarding parking within required side yards, staff believes that the current Code regulation is not reasonable.

Should the Code be modified to allow parking on driveways within the side yard?

The Commission agreed.

Question 10: Regarding parking and turnaround keys, staff believes that parking and turnaround keys should be an option available to homeowners who can comply with reasonable rules.

Should the Code be modified to allow parking and turnaround keys in addition to regular driveway width?

The Commission agreed.

Question 11: Regarding driveway pavement setbacks, staff believes the existing limitation of a three-foot setback for pavement from a side property line is adequate.

Should the Code continue to limit the pavement setback to three feet?

The Commission agreed.

#### Side-loaded Garages

Question 12: Regarding the maximum driveway width for side-loaded garages, staff believes the overall width of a driveway and any additional pavement should be limited to 30 feet.

Should the Code be modified to restrict the width of pavement beyond the building line from the face of the garage to the side property line?

The Commission agreed and requested that it be clarified that it be within the building envelope. A minimum width of 22 feet was suggested by staff.

#### Courtyard-style Garages

Question 13: Regarding the maximum driveway width for courtyard-style garages, staff believes that some pavement beyond 30 feet in width would be appropriate.

Should the Code be modified to restrict the width of pavement face of a courtyard-style garage?

The Commission agreed that for courtyard-style garages, going beyond 30 feet may be permitted. It was suggested that the courtyard-style driveway material be of concrete, pavers, or asphalt, at the discretion of the Director.

Question 14: Regarding landscaping for courtyard-style garages, staff believes that some landscaping forward of the driveway may be appropriate if it does not limit visibility.

Should the Code be modified to require landscaping forward of a courtyard-style driveway?

The Commission agreed.

#### General Regulations

Question 15: Regarding front yard lot coverage, staff believes that lot coverage forward of the building line should be limited to a maximum of 35 percent.

Should the Code be modified to restrict lot coverage forward of the building line?

The Commission agreed.

Question 16: Regarding pavement material, staff believes that the primary pavement material should be the same throughout driveways and driveway additions.

Should the Code be modified to restrict the primary pavement material?  
The Commission agreed.

Mr. Gerber suggested that this issue should be discussed at the next workshop.

Mr. Rex said the next step would be for staff to draft amendments to the Code. He said they will be presented to the Commission at a future work session for review and recommendations to Council. He said the final ordinance will require the approval of the City Council.

Mr. Gerber asked if a back-out space on a front-loading lot with a 25-foot setback would be permitted. Mr. Gunderman said as long as it complies with the 35 percent lot coverage requirement is not closer than three feet to the side property line, and the total width at its widest point is no more than 30 feet.

Mr. Ciarochi added if the property owner works with staff on the angle of the taper.

Mr. Rex added that they could soften the edges and put in landscaping.

Mr. Gerber said he did not want to see this.

Ms. Jones said it was a backup pad, and she did not like it.

Mr. Rex said these are not as common as the parking taper spaces on the side.

Mr. Gerber said he would not like to see this.

Mr. Walter did not think a backup pad was necessary for a two-car garage.

Mr. Sanholtz asked if with the new Code, is it still possible for a developer to come in and put homes, even with a 25-foot setback to the building, a 25-foot driveway with a two-car garage coming off the front.

The group agreed.

Mr. Sanholtz said he would love to do something to back homes up enough that these driveways could accommodate what they would really like to see in their neighborhoods.

Mr. Gerber said a lot of the housing the Commission has seen includes side-load garages. He said the Commission had been encouraging that for the last six to seven years.

Mr. Sanholtz said there is a certain market price where you will not be able to have side-load garages.

Mr. Gunderman said that an 80-foot wide lot is required for a side-loaded garage.

Mr. Sanholtz asked if the Code could be adjusted so that there are not situations where the driveway flows out into the yards.

Mr. Gunderman said yes; however the difficulty and the difference between this issue and a lot of other things we typically deal with is the pressure for these comes from people in existing homes with 25-foot setbacks.

Mr. Ciarochi said with the bump outs, staff heard the Commission's preference that they did not like the turnaround on front-loaded garages. He said in this particular case, if someone wanted to build it, staff could work with them to say that they really can't have that, but they could take an angle and put another space there.

The Commission agreed that aesthetically, that would look better.

Mr. Ciarochi said he understood the Commission's preference and staff would draft something to bring back to the Commission.

Mr. Gerber said if there was a light agenda sometime between now and the next workshop in February, this topic should be added and if not, it should be discussed in February.

Mr. Sanholtz asked if man doors on side-loaded garages were ever on the same side of the garage as the three garage doors.

Mr. Rex said yes.

Mr. Sanholtz asked if this all accommodated the man door coming off the front.

The Commissioners agreed that on a front-loaded garage, they did not like pavement extending back beyond the front of the house.

Mr. Rex said he appreciated the Commission's input.

## **2. Administrative Request 03-053ADM – Amendments to Planning and Zoning Commission Rules and Regulations**

Mr. Gerber said the Commission's current Ex Parte Rule is that Commissioners can speak with residents. He asked if their office and fax numbers and e-mail addresses were public record. Claudia Husak indicated that they were given out per request.

Mr. Gerber said he felt it would more appropriate that people's concerns or comments be forwarded to staff, and then staff can forward the information to the Commission. He recalled that for a past case, he received an overwhelming number of faxes at his office. Mr. Gerber said the Commissioners wanted to hear from everybody and review their comments, but not during work hours which was not appropriate.

Ms. Jones said she received calls at home which she thought was appropriate, but she would not want to accept such calls at a workplace.

Jennifer Readler said the Ex Parte Rule is that Commissioners can basically talk to everyone except applicants and their representatives. She said the theory of the rule is that the applicant can communicate with the Commissioners through the submitted materials and through the public hearing process. In order to consider modifications to the current rules, the Law Director's office was directed to make two different revision drafts.

Ms. Readler said in the first proposal (2B of the memorandum) they could not talk to the applicant, interested residents, or anyone else. She said it closes all contact. She said anyone wanting to talk to a member would be limited to the actual hearing before the Commission.

Ms. Readler said the second proposal (2C of the memorandum) prohibits any kind of contact with a Commissioner, but only in quasi-judicial hearings. She said a list of quasi-judicial type proceedings are listed in the memorandum. She said in this type of hearing, the applicant and people participating in the hearing are afforded more protections because they are adjudicating their rights. Ms. Readler said the applicants and speakers are sworn in and the proceedings are recorded as required. These are the types of cases where the applicant is given an opportunity to appeal to court. Therefore in these types of situations, they are court-like procedures and do not permit separate communication similar to a judicial process.



CITY OF DUBLIN.

Land Use and  
Long Range Planning  
5800 Shier-Rings Road  
Dublin, Ohio 43016-1236

Phone: 614-410-4600  
Fax: 614-410-4747  
Web Site: [www.dublin.oh.us](http://www.dublin.oh.us)

## PLANNING AND ZONING COMMISSION

### RECORD OF ACTION

SEPTEMBER 21, 2006

The Planning and Zoning Commission took the following action at this meeting:

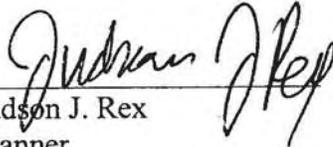
5. **Administrative Request 06-133ADM – Residential Driveways**  
**Request:** Review and approval of City Code and Policies regarding residential driveways.  
**Staff Contact:** Todd Corwin, Senior Planner.  
**Contact Information:** (614) 410-4656/email: [tcorwin@dublin.oh.us](mailto:tcorwin@dublin.oh.us).

**MOTION:** To table this administrative request to allow staff to draft potential criteria to be used by the Land Use and Long Range Planning Director in considering requests for the expansion of residential driveways.

**VOTE:** 5 – 0.

**RESULT:** This administrative request was tabled.

STAFF CERTIFICATION

  
\_\_\_\_\_  
Judson J. Rex  
Planner

Mr. Hale agreed to the above modified conditions.

Mr. Zimmerman seconded the motion, and the vote was as follows: Ms. Jones, yes; Mr. Zimmerman, yes; Mr. Walter, yes; Mr.; Mr. Fishman, yes; and Mr. Gerber, yes. (Approved 5-0.)

**3. Amended Final Development Plan 06-118AFDP – The Village at Coffman Park – Post Road and Discovery Boulevard**

Mr. Gerber swore in the applicant, Patrick M. Grabill. Mr. Grabill agreed to the four conditions listed below as contained in the staff report.

**Motion and Vote:**

Mr. Gerber moved for approval of this Amended Final Development Plan because the proposed modifications will enhance the overall appearance of this site and continue to promote high-quality residential development, with four the following four conditions:

- 1) That the applicant submit revised construction drawings for site plan permit approval;
- 2) That the applicant submits a revised Stormwater Management Plan for review and approval;
- 3) That the applicant retain the hedges shown on the plans and incorporating stone walls into the landscaping treatment along Post Road, subject to staff approval; and,
- 4) That the landscaping plans be revised to reflect the comments in the staff report, subject to staff approval.

Mr. Zimmerman seconded the motion to approve and the vote was as follows: Mr. Fishman, yes; Mr. Walter, yes; Ms. Jones, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. (Approved 5-0)

**4. Final Development Plan 06-115FDP – Perimeter West PCD, Subarea 1 – Perimeter West Office Park – 6700 Perimeter Drive**

**Motion and Vote:**

Mr. Gerber moved for tabling due to the written request of the applicant, Rob Ryan, Ruscilli Development Company, Ltd. Mr. Zimmerman seconded the motion. The vote was as follows: Ms. Jones, yes; Mr. Fishman, yes; Mr. Walter, yes; Mr. Zimmerman, yes; and Mr. Gerber, yes. Approved 5-0.)

**5. Administrative Request 06-133ADM – Residential Driveways**

Todd Corwin said this is a request for review of Dublin policies regarding residential driveways. He said staff is requesting that the Commission give guidance and feedback regarding the issues presented tonight. He said the most substantial issue to be discussed is the modification of front-loaded garage driveways. Mr. Corwin said other issues deal with width and maneuvering standards for side-loaded garages. He presented a slide showing a driveway constructed according to Code. He said the driveway is no wider than the garage door opening. He said a different type of garage is a side-loading garage on the side of the house and the driveway enters

it from the side. He said currently, Code states that maneuvering areas are allowed up to within three feet of the side lot line, however there are no Code requirements about the width of the pavement from the garage door opening to the edge of the pavement on the yard side of the driveway.

Mr. Corwin said in the past, many of the driveways in Dublin were for two-car garages. He said as houses became larger, three-car garages are built with an extra nine feet of pavement from the garage to the yard. He presented a series of slides which showed examples of the most prevalent issue which is the modification of front-loaded garage driveways.

Mr. Corwin said current regulations allow exceptions to be made per the Director of Land Use and Long Range Planning, but there are no criteria to address what the exceptions will be. He presented a slide of a driveway for a two-car garage approved by the Director. He said there were many in the neighborhood and it was not out of character with other such driveways within that part of the community.

Mr. Corwin said staff is requesting that the Commission provide direction for a potential resolution of those issues as presented. He outlined the three options listed in the staff report:

*Option 1)* Direct staff to initiate an amendment to the Code that permits driveways with front-loaded garages to be widened beyond the width of the garage door opening. This option would permit the construction of an extra parking space or back-out area.

*Option 2)* Maintain the current administrative approval process for the above referenced modifications, but strengthen the criteria used by the Director of Land Use and Long Range Planning when approving such exceptions.

- *Example:* Widening must be screened with appropriate landscaping materials.
- *Example:* The proposed driveway modification cannot be used exclusively as a play area or “sport court”.
- *Example:* The area encompassed by the proposed driveway modification
- and the existing driveway shall not exceed 40 percent of the front yard area.

*Option 3)* Do not allow driveway modifications to driveways with front-loaded garages under any circumstances. Staff will also need direction regarding the enforcement of this provision (for both future applications and driveways already modified).

*Option 4)* Direct staff to initiate amendments to the Code, which would clarify width and parking standards for side, court, and split-loaded garages.

Mr. Gerber said he was concerned that if they allowed front-loading garages to be widened, boats, campers, or large SUVs could be parked there. Mr. Corwin said there are regulations in the Code which state that commercial or recreational vehicles cannot be parked in driveways. Mr. Gerber asked if Code covered parking of large SUVs. Mr. Corwin said he did not believe so.

Mr. Gerber said he recognized that additional parking space is often needed and it is okay as long as it is done with some aesthetics in mind with landscaping, etc. He also did not want the area to become a recreation area for sports courts, etc. Mr. Corwin said he thought writing a provision that would state that widened areas cannot be used for sports courts, was something that could be

inserted into the Code. However, he said it may be a more difficult issue to limit the size of the vehicle. Mr. Gerber said he was not against basketball courts.

Mr. Gunderman said if the Commission wanted to permit some of this, change in the Code was needed. Mr. Gunderman said the current position is difficult. He said the world had changed some since many of Dublin's regulations were originally approved. He said now, there is the ability to build a third garage that faces the street with the driveway leading to all of the stalls. He said it is comparable to someone with a two-car garage with a third stall driveway on the side, but no garage. Mr. Gunderman said that was a comparison that he was not sure they had always had to contend with. He said with side-loaded garages, there is even more asphalt and it is not a good comparison. He said it did not seem fair to the person that just wants that extra third leg on the side.

Mr. Gerber said the issue had been discussed a few years ago with the Appearance Code as to how much square footage the garage can be mixed with the whole house. He asked if that applied to this issue in any way. Mr. Gunderman said he did not think there was a direct correlation with the Appearance Code. He said they discussed the appearance of garage doors and made changes in the Appearance Code in terms of garages that face the street. He said he did not think any of that dealt directly with the amount of asphalt in the front yard. Mr. Corwin said the Appearance Code deals primarily with recessing garages and the total width of the garages. He said the general development standards in the Code limit the amount of total lot coverage with everything including the house and the driveway.

Mr. Gerber asked if someone wanted to expand their driveway now, what the procedure was. Mr. Corwin said the procedure was that the person would come to the office and request it, and then the Director would decide whether or not to approve it. He said there are no criteria to base the review upon because the Code is silent on that subject. Mr. Gunderman said that was the prescribed procedure, but when a teenager decides to drive or people decide to routinely perform maintenance on their driveway, they widen it by nine feet without a permit issued.

Mr. Gerber said they do not want people to park on the street.

Mr. Walter suggested a way to regulate this would be to say that the driveway cannot be built out further than the building was permitted.

Mr. Fishman said he had done this to his driveway because he added a third garage. He said when he received his building permit, he could only go from the door and he had to come in so many feet back. He said he lived in a subdivision where they had even stricter restrictions and he had to landscape between the driveway and the street. Mr. Fishman would like to see that driveways do not extend the whole length of the driveway so that it can be landscaped in front. Ms. Jones said landscaping in front may be a visibility issue for children on the sidewalk as someone backs out of their driveway. Mr. Fishman said it should not be allowed to come to the curb.

Mr. Walter asked why there was a difference between building a third bay and not building the third bay. He asked why they did not say for a two-car garage, you can have the same amount of driveway that you could have for a three-car garage. Mr. Gerber said you could say that.

Mr. Fishman thought there would be a lot of ugly concrete. Mr. Walter said it was their front yard and they had another car to park.

Mr. Gerber said when reviewing the staff report, he thought Option 2 was the best because it provided a little leeway. He suggested they discuss this more at a workshop and see what parameters staff thinks are appropriate. Mr. Gunderman said if the Commission could give staff an idea of a couple of options, they could draft something and at another session discuss it in more detail. He said if, for instance Mr. Gerber was saying they want to get rid of all these extra third ones and if that was the direction they were going, then staff would like to know that.

Mr. Gerber said he could see permitting it, but at the same time, maybe it was very subjective. He said it depended upon each location. He said he was very concerned about aesthetics. Mr. Gerber said he did not want it made so four cars could be parked there, etc. He wanted to avoid cars parking on the street. He said if there was adequate landscaping and some creativity to it, and they were still aware of the boundary lines with adjoining properties, it would be fine. Mr. Gerber said maybe it should not be a full strip all the way down, it should be a pull-in area.

Mr. Gunderman said by the time you get to the sidewalk which is on the public right-of-way, almost all the driveways shown are narrowed because a permit is required when you get onto the public right-of-way. He said that had been pretty consistent; there was only one that seemed to violate that particular principle. He said the Commissioners could debate whether or not they liked the appearance when all the widening was done from the sidewalk back. Mr. Fishman said they would not let new construction do that.

Mr. Walter said something could be done where they say they are only allowed as much width as they would to build out the garage like he indicated, and then a percent of landscape to additional concrete or materials. He said it might be 25 percent more landscape as part of the package. Mr. Gerber and Mr. Walter agreed that the driveway should not come to the curb. Mr. Fishman said it should be only one car length so there is room to landscape in front of it. Mr. Walter said he was not sure where it should be. Mr. Gerber said that would be subject to the Director because each situation may be different. Mr. Walter suggested that guidance to a percentage would give the homeowner an idea of how much concrete and landscape material was needed.

Frank Ciarochi said staff reviews about one driveway per week. He said something that he did not find attractive was where the driveway is bumped out toward the center of the house. He suggested it be kept to the side. Mr. Gerber said the driveway needed to be landscaped and kept the same width. Mr. Fishman added that basketball hoops placed in the bump-outs are often objectionable to the neighbors.

Mr. Ciarochi said staff had an idea of where the Commission wanted them to go. He said staff would draft something that could be used in the interim.

Mr. Gerber said if the driveway was so short, then perhaps it cannot be done. Mr. Ciarochi said staff could look at that and some kind of dimension behind the sidewalk. He said if they do not have sidewalks, then behind the curb. He said it would have to fan out to one space, or if they cannot fit one space and accommodate that, then they have to say it cannot be done.

Mr. Gerber said he thought the driveways they liked were the ones with wider drives. Mr. Gunderman said many of the drives now are within the 25-foot setback arrangement.

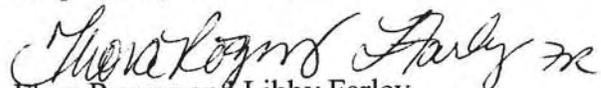
Mr. Gerber asked if they needed to table this request. Mr. Corwin said if the Commission wanted to discuss this at a future workshop, staff had enough information to draft some proposed regulations. He said the direction received appeared to lean in the direction of having some type of administrative approval with criteria.

**Motion and Vote:**

Mr. Gerber made a motion to table this Administrative Request with direction to staff to return with more specific guidelines, pursuant to the discussion tonight. Mr. Zimmerman seconded the motion, and the vote was as follows: Mr. Zimmerman, yes; Ms. Jones, yes; Mr. Fishman, yes; Mr. Walter, yes; and Mr. Gerber, yes. (Approved 5-0.)

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

  
Flora Rogers and Libby Farley  
Administrative Assistants