

**CITY OF OXFORD  
STAFF SUMMARY REPORT**

**Report to the City Manager**

Community Development  
**Originating Department**

**Council Meeting Of:** September 3, 2013

Jung-Han Chen

**Account Code No. #:**

**Prepared By:**

**Budgeted Amount:**

August 16, 2013

**Date Prepared:**

|                      |                                                                                                                                                                                                                                          |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Agenda Title:</b> | <b>PC-12-2013 Conditional Use Permit Application, 410 E. Church Street, Pi Kappa Alpha Fraternity, Addition to an Existing Fraternity in a R2MS (Single and Two-Family Mile Square Residential) District, Terrance Raulin, Applicant</b> |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                 |
|-------------------------------------------------|
| <b>Recommendation: Approval with Conditions</b> |
|-------------------------------------------------|

**Discussion:**

The Applicant is requesting approval of a proposed addition to an existing fraternity house, located at 410 E. Church Street.

Based on the Applicant's narrative, the intent is to improve the common space of the building, the overall exterior appearance, increase the square footage per occupant, but not significantly increase the overall number of occupants on the property. The current occupancy is limited to 39 and the proposed addition could increase up to 44 based on the narrative. The existing single-story "west wing" would be increased to two stories at the front elevation and would also extend further south toward the street.

The site plan and rendering illustrates the proposed addition as viewed from Church Street. This is merely a Conditional Use permit application for the proposed addition and other site improvements. No detailed building plans have been submitted for code compliance review at this point.

Staff spent a great amount of time working with the Applicant identifying problems and issues related to the proposed addition; traffic/vehicle management, parking encroachment and lot coverage. The Applicant has been responsive to staff concerns. Staff has generally felt that the Housing Corporation and the Chapter Advisor have been very cooperative during annual inspections and have maintained and upgraded their property on an on-going basis.

The Commission asked for any public comments and no public comments were submitted. After the Public Hearing, the Commission discussed with the Applicant and Chapter Advisor in length specific issues related to lot coverage and off-street parking. The Commission felt that the recommendations and on-going working relationship between Staff and the Applicant were very beneficial in assisting this project to move forward. The Commission went through the Conditional Use Decision Standards and voted 5-0-0 to recommend the approval of this Conditional Use Permit application to City Council subject to the following conditions:

1. Prior to occupancy the owner shall remove private parking striping that is located in the alley right-of-way, remove any encroaching or obscuring trees/vegetation, re-surface the alley to correct the alley alignment and paint the alley right-of-way to the satisfaction of the Police Chief and Service Director; prior to occupancy of the building. All of this work shall be required only on the alley portion adjacent to the subject property.

2. Prior to the issuance of a building permit, the owner shall submit drawings for an improved trash and recycling collection facility to be reviewed and approved according to the revised ordinance currently in process through City Council (PC Case 10-2013).
3. The increased lot coverage shall be mitigated by implementing a storm water best management practice for at least the portion of the site equivalent to the square footage of the increase.

Approved By:

**Department Head:**

**City Attorney:**

**City Manager:**

*JHC, 8/27/13*  
*DRE, 9/20/13*

## **ORDINANCE NO.**

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE EXPANSION OF AN EXISTING FRATERNITY IN A R2MS (SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL) DISTRICT AT 410 E. CHURCH STREET, OXFORD, OHIO 45056 WITH CONDITIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council hereby finds that the Planning Commission held a public hearing on August 13, 2013 in accordance with Section 1147.02 of the Codified Ordinances of the City of Oxford, on the application of Terrance Raulin, Applicant, for a conditional use permit to allow for the expansion of an existing Fraternity in a R2MS (Single and Two-Family Mile Square Residential) District at 410 E. Church Street, Oxford, Ohio 45056.

SECTION 2: The Planning Commission, after a public hearing and discussion, voted to approve a motion recommending approval of the conditional use permit application to allow for the expansion of an existing Fraternity in a R2MS (Single and Two-Family Mile Square Residential) District at 410 E. Church Street, Oxford, Ohio 45056 with the following conditions:

1. The owner shall remove private parking striping located in the alley right-of-way, remove any encroaching or obscuring trees/vegetation, re-surface the alley to correct the alley alignment and paint the alley right-of-way to the satisfaction of the Police Chief and the Service Director; prior to occupancy of the building.
2. Prior to the issuance of a building permit, the owner shall submit drawings for an improved trash and recycling collection facility to be reviewed and approved according to newly adopted Oxford Codified Ordinance Section 1141.04 entitled Environmental Regulations.
3. The increased lot coverage shall be mitigated by implementing a storm water best management practice for at least the portion of the site equivalent to the square footage of the expansion.

SECTION 3: Council hereby accepts the recommendation of the Planning Commission and accepts the recommendation report submitted by the Planning Commission and incorporates the same herein and further grants the conditional use permit application to allow for the expansion of an existing Fraternity in a R2MS (Single and Two-Family Mile Square Residential) District at 410 E. Church Street, Oxford, Ohio 45056 in accordance with the conditions set forth above.

SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.

\_\_\_\_\_  
MAYOR

ADOPTED:

ATTEST:

\_\_\_\_\_  
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW(STAFF)

# **Certification of Action**

## **Oxford Planning Commission**

### **Recommendation to City Council**

|                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Report Date</u></b>                          | September 3, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>Case Number</u></b>                          | PC-12-2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b><u>Applicant Information</u></b>                | Terrance Raulin<br>Dodd Hall Housing Corporation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b><u>Requested Action</u></b>                     | Conditional Use, 410 E. Church Street, Pi Kappa Alpha Fraternity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b><u>Summary of Request</u></b>                   | Addition/Renovation of an Existing Fraternity in an R2MS District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>Public Hearing Information</u></b>           | On August 13, 2013 a Public Hearing took place at 118 W. High Street. A Public Hearing notice was published in the Oxford Press on July 26, 2013. Courtesy notices were mailed to adjacent property owners on July 19, 2013.                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b><u>Commission Action</u></b>                    | The Planning Commission voted 5-0-0 recommending approval of the Conditional Use with conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><u>Commission Findings and Conclusions</u></b>  | The Planning Commission had a lengthy discussion regarding issues with the parking lot arrangement, alley encroachment and trash pickup. The Applicant and Chapter Advisor were responsive to the Commission's concerns. Staff referred to their good relationship with the Applicant and Chapter Advisor, noting that the fraternity has always maintained and upgraded their property on an on-going basis, and agreed that they could continue their working relationship and move forward with the project. The Planning Commission agreed with the conditions outlined in the staff report, and recommended approval to City Council. |
| <b><u>Exhibits Submitted to the Commission</u></b> | <ol style="list-style-type: none"><li>1. Staff Report Dated August 8, 2013</li><li>2. Interoffice Review Transmittal Sheets</li><li>3. Property Notifications Map</li><li>4. Conditional Use Permit Application Dated June 28, 2013</li><li>5. Supporting Documents</li><li>6. Site Plan</li><li>7. Existing and Proposed Floor Plans/Elevation</li><li>8. Surrounding Property Photographs</li></ol>                                                                                                                                                                                                                                      |

**City of Oxford**  
*Community Development Department*  
**STAFF REPORT**

**Planning Commission**

**Case # PC-12-2013**

**Date – August 13, 2013**

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**APPLICATION**

|                                 |                                                                                                |
|---------------------------------|------------------------------------------------------------------------------------------------|
| Applicant:                      | Terrance Raulin                                                                                |
| Location:                       | 410 E. Church Street                                                                           |
| Owner:                          | Dodd Hall Housing Corporation                                                                  |
| Agent:                          | Terrance Raulin/President                                                                      |
| Action Request:                 | <b>Conditional Use Permit Application</b> – Addition/Renovation of a Fraternity in a R2MS Zone |
| Current Use:                    | Fraternity                                                                                     |
| Surrounding Existing Land Uses: | Fraternity / Residential Rental / Gravel Parking                                               |

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**DESCRIPTION**

Applicant Terry Raulin comes before the Planning Commission to request a Conditional Use Permit for expansion and renovation of the Pi Kappa Alpha fraternity building at 410 East Church Street. According to County Auditor records, the current building has existed since the late 1960s. There is no record of a variance; conditional or special use permit for a fraternity use at this address, therefore the applicant was required to go through this process prior to submitting a building permit application. The property is zoned R2MS (Single and Two-Family Mile Square Residential) which allows fraternity houses as a conditional use. The current occupancy permit is for 39 persons.

Based on the applicant's written explanation, the intent is to improve the common spaces of the building, the overall exterior appearance, increase the square footage per occupant, but **not** to significantly increase the overall number of occupants on the property. The occupancy may increase up to 44, according to the letter from the applicant. The existing single-story "west wing" would be increased to two stories at the front elevation, and also be extended further south toward the street (23'). The expanded portion would not be any closer to the side (west) property line than the current building.

The site plan submitted depicts the building footprint and different land cover surfaces. The artist's rendering depicts the finished project as viewed from Church Street. The rendering appears as if some architectural details will be added to the existing east wing in order to match the addition. A west side elevation drawing has also been submitted to show the wall openings as viewed from the side property. Complete construction and site plans have not been drawn at this time, but will be required if the project moves forward toward a building permit application.

**SURROUNDING NEIGHBORHOOD**

All property owners within 200 feet have been notified by letter, a sign has been posted on the property and notice has been placed in the newspaper. At the time of this writing, **no public comments have been submitted in response to the public notices.**

The property is surrounded by a mixture of different types of residential uses common near campus. There is a fraternity house directly to the east and a five unit apartment building to the west. There is

university parking lot across the street to the south, and an alley with nearby vacant land and surface parking to the north (not owned by the fraternity).

### **COMPREHENSIVE PLAN (2008)**

There are no specific strategies or objectives directly referring to fraternities in the most recent Comprehensive Plan. However, there are indirect references that staff found helpful, which are included below with staff comments:

Housing Chapter – Objectives and Strategies excerpt (page 7.4)

Objective 1: Improve housing conditions in the Mile Square

Objective 3: Improve rental housing

*(Staff comment- the owner will likely be modernizing the building as part of the project, which could increase building/life safety)*

University and Community Chapter – Objectives excerpt (page 11.3)

Objective 2 – Foster model university-community collaboration

UC 2.6. Develop ongoing programs to help students learn the responsibilities of being good citizens and neighbors.

UC 2.7. Strengthen sense of community between students/nonstudents.

*(Staff comment- fraternities commonly achieve this goal by requiring certain responsibilities in caring for the home/property as well as doing general community service)*

### **ZONING CODE REGULATIONS EXCERPTS**

#### **§1143.05 R2MS SINGLE AND TWO FAMILY MILE SQUARE RESIDENTIAL DISTRICT**

(a) Purpose. This district is designed to preserve and encourage a mix of single-family and two-family residences in the established residential areas of historically significant character.

#### **Conditional Use**

The purpose of Conditional Use regulations is at Section 1147.01(a):

*"Purpose. Conditional Uses are land uses that are potentially appropriate in many zoning districts but that are likely to have characteristics that could be detrimental to the public health, safety, or general welfare if not located appropriately, operated appropriately, or mitigated with good design."*

#### **§1143.05(b)(2)L: Conditional Uses in R2MS:**

**STAFF FINDINGS:** Fraternity and sorority houses are specifically listed as a Conditional Use in the R2MS District.

#### **§1143.05(c): R2MS Site Development Regulations:**

**STAFF FINDINGS:** Lot size, building setbacks, and building height appear to be satisfied. However, **building coverage and total lot coverage are not satisfied.** A maximum of 25% of the site is allowed to be covered by enclosed buildings. The detached shed was recently added last year, placed on top of pavement area. The proposed front addition increases the building coverage by 5.25%, bringing the total building coverage to 28%.

A maximum of 40% of the lot is allowed to be covered by buildings and any other hard surface such as paving (called total lot coverage). Roughly half of the land to be covered by the addition is already a brick patio area. However, the existing total lot coverage is 66.5%, which is 26.5% more than required. The total lot coverage would increase to approximately 70% not including any potential new hardscape areas associated with a site/landscape plan (not yet submitted). While the total lot coverage is considerably more than required, the building front is set back from the street 16 feet more than required (36 instead of 20 feet). Additionally, the side setbacks are nearly double the minimum required (14 instead of 7.5 feet).

**§1147.03(b)(19) Use Regulations & Potential Concerns:**

(19) Fraternity and sorority houses.

A. Potential Concerns

1. Aesthetic Concerns:
  - a. Historical characteristics of existing structures
  - b. Residential scale and character
  - c. Yards and landscaping
  - d. Walls and fences
2. Activities Areas:
  - a. Porches and patios
  - b. Locations of recreational areas and courts
  - c. Locations of accessory structures
3. Vehicle Management:
  - a. Site access
  - b. Required parking
  - c. Emergency access
  - d. Deliveries
  - e. Occasional and excess parking management
4. Adequate Public Utilities:
  - a. Water
  - b. Sewer
  - c. Storm water management
  - d. Other services
5. Nuisance:
  - a. Waste/trash management
  - b. Noise and off-site impact
  - c. Lighting and off-site impact

B. Requirements:

1. New Structures: Building shall be of a size and scale that approximates neighboring structures.
2. Existing Structures: Exterior renovation and improvements shall be maintained to protect existing architectural details, materials and ornamentation.
3. Addition: Building expansions shall be sympathetic to the architectural scale and style of the existing building.
4. Outdoor Areas: Activity areas shall be designed and located to contain noise and light within the property. Activity areas shall be appropriately screened from adjacent properties.
5. Waste facilities: Trash and recycling containers and material shall be stored in a fully enclosed area and properly screened. The waste enclosure shall be adequate for the occupancy and accessible to service vehicles.
6. Parking and Transportation Demand Management: Parking shall meet requirements of Zoning Code Chapter 1149 and shall be properly designed, screened and maintained.

**STAFF FINDINGS:** The list of specific concerns above is excerpted from the zoning code as a list for just for fraternity and sorority houses. There is also a general list for all conditional uses. ***See the attached code Section 1147.02(c)(2) for the complete list.*** This fraternity house is within a zoning district and vicinity where fraternity houses are common. The building is not historic, in the sense of Oxford's typical historic building from the early 1900s or late 1800s. This particular one was built in the 1960s. The addition would continue the existing architectural design and material. Vehicle management and trash facilities are concerns from the list above that the Planning Commission may wish to address as part of this review.

**§1149.02: Vehicle Management; Applicability of Regulations:**

- (a) Any new development, redevelopment, or change to a use or structure or site (whether conforming or nonconforming) shall meet the current vehicle management regulations for the entire use and structure and site.

**§1149.03: Vehicle Management; General Regulations:**

- (c) All off street parking spaces shall contain a rectangular area a minimum of 9 feet wide and 20 feet long, except that parallel parking spaces shall be a minimum of 22 feet long.

...

- (e) Fraternity and Sorority uses are required to provide 2 spaces for every five beds.

**§1149.04 Vehicle Management; Residential Regulations:**

(a) Location.

- (1) 1 parking space may be located in a required front yard. All other parking spaces required or provided in excess of the minimum requirement shall not be located in the required front yard.
- (2) 1 required parking space may be a stacked space. All other required off-street parking spaces shall have direct access to a driveway or alley, without crossing another space.
- (3) Parking spaces shall not be located within 3 feet of any lot line.
- (4) Unenclosed parking spaces shall not be located within 3 feet of any principal structure.

**STAFF FINDINGS:** Regarding Vehicle Management code conflicts, the use is required to have at least 16 parking spaces, based on 40 beds. There are 22 shown on the site plan, which is more than required. The spaces are required to be 20 feet long and are only 16 feet long on the site plan. City code also does not allow stacked spaces for this use. The spaces should be at least three feet from the lot lines and are shown as zero on the west property line.

The size, location and number of parking spaces are an existing situation. However, some improvement could be made for public safety purposes. There is encroachment into the alley public right of way. [See attached aerial photo below] The parking space striping encroaches into the alley 2-4 feet and the alley curves around a brushy area near the fraternity's dumpster. Additionally, because of the "change to the structure" proposed, Section 1149.02 requires full compliance with all Vehicle Management regulations (size, location, stacking).



#### **§1147.04(j) Trash/Recycling Collection Facility**

This section of City Code has recently gone through the first reading of a revision. Staff recommends that the fraternity upgrade the collection facility to comply with the new code.

**STAFF FINDINGS:** There is a concrete pad and remnants of a masonry enclosure on the northeast corner of this site.

#### **AGENCY REVIEWS**

Requests for review were made to the Police, Fire, Engineering & Economic Development Departments. The following comments have been received:

|              |                                                                           |
|--------------|---------------------------------------------------------------------------|
| Police:      | Returned without comment (except that working with OPD regarding parking) |
| Fire:        | Returned without comment                                                  |
| Engineering: | Three questions returned back to applicant                                |
| Econ. Dev.   | Returned without comment                                                  |

#### **DECISION CRITERIA**

A copy of the Conditional Use Permit Decision Standards is attached.

#### **ANALYSIS**

Although detailed construction and site/elevation/floor plans have not been submitted, there was adequate information for staff to conduct an analysis of what impacts should be addressed as part of the Conditional Use Permit. Although, a significant increase in occupancy is not proposed, the existing issue of parking, and the less prominent issues of trash and lot coverage should be addressed as part of this Planning Commission review. These are common challenges that come up at one time or another over the life cycle of nearly all residential developments. Building and lot coverage are also zoning code conflicts noted in the site plan.

**Parking:** The Community Development Department, Service Department and Police Department have looked at the site and are recommending that the fraternity make improvements adjacent to

the rear property line to rectify the encroachment. The corners have been recently staked by a surveyor; therefore the real boundary is known. A correction would ensure that the public right of way is kept open for all users. In recent years, large sport utility type vehicles have been parked on the site, which encroach into the alley. An improvement in the alignment coupled with enforcement by the City would discourage alley encroachment and generally improve access and safety adjacent to this site. An additional solution could be to alter the fenced patio area for more parking space, which may be a less desirable option for the fraternity. An overall improvement to this issue is an inter-departmental approach that we believe the property owner will accept as part of the fraternity expansion. We believe the majority of this correction can be handled at the staff level, but the Commission is also welcome to attach any necessary detailed conditions it believes appropriate. The Commission has the power, per Section §1147.02(d) to waive or modify regulations such as parking stall size or location, due to the fact that code requires compliance because of the change to the structure proposed.

**Trash/Recycling:** A new enclosure should be built which complies with the new regulations and guidelines. Related improvements may also be pedestrian access, recycling space and a re-alignment of the dumpster for ease of access for the service truck. Depending on the enclosure size and alignment, there may be some impact on parking spaces. Additionally, the building expansion may provide the necessary storage space for items currently stored in the shed next to the dumpster. Therefore the shed may not be needed in the long term which could result in flexibility in the location/size of the nearby dumpster and parking spaces.

**Building and Lot Coverage:** The building and lot coverage issues are also zoning code conflicts that the Planning Commission has the power to waive or modify. Per Section §1147.02(d) it could impose more strict regulations and any additional conditions, guarantees and safeguards it deems necessary to satisfy the purposes of this Zoning Code. The owner could strive to mitigate the impact of at least the additional increase of lot coverage by either reducing lot coverage from other portions of the site or by implementing a storm water best management practice with at least the run off from a portion of the site equivalent to the increased lot coverage. This could be done by pervious landscape pavers, roof water into rain gardens or other similar type solutions.

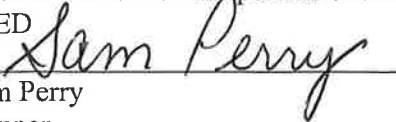
## **RECOMMENDATION**

The Community Development Department recommends that the Planning Commission accept the applicant's proposal for the fraternity expansion as presented, with the following conditions:

1. Prior to occupancy the owner shall remove private parking striping that is located in the alley right of way, remove any encroaching or obscuring trees/vegetation, re-surface the alley to correct the alley alignment and paint the alley right of way, to the satisfaction of the Police Chief and Service Director; prior to occupancy of the building. All of this work shall be required only on the alley portion adjacent to the subject property.
2. Prior to issuance of a building permit, the owner shall submit drawings for an improved trash and recycling collection facility to be reviewed and approved according to the revised ordinance currently in process through City Council (PC Case 10-2013).
3. The increased lot coverage shall be mitigated by implementing a storm water best management practice for at least the portion of the site equivalent to the square footage of the increase.

SUBMITTED

BY:

  
Sam Perry  
Planner

Community Development Department

DATE: August 8, 2013

## ATTACHMENT

(c) Planning Commission Review. The Planning Commission shall base its review of a proposed Conditional Use upon the complete application, upon any staff report, and upon any relevant and credible public comment presented during the public hearing. If the Planning Commission finds that the information provided is insufficient to make a determination, it may suspend its review until sufficient information has been provided.

(1) Burden of proof.

- A. Planning Commission has no obligation to recommend approval and City Council has no obligation to approve a Conditional Use. This Zoning Code assumes that the uses listed in this section are not appropriate unless an Applicant proves that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed.
- B. Applicants shall prove that potential negative impacts of elements such as location, size and extent of facilities and operations, site design, traffic generation, site access, and potential impact upon public facilities will be adequately mitigated.

(2) General decision standards. All Conditional Uses shall satisfy these General Decision Standards:

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.
- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Use and its operation have been or can be obtained for the use at the proposed location.

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: July 17, 2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-12-2013 CONDITIONAL USE**, 410 E. Church Street, Pi Kappa Alpha Fraternity, addition to an existing fraternity in an R2MS (Single and Two-Family Mile Square Residential) District, **Terrance A. Raulin, Applicant**

  X   Review             Revisions             Other

Comments or status update requested by: Lynn Taylor

Please return no later than: **8/7/13** Note: If no comments are received, we will assume the project meets your department's standards.

.....  
Drawings are returned:    w/comments    without/comments ✓

Drawings reviewed by:



Date: 7-26-13

John Detherage

PRINTED NAME

City of Oxford  
Inter-Office Review Transmittal Sheet

Date: July 17, 2013

To: Fire Department Engineering Division Police Department Economic Development

From: Community Development

**PC-12-2013 CONDITIONAL USE**, 410 E. Church Street, Pi Kappa Alpha Fraternity, addition to an existing fraternity in an R2MS (Single and Two-Family Mile Square Residential) District, **Terrance A. Raulin, Applicant**

  X   Review                 Revisions                 Other

Comments or status update requested by: Lynn Taylor

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Drawings are returned:   w/comments   without/comments

*SEE MEMO DATED 7-17-13*  
*V.P.*

Drawings reviewed by:



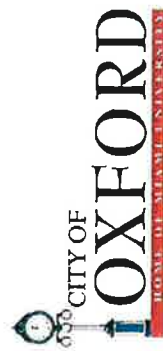
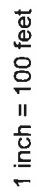
Date: 7-17-13

VICTOR POPESCU

PRINTED NAME

## Property notifications

 Subject Properties  
 200 Ft. Buffer  
 Oxford Corporation Limit  
 Parcel  
 16.5' Vacated ROW  
 Building Footprint  
 Paved Roadway



The City of Oxford does not guarantee the dimensional accuracy of this map. Precise dimensional accuracy should be based upon recorded deeds, plats or a professional survey.

Case No.: PC-12-2013  
Date Filed: 6-28-13

**Conditional Use Permit Application**  
City of Oxford, Ohio

**REQUIRED INFORMATION** (print clearly)

Name of Applicant: TERRANCE A. RAULIN  
(Attach a letter of agency if the Applicant is not the property owner)  
Mailing Address: 8019 CYPRESS TREE CIRCLE  
WEST CHESTER, OHIO 45069 Email Address: traulin@fuse.net  
Telephone Number(s): (513) 874-2448 (Home) (513) 827-4252 (Cell)  
Name of Property Owner (if other than Applicant): DODD HALL HSG CORP (ITKA) - T. RAULIN, Pres  
Location of Property: 410 E. CHURCH ST. OXFORD, OHIO 45056  
Legal Description: LOT 496, CITY OF OXFORD, BUTLER COUNTY, OHIO  
Zoning District: R2-M8  
Total Area: .379 Acres / 16,517.6 Square Feet (circle one)  
Existing Use Description: FRATERNITY  
Proposed Use Description: FRATERNITY- RENOVATION / ADDITION / IMPROVEMENT

**SUBMISSION REQUIREMENTS**

The required fee of \$400.00 plus actual postage, made payable to the City of Oxford, must accompany the application. The entire submission must be prepared in accordance with Chapter 1147, Conditional Uses, of the Zoning Code of the City of Oxford.

Attach thirteen (13) copies of a site plan indicating the following: (SEE ATTACHMENTS)

1. North arrow
2. Scale
3. Vicinity Map
4. All existing and proposed lot lines within the site
5. Dimensions of all lots and of the entire site and any adjacent rights-of-way
6. Location, height, and use of all proposed and existing structures
7. Location and design of all proposed vehicle management areas
8. Location, size, and type of all proposed signs - NONE
9. Location, height, and type of all proposed screening and landscaping
10. Distances to residential zoning districts if within 1,000 feet
11. The use of land and location of structures on adjacent property and across adjacent rights-of-way
12. Elevations of proposed structure, or typical elevations if structures are not yet designed, shall be required by the Zoning Administrator if the proposed location, height, or bulk of the structure is such that it may negatively affect an adjacent use
13. Photographs of the existing use and its surroundings.
14. Other information as required by the Planning Commission

Attach a Narrative Statement describing how the proposed Conditional Use meets the following Decision Standards of the zoning district in which it is to be located: (SEE ATTACHMENTS)

- A. The proposed use is in fact a Conditional Use in the zoning district in which it is proposed.
- B. The use and site will satisfy the general intent of this Zoning Code.
- C. The use and site will be compatible with the general intent of the Comprehensive Plan.
- D. The size and shape of the site are sufficient for the proposed use.
- E. The use will not be hazardous or disturbing to existing or potential future neighboring uses that are permitted in the zoning district.

- F. The use will not involve activities, processes, materials, equipment, or conditions of operation that will be detrimental to any person, property, or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors, or other emissions.
- G. The only accessory uses will be directly related to the operation of the principal use and will not be operated independent of the principal use.
- H. The use and site will be adequately served by public facilities and services such as streets, water and sewer, drainage structures, police and fire protection, and refuse disposal, or adequate provisions will be made to provide the same services privately.
- I. Development of the site and operation of the use will not require substantial public expenditure for additional infrastructure or services.
- J. The site will be designed, constructed, and maintained in a character harmonious in appearance and general character with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area. Structures to be constructed, reconstructed, or altered in a residential zoning district shall have the appearance of residential buildings permitted in the zoning district.
- K. The site is designed so that on-site traffic and traffic accessing the site will not inappropriately impact the movement of traffic on adjacent public streets.
- L. Proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.
- M. All necessary permits and licenses for the Conditional Uses and its operation have been or can be obtained for the use at the proposed location.

**On a separate sheet of paper, provide the names and addresses of all adjoining property owners within 200 feet of the site, including those across streets, roads, alleys and highways. \*Property Owner names will not be included in the agenda packet.**

**NOTE: The Butler County website ([www.butlercountyohio.org/auditor](http://www.butlercountyohio.org/auditor)) is very helpful when searching for the mailing address of adjoining property owners. Once the site is up, click on online searches, then click on real estate. It will allow you to search by owner, address or parcel number.**

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All materials must be delivered to the office of the Community Development Director, City of Oxford, 101 East High Street, Oxford, Ohio 45056. Any questions should be directed to the Community Development Department at (513) 524-5204. The issue will be placed on the next possible agenda.

**Incomplete applications will not be processed.**

**NOTE: Notification and publication requirements must be adhered to. Submit materials 45 days prior to the proposed meeting date. City Staff will erect a public hearing sign on the subject property. It is the Applicant's responsibility to remove the signage once the hearing(s) are completed.**

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Terrance A. Raulin  
Signature of Applicant

TERRANCE A. RAULIN  
Printed Name

Date: 6/27/13

**FEE / RECEIPT**

\$400 Fee plus Postage Paid / Receipt Number: 18943.41

# Introduction

My name is Terrance Raulin, and I am the Housing Corporation President of Pi Kappa Alpha Fraternity at 410 East Church Street, Oxford, Ohio.

We are requesting approval for a proposed addition at said address. Our 1966 structure is no longer adequate for our chapter which finished the 2012-13 school year at 130 members. Our purpose is not to greatly increase our house capacity, but rather to upgrade its curbside appearance and public areas. This would also include a library, conference room, additional bathrooms and handicapped accessible areas.

Our proposed 2-story addition would be built over our current 1-story living/meeting room and also extend southward 23' with a width of 37.7'. This would bring the front of the addition exactly even with our current 2-story dormitory structure. The new square footage of building to lot coverage would be 867.1 square feet or an additional 5.25%. This would bring our total building and shed percent to 28.16%. (Recommended is 25%.) Please consider a variance on this. Please note also that we need no new signage.

We are currently permitted for 39 residents. Our addition would net 3 more dormitory rooms and an anticipated 42-44 capacity. This allows for more 1-person rooms, which today's students prefer. Our fraternity is currently in excellent standing with the city of Oxford, Miami University and Pi Kappa Alpha National.

I believe our addition would meet the intent, purpose and spirit of Oxford's Zoning Ordinance as described in Chapter 1123 of the Comprehensive Plan. The "Pikes" appreciate your consideration. I am readily available to answer any questions not addressed in our attached submission.

## “Decision Standards” Responses

- A. We are currently zoned a fraternity in district R2-MS. We are not requesting a proposed use change.
- B. The use and site will satisfy the general intent of this Zoning Code. No change from current use.
- C. The use and site will be compatible with the Comprehensive Plan as we are a fraternity in a district zoned for fraternities.
- D. The size and shape of the site meet all but one of the site development regulations set forth on page 63, chapter 1143.05 of the Zoning Code. We would exceed the 25% building to lot ratio by several percent. We ask a variance on this point.
- E. The use will not be hazardous or disturbing as land use will not change. Current use Fraternity.
- F. The use (Fraternity) will not involve activities, processes, materials, equipment or conditions of operation that will be detrimental to any person, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare, odors or other emissions.
- G. The only accessory uses will be directly related to the operation of the fraternity.
- H. The use and site will be adequately serviced by the current public facilities and services.
- I. The addition/development to the site will not require any additional public expenditures.
- J. The site not only will be designed, constructed and maintained in the desired appearance and general character, but will result in an improved facility with better curb appeal.
- K. There will be no change to the on-site traffic or traffic accessing the site.
- L. The proposed construction will not result in the destruction, loss or damage to any natural, scenic or historic features.
- M. All necessary permits and licenses can be obtained. Following zoning approval, only a building permit should be required.

# SITE PLAN

LOT 496

CITY OF OXFORD  
BUTLER COUNTY, OHIO

| DESCRIPTION            | AREA (SQ FT)           | LOT PERCENTAGE     |
|------------------------|------------------------|--------------------|
| MAIN BUILDING          | 3650.6                 | 22.10%             |
| SHED                   | 133.5                  | 0.81%              |
| CONCRETE               | 2774.0                 | 16.79%             |
| BRICK                  | 1309.3                 | 7.93%              |
| ASPHALT                | 3118.9                 | 18.88%             |
| <b>ADDITION</b>        | <b>867.1</b>           | <b>5.25%</b>       |
| <b>LOT 496 (TOTAL)</b> | <b>16517.6 (SQ FT)</b> | <b>0.379 ACRES</b> |

## LEGEND:

- O - EXISTING IRON PIN (SPECIFICS SHOWN HEREON)
- - SET IRON PIN WITH CAP #7684
- - CONCRETE

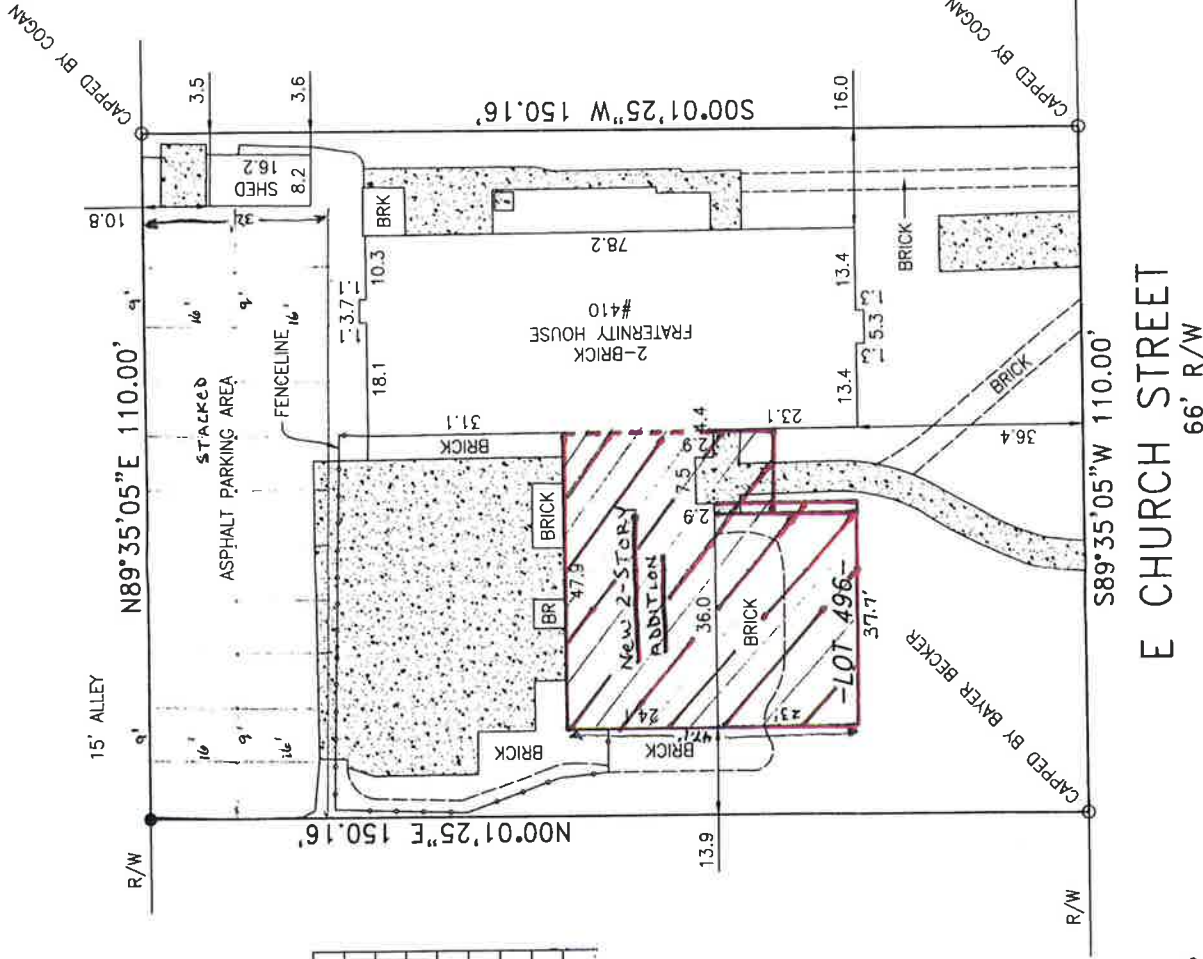


I hereby state to the best of my knowledge, information and belief that the accompanying plat is the correct return of a field survey made under my direction.

*Todd K. Turner*  
Todd K. Turner, P.S.  
Registered Surveyor #7684 in Ohio



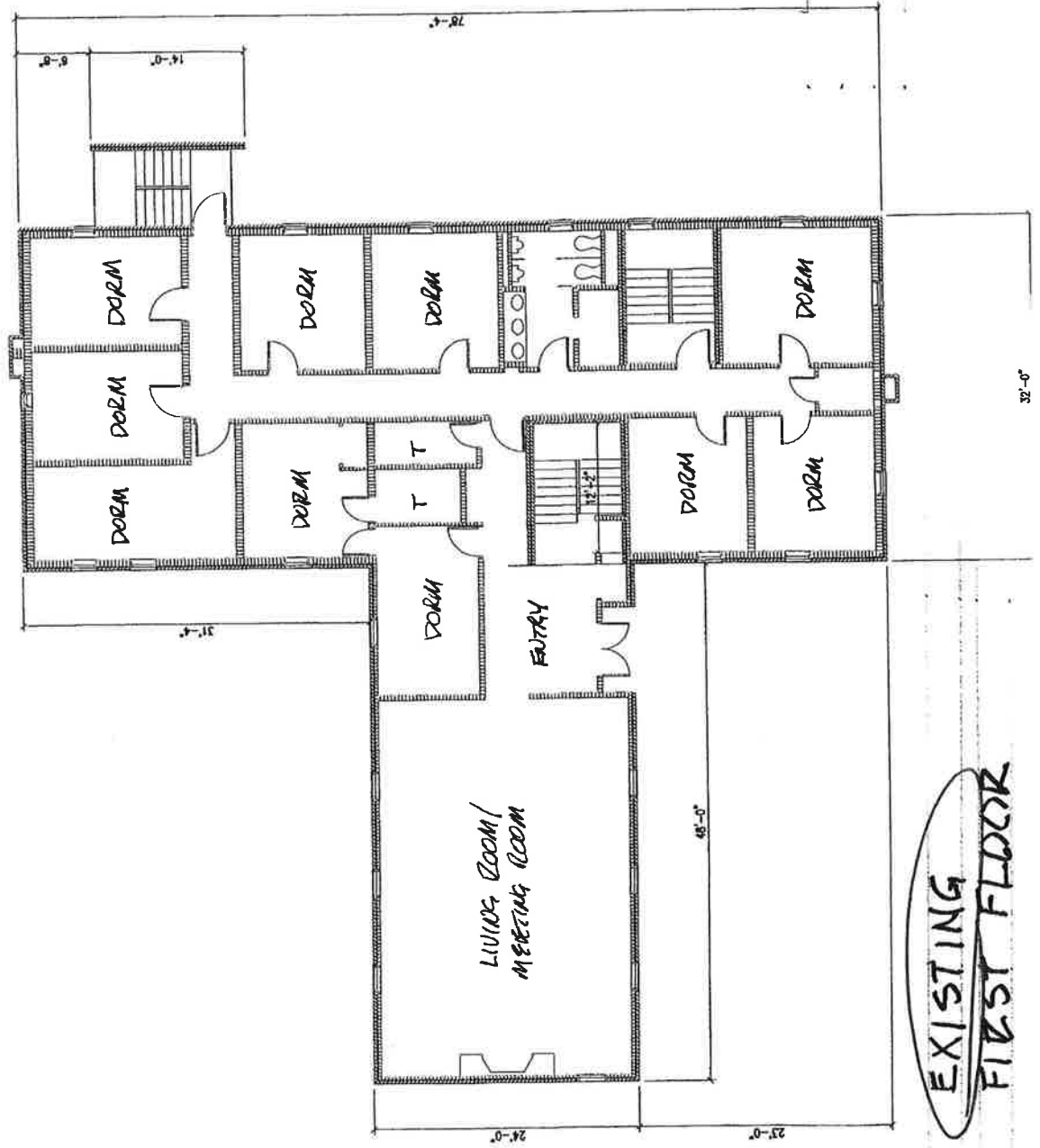
\* NOTE: ORIGINAL TURNER SURVEY WAS ALTERED BY TERRANCE RAULIN TO SHOW ADDITION & PARKING.



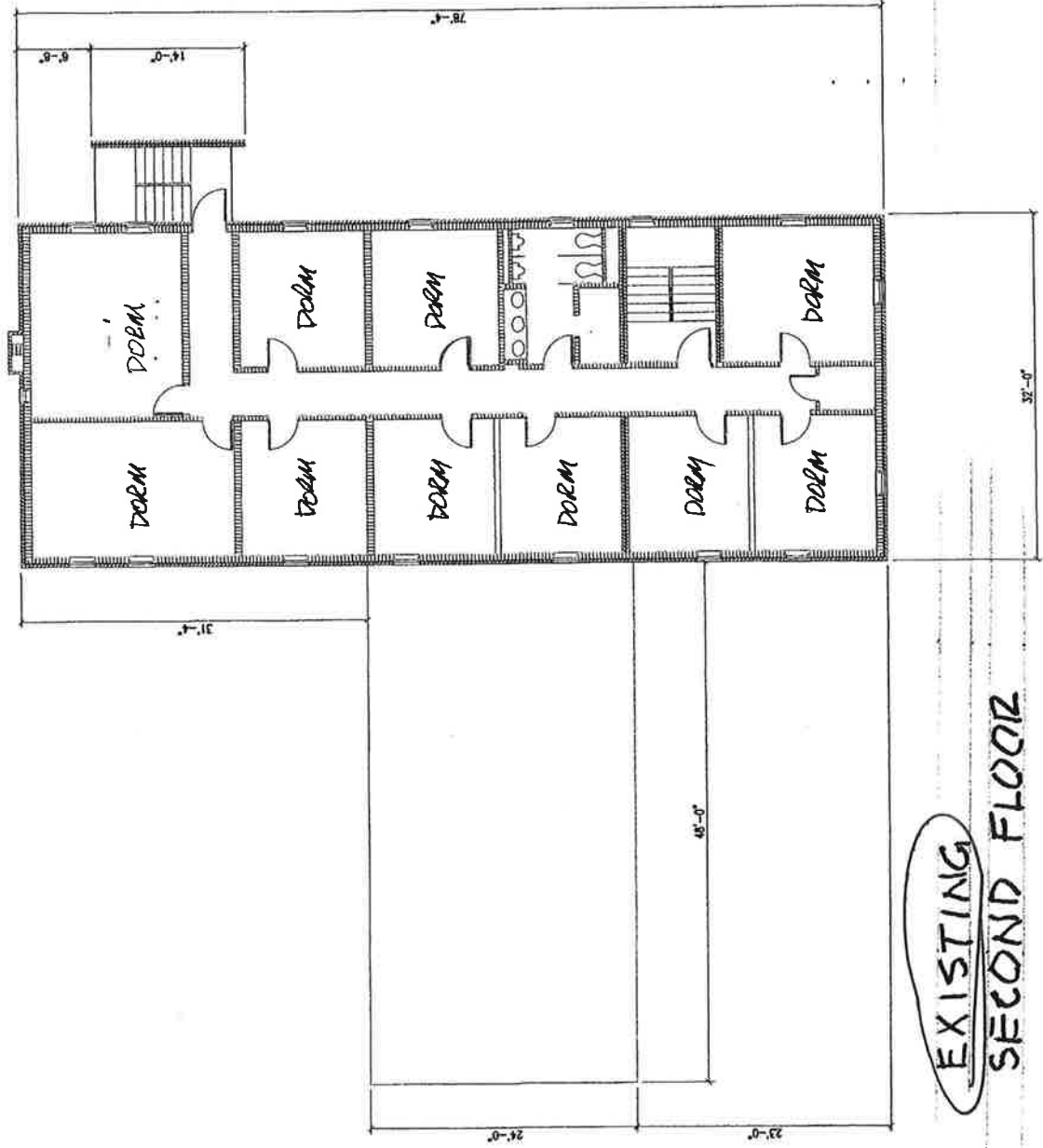
PREPARED FOR:  
DODD HALL INC  
C/O STEVEN ROHE  
7592 TRILLIUM CT  
CINCINNATI, OHIO 45241

TRI-STATE LOCATION SERVICES  
4839 OLD TOWER COURT  
FAIRFIELD, OHIO 45014  
PHONE: 513-829-7722

DRAWN BY: CLN  
DATE: 05/31/13  
JOB # 94479



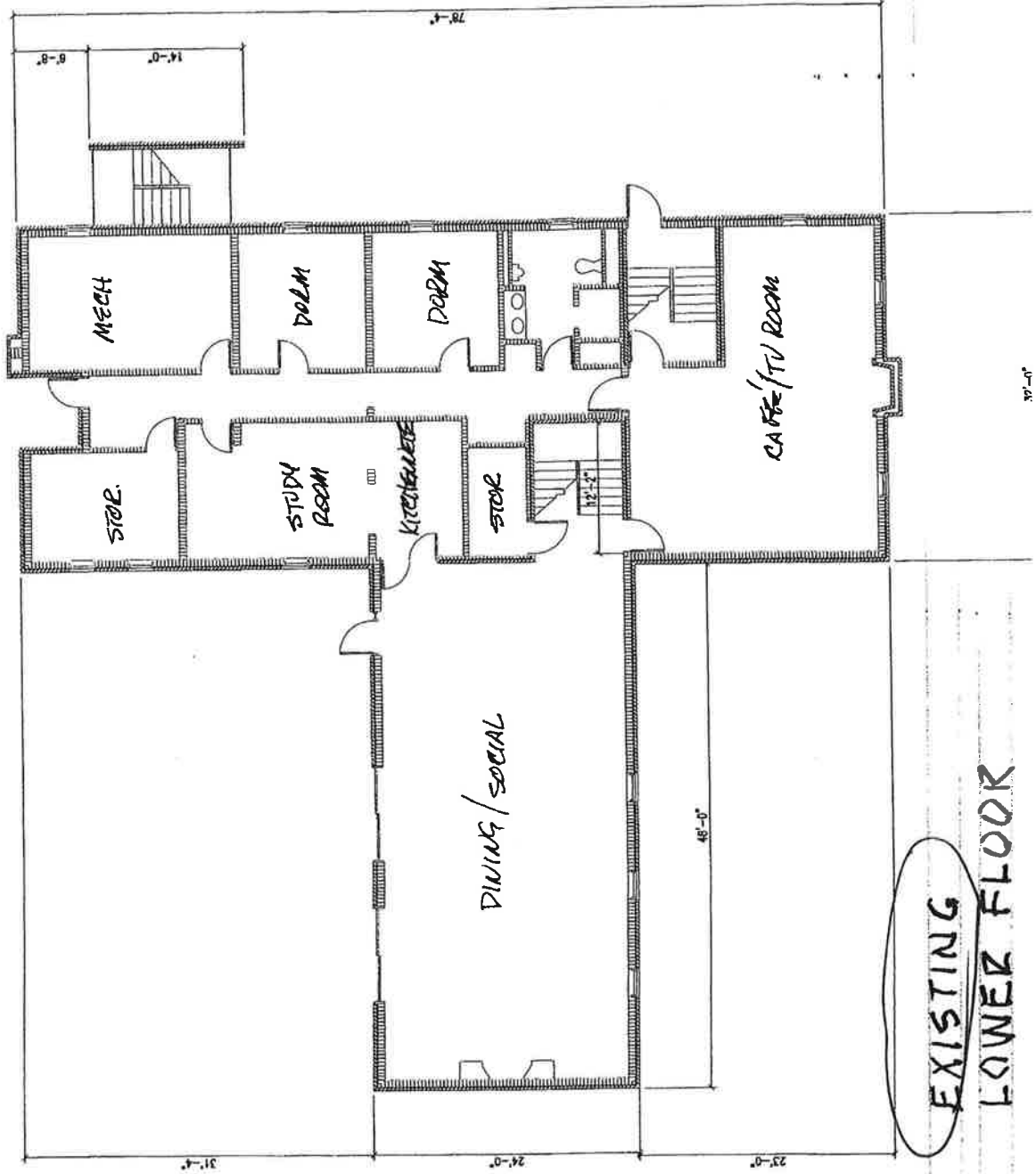
EXISTING  
FIRST FLOOR



PIKE  
HOUSE

EXISTING  
SECOND FLOOR

PIKE  
HOUSE



EXISTING  
LOWER FLOOR



CURRENT WEST (LEFT SIDE) ELEVATION



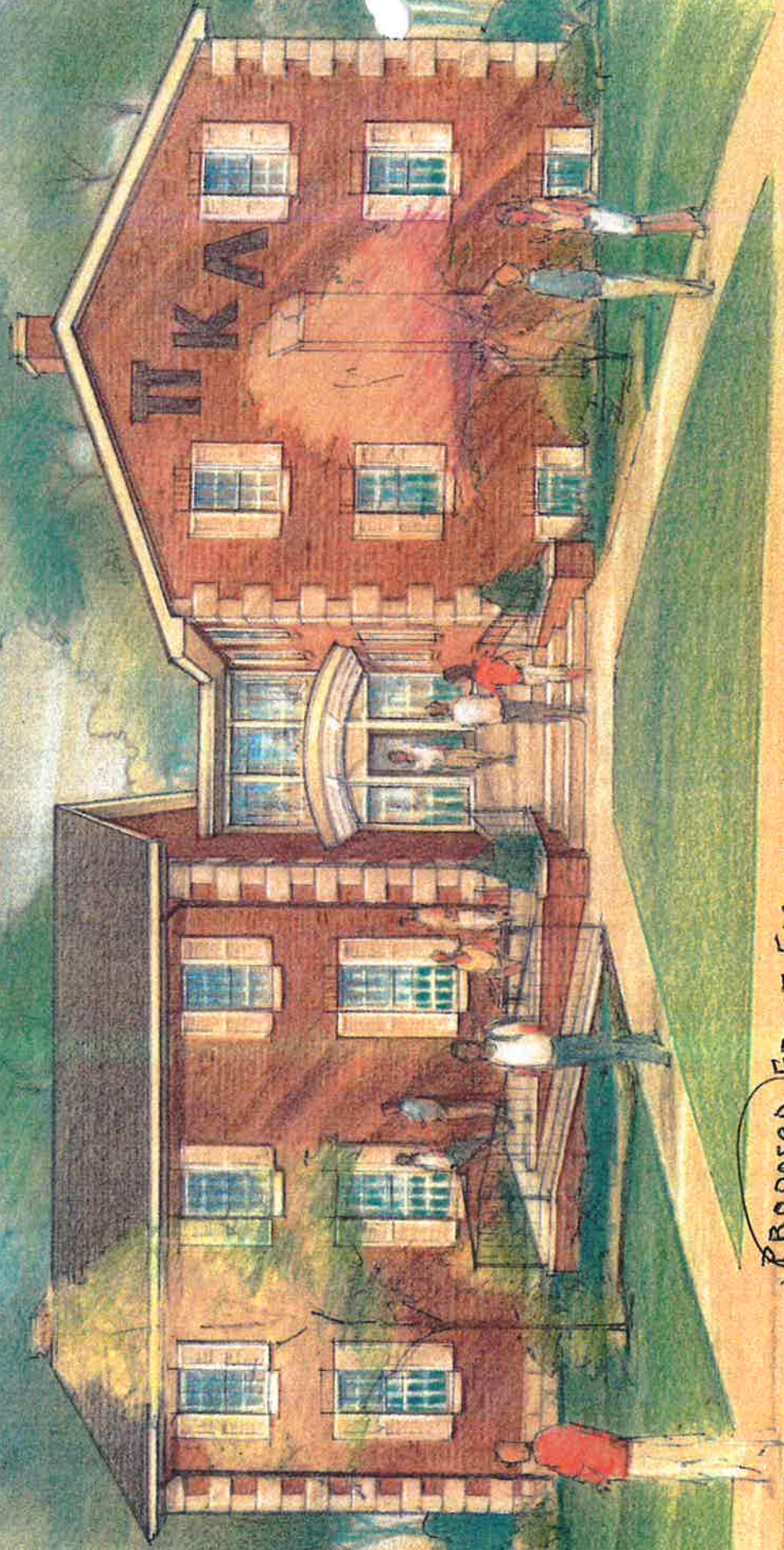
CURRENT FRONT ELEVATION

PI KAPPA ALPHA

FRATERNITY

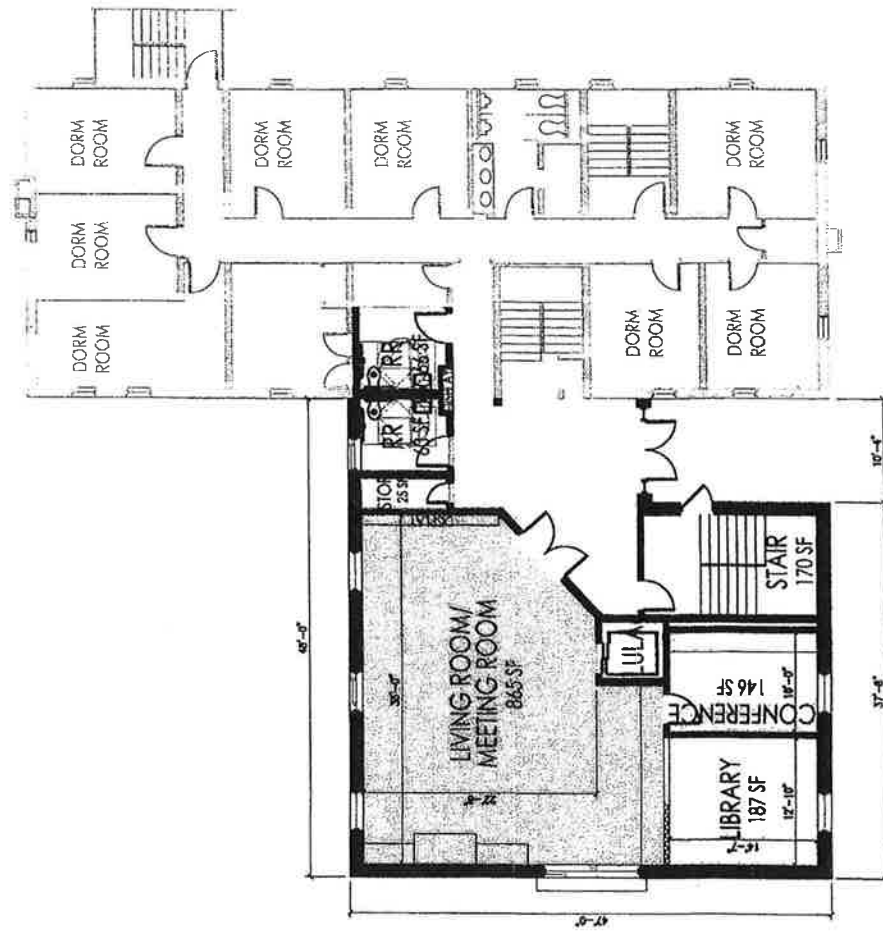
Existing

PROPOSED ELEVATIONS, FLOOR PLANS, ETC PACKET



PROPOSED FRONT ELEVATION - TKa FRATERNITY

410 E. CHURCH ST. DULUTH, MN

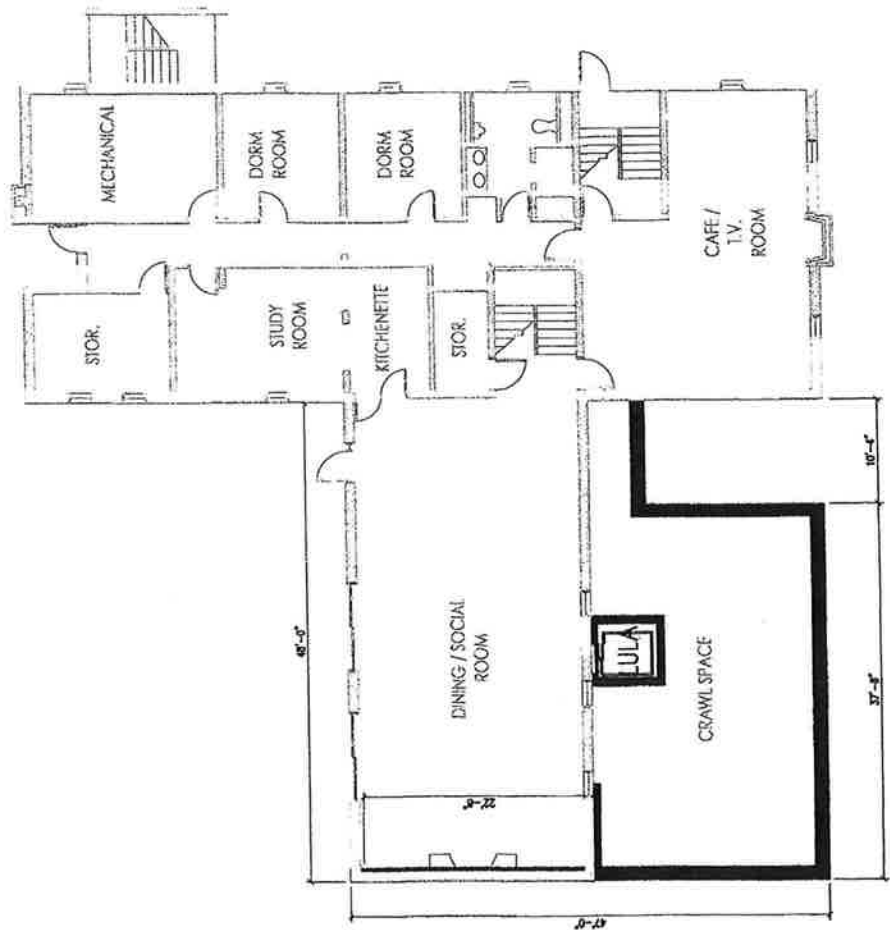


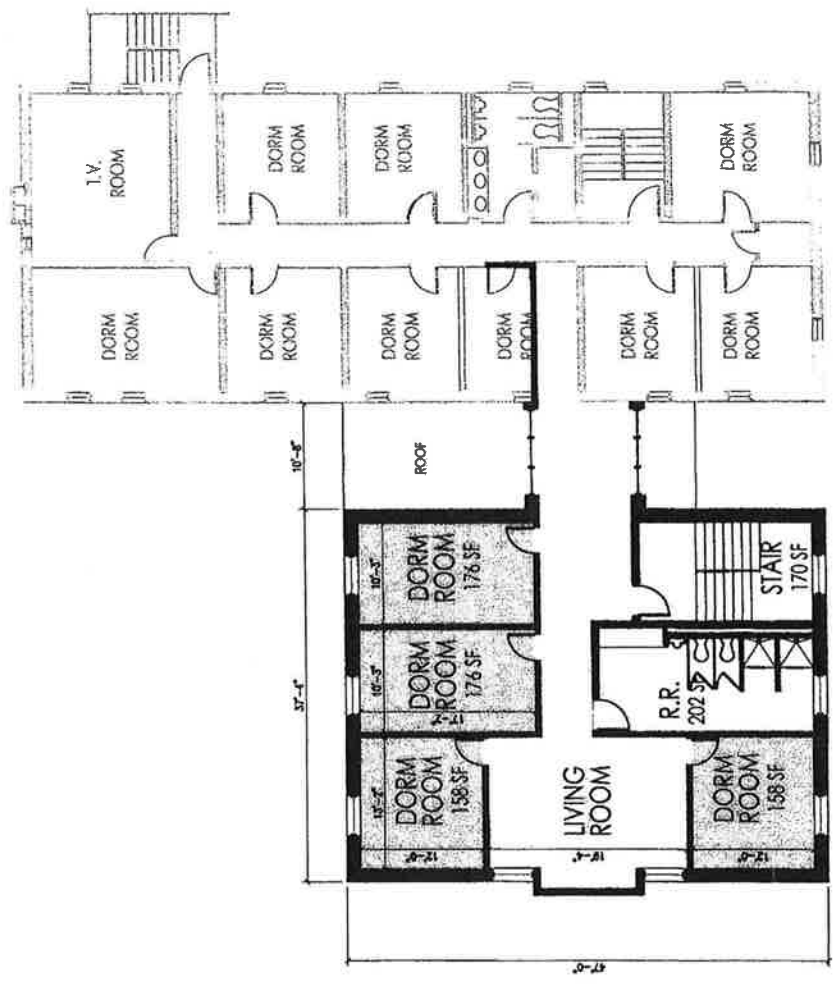
25  
DATE  
DWG



LOWER  
LEVEL  
FLOOR  
PLAN

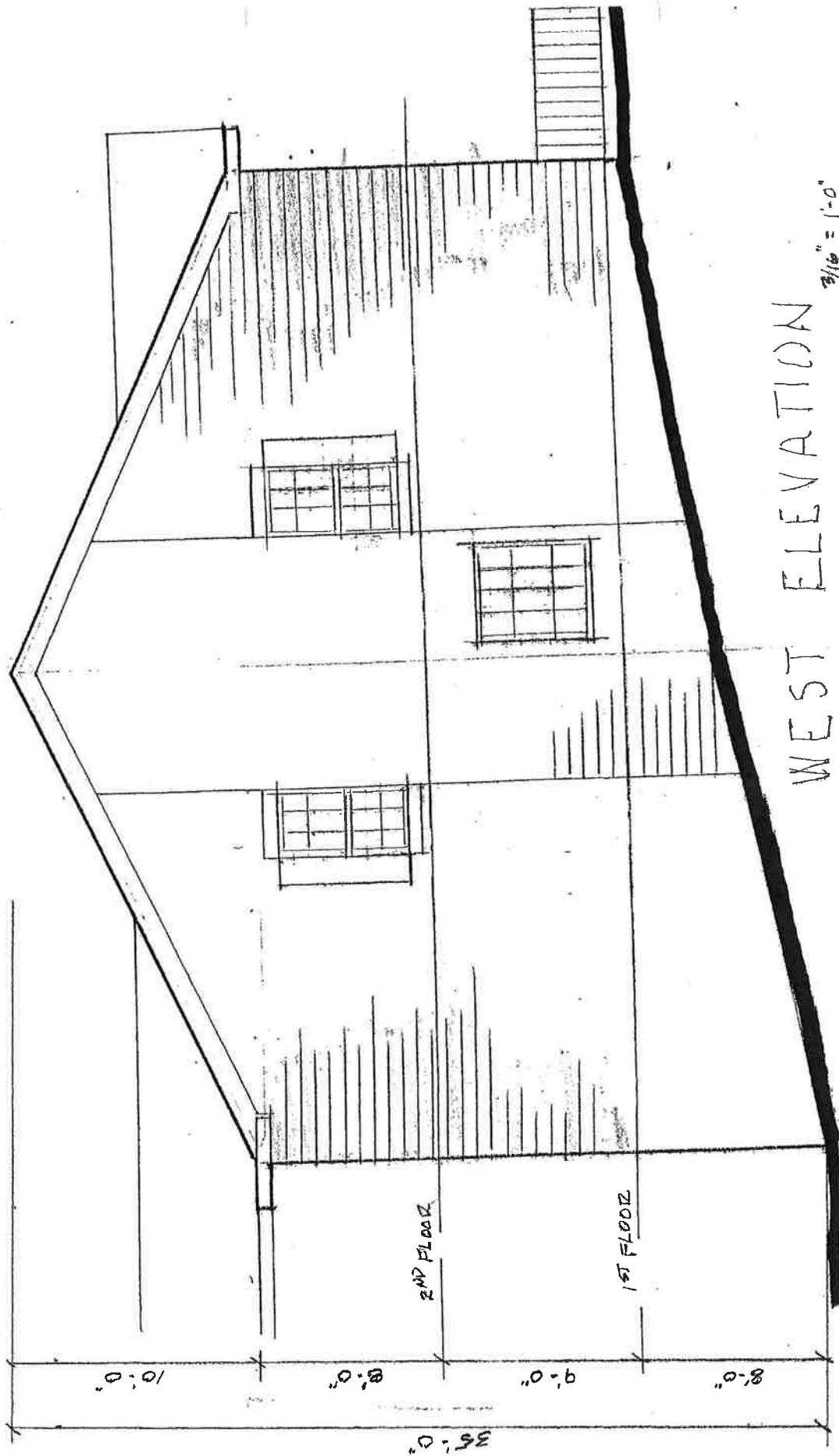






SECOND  
FLOOR  
PLAN





PROPOSED ADDITION



SURROUNDING

PHI DELTA THETA FRA

PROPERTY TO OUR  
IMMEDIATE EAST

MAINLY SIDE, SOME REAR  
VIEW

PARCEL 169



PHI DELTA THETA FRAT

FRONT & SIDE VIEW

NW  
CORNER OF E. CHURCH  
TALAWANDA

PARCEL 169



SINGLE FAMILY RES.

ACROSS CHURCH ST. TO  
SOUTH

SE CORNER OF E. CHURCH  
BISHOP LOTS 35 & 40

MIAMI PARKING LOTS IN  
DISTANCE. PARCELS 39 & 40

PARCEL 38 VACANT



MULTI-FAMILY  
STUDENT RENTAL

PROPERTY TO OUR  
IMMEDIATE WEST

NE CORNER OF E. CHURCH  
& BISHOP

PARCEL 166