

Wood County Planning Commission
April 1, 2014 @ 5:30pm

The Wood County Planning Commission met in regular session on Tuesday, April 1, 2014 at the County Office Building in Bowling Green. Planning Commission members in attendance were: John Alexander, Anthony Allion, Rob Black, John Brossia, Jim Carter, Doris Herringshaw, Raymond Huber, Joel Kuhlman, Scott Lockwood, Donna Schuerman and Leslee Thompson. Planning Commission staff in attendance was: David Steiner and Katie Baltz. 16 guests were present at the meeting.

Old Business

Upon calling the meeting to order, Mr. Black welcomed new members, Mr. Alexander and Mr. Lockwood to the Wood County Planning Commission.

Ms. Herringshaw made a motion to approve the February 2014 Planning Commission meeting minutes. Mr. Huber seconded the motion and Commission members responded in full support.

New Business

STAFF ACTIVITIES REPORT (FEBRUARY - MARCH 2014)

Mr. Steiner reported that Planning Commission staff had worked with Poggemeyer Design group to finalize the updated Wood County Subdivision Regulations. Mr. Steiner stated that the FY11 CDBG grant had been monitored and had no findings. Mr. Steiner noted that Poggemeyer Design Group would prepare the CHIP grant application on Wood County's behalf. Mr. Steiner reported that FY13 CDBG projects had been granted environmental release and could begin, and the first public hearing had been held for the FY14 CDBG program. Mr. Steiner stated that the annual Tax Incentive Review Council (TIRC) meeting had been held, and all reports had been completed. Mr. Steiner reported that he had investigated a floodplain violation. Mr. Steiner reported that the Planner and Director had attended a meeting about educational committees relating to the Portage River basin.

Mr. Carter asked if all business owners showed up for the Tax Incentive Review Council meeting and filed required reports. Mr. Steiner stated that the owners met the requirements and that the only report that were not filed were reports from businesses that were still under construction and were not yet required to file.

SUBDIVISION – MIDDLETON TOWNSHIP

Mr. Black explained that the applicant had pulled the "River Bend Lakes Plat 3-5" item from the April 2014 agenda and that no decision would be made. Mr. Black told the audience members that they may address this item after other agenda items had been heard.

SUBDIVISION – MIDDLETON TOWNSHIP

Jill Servoss had submitted a re-plat entitled "Re-Plat of Lots 61 and 62 of the Final Plat of River Bend Lakes Plat 1". The re-plat consisted of lots 61 and 62 in Plat One of the River Bend Lakes Subdivision. The applicant proposed to combine Lots 61 and 62 into one new lot of record.

Mr. Steiner explained that the re-plat was located on Lots 61 and 62 in the Plat of River Bend Plat One in River Tract 54 of Middleton Township, more specifically the lots were located on the north side of Rocky Harbour Drive in the northern area of the subdivision.

Mr. Steiner noted that the lots in question were currently zoned R-3 Residential. Mr. Steiner explained that lands to the south, east and west were also zoned R-3 Residential and lands to the north were zoned A-1 Agricultural. Mr. Steiner stated that the land use in the area was currently medium density residential and the Wood County Land Use Plan had identified the area where the lots were located at as being in an urban – small town expansion area. Mr. Steiner noted that there were no environmental constraints on the property and all utilities were available to the lots.

Mr. Steiner explained that the purpose of the re-plat was to combine two existing platted lots into one new lot so that a dwelling can be placed on the lot without straddling lot lines. Mr. Steiner noted that the Engineer's office had reviewed the item and did not have any concerns and that the Planning Commission staff had no concerns with this item either.

Mr. Black asked the applicant, Ms. Servoss if she had anything additional to add to the discussion. Attorney Brain Craig of Skiver and Associates spoke on Ms. Servoss' behalf and noted that Mr. Steiner had explained the re-plat request accurately.

Jeff Ford, Middleton Township Zoning Inspector noted that the item had met all zoning requirements.

There being no further discussion, Mr. Carter made a motion to grant final approval to "Re-Plat Lots 61 and 62 of the Final Plat of River Bend Lakes Plat 1". Ms. Thompson seconded the motion and Commission members responded with a vote of 10 in favor, none opposed, motion carried.

ZONING – PERRYSBURG TOWNSHIP

Mr. Steiner explained that the Perrysburg Township Trustees had passed an official resolution to place the decision to enact zoning in the unzoned areas of Perrysburg Township before the voters in the November General Election. Mr. Steiner stated that the Planning Commission review and recommendation of the proposal needed to occur during the process to enact zoning per the Ohio Revised Code. Mr. Steiner noted that the Township was currently partially zoned, and had elected to apply their current Zoning Resolution to those unzoned areas should the proposal be passed by the voters. Mr. Steiner noted that the township had also drafted a zoning map that would become the official map of the unzoned areas should the item pass.

The most up to date proposed zoning map was passed out to Planning Commission members for review.

Mr. Steiner noted that the unzoned area of the township consisted of a fairly large portion of the township and contained varied land uses. Mr. Steiner explained that the southern end of the area consisted of primarily agricultural and rural residential uses and the northern and eastern portions of the area contained several industrial and commercial uses including the Cedar Business Center.

Mr. Steiner explained that the township had held many open houses for residents of the unzoned area to come in and express any concerns they may have had.

Mr. Steiner stated that it was the recommendation of the Planning Commission Staff that the Planning Commission recommend to Perrysburg Township approval of the proposed zoning map and amendments and move forward with the process of placing the item on the November Ballot. Mr. Steiner stated that as a basic rule of planning, any time an unzoned area could be brought under zoning, everybody would benefit.

Mr. Black asked Mr. Steiner if he had received any comments from the public. Mr. Steiner stated that he had not received any comments.

Mr. Alexander asked Mr. Steiner if the county land use plan had anticipated agriculture or employment uses in the unzoned areas. Mr. Steiner stated that he believed the plan had designated agricultural and employment areas when it was created even though there hadn't been zoning in those areas at that time.

Mr. Allion asked if the zoning were passed and the unzoned areas became zoned, if the zoning would come from the current land use or if there was a plan stating what would happen. Mr. Steiner believed that the township looked at existing uses and took input from residents.

Mr. Walt Celley, Perrysburg Township Administrator stated that the Township had designated the existing uses with the proper zoning and had offered the land owners the opportunity to zone land for future potential uses by holding many public hearings, about double the amount required by the Ohio Revised Code. Mr. Celley noted that the plan could be amended through the final hearing if necessary to be zoned for current uses.

Mr. Huber asked Mr. Steiner if the Planning Commission was only making the recommendation, and if the township still had the ability to decide whether to take the recommendation. Mr. Steiner stated that the Planning Commission was only making a recommendation to the township; however it was required to be reviewed by the Planning Commission per the Ohio Revised Code.

There being no further discussion, Mr. Alexander made a motion to recommend Perrysburg Township to approve the zoning map and amendments for the unzoned portion of Perrysburg Township and to move forward with the zoning initiative. Ms. Schuerman seconded the motion and Commission members responded with a vote of 10 in favor, none opposed, motion carried.

ZONING – PERRYSBURG TOWNSHIP

Danberry National Ltd., on behalf of Carol Brossia Stephens had submitted an application to rezone five (5) parcels of land totaling approximately 94.07 acres of land in Sections 26, 27, 34, and 35 of Perrysburg Township from an A-1 Agricultural Zoning Classification to an I-2 General Industrial Zoning Classification. Mr. Steiner noted that no end use has been specified.

Mr. Steiner stated that the subject parcels were located approximately one quarter mile north of Mandell Road, east of Interstate 75, west of Glenwood Road, and south of the City of Rossford. Mr. Steiner showed a location map showing the parcels and surrounding area.

Mr. Steiner noted that the parcels were currently zoned A-1 Agricultural, lands to the north were in the City of Rossford, lands to the east were zoned A-1 Agricultural and I-2 Industrial, lands to the west were zoned A-1 Agricultural and lands to the south were zoned A-1 Agricultural and R-2 Suburban Residential. Mr. Steiner stated that the Wood County Comprehensive Land Use Plan had identified this area as being in an Employment Center area. Mr. Steiner explained that there were no floodplain areas at the site; however, there was an identified wetland on the site. Mr. Steiner stated that it was classified as a “freshwater – forested – shrub wetland”. Mr. Steiner explained that utilities were not available at the site; however the Water and Sewer District had confirmed that utilities were available from the south at the intersection of Mandell and Lime City Road.

Mr. Steiner stated that the wetland area would require a Wetland Development Permit from the Army Corps of Engineers if that area was going to be developed. Mr. Steiner stated that single family residential uses occurred to the south of the parcel. Mr. Steiner stated that annexation to the City of Rossford would be likely if utilities were extended from the City of Rossford.

Mr. Steiner stated that the applicants were in the audience and could answer any questions. Mr. Black asked how the Wood County Land Use Plan had designated this area. Mr. Steiner stated that it was designated as an Employment Opportunity center, which was a generalized commercial and industrial area to create job opportunities.

Mr. Alexander asked Mr. Steiner to characterize the residential nature of the residential zoning in the area in regards to density. Mr. Steiner stated that the R-2 residential zoning was a medium density.

Mr. Alexander asked what the zoning in the City of Rossford was in the area contiguous to the parcel. Mr. Steiner stated that he wasn't sure. Ms. Kelly Hemminger, Perrysburg Township Zoning Inspector stated that the City's zoning was M-1.

Mr. Brian McMahon of Danberry Realty gave the Planning Commission background information regarding the area to the north of the property, referred to as Access Point.

This area combined large agricultural properties to create a joint economic development zone. Mr. McMahon explained that industrial users looking to develop a property required the land to be already zoned, have utilities, and have access to major traffic arteries. Mr. McMahon stated that the purpose of the rezoning was to have zoning in place in order to continue marketing efforts for this property.

Mr. Black asked who would be the provider of sanitary sewer and water service. Mr. Shawn McMahon stated that utilities are available from the City of Rossford to the North and within Perrysburg Township to the south. Mr. Black asked if annexation to the City of Rossford would be required in order to receive those utilities. Mr. Brian McMahon stated that the discussion had not yet occurred with the City, and the property within the City of Rossford was currently part of a Joint Economic Development Zone.

Mr. Brossia asked if the access road for the property would be Lime City Road. Mr. McMahon (Brian) stated that he believed the access road would be Glenwood Road. Mr. McMahon stated that Glenwood Road connected to Buck Road and provided direct access to Interstate 75. Mr. McMahon stated that if an end user created enough jobs and tax revenue it would be easier to get support for funding infrastructure improvements than it would be if it were a vacant field.

Mr. Huber asked if there had been any discussion as to what to do with Lime City Road. Mr. McMahon stated that Lime City Road would best serve the residents in the area, and could help maintain the separation from the residential area.

Mr. Black asked Mr. Celley and Ms. Hemminger if they had any comments. Ms. Hemminger noted that the location map Mr. Steiner had showed in his slide show was inaccurate, as a parcel was omitted from the highlighted area. Mr. Kuhlman noted that the location map in the Planning Commission members' agenda packet had displayed the correct parcels.

Mr. Black asked Mr. McMahon if they would be seeking annexation into the City of Rossford. Mr. McMahon stated that nobody had talked to the city about annexation, and that he wasn't sure why there would be a reason to seek annexation.

Mr. Alexander asked if residents in the area would be notified of this rezoning. Ms. Hemminger stated that notices had just been sent out to property owners in the area notifying them of Perryburg Township's meetings. Ms. Penny Getz, Middleton Township Trustee asked if this item would affect the thousands of parishioners who attend the church. Mr. McMahon stated that he had reached out to the church before the rezoning and received a great deal of support from the Pastor and several other people.

Mr. Brossia asked if there would be a buffer between the property and the church. Mr. McMahon stated that the site plan review process would probably address buffers among other things. Mr. Brossia reiterated that Lime City Road could not handle additional traffic. Ms. Thompson asked how the wetlands issue impacts the area. Mr. McMahon stated that a wetlands assessment study would be performed to determine if the area was actually a wetland area. Mr. Brian McMahon stated that if it were a wetland area, they could work around it or use it to serve as a buffer or leave it alone if necessary.

There being no further discussion, Ms. Schuerman made a motion to recommend that Perrysburg Township approve the applicants request to rezone 94.07 acres of land from an A-1 Agricultural Zoning Classification to an I-2 General Industrial Zoning Classification. Ms. Herringshaw seconded the motion and Commission members responded with a vote of 10 in favor, none opposed, motion carried.

ZONING – BLOOM TOWNSHIP

Harold and Patricia Haynes had submitted an application to rezone 7.925 Acres of land in Section 31 of Bloom Township from an A-Agricultural Zoning Classification to an I-Industrial Zoning Classification.

Mr. Steiner stated that the property being rezoned consisted of 7.925 acres of land in the Harper's Addition of Section 31 in Bloom Township. More specifically, the land was approximately 1,100 feet south of Eagleville Road, Interstate 75 was approximately 320 feet to the west of the parcels, and Galatea Road was 880 feet to the east. The property was located east of the Village of North Baltimore.

Mr. Steiner stated that the property was currently zoned A Agricultural. Lands to the south, west, and north were zoned I-Industrial, lands to the east were zoned A-Agricultural. Mr. Steiner noted that The Wood County Comprehensive Land Use Plan had designated the area where the parcel was located at as being in an Urban Infill Area as well as in a Key Corridor. Mr. Steiner stated that there were no wetlands or floodplains on the property. Mr. Steiner noted that there were currently well and septic systems on site, and public utilities could be extended to the property by the Village of North Baltimore at the owners' expense.

Mr. Steiner stated that Bloom Township's zoning resolution doesn't break out the industrial uses allowed, rather one general classification is used for all industrial uses. Mr. Steiner stated that the Planning Commission staff recommended approval of the rezoning due to the location of the property near other industrial zoned properties and access to Interstate 75.

Following a brief discussion of the surrounding area, Donna Schuerman made a motion to recommend that Bloom Township approve the applicants request to rezone 7.925 acres of land from an A-Agricultural Zoning Classification to an I-Industrial Zoning Classification. Mr. Black stated that he was a firm believer that all applicants should have somebody attend Planning Commission meetings to give the Planning Commission the opportunity to ask them questions. Mr. Kuhlman seconded the motion and Commission members responded with a vote of 10 in favor, none opposed, motion carried. (Mr. Black's vote of nay was noted but as Chairman does not count against the applicant.)

ZONING – FREEDOM TOWNSHIP

Luckey Farmers submitted an application to rezone 76.89 acres of land in Sections 35 and 26 in Freedom Township from an A-1 Agricultural Zoning Classification to an M-1 Industrial Zoning Classification. The applicants stated that they would like to construct a grain elevator and fertilizer manufacturing facilities on the site which required an industrial zoning classification.

Mr. Steiner stated that the land was located at the northwest corner of the intersection of State Route 6 and the CSX railroad tracks. Mr. Steiner explained that Pemberville Road was approximately 2,800 feet to the west of the parcel, Stein Road was approximately 1,800 feet to the north, and Bradner Road was approximately 1,600 feet to the east.

Mr. Steiner noted that the property was currently zoned A-1 Agricultural and surrounding lands to the west, north, and east were also zoned A-1 Agricultural. Mr. Steiner noted that the land to the south of the parcel was zoned M-1 Industrial. Mr. Steiner stated that the Wood County Comprehensive Land Use Plan had designated the area where the parcel was located at as being in a Prime Farmland/Rural Countryside area and that there were no wetlands or floodplains on the property, and no public utilities were in place.

Mr. Steiner listed some of the permitted uses, accessory uses, and conditional uses allowed in an M-1 Industrial district according to the current Freedom Township Zoning Resolution.

Mr. Steiner stated that the Planning Commission staff had recommended approval of this item due to the parcels location, size, access to State Route 6, as well as the zoning of the parcel to the south which is already zoned M-1 Industrial. Mr. Steiner noted that since public utilities were not available to this parcel, it would likely limit the types of end uses available to these parcels of land. Mr. Steiner noted that if these parcels were rezoned Industrial, any of the permitted uses would be allowed under an M-1 Industrial classification.

Planning Commission staff passed out a letter that was addressed to the Planning Commission from the Executive Director of the Wood County Economic Development Commission in which he had offered his support of the rezoning request.

Mr. Brossia asked what would happen if there were a fire at this location since there is no public water on site. Mr. Steiner stated that he wasn't sure and that it may be a building inspection issue based on their requirements.

Following a brief discussion of the item, Mr. Carter made a motion to recommend that Freedom Township approve the applicants request to rezone 76.89 acres of land from an A-1 Agricultural Zoning Classification to an M-1 Industrial Zoning Classification. Ms. Thompson seconded the motion and Commission members responded with a vote of 10 in favor, none opposed, motion carried.

ZONING – WASHINGTON TOWNSHIP

Washington Township had submitted a series of text amendments to the current Washington Township Zoning Resolution. The amendments had been drafted under the advisement of the Wood County Prosecuting Attorney's Office, and appeared to be in compliance with the Ohio Revised Code. The proposed text amendments consisted of changes to a variety of items in the current Washington Township Zoning Resolution. The items changed were as follows:

1. In the home businesses are now allowed to occupy one accessory building on a home site as well as up to 25% of the floor area of a residential structure.
2. All plans for storm and sanitary sewers as well as all other utilities shall be reviewed and approved by the Wood County Planning Commission, the Northwestern Water and Sewer District, and or other utilities providing service.
3. Corner lots shall have a minimum of 330 feet of road frontage on both road frontages of the lot.
4. Lot grade elevations shall be determined by using the elevation at the centerline of the road in front of the lot.
5. Existing property grade elevations shall not allow surface water to drain onto adjacent properties. The property owner shall provide adequate drainage to transport surface water away from the adjacent properties.
6. Fences and walls are permitted along the lines of front and side yards to a height of not more than four (4) feet above the existing grade, and not more than seven (7) feet above grade for rear yards. Fences and walls shall be uniform and maintained in the original condition.
7. Fences and walls shall maintain a setback of five (5) feet from side and rear property lines unless adjacent property owners consent in writing to a lesser setback.
8. All violations of the Zoning Resolution shall result in a fine of not more than \$500.00 dollars a day.

Mr. Steiner noted that one proposed amendment that needs further explanation or revision is the amendment on page 31 that states that the Wood County Planning Commission Office shall review and approve plans for storm and sanitary sewers as well as all other applicable utilities. Mr. Steiner stated that the Planning Commission Office had no authority to approve any type of utility plans and no current staff members were engineers or qualified to properly review utility plans.

Mr. Steiner noted that the Assistant Prosecuting Attorney, Linda Holmes, had mentioned to him issues with the language used for the fence section.

Mr. Mike Androvich, Washington Township Zoning Commission member, stated that the changes came following years of requests from residents, trustees and zoning inspectors. Mr. Androvich noted that the Planning Commission was already listed in the current zoning resolution in regards to approving plans for storm and sanitary sewers, the words "Wood County" were just added before the words "Planning Commission".

Mr. Androvich noted that the Township had a difference of opinion than Ms. Holmes in regards to fence regulations, and that the Township thought fences should be set back from property lines, where Ms. Holmes said they should be directly on the property line. Mr. Androvich noted that the Township would allow a fence to be placed directly on the property line if a written agreement was filed with the Township zoning inspector. Mr. Black noted a problem with fence setbacks could be the small amount of space between two fences, and designating who would be responsible for caring for the area.

Mr. Huber suggested that the topics of water and sanitary sewer be placed in a paragraph separate from storm drainage and that each paragraph should clearly specify which agencies will be responsible for reviewing items.

There being no further discussion, Mr. Kuhlman made a motion that the Planning Commission recommend to Washington Township to accept the text amendments with the caveat that the statement Mr. Steiner mentioned about the Wood County Planning Commission in regards to the review and approval process for storm or sanitary sewers be considered by the Township. Mr. Alexander seconded the motion and commission members responded with a vote of 10 in favor, none opposed, motion carried.

CHAIRMANS TIME

Mr. Black reminded audience members that no action would take place for the River Bend Plats 3-5 agenda item, but stated that now would be the time to allow a discussion of the item.

Mr. Huber provided background information in regards to Plat 2 of Riverbend Subdivision and the open ditch/natural stream that runs through it. Mr. Huber stated that the County Engineer's Office would like the open ditch that runs through plat 2 to be under the County Maintenance Program, and the township would be responsible for maintaining the rest of the storm drainage in the public right of way, as well as anything in the back lot lines or the side lot lines.

Mr. Huber stated that in regards to Plats 3,4 and 5, a meeting had occurred between the Wood County Engineers Office and Mr. George Oravec, and that following the meeting Mr. Oravec decided to withdraw the plat application from the April 2014 Planning Commission meeting. Mr. Huber noted that one of the issues was that the existing ditch was missing from the plat and appeared to be re-connected with the pond.

Mr. Black stated that the reason this item was re-visited was so Planning Commission members had background information when the item was re-submitted. A discussion occurred where audience members were permitted to express their concerns. Most concerns expressed related to the Pond and who the legal owner was, the desire to keep the ditch and drainage out of the pond so it could remain a fishable, swimmable, boat able pond.

Mr. Huber stated that he believed the ponds were designed as retention ponds when the plat was originally designed. Mr. Allion stated that he was the County Engineer when the plat was originally approved and that he believed that the lake system was to be used as detention for all of the drainage for the development going in there, and at the time the developers didn't want the ditch going into the pond and instead chose to temporarily re-routed the ditch.

Following additional discussion of the item, Mr. Black thanked the audience members for their input and moved on with Chairman's time. Mr. Black noted that Planning Commission members should expect an email one week before future Planning Commission meetings and needed to respond to inform Planning Commission staff of whether or not they will be attending the meeting.

DIRECTORS TIME

Mr. Steiner and the staff handed out an updated draft version of the Wood County Subdivision Rules and Regulations and noted that as soon as the Engineer's Office had adopted their updated Site Improvement Manual, the Planning Commission could move forward with adopting the updated Subdivision Rules and Regulations. Mr. Black asked Mr. Steiner what the exact procedure was for approving the new regulations, and if he could provide the members with a bullet list of the procedure at the next meeting. Mr. Steiner stated that he could do that. Mr. Black asked if a plat that had received a preliminary approval before the new regulations were adopted and then requested final approval after the new regulations were adopted, which regulations would be followed. Mr. Steiner stated that he would request a legal opinion from the Prosecutor's Office.

Mr. Steiner noted that the Planning Commission would receive \$181,000 for Block Grant projects this year. Mr. Steiner asked the Planning Commission members if they would like to change the way they review applications, or consider a scoring system next year. Following a brief discussion, Mr. Black suggested that this year the commission review the projects the same way they had in the past, including the matrix of who had received funding in prior years.

There being no further discussion, Mr. Carter made a motion to adjourn the April 1, 2014 Planning Commission meeting. Mr. Black seconded the motion and Commission members responded in full support.