

Wood County Planning Commission
August 9, 2005

The Wood County Planning Commission met in regular session on Tuesday, August 9, 2005 at the County Office Building in Bowling Green. Planning Commission members in attendance were: Anthony Allion, Tim Brown, Jim Carter, Patrick Fitzgerald, Ray Huber, Richard Kohring, Alvie Perkins, Donna Schuerman, and Tom Weidner. Planning Commission staff in attendance was: David Steiner, Kelly Moore, and Cheryl Riffner. In addition to Planning Commission members and staff, 25 guests were present.

Chairman Weidner called the meeting to order. Upon calling the meeting to order, Mr. Steiner stated that a change was reported to the July 2005 Planning Commission Meeting Minutes. Mr. Steiner reported that Mr. Ewald had abstained from a motion to grant preliminary approval to "The Estates of Woyame Woods". With this change noted, Mr. Carter made a motion to approve the July 2005 Planning Commission meeting minutes. Mr. Brown seconded the motion with Commission members in full support.

New Business:

**REVIEW OF THE WOOD COUNTY PLANNING COMMISSION ACTIVITIES
REPORT FOR JULY 2005.**

Mr. Steiner began his review and reported that the Planning Commission had advertised for and received Statements of Qualifications from firms interested in working on the Wood County Comprehensive Land Use Plan update. Mr. Steiner stated a meeting was held to discuss subdivision design standards with Perrysburg Township, the City of Perrysburg, and Wood County Officials. Mr. Steiner reported that a meeting was organized and scheduled for Center, Plain, and Middleton Township officials to discuss and take action on the adoption of a Route 25 Overlay Zoning District. Mr. Steiner stated that FY2003 CDBG Formula Program projects were completed, the FY2004 Formula Program had been amended to replace the Village of Luckey tap-in project with the Village of Weston Waterline project, and the FY2005 Formula Program application had been completed and submitted to the State for the Village of Risingsun to be reviewed. Mr. Steiner reported that a Community Distress Program application was completed and sent to the State for review. Mr. Steiner stated that a request was prepared and submitted to the Ohio Department of Development to use a portion of the Revolving Loan Fund to fund a waterline replacement project in the Village of Bradner, which would allow an industrial operation in the Village to expand. Mr. Steiner reported that necessary semi-annual reports for the revolving loan fund were completed. Mr. Steiner stated that 26 parcel splits and six parcel combinations were completed and 14 rural address locations were issued.

SUBDIVISION – MIDDLETON TOWNSHIP

Riverbend L.L.C. of Northwest Ohio submitted a Re-plat of Riverbend Lakes Plat One for final review and approval. The lots affected by this re-plat were lots 37-38 and Lot C. The re-plat was submitted to correct the rear yard setback lines for lots 37 and 38, which were two of the Villa Lots in the plat.

Mr. Steiner began his review and discussion and stated that the proposed subdivision was located in River Tracts 52, 53, 54, and Lot 17 in Shelton Gardens, in the Northwest corner of Middleton Township. Mr. Steiner reported that the underlying plat was currently zoned R-3 Residential and lands located southeast were zoned A-1 Agricultural, northeast were zoned R-3 Residential and R-3 Planned Unit Development (PUD), Southwest were zoned R-2 Suburban Residential, and lands to the West of the parcel were zoned R-1 Estate Residential. Mr. Steiner stated lands to the North of the parcel were located within Perrysburg Township and were zoned A-1 Agricultural. Mr. Steiner reported the Wood County Comprehensive Land Use Plan had designated the area as Residential.

Mr. Steiner reported that “Riverbend Lakes Subdivision” was extensively reviewed and evaluated by the Planning Commission since the subdivision was initially presented in 2002. Mr. Steiner reported in April of 2005, a re-plat was submitted and reviewed that extended the rear lot line of lots 37 and 38 into the water of the Lot C lake. Mr. Steiner reported the Planning Commission voted to deny the re-plat, and instead, gave the applicants the option to fill some of the rear yard of Lots 37 and 38. Mr. Steiner stated when the lot was filled it extended the physical land area of the lots to a point where they would meet zoning and setback requirements. Mr. Steiner stated the proposed re-plat extended lots 37 and 38 an additional 12’ to meet the 25’ setback from a pond, which met Middleton Township requirements. Mr. Steiner noted the majority of the 30’ setback line was in the water.

When the item was turned over to the planning commission members for review and discussion, Mr. Kohring questioned the difference between the 25’ and 30’ setback. Mr. Steiner stated the 25’ setback was within Middleton Township Zoning Resolution and required any pond or lake to be 25’ from a foundation. Mr. Steiner stated the zoning resolution also required a 30’ rear yard setback. Mr. Dave Saneholtz, Poggemeyer Design Group, stated the houses were built on a strong foundation and would not be affected by the pond. Mr. Saneholtz reported that a rear yard setback was not clearly defined within the Middleton Township Zoning Resolution. Mr. Craig Harris, agent for Riverbend Development, stated a zoning certificate was issued for the property in question and he asked why water was not allowed to be within the rear area of a lot. Mr. Kohring stated the homeowners would be liable for the portion of the lake that they owned. Mr. Huber questioned if the shoreline would be contoured. Mr. Harris stated they would be willing to contour the shoreline and maintain the 25’ rear yard setback. Mr. Fitzgerald questioned if the setback line could be amended. Mr. Steiner stated the setbacks were established by Middleton Township. Mr. Kohring questioned if there was a mistake made by the township. Mr. Brown stated that Phil Richards issued the zoning permit when he should not have. Mr. Tim Swergiz, Prestancia Building Company, reported that Mr. Richards had given him the option to re-plat the lots or obtain a variance from the township. Mr. Fred Berning, engineer, stated if people wanted to live on the water, they needed to pay the insurance no matter where they were located. Ms.

Linda Holmes, Wood County Prosecutors Office, stated Middleton Township had established the setbacks and they were the only ones that could alter them.

When the item was turned over to the Planning Commission members for a motion, Mr. Fitzgerald made a motion to grant final approval to the re-plat of Riverbend Lakes Plat One, which included approval to allow the thirty foot rear yard setback to be located in the water area of Lot C, and the suggestion that the shoreline of lots 37 and 38 be contoured pending the consent of the property owners of lots 37 and 38. Mrs. Schuerman seconded the motion. Commission members responded with a vote of 6 in favor, 2 opposed (Mr. Brown and Mr. Kohring), motion carried.

ZONING – PERRYSBURG TOWNSHIP

McCarthy Builders, Inc. submitted a single-family residential PUD footprint entitled “Emerald Lakes Plat One” for final review and approval. The single family residential PUD would be developed in three phases, and contained a total of 184 lots.

Mr. Steiner began his review and discussion and stated that proposed “Emerald Lakes” PUD footprint was located in the Northwest ¼ of Section 16, Perrysburg Township on the South side of Eckel Junction Road. Mr. Steiner reported that Thompson Road was located approximately three quarters of a mile to the east and Roachton Road was approximately one mile to the south. Mr. Steiner reported the Wexford Subdivision was located to the east of the parcel and the City of Perrysburg was located to the North. Mr. Steiner stated the property was currently zoned R-3 PUD-RS, lands to the South and East were zoned A-1 Agricultural, lands to the West were zoned R-3 Residential, and lands to the North were located in the City of Perrysburg. Mr. Steiner reported the Wood County Comprehensive Land Use Plan had designated the area as a residential area and an employment opportunity corridor. Mr. Steiner noted that land use in the area was primarily residential with commercial uses that occurred to the North. Mr. Steiner stated there were no environmental constraints on the property and all utilities were available to the property.

Mr. Steiner stated the PUD development of “Emerald Lakes” was first presented to the Planning Commission in May of 2004. Mr. Steiner reported that in August of 2005, the Planning Commission gave preliminary approval with conditions that temporary turnarounds needed to be installed on all stub streets, sidewalks installed on Eckel Junction Road, a pedestrian bridge be installed over Eckel Junction Road, and a 2’ anti-access easement was to be placed along Eckel Junction Road. Mr. Steiner stated that all requirements were met and the following improvements were made: 25’ of pavement with back to back curbs and gutters, 60’ of right of way, sanitary sewers, storm sewers, storm water retention-detention ponds, waterlines, all utilities, 8’ utility easements, stub streets, open space, and it was buffered around the perimeter of the PUD. Mr. Steiner stated the PUD footprint met Perrysburg Township’s minimum requirements for a residential PUD development. Mr. Steiner noted that building and pond setbacks met or exceeded the minimum zoning requirements. Mr. Steiner stated one issue with the approval of the plat involved the development standards that the developer needed to meet. Mr. Steiner stated it was revealed that the City of Perrysburg required the developer to adhere to the city standards since the development would be using the City of Perrysburg’s water and sewer lines. Mr. Steiner stated the Wood County Engineer

also required the development to meet Wood County development standards. Mr. Steiner reported that a conflict had arose to whose development standards needed to be followed.

When the item was turned over to the Planning Commission members for review and discussion, Mr. Huber stated the City of Perrysburg standards were more stringent than Wood County standards. Mr. Huber questioned who should sign the plat. Mr. Kohring questioned if it was the county engineers responsibility to sign a plat if it met Wood County standards. Mr. Huber stated that it was. Mr. Kohring stated that as long as the development met Wood County criteria, Mr. Huber should sign the plat, but if the plans didn't meet Wood County requirements than Mr. Huber should not sign them. Mr. Allion stated it was the responsibility of the County Engineer to review plans and see that they meet all set standards. Mr. Allion stated that a plat couldn't be recorded unless it has received a signature from the County Engineer.

When the item was turned over to the Planning Commission members for a motion, Mr. Brown moved to approve the single-family residential PUD footprint entitled "Emerald Lakes". Mr. Fitzgerald seconded the motion with Commission members in full support.

SUBDIVISION – LAKE TOWNSHIP

Lakewood Development, LTD submitted a final plat entitled "Lakewood Plat Two" for review and approval. The final plat consisted of 22 single-family lots and is the second and last phase of "Lakewood Subdivision".

Mr. Steiner began his review and stated that the subdivision was located in the Southwest ¼ of Section 12, Lake Township. Mr. Steiner reported the subdivision was located 350 feet north of the northeast corner of Ayers and Bradner Roads, on the east side of Bradner Road. Mr. Steiner stated Woodville Road was located approximately 900 feet to the north, Fostoria Road was approximately three quarters of a mile to the east, Millbury Road was 1300 feet to the east, and the Eastlawn Subdivision was located directly to the east. Mr. Steiner reported the underlying property was zoned R-2 Residential and that lands to the north, south, east, and west of the proposed subdivision were also zoned R-2 Residential. Mr. Steiner stated the Wood County Comprehensive Land Use Plan had designated the area as a residential area and an expansion area for the Village of Millbury. Mr. Steiner reported that land use in that area was predominately residential, with some commercial uses that occurred along Woodville Road.

Mr. Steiner reported "Lakewood Plat Two" was the second and final phase of the "Lakewood Subdivision". Mr. Steiner stated the Planning Commission had reviewed the subdivision at the May 2002 Planning Commission meeting and granted preliminary approval based on several conditions. Mr. Steiner reported that in December of 2002 the applicants submitted "Lakewood Plat One" for final review and approval. Mr. Steiner noted that all conditions were met and this plat was granted final approval. Mr. Steiner reported the second phase of the plat included the following improvements: streets with 25' of paving, curbs, gutters, 60' of right of way, sidewalks, sanitary and storm sewers, all utilities including water, sanitary sewer, gas, electric, along with all of the necessary utility easements. Mr. Steiner stated the plat had gained approval under the old open space requirements and they were permitted to pay fees in lieu of open space for the

entire plat. Mr. Steiner reported the necessary financial guarantees had been posted in addition to the payment of fees in lieu of open space.

When the item was turned over to the Planning Commission for review and discussion, Mr. Fitzgerald noted that all conditions had been met and he moved to grant final approval to the plat entitled “Lakewood Plat Two”. Mr. Kohring seconded the motion. Mr. Huber questioned where page two of two was and stated that he would like to see all pages of the plat that were submitted for approval. Upon the calling of the vote, Commission members responded in full support.

ZONING – MILTON TOWNSHIP

The Milton Township Trustees submitted a series of amendments to the current Milton Township Zoning Resolution to be reviewed by the Planning Commission members. The amendments included changes to the lot sizes, setbacks, ponds, trees/shrubs, fences, manufactured homes, the definitions section, and the schedule of fees.

Miss Moore began her review and discussion and stated that amendments were submitted to update the current Milton Township Zoning Resolution. Miss Moore stated that the amendments included additions and changes to the content of the resolution in areas that dealt with lot sizes, setbacks, ponds, trees/shrubs, fences, and manufactured homes. Miss Moore reported that a non-traditional accessory building definition and language that related to the schedule of fees had also been submitted.

When the item was turned over to the Planning Commission members for review and discussion, Mr. Carter moved to approve a series of amendments to the current Milton Township Zoning Resolution. Mrs. Schuerman seconded the motion with Commission members in full support.

ZONING – TROY TOWNSHIP

The Troy Township Trustees submitted a set of amendments to the Troy Township Zoning Resolution. The amendments included changes to the manufactured home portion of the resolution, specifically, the requirements that would need to be met to place a manufactured home within Troy Township.

Mr. Steiner began his review and discussion and stated that both the Planning Commission staff and the Wood County Prosecutors Office reviewed the Troy Township amendments. Mr. Steiner stated the amendments dealt specifically with the requirements that needed to be met in order to place a manufactured home in Troy Township. Mr. Steiner reported that the amendments needed to be more specific and that Troy Township would also need to specify where they would appear within the Zoning Resolution.

When the item was turned over to the Planning Commission members for review and discussion, Mr. Kohring questioned if they were discussing manufactured homes or mobile homes. Ms. Holmes stated that only manufactured homes were referenced in the Ohio Revised Code. Mr. Steiner recommended that the amendments needed to be more specific.

When the item was turned over to the Planning Commission members for a motion, Mrs. Schuerman moved to deny the amendments to the current Troy Township Zoning Resolution. Mr. Kohring seconded the motion with Commission members in full support.

Director's Time

Mr. Steiner reported the next meeting would be held on September 6, 2005 at 7:00 p.m. There being no further discussion, the meeting stood adjourned with a motion from Mr. Fitzgerald. Mr. Perkins seconded the motion with Commission members in full support.

Mr. Brown questioned if anyone else had received an opinion regarding the "Duties of the County Engineer" from the Wood County Prosecutors Office dated June 14, 2005. Ms. Holmes stated the opinion was only sent to individuals who had requested it. Mr. Brown stated that he would like to see an opinion of this matter before it is made a public record. Mr. Brown submitted the opinion to Mrs. Riffner so that it could be sent to all Planning Commission members.