

**Wood County Planning Commission**  
**March 7, 2006**

The Wood County Planning Commission met in regular session on Tuesday, March 7, 2006 at the County Office Building in Bowling Green. Planning Commission members in attendance were: Anthony Allion, Tim Brown, Chris Ewald, Patrick Fitzgerald, Ray Huber, Richard Kohring, Donna Schuerman, Alvie Perkins, and Tom Weidner. Planning Commission staff in attendance was: David Steiner and Cheryl Riffner. In addition to Planning Commission members and staff, 11 guests were present.

Chairman Weidner called the meeting to order. Upon calling the meeting to order, Mr. Perkins made a motion to approve the February 2006 Planning Commission meeting minutes. Mr. Kohring seconded the motion with Commission members in full support.

**New Business:**

**ZONING - MIDDLETON TOWNSHIP**

George V. Oravec, agent for Erie Shores Real Estate Ltd., submitted a final plat entitled "Waterville Bluffs on the River" for final review and approval. The proposed residential subdivision contained six (6) single family residential lots and covered approximately 13.4 acres of land.

Mr. Steiner began his review and discussion and stated the subdivision was located in River Tracts 44 and 45 of Middleton Township, located on the north side of Stated Route 65 (River Road). Mr. Steiner stated Forst Road was located approximately 700' ft. to the east of the property, King Road was approximately three quarters of a mile to the south, and the Village of Haskins was approximately one and a half miles to the southeast of the parcel. Mr. Steiner stated the parcel was zoned R-1 Estate Residential and reported that all lands surrounding the parcel were also zoned R-1 Estate Residential. Mr. Steiner reported that land use in the area surrounding the parcel consisted of low to medium density residential uses. Mr. Steiner reported that the proposed lots were not located in an identified Special Flood Hazard Area and stated that the Wood County Comprehensive Land Use Plan had designated the area as a residential area. Mr. Steiner stated that the Planning Commission reviewed and discussed two requests to rezone the property in 2004 and 2005 and stated that 4 residential lots had been created to the east of the proposed subdivision.

Mr. Steiner reported that six residential lots were being proposed and stated that access to the lots would be through a series of shared drives that exited onto State Route 65. Mr. Steiner reported that sanitary sewer and public water were proposed for the subdivision, and noted that sanitary sewer had not yet been extended to the property. Mr. Steiner stated the lot frontages and areas met or exceeded Middleton Township requirements. Mr. Steiner noted plat deficiencies included: 1) no waivers were requested from the Subdivision Rules and Regulations for necessary lot improvements such as sidewalks, 2) no open space or requested for fees in lieu of open space were provided, 3) setbacks were not shown, 4) utility easements were not shown, 5) adjacent property owners were not shown, 6) 2' anti-access easement needed to be placed along State

Route 65, 7) total lot areas were not listed, 8) signature page needed reformatted, and 9) a declaration of restrictions needed to be submitted.

When the item was turned over to Planning Commission members for review and discussion, Mr. Huber questioned if the applicant was requesting final approval. Mr. Steiner stated they were. Mr. Huber stated that the Wood County Engineers Office had not reviewed the plat and reported that he would abstain from the motion. Mr. Huber made a motion to deny the final plat entitled “Waterville Bluffs on the River” based on the fact that a review had not been completed by the Wood County Engineers Office. Mr. Brown seconded the motion. Mr. Oravec, agent for Erie Shores Real Estate, stated that he believed the final plat would be reviewed by the Engineers Office upon submission to the Planning Commission. Mr. Oravec stated that he would like to request a waiver for the sidewalks and requested that a fee in lieu of open space be implemented. Mr. Steiner stated that he would forward the re-submitted final plat to the Wood County Engineers Office for review. Mr. Jim Bostdorff, Middleton Township Trustee, questioned how many lot splits were permitted. Mr. Steiner stated that four minor (under 5 acres) parcel splits were permitted, and reported that once these splits were exhausted, the remaining land needed to be developed as a subdivision. A second part of the motion was to recommend that the plat be re-submitted to the Planning Commission with the following issues addressed and/or problems corrected: 1) A request for waivers from the sidewalk requirements and a request to pay fees in lieu of open space needed to be included in the letter of transmittal when the plat was re-submitted to the Planning Commission, 2) all building setbacks needed to be labeled on all proposed lots, 3) all utility easements needed to be labeled, 4) a 2’ ft. anti-access easement needed to be placed along State Route 65, and 5) the total lot area needed to be shown for each lot. Upon calling for a vote, Planning Commission members responded with a vote of 6 in favor, none opposed, and one abstention (Mr. Ewald), motion carried.

## **ZONING – MIDDLETON TOWNSHIP**

The Middleton Township Trustees submitted a request to approve an Overlay Zoning District located along State Route 25 (North Dixie Highway) and State Route 582 (Middleton Pike) in Middleton Township. An overlay zone acts as a “supplemental zoning district” for specific areas of a political subdivision.

Mr. Steiner began his review and discussion and stated that Middleton and Plain Townships approached the Wood County Planning Commission regarding the establishment of an overlay zoning district in 2004. Mr. Steiner reported that several meetings were held and reported that two example overlay districts were drafted. Mr. Steiner reported that the Middleton Township Route 25 Overlay Zoning District boundaries included parcels with frontage along the State Route 25 right-of-way to a depth of 1,000’ feet from the centerline of the right-of-way. Mr. Steiner stated that a State Route 582 Overlay District would also be included in Middleton Township that would extend 500’ feet in width located along the entire portion of State Route 582 within Middleton Township. Mr. Steiner reported that Middleton Township was located in the northern half of Wood County, between the cities of Bowling Green and Perrysburg. Mr. Steiner reported that zoning along State Route 25 was scattered with primarily commercial and single-family residential uses, and reported that the State Route

25 corridor could potentially face additional pressure for commercial development. Mr. Steiner stated that the portion of State Route 582 that ran through Middleton Township was primarily rural and reported that development along the corridor was anticipated. Mr. Steiner reported some areas that may be regulated included: access, signage, maximum building height, setbacks, lot frontage, landscaping, and architectural standards. Mr. Steiner stated areas that could not be regulated included agricultural uses, any actions or regulations that are prohibited through the Ohio Revised Code, and single-family uses.

When the item was turned over to the Planning Commission members for review and discussion, Mr. Fitzgerald moved to approve the supplemental overlay zoning district along State Route 25 and State Route 582. Mr. Perkins seconded the motion and Commission members responded in full support. Mr. Allion questioned why the depth on State Route 582 only extended 500' feet. Mr. Steiner reported that Middleton Township felt 500' feet was adequate since it was only a two lane highway. Mr. Allion stated that if development were to occur on the State Route 582 corridor that Middleton Township might want to consider extending the depth to 1000' ft. Mr. Allion made an amendment to the motion and recommended that the depth along State Route 582 be increased from 500' feet to 1000' feet from the centerline of the right-of-way. Mr. Fitzgerald seconded the amendment with Commission members in full support.

### **SUBDIVISION – PERRYSBURG TOWNSHIP**

Thomas DuBose & Associates submitted a final plat entitled “Perrysburg Market Center – Plat Three” for review and approval. The plat was part of a larger commercial subdivision of Perrysburg Market Center, which is located on the south side of State Route 20 in Perrysburg Township. The plat that was reviewed as a commercial subdivision consisted of 19 acres of land to be split into three separate commercial lots.

Mr. Steiner began his review and discussion and stated that the proposed plat was part of the Perrysburg Market Center Plat located in Road Tract 3 of Perrysburg Township. Mr. Steiner stated the proposed plat was located at the southwest corner of US Route 20 (Fremont Pike) and Thompson Road. Mr. Steiner reported that the Crossroads of America Shopping Center was located directly to the north of the proposed plat and Lowe’s Home Store was located directly to the west. Mr. Steiner stated that the underlying plat property was zoned C-2 Commercial and reported that lands to the east were zoned C-2 Commercial and A-1 Agricultural, lands to the south were part of the Woodmont Development and were zoned PUD-RS, lands to the west were zoned C-2 Commercial, and lands to the north were located in the City of Rossford and zoned Commercial. Mr. Steiner reported that the Wood County Comprehensive Land Use Plan had designated the area where the proposed plat was located as being in a commercial area and reported that no environmental constraints were present. Mr. Steiner stated that all utilities and improvements were in place.

Mr. Steiner reported that the proposed plat was part of a larger plat entitled “Perrysburg Market Center”, and explained that the applicant had taken one lot of the Market Center Plat and re-platted it into a separate plat of record with three lots. Mr. Steiner stated that Perrysburg Market Center Plat 2 was given the ability to administratively subdivide the lots, which was a procedure that could be completed by

the Planning Commission staff administratively rather than going through the platting procedure. Mr. Steiner reported that the applicant wished to forgo the process and wished to have a plat reviewed for final approval. Mr. Steiner stated that the proposed plat contained approximately 19 acres and contained 3 lots. Mr. Steiner stated that access to the plat was provided by an existing private access drive that emptied out onto Thompson Road. Mr. Steiner reported that the access road was currently used to access Lowe's and Kohl's stores and stated that the access road contained 60' feet of right-of-way and back to back curbs and gutters. Mr. Steiner noted that other utilities such as water, sewer, gas, and electric were already established on the parcel. Mr. Steiner noted that plat deficiencies included: no indication of any retention-detention pond or basin, no indication of storm water drainage, a 2' ft. anti-access easement needed to be installed around perimeter of the plat, sidewalks needed to be installed and shown on the interior roadway, parking areas needed to be depicted, a 25' ft. landscaping easement needed to be provided along the southern portion of the plat the bordered the residential "Woodmont" subdivision, utility easements needed to be depicted, and a declaration of restrictions needed to be provided.

When the item was turned over to the Planning Commission members for review and discussion, Mr. Huber stated that he would abstain from the motion. Mr. Brown stated that the lot lines needed to be delineated better. Mr. Fitzgerald made a motion to grant final approval with the following conditions: 1) A 2' ft. anti-access easement be placed along the entire portion of the plat that bordered Thompson Road, 2) sidewalks needed to be listed on the proposed plat improvements of the final plat, 3) a 25' ft. landscape easement/butter needed to be provided for the southern boundary line of the plat that bordered the Woodmont residential development, 4) a declaration of restrictions needed to be provided to the Planning Commission Office along with the final plat drawing, and 5) financial guarantees in the form of an escrow agreement needed to be posted for the sidewalks. Mrs. Schuerman seconded the motion and Commission members responded with a vote of 7 in favor, none opposed, one abstention (Mr. Huber), motion carried.

## **ZONING – CENTER TOWNSHIP**

Anthony & Cheryl Vetter submitted a request to rezone a portion of an eight acre parcel of land in Center Township from an A-1 Agricultural zoning classification to a C-1 Neighborhood Commercial zoning classification. The purpose of the request was that the applicants wished to construct a commercial structure on the property to house a photography studio.

Mr. Steiner began his review and discussion and stated that the property was located in Section 32 of Center Township on the northeast corner of Kramer Road and County Home Road. Mr. Steiner reported that Interstate 75 was located approximately 500' ft. to the west, U.S. Route 6 was approximately one half mile to the north, and Gypsy Lane Road was approximately one mile to the North. Mr. Steiner reported that the property was currently zoned A-1 Agricultural and reported that land surrounding the parcel was zoned a mixture of Agricultural and Residential. Mr. Steiner stated that there were no environmental constraints on the property and reported that the Wood County Comprehensive Land Use Plan had designated the property as being in an expansion area

for the City of Bowling Green, a residential area, and an employment opportunity corridor. Mr. Steiner reported that utilities were not available to the property and noted that the proposed end use and zoning request would constitute as a “spot zone”. Mr. Steiner stated that Center Township was in the process of updating their zoning resolution and they planned on addressing the issue of “In Home Business”.

When the item was turned over to the Planning Commission members for review and discussion, Mr. Brown questioned if Center Township had amended their zoning resolution. Mr. Steiner stated that Center Township was in the process of updating their zoning resolution and reported that they needed to come before the Planning Commission members for a recommendation. Mr. Kohring questioned when the amendments to the zoning resolution were going to be submitted. Mr. Steiner stated that he was not sure when they would be submitted. Mrs. Schuerman questioned if a variance could be granted. Mr. Steiner stated that the only way to allow the photography studio would be to rezone the property to a C-1 Commercial zoning classification. Mrs. Cheryl Vetter, owner of the property, stated that she felt the Township wanted to grant a conditional use permit for the photography studio under an A-1 Agricultural zoning classification. Mr. Brown questioned who was helping Center Township with the update of their zoning resolution. Mr. Steiner stated that the City of Bowling Green was assisting them with the update. Mr. Ewald stated that any use permitted under a C-1 Commercial zoning classification would be permitted on the property if it was rezoned. Mr. Brown questioned if Center Township could submit only the “in home business” section of the update. Mr. Steiner stated that they could. Mr. Brown stated that he would like to see a conditional use granted rather than a spot zoning. Mrs. Vetter stated that they had been in discussion with Center Township for the last year about this issue. Mr. Weidner stated that he would like to encourage Center Township to submit the “in home business” section of their resolution. Mr. Kohring moved to deny the request based on the fact that it was a spot zone and recommended that Center Township submit an amendment to the “in home businesses” section of their resolution within a period of 60 days. Mr. Perkins seconded the motion. Mr. Allion stated the time period was only a strong recommendation to Center Township. Mr. Fitzgerald questioned if the Planning Commission Office had sample language to provide to Center Township. Mr. Steiner stated that he would provide sample language to the Township. Mr. Kohring stated that Center Township could add photography as a variance. Mr. Steiner stated that a photography use would be probably be considered a conditional use permitted under the in home business section. Upon calling for a vote, Commission members responded with a vote of 7 in favor, 1 opposed (Mr. Ewald), motion carried. Mr. Ewald stated that he was against spot zoning and questioned if a smaller portion of the property could be rezoned. Mr. Ewald questioned where the photography studio would be located. Mr. Vetter stated that the studio would be located on one acre at the north end of the property. Mr. Steiner stated that only one acres of the parcel would be rezoned, not the entire 18 acre parcel. Mr. Brown stated that he would consider rezoning one acre. Mr. Ewald questioned if County Home Road was a dead-end road. Mr. Perkins stated that it was not. Mr. Brown questioned if the motion could be reconsidered. Mr. Steiner stated that a legal description was submitted for the one acre parcel in consideration. Mr. Ewald stated that a motion could be reconsidered. Mr. Weidner stated that a motion was made on the wrong information and felt the motion could be reconsidered. Mr. Vetter asked if

he could sketch the parcel on the map. Mr. Allion questioned if a detached building would be considered an “in home business”. Mr. Steiner stated that Center Township may consider a detached building as a conditional use under the “in home business” section of the zoning resolution that would be heard by the Board of Zoning Appeals. Mr. Ewald asked what the definition of Neighborhood Commercial was. Mr. Steiner stated that permitted uses under a C-1 Neighborhood Commercial zoning included drug stores, beauty salons, barber shops, carryout, dry cleaning, laundry pick-up facilities, hardware, and grocery stores. Mr. Fred Vetter stated that in Middleton Township “in home business” included accessory buildings.

When the item was turned over to the Planning Commission members for a motion, Mr. Ewald made a motion to recommend to Center Township that the Township approve the request to rezone the following part of the 19 acre parcel to a C-1 Commercial zoning classification: starting at the northwest corner of the 19 acre parcel then running 150’ ft. to the east, then 100’ ft. to the south, then 150’ ft. to the west, ending at County Home Road, then 100’ ft. to the north along the centerline of County Home Road. Mr. Brown seconded the motion. Mrs. Schuerman made a motion to reconsider the first motion on the table. Mr. Brown seconded the motion with Commission members in full support. Upon calling for a vote to rezone the property, Commission members responded with a vote of 7 in favor, 1 opposed (Mr. Fitzgerald), motion carried. Mr. Kohring questioned if there would be adequate space for the proposed building and parking. Mr. Brown stated that there was adequate space.

### **Director’s Time**

Mr. Steiner reported that the first meeting was held for the update of the Wood County Comprehensive Land Use Plan. Mr. Steiner questioned if anyone wanted to be involved in the update process. Mrs. Schuerman stated that a summary of the Comprehensive Plan Update meeting could be included in the monthly mailings to Planning Commission members. Mr. Steiner stated that he could report the progress of the Plan update at the Planning Commission Meetings. Mr. Ewald stated that he would like to receive a notice of the meeting dates and a copy of the agenda. Mr. Fitzgerald questioned how to get the public engaged in the update process. Mr. Steiner stated that several public meetings were going to be held throughout the county. Mr. Brown questioned if there should be a facilitator at the meetings. Mr. Steiner stated that Poggemeyer could be a facilitator. Mr. Steiner stated that he could see if someone at Bowling Green State University would be interested. Mr. Ewald questioned if a press release could be done. Mrs. Larson, Sentinel Tribune, stated that Mr. Steiner could contact the Sentinel Tribune for a story. Mr. Allion stated that babysitting could be offered at the meetings. Mrs. Riffner stated that the Comprehensive Plan Update members had strongly expressed a need for representation by the Planning Commission members. Mr. Weidner stated that three Planning Commission members could be assigned to a specific meeting. Mr. Steiner stated the next Comprehensive Plan Update meeting would be held on April 19, 2006 at 5:00p.m. Mr. Steiner stated that he would send a notice to the Planning Commission members. There being no further business, the meeting stood adjourned with a motion from Mr. Allion. Mrs. Schuerman seconded the motion with Commission members in full support.