



**WOOD COUNTY PLANNING COMMISSION
AGENDA**

September 6, 2011

5:30 PM

The Wood County Planning Commission will meet in regular session on Tuesday, September 6th, 2011 at the County Office Building in Bowling Green. The time of this meeting is **5:30 p.m.** A suggested agenda follows:

Approval of the August 2011 Planning Commission Meeting Minutes

WOOD COUNTY PLANNING COMMISSION STAFF ACTIVITIES REPORT

Staff activities for July and August 2011 will be reviewed

MIDDLETON TOWNSHIP – ZONING

The Middleton Township Zoning Commission has submitted a series of text amendments to the current Middleton Township Zoning Resolution. The Resolution was entirely updated and submitted for review and approval in early 2011. The Planning Commission recommended approval of the new text and the Middleton Township Trustees ultimately approved the new text. After implementation, a few minor inconsistencies, omissions and errors were discovered. These errors and omissions are now being addressed. Specifically, eve line setback lengths, side and front yard requirements in B-1 Districts, sign enforcement, setback distances from established public drainage ditches, as well as changes to the pond section are being presented for review and approval.

MIDDLETON TOWNSHIP - TOWNSHIP

George Oravec of Orvaecz and Associates on behalf of the Diocese of Toledo has submitted a request to rezone approximately twenty (20) acres of land in Section 24 of Middleton Township from an A-1 Agricultural Zoning Classification to an R-3 Residential Zoning Classification. The reason for this request as stated on the application is that the owner wishes to sell the property to a developer who will then develop a residential subdivision on the property. The property is located on the north side of Five Point Road, Fort Meigs Road is located approximately 1300 ft. to the east, Roachton Road is one mile to the north, the Brookhaven Development is located to the southeast of the parcel, and the westerly boundary of the City of Perrysburg is located directly east of the parcel. The Wood County Land Use Plan has designated the area where the parcel is located at as being in an Urban Small Town Expansion Area.

CHAIRMAN'S TIME

DIRECTOR'S TIME

ADJOURNMENT

Please make plans to attend!

ITEM # 1 – MIDDLETON TOWNSHIP ZONING

Applicant(s)

Middleton Township Zoning Commission

P.O. Box 206
Haskins, OH 43525

Proposal

Applicant has submitted a series of text amendments to the current Middleton Township Zoning Resolution. The Resolution was entirely updated and submitted for review and approval in early 2011. The Planning Commission recommended approval of the new text and the Middleton Township Trustees ultimately approved the new text. After implementation, a few minor inconsistencies, omissions and errors were discovered. These errors and omissions are now being addressed. Specifically, eave line setback lengths, side and front yard requirements in B-1 Districts, sign enforcement, setback distances from established public drainage ditches, as well as changes to the pond section are being presented for review and approval.

Attachment

A. Proposed Amendments

Staff Analysis

As stated in the proposal section, the amendments in question consist of small items that were omitted when the final document was drafted, or were incorrectly drafted at the time of adoption.

The items being proposed include: requiring that an eave building projection can only extend two and a half feet into a required yard setback, the minimum front yard depth in a B-1 Commercial Zone be changed from 30 ft. to 10 ft., the minimum width of the side yards in B-1 zoning districts be 10 ft., and the minimum sum of these side yards be 20 ft. In R-2 Residential Districts, dwellings with less two stories must have a minimum ground floor of 1,350 sq. ft. per family and if there are two or more stories, the minimum ground floor area per family is 900 sq. ft. and total overall figure for the whole dwelling of 1,200 sq. ft. For publicly established drainage ditches, a set back of forty feet (40 ft.) from the top of the nearest bank must be maintained. All zoning certificate fees are now non-refundable and the Zoning Inspector may remove a sign in the township if it proves to be hazardous. The sign may become property of the township, and the landowner can be assessed for the removal fees. Lastly, Middleton Township chose to adjust their language for private swimming pools. The township chose to make them accessory uses with the conditions that the pool be used for the enjoyment of the occupants of the principal use of the property where the pool is located, it may not be located any closer than ten (10) feet from any property line, and for in ground pools, a fence is needed either around the pool or around the property that is a minimum of four feet high in order to help prevent unwanted access by children from adjacent properties.

Staff Recommendation

As stated earlier in the summary for this item, the items Middleton Township have submitted are minor ones that for whatever reason didn't get incorporated into the new text.

None of the proposed changes appear to be in conflict with the Ohio Revised Code and all appear to have been discussed by the Zoning Commission. Given this, it is the recommendation of the Wood County Planning Commission Staff that the Planning Commission recommend to Middleton Township that the Township approve these amendments.

ITEM # 2 – MIDDLETON TOWNSHIP ZONING

Applicant(s)

Oravec and Associates

5333 Secor Rd., Unit Two
Toledo, OH 43623

Bishop Leonard Paul Blair

1933 Spielbusch Avenue
Toledo, OH 43604

Proposal

George Oravec of Oravec and Associates on behalf of the Diocese of Toledo has submitted a request to rezone approximately twenty (20) acres of land in Section 24 of Middleton Township from an A-1 Agricultural Zoning Classification to an R-3 Residential Zoning Classification. The reason for this request as stated on the application is that the owner wishes to sell the property to a developer who will then develop a residential subdivision on the property.

Location

The property is located on the north side of Five Point Road, Fort Meigs Road is located approximately 1300 ft. to the east, Roachton Road is one mile to the north, the Brookhaven Development is located to the southeast of the parcel, and the westerly boundary of the City of Perrysburg is located directly east of the parcel.

Land Use and Zoning

The property is currently zoned A-1 Agricultural. Lands to the north, south and west are also zoned A-1 Agricultural. Lands to the east are located in the City of Perrysburg. The Wood County Land Use Plan has identified the area where the parcel is located as being in an Urban – Small Town Expansion area. In regards to environmental constraints, there are no floodplains or wetlands on the property. Utilities are available from both the City of Perrysburg and the Northwestern Water and Sewer District. Utilization of these utilities regardless of the source would likely require annexation into the City of Perrysburg as the area is outside of the 99 year annexation agreement area between the City of Perrysburg and Middleton Township.

Attachments

B. Location Map

Staff Analysis

As stated in the proposal, the reason for this request is that the owners of the subject parcel (The Toledo Diocese) wish to sell the property to a developer who would then develop a residential subdivision on the parcel similar in character and nature to that of the Brookhaven Subdivision which is located to the southeast of the parcel in the City of Perrysburg.

The parcel is currently zoned A-1 Agricultural. Lands to the north, south, and west are also zoned A-1 Agricultural. Lands to the east of the parcel are located in the City of Perrysburg. Land use in the area is primarily low to medium density residential. There are a scattering of residential subdivisions in the surrounding area including the Brookhaven Subdivision, as well as the Hull Prairie Meadows and Saddlebrook Developments located to the west of the parcel. The Comprehensive Land Use Plan has designated this parcel as being in an urban, small town expansion area, and there are no environmental constraints on the parcel such as floodplains or wetlands.

In regards to utilities, both the City of Perrysburg and the Northwestern Water and Sewer District have utilities running past the parcel. Regardless of what utilities would be used, annexation into the City of Perrysburg would be required.

Staff Recommendation

The zoning classification being sought by the applicants is not incompatible with what is currently in the area around the parcel. In addition, this type of end use (medium density residential) is likely what will occur in this area in the next fifteen to twenty years.

The main issue then is with annexation. From a planning standpoint, it doesn't make a great deal of sense to rezone a parcel of land under Middleton Township's R-3 Residential Zoning Classification if the parcel will end up being annexed into the City of Perrysburg as soon as development begins on the parcel. It is far more logical for the applicants to annex the parcel first, and then apply for rezoning under the City of Perrysburg. This would ensure that the zoning designation ultimately given to the parcel would be compatible with the City's master plan.

Given this, it is the recommendation of the Wood County Planning Commission Staff that the Planning Commission recommend to Middleton Township that the Township deny this request.