

Meeting Minutes
Wood County Planning Commission
December 6, 2016 @ 5:30pm

The Wood County Planning Commission met in regular session on Tuesday, December 6, 2016 at the County Office Building in Bowling Green. Planning Commission staff in attendance was David Steiner and Katie Baltz. 4 guests were in attendance

Chairman Black called the meeting to order.

Roll Call

John Alexander-Present, Tony Allion-Present, Rob Black-Present, John Brossia-Present, Doris Herringshaw-Absent, Ray Huber-Present, Joel Kuhlman-Absent, Craig Lahote-Absent, Donna Schuerman-Present, Leslee Thompson-Present, David Wirt-Present.

Mr. Alexander made a motion to approve the October 4, 2016 Planning Commission meeting minutes, Ms. Thompson seconded the motion. Commission members responded in full support.

Unfinished Business

New Business

Staff Activities Report

Mr. Steiner stated that staff activities would be reviewed at the January 2017 meeting.

ZONING – TROY TOWNSHIP

Mr. Steiner stated that Troy Township had submitted a series of zoning text updates and changes to their landscaping and buffering requirements.

Mr. Allion stated that in Section 8.03.02 “deciduous tress” should be changed to “deciduous trees”. Mr. Allion and Mr. Huber stated Section 10.05.04 should be corrected to read: “Signs to be in compliance with Ohio Manual of Uniform Traffic Control Devices.

Mr. Allion made a motion recommend that Troy Township approve the zoning amendments with the changes that were recommended, Ms. Schuerman seconded the motion, Commission members responded in full support.

ZONING – LIBERTY TOWNSHIP

Mr. Steiner stated that a Mr. Tony Wulff had requested that a 1.09 acre parcel of land in Section 2 of Liberty Township be rezoned from an A-1 Agricultural Zoning Classification to an R-2 Zoning Classification.

Mr. Steiner stated that the purpose of the request was that the applicants desired to convert an existing structure on the parcel being used as a migrant housing facility to a multi-family apartment building.

Mr. Steiner stated that the parcel was located in Section 2 of Liberty Township on the east side of Rudolph Road between Kramer and Portage Roads. Mr. Steiner stated that the parcel consisted of 1.09 acres of land.

Mr. Steiner stated that the parcel was currently zoned A-1 Agricultural and all lands surrounding the parcel were also zoned A-1 Agricultural. Mr. Steiner noted that land use in the area was agricultural and low density residential.

Mr. Steiner stated that the subject parcel was currently served by sanitary sewer, and water was available to the south on Powell Road. Mr. Steiner noted that there were no floodplains or wetlands in the area, and that the Wood County Land Use Plan had designated this parcel as being located in an urban – small town expansion area.

Mr. Steiner stated that the Planning Commission would only make a recommendation to Liberty Township and noted that any R-2 use would be allowed if the zoning were changed.

Mr. Steiner stated that a multi-family use currently existed on the property because it was constructed under the requirements of the Ohio Department of Agriculture. Mr. Steiner stated that the requirements of using this property for migrant housing did not require a rezoning of the underlying property. Mr. Steiner stated that Migrant housing was regulated by the Ohio Department of Health and constructed by the Ohio Department of Agriculture.

Mr. Steiner stated that the main issue with this proposal would be the issue of spot zoning.

The applicant, Tony Wulff, stated that there was public water servicing the property. Mr. Huber asked what was allowed under the R-2 Zoning Classification. Mr. Steiner listed all of permitted and conditional uses allowed under an R-2 Zoning Classification.

Ms. Schuerman asked the applicant what would happen if the property is not rezoned. Mr. Wulff stated that the property could go vacant because the industry they are involved in is experiencing labor supply issues.

Mr. Wirt asked how many units were in the building. Mr. Wulff stated that there were 8 units available, and that they were looking at all of their options. Ms. Schuerman and Mr. Wirt stated that there was a risk of this property becoming a dilapidated property if it were to become vacant.

Mr. Kuhlman entered the meeting at 6:40 PM.

Mr. Huber asked if the Planning Commission was supposed to consider the rezoning request without considering the end use being proposed. Mr. Steiner stated that yes, Mr. Huber was correct. Mr. Huber stated that this request appeared to be a spot zone situation and made a motion to recommend that Liberty Township deny the request to rezone the property.

Mr. Alexander seconded the motion. Mr. Alexander noted that Ohio law was unclear on spot zoning and generally spot zoning would be seen in cases when an industrial or commercial use was proposed in a residential area. Mr. Alexander stated that he thought that spot zoning had been seen as unconstitutionally discriminatory to surrounding properties. Mr. Alexander stated that he wasn't entirely convinced that this was a spot zoning situation since it involved A-1 and R-2 zoning districts. Mr. Steiner stated that he was not an attorney, but that he had interpreted the Prosecutors Office's guidance as being that if the rezone involved a parcel over 20 acres that it would not be considered a spot zone situation. Mr. Alexander stated that the definition of spot zoning was vague.

Ms. Schuerman stated that the building already existed and that the alternatives for the property were not good if the zoning for property was not changed.

Mr. Black took a vote on the motion to recommend that Liberty Township deny the rezoning request; 5 in favor (Mr. Alexander, Mr. Allion, Mr. Brossia, Mr. Huber, Ms. Thompson), 2 opposed (Mr. Wirt, Ms. Schuerman), Mr. Kuhlman abstained , motion carried (Mr. Black's vote was not counted).

LAND USE PLAN UPDATE

Ms. Emily Crow of McBride Dale Clarion presented the latest version of the draft Land Use Plan to the Planning Commission Members. Ms. Crow reviewed the Summary Booklet of the plan that contained descriptions of the guiding principles, development types and contained a map of the Land Use Management Areas. Ms. Crow presented the Implementation Work Plan to the Commission and stated that it could be viewed as a short list of items to help advance the plan recommendations to the next point.

Throughout and following the presentation, there were brief discussions about the plan and questions or concerns.

CHAIRMAN'S TIME/COMMISSION MEMBERS' TIME

Ms. Schuerman stated that the nominating committee had nominated Mr. Alexander to be Chairman for 2017, Mr. Wirt to be Vice Chairman and Mr. Allion to be Secretary. Mr. Steiner stated that Ms. Baltz had been Secretary in 2016. Mr. Schuerman stated that Ms. Baltz would be secretary in 2017. Mr. Black stated that the officers would be voted on in January, 2017.

Mr. Huber stated that he would like to voice a concern with an issue with the Village at River bend subdivision regarding connectivity. Mr. Huber stated that in March 2016, Mr. Feller had stated that the intention would be to make a connection to Waterville Drive in the Riverbend subdivision after Plat 1 was built and when the Grey Birch Court cul de sac was constructed, which was the 3rd cul de sac.

Mr. Huber stated that that at the meeting prior, the February 2016 meeting minutes stated that Mr. Black stated that "the Planning Commission would require the future Plat 2 to show definitely where the connectivity would be made". Mr. Huber stated that Plat 2 now corresponded to Plat 4 in the preliminary drawing, and questioned how connectivity would be addressed for the next plat at the Village at River bend.

Mr. Huber stated that there was confusion and stated for the record, that he hoped it could be clarified before Mr. McCarthy brought in another plat. Mr. Huber stated that he would be happy to work with Planning Commission members to go through the minutes and try to resolve the issue.

Mr. Steiner stated that a traffic study must be performed before another plat at the Village at River bend could be considered for approval.

DIRECTOR'S TIME

Mr. Steiner stated that the final open house for the land use plan would be December 7th at the Wood County library at 6:30. Mr. Steiner stated that the next Planning Commission meeting would be on January 3, 2017.

Ms. Baltz thanked Mr. Huber for his years of service on the Planning Commission board.

There being no further items of business, Mr. Kuhlman made a motion to adjourn the December 6, 2016 Planning Commission Meeting. Mr. Huber seconded the motion, Commission members responded in full support, meeting adjourned.