



Wood County
Planning Commission
WCPC

**WOOD COUNTY PLANNING COMMISSION
AGENDA
June 6th, 2017 at 5:30 PM**

The Wood County Planning Commission will meet in regular session on Tuesday, June 6th, 2017 at the County Office Building in Bowling Green, Ohio. The time of this meeting is 5:30 pm. A suggested agenda follows:

OLD BUSINESS

The Village at Riverbend Plat 2

This item was tabled at the May 2017 meeting until a traffic study could be submitted. This has been done and the applicants are hoping to have official action taken on this item.

NEW BUSINESS

Approval of the May 2017 Planning Commission Meeting Minutes.

WOOD COUNTY PLANNING COMMISSION STAFF ACTIVITIES REPORT

Staff activities for May will be reviewed.

ZONING - PLAIN TOWNSHIP

A Mr. Chris Rutter has submitted an application to rezone three (3) parcels of land totaling approximately 3.19 acres in Plain Township from an R-2 Residential zoning classification to a Commercial zoning classification. The applicant currently has a legal non-conforming commercial business on the parcels and wishes to have them rezoned so that the zoning matches the current use.

ZONING - MIDDLETON TOWNSHIP

A Timothy L. Sheline Trustee wishes to rezone approximately 4.5 acres of land in Section 16 of Middleton Township from an R-3 Residential zoning classification to an A-1 Agricultural zoning classification. The applicant would like to remove the residential zoning with the purpose of pursuing small scale organic farming.

ZONING - MIDDLETON TOWNSHIP

The Middleton Township Zoning Commission has submitted a series of text amendments which they wish to add to their existing zoning resolution. Said amendments consist of changes to the Township's sign and site plan requirements.

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ZONING - TROY TOWNSHIP

The Troy Township Zoning Commission has submitted a series of text amendments to the current Troy Township Zoning Resolution. Said amendments address signs.

ZONING – CENTER TOWNSHIP

The Center Township Zoning Commission has submitted a series of amendments to the current Center Township Zoning Resolution. Said amendments consist of adopting a new cover page for the existing resolution, solar panel regulations, and non-traditional accessory structures.

PUBLIC FORUM

CHAIRMAN’S/COMMISSION MEMBER’S TIME

DIRECTOR’S TIME

Discussion of plat documents needed for plat submittal.

ADJOURNMENT

Please make plans to attend!

ITEM # 1 – ZONING – PLAIN TOWNSHIP

APPLICANTS

Chris Rutter
14850 Sand Ridge Road
Bowling Green, OH 43402

PROPOSAL

Applicant currently operates an asphalt company on the subject parcel. To date, the existing use exists as a legal non-conforming use. Applicant wishes to have the existing business in compliance with the Plain Township zoning map – resolution.

LOCATION

The subject parcel is located on the north side of Sand Ridge Road. Mitchell Road is located approximately 1,035 feet to the west and U.S. Route 6 is located approximately 775 feet to the south. The Deer Hollow Subdivision is located approximately 1,990 feet to the east and located within the City limits of Bowling Green.

LAND USE AND ZONING

The subject parcel is currently located within an existing cluster of homes and businesses. The entire existing properties including the subject parcels are zoned R-2 Residential. Land use on the property is a mixture of residential and commercial – industrial uses. The commercial and industrial uses exist as legal non-conforming uses as they were in operation prior to zoning being enacted in Plain Township. There are no floodplains or wetlands on the property. There is no public water or sewer or water, but there is a possibility of the extension of utilities from the Deer Hollow Subdivision which would be up to the City of Bowling Green’s discretion. The Wood County Land Use Plan has designated the area where the parcel is located at as being in a growth management area.

ATTACHMENTS

1-A: Location Map

STAFF ANALYSIS

This item is a somewhat unusual item in that the type of zoning the applicant is requesting is already occurring on the parcel as a legal non-conforming use. A legal non-conforming use is a use that existed prior to zoning being enacted. It is, for lack of a better term, “grandfathered” in.

Listed below are Plain Township’s provisions for legal non-conforming uses:

1. Legal non-conforming uses lose their legal status in the case of abandonment of the use(s) for more than two (2) years.
2. If destroyed by fire, public enemy, accident, or the elements, the uses(s) can be rebuilt if done within two (2) years of the incident. If rebuilding occurs, the owner will make the best effort to ensure that the structure(s) associated with the existing use(s) conform as much as possible to the current setbacks, etc.

3. Any building, structure, or land area devoted to the legal non-conforming use at the time the zoning resolution takes effect cannot be altered or expanded more the 25% of the original area devoted to the original use. If the expansion or alterations exceed the 25% threshold, the owner must rezone the property to the proper zoning classification and follow the requirements set forth in that district.

As eluded to in the first paragraph, the subject parcel exists as a legal non-conforming use in an area zoned R-2 Residential. There are existing commercial and industrial legal non-conforming uses existing alongside residential uses. The core issue that arises is spot zoning. While the current land use is incompatible with the residential uses in the adjoining area, it is legal. If rezoned to Commercial, it becomes a spot zone. The applicant is still held to the 25% percent expansion and alteration rule, so if the applicant is looking to expand, they may need to rezone anyhow.

STAFF RECOMMENDATION

As detailed in the analysis section, this item is somewhat strange and difficult to make a solid decision on. The zoning classification the applicant seeks already exists on their parcel as a legal non-conforming use. If it is rezoned, than it technically is a spot zone in that the commercial zoning classification would exist along with residentially zoned uses.

It is the opinion of the Planning Commission Staff that unless the applicant is looking to expand their current footprint more than the 25% percent level, the Planning Commission recommend to Plain Township that the Township deny the rezoning request and allow it to continue as a legal non-conforming use.

ITEM # 2 – ZONING – MIDDLETON TOWNSHIP

APPLICANT(S)

Timothy L. Sheline Trust

MAILING

16529 Green Road
Bowling Green, OH 43402

LOCATION

10295 Maple St.
Perrysburg, OH 43551

PROPOSAL

Applicants wish to rezone approximately 4.5 acres of one parcel of land from an R-3 Residential Zoning Classification to an A-1 Agricultural Zoning Classification. (The parcel is 27.27 acres in total size). The reason for the zoning change as stated on the application is to eliminate residential zoning for the purpose of small scale organic farming.

LOCATION

The property being rezoned is the northern 4.5 acres of a 27.27 acre parcel of land in the unincorporated Village of Dowling, being Section 16 of Middleton Township. More specifically, the land is located on the south side of Maple Street, approximately 380 feet south of Dowling Road, and approximately 1600 feet west of Carter Road.

LAND USE AND ZONING

The property currently holds two different zoning classifications. The northern 4.5 (approximate) acres of land are zoned R-3 Residential, and the Southern 22.75 acres (approximate) are zoned A-1 Agricultural. Lands immediately north, east and west of the property are zoned R-3 Residential. Expanding further outward, the lands in the surrounding area are zoned A-1 Agricultural.

The New Wood County Land Use Plan has designated the area where the parcel is located at as a rural management area. The property does not have floodplains or wetlands. Public utilities are not available to this property.

ATTACHMENTS

2-A. - Location and Zoning Map

STAFF ANALYSIS

The applicant's proposal is to rezone approximately 4.5 acres of land from an R-3 Residential Zoning Classification to an A-1 Agricultural Zoning Classification. The applicant desires to remove the residential zoning classification and hopes to pursue small scale organic farming.

The northern 4.5 acres are currently zoned agricultural, and the rear 22.75 are currently zoned Agricultural. Surrounding properties are zoned R-3 Residential and A-1 Agricultural. Removing the residential zoning would allow the entire 27.27 acre parcel to be zoned A-1 Agricultural.

The Wood County Land Use Plan has designated the area where the parcel is located at as a rural management area. The property does not have floodplains or wetlands on the property. Public utilities are not available to this property.

STAFF RECOMMENDATION

Given the parcel's location which adjoins other agriculturally zoned parcels, the size of the parcel, and the Wood County Land Use Plan's designation of this area as a rural management area, an A-1 Agricultural land use is a fitting use of the land.

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

ITEM #3 - ZONING – MIDDLETON TOWNSHIP

APPLICANTS

Middleton Township Trustees
21745 N. Dixie
Bowling Green, OH 43402

PROPOSAL

Middleton Township has submitted a new text amendment that they wish to place into their existing zoning resolution. Said amendment consists of a rough guide to what the Township needs to have submitted to them in order to conduct a proper site survey. This section also lists where these requirements can be found within the existing Middleton Township Zoning Resolution. The Township has stated that this list is not intended to be a comprehensive guide, but a reference.

ATTACHMENTS

3-A: Proposed language

STAFF ANALYSIS

The language as presented appears to be effective in regards to what they are trying to achieve. As noted, it is a reference designed to make the site plan preparation and review process more user friendly. This is achieved by giving applicants a reference of where they need to go within the Resolution to find the requirements they need to adhere to.

STAFF RECOMMENDATION

It is the recommendation of the Wood County Planning Commission Staff that the Planning Commission recommend approval of this item to Middleton Township.

ITEM # 4 - ZONING – TROY TOWNSHIP

APPLICANTS

Troy Township Zoning Commission
6505 Five Point Road
Perrysburg, OH 43551

PROPOSAL

The Troy Township Zoning Commission has submitted a new section to their current signage requirements as well as some housekeeping items.

ATTACHMENTS

4-A: Text amendments

STAFF ANALYSIS

The items Troy Township has submitted are housekeeping items done to correct errors in wording and labeling in their existing resolution. The new addition to their sign section also adds provisions for signs located in areas of the Township zoned Agricultural.

STAFF RECOMMENDATION

These items are fairly minor changes and have been submitted to correct existing errors. The sign section is a good addition as well since it sets a limit on the size of a sign that is allowable in an area zoned Agricultural. Given this, the Planning Commission Staff recommends to the Planning Commission that they recommend approval of this item to Troy Township.

ITEM # 5 - ZONING CENTER TOWNSHIP

APPLICANTS

Center Township Zoning Commission
9986 Bowling Green Road East
Bowling Green, OH 43402

PROPOSAL

Center Township has resubmitted three (3) text amendments to their current Zoning Resolution. These items had previously come before the Planning Commission and were subsequently approved. Somewhere in the rezoning process, Center Township did not follow proper procedures and the Planning Commission actions were null and void. In light of this, the Township has resubmitted the amendments. Said amendments involve solar panels, setting the official date of the current zoning resolution, and provisions for non-traditional accessory buildings.

ATTACHMENTS

5-A: Text amendments

STAFF ANALYSIS & RECOMMENDATION

As these items have already been granted approval, the Planning Commission staff recommends the Planning Commission recommend approval of these amendments to Center Township. One item the Director noted the first time when the non-traditional accessory building language was proposed involved the time frame that a non-traditional accessory use can occur. A period of twelve (12) months is proposed. The Township will have to be diligent in making sure this timeframe is enforced.