

Meeting Minutes
Wood County Planning Commission
November 7, 2017 @ 5:30pm

The Wood County Planning Commission met in regular session on Tuesday, November 7, 2017 at the County Office Building in Bowling Green, Ohio. Planning Commission staff in attendance was David Steiner and Katie Baltz. 4 guests were in attendance.

Chairman Alexander called the meeting to order.

Roll Call

Tony Allion-Present, Rob Black-Present, Theodore (Ted) Bowlus-Present, John Brossia-Absent, Doris Herringshaw-Absent, Craig LaHote-Present, John Musteric-Present, Donna Schuerman-Absent, Leslee Thompson-Absent, David Wirt-Present, Chairman John Alexander-Present.
(Ms. Herringshaw entered the meeting at 5:40 P.M.)

Mr. Black made a motion to approve the agenda for the November 7, 2017 Planning Commission meeting, Mr. Allion seconded the motion, Commission members responded in full support.

Old Business

New Business

Mr. Black made a motion to approve the August 2017 Planning Commission meeting minutes, Mr. LaHote seconded the motion. Commission members responded in full support.

Staff Activities Report

Mr. Steiner read a list of activities that had been completed from the staff activities report for the month of October.

SUBDIVISION - PERRYSBURG TOWNSHIP

ESA Engineers had submitted a final plat entitled "Eckel Trace Plat 5" for review and approval.

Mr. Steiner stated that Plat 5 was a continuation of the existing Eckel Trace subdivision and that this was the fifth portion of the development. Mr. Steiner stated that this plat contained eleven (11) lots covering a total of 4.247 acres of land.

Mr. Steiner stated that the plat was located in the existing Eckel Trace subdivision on the southeast corner of State Route 199 and Eckel Junction Road. Eckel Trace Plat 6 was located to the east of the plat, Eckel Junction Road was to the north, an unplatted residence and Eckel Trace Plat 6 was located to the south. Mr. Steiner stated that the plat would be accessed by the extension of the existing Bay Trace Drive and said extension would terminate into a cul de sac bulb.

Mr. Steiner stated that the proposed plat was zoned R-3 Residential, lands to the west and south were zoned A-1 Agricultural, lands to a portion of the south were zoned R-3 Residential,

and lands to the north were in the City of Perrysburg and were zoned R-3 Single Family Residential. Mr. Steiner noted that the Wood County Future Land Use Plan had the area where the plat was located as being in an enhancement area. Mr. Steiner stated that there were no floodplains or wetlands at the site, and all utilities were available.

Mr. Steiner stated that there had been errors found by the Director including the following scrivener errors: the distance from the top of the bank of the detention pond to the right of way of State Route 199 was not depicted on the plat drawing, the area of Lot A, an open space lot was not shown, the easement width along the detention pond wasn't shown, and the Auditor's name on the title – signature page needed changed from Michael Sibbersen to Matthew Oestreich.

Mr. Steiner stated that there was concern with the easement widths going to the detention pond. Mr. Steiner stated that the width of the easement (16 ft.) was in compliance, but may not be wide enough.

Greg Boudouris with ESA Engineers stated that they could widen the easement to 20 feet around the pond. Mr. Boudouris stated that the pond was built years ago before the current developer bought it.

Mr. Musteric asked if there was a minimum distance required between a Right of Way and a top of bank in Perrysburg Township. Ms. Hemminger, Perrysburg Township Zoning Administrator, stated that she wasn't aware of such a requirement for rights of way and top of bank.

Mr. Musteric stated that there was a concern about gaining access to the north and to the west for maintenance, and wasn't sure if 20 feet would be enough.

Ms. Herringshaw entered the meeting at 5:40.

Mr. Black asked if there would be a Home Owners Association (HOA). Mr. Boudouris stated that this plat would become part of the existing HOA. Mr. Boudouris stated that they could widen the rear lot easements where existing pipe is located and also along the back.

Mr. Black stated that real estate agents should be responsible for informing buyers of the easements on the property.

Mr. Black asked Mr. Boudouris how many feet the applicant could commit to for drainage easements on each side. Mr. Boudouris stated that they could commit to the 12 ½ feet on each side.

Mr. Black made a motion to approve the final Plat Eckel Trace Plat 5 once easement widths going to the detention pond were changed to 12 ½ feet on each side. Mr. Bowlus seconded the motion. Mr. Alexander called for a vote.

Tony Allion-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Absent, Doris Herringshaw-Yes, Craig LaHote-Yes, John Musteric-Yes, Donna Schuerman-Absent, Leslee Thompson-Absent , David Wirt-Yes, John Alexander-Yes , motion carried.

SUBDIVISION - MIDDLETON TOWNSHIP

ESA Engineers had submitted a final plat entitled "Saddlebrook Plat 16" for review and approval.

Mr. Steiner stated that this was the sixteenth phase and final plat of the Saddlebrook Development. Mr. Steiner stated that Plat 16 contained ten (10) single family residential lots that covered approximately 3.662 acres (when including right of way, streets, etc.).

Mr. Steiner stated that the proposed plat was located in the south central part of the existing development and that Saddlebrook Plat 14 was directly to the east, and Saddlebrook Plat 18 was located directly to the west. Mr. Steiner stated that the plat of Hull Prairie Meadows Plat Two was located directly to the south of the proposed plat, Riva Ridge Court would connect the plats when completed, and that Saddle Horn Drive would connect the proposed plat to the rest of the Saddlebrook Development.

Mr. Steiner stated that the underlying plat parcel was zoned R-3 Residential and that all surrounding lands with the exception of lands to the south were also zoned R-3 Residential. Mr. Steiner stated that Lands to the south were located in the Hull Prairie Meadows subdivision and were zoned R-3 PUD. Mr. Steiner stated that all utilities were available to the plat, and the major infrastructure was either already present, or would be expanded to serve the plat.

Mr. Steiner stated that scriveners errors found consisted of the wrong name for the Wood County Auditor, which needed to be Matthew Oestreich, and the outlines of the plat location map delineating Plat 16's location in the overall development, along with the plat boundary lines needed to be darker.

Mr. Musteric stated that on the south end of Riva Ridge, 2 sets of monuments were shown in detail B on the drawing. Mr. Boudouris stated that there was a deflection point in the road, and that monuments were to be on the Saddlebrook side.

There being no further discussion, Mr. Allion made a motion to approve the final plat Saddlebrook Plat 16 with the condition that corrections be made, Ms. Herringshaw seconded the motion, Mr. Alexander called for a vote.

Tony Allion-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Absent, Doris Herringshaw-Yes, Craig LaHote-Yes, John Musteric-Yes, Donna Schuerman-Absent, Leslee Thompson-Absent , David Wirt-Yes, John Alexander-Yes , motion carried.

ZONING – PERRYSBURG TOWNSHIP

A Cynthia Holmes had submitted an application to rezone a 0.259 acre parcel of land located in the East Bend Addition Block “C” Lot 10, & PT LOT 11 in River Tract 70 of Perrysburg Township.

Mr. Steiner stated that the Applicant would like to rezone the parcel from an R-1 Rural Residential District (low density) to an R-3 Suburban Residential District (medium density). Mr. Steiner stated that the applicant would like to split the subject parcel and would not have the minimum road frontage or lot area for a compliant parcel split in an R-1 district.

Mr. Steiner stated that the applicant could not seek a variance for this split because the Perrysburg Township Zoning Resolution stated that the Township BZA wouldn’t grant variances for area and frontage.

Mr. Steiner stated that in the current R-1 District, all newly created parcels would need to have a minimum lot width of 100 feet and a minimum parcel size of 20,000 square feet. Mr. Steiner stated that the applicant’s proposed split had 75.72 feet of frontage and 11,265.11 square feet. Neither amount would meet the minimum frontage and area requirements in an R-1 District. Mr. Steiner noted that in an R-3 District, the minimum requirements were 75 feet of lot frontage and 10,500 Square feet in area and that the proposed parcel split would meet these requirements.

Mr. Steiner stated that the subject parcel was located in East Bend Addition Block “C” Lot 10, & PT LOT 11 in River Tract 70 of Perrysburg Township. More specifically the parcel was on the west side of River Road, 500 feet south of Rockledge Road and 1,450 feet west of Hufford Road.

Mr. Steiner stated that the subject parcel was zoned R-1 Rural Residential, Lands to the north and south of the parcel were also zoned R-1, and the Maumee River was located on the western border of the subject parcel. Lands to the east of the house parcel were located within the City of Perrysburg and were zoned R-3 Single Family Residential.

Mr. Steiner stated that the Land Use Plan had designated the area where this parcel was located at as being in an enhancement area. Mr. Steiner stated that all utilities were available to the parcel, and there were no wetlands on the parcel. Mr. Steiner stated that there was some floodplain, however the subject parcel had a steep drop off on the rear of the lot, and the floodplain didn’t begin until the water’s edge.

Mr. Steiner stated that safety was a concern since the parcel was on a curve on River Road. Mr. Steiner stated that there was not currently a curb cut on the parcel. Mr. Steiner stated that another item to consider was the setback requirements in an R-3 District. Mr. Steiner noted that front yard setbacks for lots along a State Highway (River Road) were 70 feet from the established right of way line, which would make it difficult to place a structure on the parcel that would be in compliance with the zoning requirements

Mr. Steiner stated that this application was basically using zoning to create a parcel split since the desired parcel would not meet the current zoning requirements in an R-1 District. Mr. Steiner stated that there was also a spot zone situation.

Matt Lewandowski of Lewandowski Engineers stated that he was the Agent for the Applicant. Mr. Lewandowski stated that the existing subdivision was platted in 1897 with River Road bisecting the lots and had contained 21 lots. Since the subdivision was originally platted, another 19 lots had been created. Mr. Lewandowski stated that over half of the parcels in the subdivision did not meet zoning requirements.

Mr. Lewandowski stated that he would prefer to be seeking a variance rather than a rezoning, however, that option was not available in Perrysburg Township. Mr. Lewandowski stated that ODOT had to grant a curb cut, and was not concerned with that issue.

Mr. Black asked Mr. Lewandowski if he was suggesting that the newly created lot splits weren't compliant with zoning when they were created. Mr. Lewandowski stated that the subdivision was very old and that he wasn't sure when the lots were split or if they were compliant at that time, but over 50 percent were not compliant with current zoning. Mr. Black stated that the fact that the lots weren't currently compliant didn't mean that the lots weren't compliant with zoning when they were created. Mr. Lewandowski agreed.

Following a brief discussion, Mr. Alexander stated that the Planning Commission was being asked by the Applicant to recommend an impossibility to the Township Trustees based on their own zoning rules and regulations.

Mr. Black made a motion to recommend that Perrysburg Township deny the request to rezone one parcel of land from an R-1 Rural Residential District (low density) to an R-3 Suburban Residential District (medium density). Mr. Alexander seconded the motion.

Mr. Allion stated that since there were already existing non-conforming uses, perhaps Perrysburg Township may want to change the zoning for all of the parcels in the area to R-3 rather than spot zoning one (1) parcel. Mr. Wirt stated that he concurred with Mr. Allion's strategic look at the situation to rezone the entire area.

Mr. Alexander called for a vote to recommend denial of the rezoning request.

Tony Allion-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Absent, Doris Herringshaw-Yes, Craig LaHote-Abstained, John Musteric-Yes, Donna Schuerman-Absent, Leslee Thompson-Absent, David Wirt-Abstained, John Alexander-Yes, motion carried.

PUBLIC FORUM

CHAIRMAN'S TIME/COMMISSION MEMBERS' TIME

Mr. Alexander stated that Planning Commission members should have received a copy of the Director's annual review.

Mr. Alexander stated that the fee schedule would be revisited at the December Planning Commission Meeting.

Mr. Alexander stated that he had met with the Planning Commission staff and Mr. Musteric Mr. Greg Feller, and Brian McCarthy. Mr. Alexander stated that the desire was to expand the discussion to include anyone who had an interest in development in Wood County, and to have additional discussions in the winter months.

Mr. Alexander stated that a copy of the Planning Commission bylaws document was sent to the Planning Commission members. Mr. Alexander stated that a legal opinion request had been sent to the County Prosecutor's office regarding conflicts between County and Township land use plans.

Mr. Black asked if the development off of Roachtown Road (The Village at Riverbend) was headed east or south next. Mr. Black stated that he was under the impression that the connection would be made on the west before they went east. Mr. Alexander stated that he couldn't remember if the connection was to be made with Plat Two or Three. Mr. Black asked Mr. Steiner to review previous discussions and report back to Planning Commission members.

Mr. Musteric stated that he thought that the connection had to be made with the next plat to the south of Plat Two on the west side, but he was unsure if there were discussions about whether they could go east first or not.

Mr. Alexander asked the Planning Commission staff to look through meeting minutes, audio and notes and compile a summary of previous discussions about connectivity.

Mr. Musteric stated that the traffic study was completed; however, Mr. Musteric stated that the Contractor who was supposed to install the left hand turn lane on Roachtown Road had approached him about delaying the installation of the turn lane until spring and putting the money into Escrow. Mr. Black stated that escrow wouldn't improve traffic safety. Mr. Musteric asked if Planning Commission could withhold signatures on new plats if the money was put into escrow. Mr. Black asked Mr. Steiner to ask the Prosecutor's office for a legal opinion.

Mr. Black stated that the Developer elected to pave roads within the development for a plat that didn't have final approval before having the turning lanes paved, so weather should not be an acceptable reason for not having the work done. Mr. Allion concurred, stating that bad weather is a good argument; however, in this case the Developer had enough good weather to pave the roads within the development, so the weather argument may not be an effective one.

Mr. Black asked if those who were present at this meeting would be at the December meeting. Mr. Wirt stated that he would not be able to attend the December Planning Commission Meeting. Mr. Alexander stated that he would not participate in Riverbend items and would need somebody to lead the meeting since the Vice-Chair, Mr. Wirt would not be present. Mr. Musteric stated that he would act as chairman pro tem.

DIRECTOR'S TIME

Mr. Steiner stated that the Subdivision Rules and Regulations would be updated for the December meeting. Mr. Steiner stated that once those updates and changes have been made, a binder will be created for Planning Commission members that will contain Planning Commission Bylaws, Subdivision Rules and Regulations, Wood County Land Use Plan, Ohio Revised Code Language, and Wood County Subdivision Site Improvement Manuals.

Mr. Steiner stated that there will be 3 vacant seats on the Planning Commission Board in January, and that the Commissioners are seeking applicants to be on the Planning Commission Board in 2018.

There being no further items of business, Mr. Black made a motion to adjourn the November 7, 2017 Planning Commission Meeting. Mr. Wirt seconded the motion, Commission members responded in full support, meeting adjourned.