



Wood County
Planning Commission
WCPC

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

The Wood County Planning Commission will meet in regular session on Tuesday, December 5th, 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

NEW BUSINESS

Approval of the November 2017 Planning Commission Meeting Minutes.

WOOD COUNTY PLANNING COMMISSION STAFF ACTIVITIES REPORT

Staff activities for November 2017 will be reviewed.

ZONING - PERRYSBURG TOWNSHIP

A Nick Neiderhouse has submitted an application to rezone 37.9 acres of land from an R-3 Suburban Residential zoning classification to an A-1 Agricultural zoning classification in Perrysburg Township. The parcel is located on the North side of Neiderhouse Road in Section 16 of Perrysburg Township. The applicant has indicated on their rezoning application that they wish develop the property into large single family residential lots.

ZONING - LAKE TOWNSHIP

A Ms. Jean Witt has submitted an application to rezone a parcel of land in Lake Township from an R-2 Residential zoning classification to a B-1 Neighborhood Business zoning classification. The parcel is located on the corner of Plumey and Lemoyne Roads in Section 3 of Lake Township. The applicant has indicated on their rezoning application that they wish to rezone the property and to sell it to a small business owner.

ZONING - LAKE TOWNSHIP

A Mr. James Mlynek has submitted an application to rezone part of Lot 34 and all of Lot 35 of the Ketchams Crescus Farms subdivision in Lake Township from an R-2 Residential zoning classification to a B-2 General Commercial zoning classification. Applicant has indicated on their rezoning application that they wish to maintain the consistency of the Woodville Road corridor.

SUBDIVISION – MIDDLETON TOWNSHIP

Feller Finch & Associates have submitted a final plat entitled “River Bend Lakes Plat Four” for review and approval. Said plat is the fourth phase of the River Bend Lakes development covers 10.834 acres of land and contains a total of fifteen (15) single family residential lots.

SUBDIVISION - MIDDLETON TOWNSHIP

Feller Finch & Associates have submitted a final plat entitled “The Village at Riverbend Plat Three” for final review and approval. Said plat is the third phase of the existing Village at Riverbend development. This particular plat contains twenty eight (28) single family lots and covers approximately 14.401 acres of land.

SUBDIVISION AMENDMENT TO WOOD COUNTY SUBDIVISION RULES AND REGULATIONS

Staff members will present an amendment to the current Wood County Subdivision Rules and Regulations that addresses lot frontage issues for parcels of land created in unzoned portions of the County. Specifically, this amendment will require parcel splits to maintain a minimum lot frontage to the prescribed front yard setback line(s) of a parcel.

PUBLIC FORUM

CHAIRMAN’S/COMMISSION MEMBER’S TIME

Discussion on fee schedule for Planning Commission services

DIRECTOR’S TIME

Board membership discussion

ADJOURNMENT

Please make plans to attend!

AGENDA ITEM #1 - ZONING – PERRYSBURG TOWNSHIP

APPLICANT(S)

Nick Neiderhouse
4709 Lakeside Drive
Maumee, OH 43537

PROPOSAL

Applicants wish to rezone 37.9 acres of land from an R-3 Suburban Residential (medium density) zoning classification to an A-1 Agricultural zoning classification. The parcel is located on Neiderhouse Road in Section 16 of Perrysburg Township. The reason for the rezoning request as stated on the application is that the applicant would like to develop the property into large single-family residential lots.

LOCATION

The property being rezoned consists of one parcel of land in section 16 of Perrysburg Township. More specifically, the land is located on the North side of Neiderhouse Road. The parcel is approximately 2070 feet/0.4 mile east of State Route 199, and is located 2747 feet/0.52 mile west of Thompson Road.

LAND USE AND ZONING

The property being rezoned is currently 40 acres and has 2 zoning designations. The north 37.9 acres of land that are being re-zoned are currently zoned R-3 Suburban Residential (Medium Density). The south 100 feet of land, measuring approximately 3 acres in size is zoned A-1 Agricultural, and will remain unchanged. Lands to the South, East and West are currently zoned A-1 Agricultural. Lands to the Northwest are zoned Planned Unit Development-Residential (PUD-R) and are home to the Emerald Lakes Subdivision. Lands Northeast of the property are zoned PUD-R and are part of the Wexford and Oak Meadows subdivisions.

The Wood County Land Use Plan has designated the area where the parcel is located at as being in an Enhancement Area. The property does not contain any floodplains or wetlands. Public water and sewer are not currently located on this property.

ATTACHMENTS

1-A. - Location and Zoning Map

STAFF ANALYSIS

The applicant's proposal is to rezone approximately 37 acres of a 40 acre parcel of land from R-3 Suburban Residential to A-1 Agricultural. The property being rezoned currently has 2 zoning designations. The north 37.9 acres of land are currently zoned R-3 Suburban Residential (Medium Density) and the south 3 acres of land are zoned A-1 Agricultural.

The applicant would like the entire 40 acre parcel to be zoned A-1 Agricultural and would like to develop the property into large single-family residential lots.

Currently the parcel is surrounded by land zoned A-1 Agricultural and PUD-R.

The Wood County Land Use Plan has designated the area where the parcel is located at as an enhancement area. There are no floodplains or wetlands located on the property. Public water and sewer are not located on this property.

STAFF RECOMMENDATION

Given the parcel's location near other land that is zoned Agricultural, there being no floodplains or wetlands on the property, and there being no public water or sewer located on the property, an A-1 Agricultural zoning designation would be an appropriate zoning classification for this parcel. Additionally, going from two zoning designations on one parcel of land to one single zoning designation is desirable.

Given the above factors, it is the recommendation of the Wood County Planning Commission Staff that the Planning Commission recommend to Perrysburg Township that the Township approve the request to change the zoning classification of 37.9 acres of land from R-3 Suburban Residential (Medium Density) to A-1 Agricultural.

AGENDA ITEM #2 - ZONING – LAKE TOWNSHIP

APPLICANT(S)

Jean Witt
18663 W State Route 579
Martin, OH 43445

PROPOSAL

Applicants wish to rezone one parcel of land from an R-2 Residential zoning classification to a B-1 Neighborhood Business zoning classification. The parcel is located on the corner of Lemoyne and Plumey Roads in Section 03 of Lake Township. The reason for the rezoning request as stated on the application is that the applicant feels that the residential designation is not suitable for living purposes as the parcel is very close to the Railroad tracks. The applicant would like to sell the property to a small business owner.

LOCATION

The property being rezoned consists of one parcel of land in section 3 of Lake Township. More specifically, the land is located on the corner of Lemoyne Road and Plumey Roads. The parcel is on the South side of Plumey Road, the East side of Lemoyne Road. The parcel is approximately 800 feet east of Interstate 280.

LAND USE AND ZONING

The property being rezoned is currently zoned R-2 Residential. Lands immediately to the North, South, East and West are zoned R-2 Residential. There are parcels to the Northwest that are owned by Toledo Edison and are zoned M-1 Light Industrial.

The Wood County Land Use Plan has designated the area where the parcel is located at as an Enhancement Area. The subject parcel has no wetlands, but there is 500 year floodplain located on the parcel. This level of floodplain is not regulated by the Planning Commission Office or by FEMA. Public water and sewer are available to this property.

ATTACHMENTS

2-A. - Location and Zoning Map

STAFF ANALYSIS

The applicant's proposal is to rezone one parcel of land, less than 1 acre in size, from an R-2 classification zoning designation to a B-1 Neighborhood Business zoning classification.

The applicant feels that the residential designation is not suitable for living purposes as the parcel is a corner lot located very close to the Railroad tracks. The applicant would like to sell the property to a small business owner who intends to construct a metal building for his small business.

Currently the parcel is surrounded by land that is zone R-2 Residential, and there are lands zoned M-1 Light Industrial nearby.

Lake Township defines their B-1 Neighborhood Business District as " Retail and service establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion,

local retail and service uses include only those enterprises which normally employ less than ten (10) persons". Additionally, Lake Township does have buffering requirements within a B-1 District.

While the intended use of the proposed buyer of the property appears to fit within the definition for the B-1 Neighborhood Business District, it also has to be considered that any permitted use be would be allowed within the B-1 District. Additionally, there are no other commercially zoned properties located within this residential area, which makes this a spot zone situation. However, the parcel being located so close to a Railroad track may limit the desirability of the parcel as a residential parcel.

The Wood County Land Use Plan has designated the area where the parcel is located at as an Enhancement Area. As mentioned before, there are no wetland or floodplain concerns with this property. Public water and sewer are available to this property.

STAFF RECOMMENDATION

Given the parcel's location near other land that is zoned Residential, there being no floodplains or wetlands on the property, and there being public water or sewer located on the property, the current R-3 zoning designation is an appropriate zoning designation for this parcel. That being said, the location right beside the railroad tracks, the fact that Lake Township has buffering requirements, and the intended design of the B-1 Neighborhood Use classification is also a logical choice for a lot that may otherwise be undesirable.

Given the above factors, the Wood County Planning Commission Staff recommends that Planning Commission members discuss the rezoning request further to determine what they consider to be the best and most appropriate use of the land. As a reminder, the Planning Commission makes a recommendation to Lake Township, who will ultimately make the final decision.

AGENDA ITEM # 3: ZONING – LAKE TOWNSHIP

APPLICANT

James Mlynek
1023 Laura Lane
Oregon, OH 43616

PROPOSAL

Applicants have submitted an application to rezone part of Lot 34 and all of Lot 35 of the Ketchams Crescus Farms subdivision in Lake Township from an R-2 Residential zoning classification to a B-2 General Commercial zoning classification. Applicant has indicated on their rezoning application that they wish to maintain the consistency of the Woodville Road corridor by having a commercial zoning classification on the subject parcels.

LOCATION

The subject property is located at the southeast corner of Bailey and Woodville Road in part of Lot 34 and all of Lot 35 of the Ketchams Crescus Farms Addition. Bradner Road is approximately 930 feet to the east of the parcels, Matthews Road is 1,710 feet to the west, and Walbridge Road is approximately 1,350 feet to the north.

LAND USE AND ZONING

The subject parcels are zoned R-2 Residential. Lands to the west are zoned R-2 Residential. Lands to the south are zoned B-2 Commercial. Lands to the north are zoned B-1 and B-2 Commercial. Existing land use in the area surrounding the subject parcels is extremely varied. There are commercial uses and residential uses, all occurring on parcels that may or may not be zoned for their use. The Wood County Future Land Use Plan has the area where the plat is located at as being in an enhancement area and a growth management area. There are no floodplains or wetlands at the site.

ATTACHMENTS

3-A: Location Map

STAFF ANALYSIS

This rezoning request has been spurred by the Woodville Nursery purchasing the subject parcels, and after removing trash and debris, placing a leaf composting site on the parcels. The parcels are zoned R-2 Residential, and in order to operate this type of operation on the parcels, the subject parcels needed rezoned to a commercial designation.

The subject parcels are specifically described as being part of Lot Number 34 and all of Lot Number 35 in the Ketchams Crescus Farms subdivision.

The subject parcels are zoned R-2 Residential as are parcels to the west. Lands to the north are part of the Woodville Nursery and are zoned B-1 and B-2 Commercial. Lands to the south are zoned B-2 Commercial. Land use in the area is a mix of residential and commercial uses, which is typical for this area of Woodville Road. The Wood County Land Use Plan has designated these parcels as being in an enhancement area and on the border of a growth management area. There are no floodplains or wetlands on the parcel.

In conversations with the applicant, the Staff has learned that the EPA has issued a permit for the proposed use, and that the Wood County Engineer's Office informed them that no stormwater permit was needed from their office for the proposed end use.

This particular request has generated some consternation and concern within the surrounding area. Residents have expressed concerns over potential negative impacts that the current use and other commercial uses would have on their properties. In regards to this, it is important to remember that if the parcel were to be rezoned, than any permitted use in a B-2 District could occur on the parcel. Additionally, any commercial use would also be subject to screening and landscaping requirements per the Lake Township Zoning Resolution.

STAFF RECOMMENDATION

As noted, this item has been generating controversy in the immediate area. This controversy however is over the proposed end use of the parcels, and not over all of the uses that could occur on the parcel if it were rezoned.

From a land use and zoning standpoint, the requested classification is compatible with the other existing uses in the immediate area, primarily those close to and along Woodville Road. Said requested use is also compatible with what the Land Use Plan has designated for the area. Lastly, the parcel as it stands is still zoned Residential. It is surrounded by a sea of commercial uses on the east side of Bailey Road, and along Woodville Road. This “out of place” zoning further demonstrates the need for the subject parcels to be zoned a commercial designation.

Given the compatibility of a commercial zoning designation in the immediate area, as well as the commercial character on the east side of Bailey Road, and that any commercial use that would occur on the parcels would need to meet landscape, screening and buffering requirements set forth in the Lake Township Zoning Resolution, the Wood County Planning Commission Staff recommends to the Planning Commission that the Commission recommend to Lake Township to approve the request.

AGENDA ITEM #4: SUBDIVISION – MIDDLETON TOWNSHIP

APPLICANT(S)

Feller Finch & Associates
1683 Woodlands Drive
Maumee, OH 43537

McCarthy Builders
3618 King Road
Toledo, OH 43617

PROPOSAL

Applicants have submitted a final plat entitled “River Bend Lakes Plat Four” for final review and approval. Said plat is the fourth phase of the River Bend Lakes development and covers 10.834 acres of land and contains a total of fifteen (15) single family residential lots.

LOCATION

Said plat is located in the existing River Bend Lakes Subdivision. Plat access will occur through the extension of Grand Bank Way.

LAND USE AND ZONING

Said plat is zoned R-3 Residential. All lands to the north, east and west are zoned R-3 Residential as well. Lands to the south are zoned both R-3 Residential and A-1 Agricultural. Land use in the area is primarily medium to low density residential.

ATTACHMENTS

- 4-A Location Map
- 4-B: Plat Map
- 4-C: Letter from County Engineer

STAFF ANALYSIS

This plat is the fourth phase of the River Bend Lakes subdivision. It is located in the area of the development off of River Road where the original River Bend Lakes subdivision was platted.

Plat Four contains a total of fifteen (15) single family lots and covers approximately 10.834 acres of land. Plat improvements consist of streets, sidewalks, curbs, gutters and utilities. There is also a retention pond shown on the plat.

Upon reviewing the plat as proposed Planning Commission Staff noticed some scrivener errors that need corrected and adjusted. These include the wrong signature block for the Wood County Engineer, the Wood County Auditor, and one of the Wood County Commissioners.

A more important item that needs explanation from the applicants involves the retention pond. It is difficult for the Director (and this could very well be the Director’s error in observation) to decipher the actual footprint of the pond and the easements surrounding it. Lastly, while not a large issue, it would be less confusing if the actual lots were depicted on the plats locator map rather than simply a large swath of black showing the plat borders.

The Wood County Engineer’s review of the plat resulted in the Engineer stating that there were too many errors from his Office’s perspective that he stopped reviewing the plat due to the number of these errors.

STAFF RECOMMENDATION

The errors and concerns from the Wood County Engineer's Office are numerous and severe enough to have their Office cease the review of this plat.

Given this, the Wood County Planning Commission Staff recommends that the Wood County Planning Commission deny approval to Riverbend Lakes Plat Four until the applicants return with a correct plat.

AGENDA ITEM #5 – SUBDIVISION – MIDDLETON TOWNSHIP

APPLICANT(S)

Feller Finch & Associates
1683 Woodlands Drive
Maumee, OH 43537

McCarthy Builders
3618 King Road
Toledo, OH 43617

PROPOSAL

Feller Finch & Associates have submitted a final plat entitled “The Village at Riverbend Plat Three” for final review and approval. Said plat is the third phase of the existing Village at Riverbend development. This particular plat contains twenty eight (28) single family lots and covers approximately 14.401 acres of land. It is the third phase of the Village at Riverbend development.

LOCATION

Plat is located in the existing Village at Riverbend development. It is the first plat to be located at the northeast corner of Village Drive and Roachtown Road. The eastern boundary borders the existing Saddlebrook Development, the north borders Roachtown Road, and the south and west boundaries of the plat border unplatted lands.

LAND USE AND ZONING

Said plat is zoned R-3 Residential. Lands to the west, south and east are also zoned R-3 Residential. Land use in the area is medium density residential and there are no floodplains or wetlands associated with the plat.

ATTACHMENTS

- 5-A: Location Map
- 5-B: Plat Map
- 5-C: Letter from Engineer

STAFF ANALYSIS

As noted, this is the third phase within the Village at Riverbend development. It contains twenty eight (28) single family lots and covers approximately 14.401 acres of land. All plat improvements are available, and aside from some minor labeling errors, the plat drawing is fine.

The main topic that needs reviewed and discussed carefully before taking any action on this plat is the entire connectivity issue that has been raised countless times between the Commission and the applicants. There have been many discussions on this connectivity, and as demonstrated at the November 2017 Planning Commission meeting, it still appears that there are questions and doubts on the matter.

Another item the Director is interested in knowing is the situation involving possible turn lanes off of Roachtown Road into the development. Specifically, are turn – de-acceleration lanes planned, and when will they be constructed in relation to Plat Three.

The Staff Planner, per the Planning Commission’s request, assembled an extremely detailed report that tried to collect every discussion, motion, etc. that referenced connectivity in relation to the Village at River Bend. This needs to be reviewed by members so that they can glean a better idea of what has been discussed and agreed upon in regards to connectivity. This must occur at this juncture in time while the development is limited. It also must be done as a “line in the sand” matter whereupon what is agreed to by the Commission does not vary each time a new plat is submitted.

STAFF RECOMMENDATION

As stated, the plat contents and drawing is fine. The major issue is the connectivity issue. This needs discussed and an approach needs solidified. If the Commission agrees to something they feel comfortable with, then an approval is warranted.

The Director does feel strongly that the connectivity issue needs hammered out for all parties' sake's. This needs to be done sooner rather than later, and Plat Three is as good of a place to start as any.

AGENDA ITEM #6-- SUBDIVISION RULES AND REGULATIONS AMENDMENT:

Due to a recent parcel transaction, the Wood County Planning Commission Staff has reviewed the parcel split – creation process as prescribed in the current Wood County Subdivision Rules and Regulations. Specifically, the staff has reviewed requirements involving frontage requirements for new parcels.

As a result of this review, the Staff has discovered a deficiency or “loophole” that allows a new parcel to be created in such a manner that it can meet minimum road frontage requirements, then be narrowed to a width as small as an applicant wishes. The end result is a parcel that is not uniform and has the potential to complicate further transactions in the future.

The solution to this issue is to add a simple statement requiring that all newly created parcels must maintain the minimum required frontage up to their front yard setback line.

If the Commission approves this amendment, then the Planning Commission Staff will commence the proper procedure to have it added to the regulations.

THE NEW PROPOSED LANGUAGE/AMENDMENT TO THE SUBDIVISION REGULATIONS IS:

Add the following language to appropriate section of the regulations:

“All newly created parcels shall maintain their minimum frontage to the front yard setback line of the parcel”.