



Wood County  
Planning Commission  
**WCPC**

**WOOD COUNTY PLANNING COMMISSION  
AGENDA  
March 6<sup>th</sup>, 2018 at 5:30 PM**

The Wood County Planning Commission will meet in regular session on Tuesday, March 6<sup>th</sup>, 2018 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 February 2018 Planning Commission Meeting Minutes.

**WOOD COUNTY PLANNING COMMISSION STAFF ACTIVITIES REPORT**

Staff activities for February 2018 will be reviewed.

**SUBDIVISION VARIANCE PERRYSBURG TOWNSHIP**

A Jerry S. and Helen S. Krall have submitted an application for a variance from the Wood County Subdivision Rules and Regulations. Said variance is for a parcel of land in the unzoned portion of Perrysburg Township. The proposal is to create a 20 foot strip of land on the northern end of an existing 8.35 acre parcel of land that will allow the applicants the opportunity to split the existing parcel into two separate parcels. Said parcel is located in Section 2 of Perrysburg Township on the east side of Glenwood Road.

**ZONING TROY TOWNSHIP**

Troy Township has submitted a series of housekeeping items to their existing zoning resolution. These items would modify some of the permitted, conditional and prohibited land uses allowed within the land use matrix in the Troy Township Zoning Resolution.

**PUBLIC FORUM**

**CHAIRMAN'S/COMMISSION MEMBER'S TIME**

**DIRECTOR'S TIME**

**ADJOURNMENT**

*Please make plans to attend!*

**Meeting Minutes**  
**Wood County Planning Commission**  
**February 6, 2018 @ 5:30pm**

The Wood County Planning Commission met in regular session on Tuesday, February 6, 2018 at the County Office Building in Bowling Green, Ohio. Planning Commission staff in attendance was David Steiner and Katie Baltz. 5 guests were in attendance.

Rob Black called the meeting to order.

Mr. Steiner introduced Steve Arnold, John Schuerman and Erik Wineland as three of the new Planning Commission board members. Planning Commission members introduced themselves to Mr. Arnold, Mr. Schuerman and Mr. Wineland.

**Roll Call**

Tony Allion-Present, Steve Arnold-Present, Rob Black-Present, Theodore (Ted) Bowlus-Present, John Brossia-Present, Doris Herringshaw-Absent, Craig LaHote-Present, John Musteric-Present, John Schuerman-Present, Eric Wineland-Present.

Mr. Musteric made a motion to nominate Rob Black as the Chairman for the Wood County Planning Commission. Mr. Schuerman seconded the motion. Mr. Black called for a vote.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Abstain, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Absent, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-Yes.

Mr. Black made a motion to nominate John Musteric as the Vice-Chairman for the Wood County Planning Commission. Mr. Allion seconded the motion. Mr. Black called for a vote.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Absent, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-Yes.

Mr. Black made a motion to nominate Katie Baltz as the Secretary for the Wood County Planning Commission. Mr. Musteric seconded the motion. Mr. Black called for a vote.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Absent, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-Yes.

Mr. Steiner stated that one more Planning Commission member was needed and the City of Bowling Green had made a few recommendations for the open seat.

**Old Business**

**New Business**

Mr. Musteric stated that there were a few corrections to the November 2017 meeting minutes. Mr. Bowlus made a motion to approve the December 2017 Planning Commission meeting minutes with corrections, Mr. Arnold 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 January.

### **ZONING - PERRYSBURG TOWNSHIP**

James & Dorothy Randolph submitted an application to rezone 3 parcels of land, each measuring at 0.4373 acres in size, from PUDR – Planned Unit Development-Residential to R-2 Suburban Residential (Low Density).

Ms. Baltz stated that the reason for the rezoning request as stated on the application was that the applicant would like to develop the lots as single-family residential homes under an R-2 Suburban Residential classification.

Ms. Baltz stated that the property being rezoned consisted of three parcels of land in section 33 of Perrysburg Township. Ms. Baltz stated that the land was located on the East side of Simmons Road. Ms. Baltz stated that the parcel was approximately 520 feet south of the Ohio Turnpike/I-80 and 0.49 mile north of State Route 795.

(Ms. Herringshaw entered the meeting at 5:40 PM.)

Ms. Baltz stated that the property being rezoned was currently zoned PUD-R - Planned Unit Development Residential. Ms. Baltz stated that the land immediately surrounding the parcels were also zoned PUD-R. Non-adjoining parcels to the North, West and South were zoned R-2 Suburban Residential

Ms. Baltz stated that the Wood County Land Use Plan had designated the area where the parcel was located at as being in an Enhancement Area. Ms. Baltz stated that the Perrysburg Township Zoning Resolution stated that the purpose of a Planned Unit Development District (PUD) "is to provide flexibility in achieving a more integrated development, each comprised of its own unified plan. The PUD should be a well-integrated development in terms of major design elements such as roads, drainage systems, utilities, sidewalks, and open space". Ms. Baltz read an excerpt from the Perrysburg Township zoning resolution which stated that "A PUD may be a residential development and, in which case, is referred to as a PUD-R. A PUD-R may only be applied to an agricultural or residential uses. The tract of land proposed to be developed as a PUD-R must be owned, leased, or controlled by one (1) person or single entity and must be at least five (5) contiguous gross acres in size". Ms. Baltz stated that the parcels are not currently 5 acres in size and that the owners would like the ability to develop single family homes on each of the parcels.

Ms. Baltz stated that the property did not contain any floodplains or wetlands. Ms. Baltz stated that public water and sewer were currently available to this property.

Ms. Baltz stated that given the parcel's location near other land that is zoned R-2 Suburban Residential (Low Density), there being no floodplains or wetlands on the property, and there being public water and sewer available to the property, it was the recommendation of the

Wood County Planning Commission Staff that the Planning Commission recommend that Perrysburg Township approve the rezoning request.

There being no further discussion, Mr. Allion made a motion to recommend that Perrysburg Township approve the request to change the zoning classification of the 3 parcels of land, from PUDR-Planned Unit Development-Residential to R-2 Suburban Residential (Low Density). Mr. Musteric seconded the motion. Mr. Black called for a vote.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Yes, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-Yes.

### **ZONING - TROY TOWNSHIP**

Capital Growth Properties Buchalter submitted an application to rezone 1.65 acres of land from A-1 Agricultural to C-1 Neighborhood Commercial in Section 3 of Troy Township.

Ms. Baltz stated that the property being rezoned was 1.65 acres of an existing 32.98 acre parcel of record. Ms. Baltz stated that the reason for the rezoning request as stated on the application was that the applicant had a retail client that had an interest in this area and the intersection serving this parcel in particular, for a potential retail location.

Ms. Baltz stated that the parcel was located just west of State Route 420 on the North side of Truman Road. Ms. Baltz stated that the parcel was located east of Lemoyne Road, and west of Pemberville Road.

Ms. Baltz stated that the property being rezoned was currently zoned A-1 Agricultural. Lands to the north and west were zoned A-1 Agricultural, Lands on the South side of Truman Road were zoned R-4 Residential (Troy Villa Mobile Home Community) and lands to the East of I-420 were zoned R-1 Residential and A-1 Agricultural.

Ms. Baltz stated that the Wood County Land Use Plan had designated the area where the parcel was located at as being in a Growth Management Area. The Growth management area was located just north of a targeted Economic Development area. Ms. Baltz stated that the property did not contain any floodplains or wetlands. Ms. Baltz stated that public water was available and sewer was located across the street and could be extended to serve the property.

Ms. Baltz listed some of the Permitted and Conditional uses within a C-1 Neighborhood Commercial District as designated in the Troy Township Zoning Resolution.

Ms. Baltz stated that an item of concern with this proposal was the issue of spot zoning. Ms. Baltz stated that all of parcels surrounding the subject parcel were zoned A-1 Agricultural or Residential. Ms. Baltz noted that the proposed size of this rezoning request was 1.65 acres of land and that small parcel sizes were typically indicative of spot zoning.

Ms. Baltz stated that the staff recommendation for this rezoning request would be denial based on the spot zone situation. Ms. Baltz stated that the subject parcel adjoins or is surrounded by parcels zoned A-1 Agricultural or residential. Ms. Baltz stated that the Commission was only making a recommendation to Troy Township, and that the Township would make the final decision.

Mr. Black noted that the applicant was not present at the meeting. Ms. Baltz stated that she had spoken to the applicant and the he was located out of state and was planning on attending the Township's meeting.

Mr. Brossia asked what was located across the street from the subject parcel. Mr. Todd Gottschalk, Troy Township Zoning Inspector, stated that Troy Villa Mobile Home park was located across the street, to the south of the subject parcel. Mr. Brossia asked if the subject parcel was on the corner with the communication tower. Mr. Gottschalk stated that the tower was on a different parcel. Mr. Gottschalk noted that there was a communications building with switches and electrical equipment with a drive way located west of the subject parcel, and that the communications tower was located on a parcel north of the subject parcel.

Mr. Gottschalk stated that public utilities could not be regulated by township zoning.

Mr. Musteric stated that he had right of way concerns with Truman Road and stated that he would like to speak with the applicant regarding those concerns if the rezoning were approved, and before a site plan was submitted.

Mr. Brossia asked how a communications tower was placed in the middle of the field. Mr. Steiner stated that public utilities were exempt from zoning and that the tower could be placed there.

Mr. Wineland asked if the property being rezoned was utilized for farming. Mr. Gottschalk stated that the subject parcel and the surrounding parcels to the north were being farmed.

Mr. Musteric made a motion to recommend that Troy Township deny the request to rezone 1.65 acres of land from A-1 Agricultural to C-1 Neighborhood Commercial in Section 3 of Troy Township. Mr. LaHote seconded. Mr. Black called for a vote.

Mr. Brossia stated that it was a somewhat strange piece of property, and asked what else could occur on this property if this commercial request were denied. Mr. Steiner stated that single family residential or agriculture could remain on this property. Mr. Musteric asked if the applicant could rezone a larger area of the parcel as commercial. Mr. Steiner stated that the applicant could request whatever they wanted. Mr. Steiner stated that it would still be considered a spot zone situation. Mr. Wineland asked if spot zoning was prohibited. Mr. Steiner stated that spot zoning was not prohibited, however, it was typically not allowed, especially not for small parcels. Mr. Allion stated that the Commission would rather see a larger area of land to be rezoned rather than piece by piece.

Mr. Black called for a vote on the motion to deny the rezoning request.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Yes, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-No.

#### **SUBDIVISION – MIDDLETON TOWNSHIP**

Feller Finch & Associates and McCarthy Builders had submitted a final plat entitled “River Bend Lakes Plat Four” for final review and approval.

Mr. Steiner stated that the item was on the December 2017 Agenda, but wasn’t heard due to the County Engineer reporting that his review of it found too many mistakes to continue the review. The plat was subsequently corrected and resubmitted for approval.

Mr. Steiner stated that the plat was located in the existing River Bend Lakes Subdivision and that plat access would occur through the extension of Grand Bank Way.

Mr. Steiner stated that Plat Four contained a total of fifteen (15) single family lots and covered approximately 10.834 acres of land. Mr. Steiner noted that plat improvements consisted of streets, sidewalks, curbs, gutters and utilities. Mr. Steiner stated that there was a retention pond shown on the plat.

Mr. Steiner stated that that plat was zoned R-3 Residential and that all lands to the north, east and west were zoned R-3 Residential as well. Mr. Steiner noted that lands to the south were zoned both R-3 Residential and A-1 Agricultural. Land use in the area was primarily medium to low density residential.

Mr. Steiner stated that there were minor scrivener errors found on the plat by the County Engineer.

Mr. Steiner stated that it was the recommendation of the Planning Commission Staff that the Planning Commission approve the plat. Mr. Wineland asked what types of plat errors were found. Mr. Steiner stated that some of the errors were things like font size, needing a disk with the drawing, and other minor issues.

Mr. Musteric stated that one of his concerns was the culvert under Grand Bank Way. Mr. Musteric stated that he discovered that there were no approved construction plans and that money would need to be put into escrow for the construction of the subdivision before the plat would be signed.

Mr. Allion made a motion to approve “River Bend Lakes Plat Four” with the condition that all of the corrections and requirements be met. Mr. Schuerman seconded the motion. Mr. Black called for a vote.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Yes, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-Yes.

## VARIANCE REQUEST– SUBDIVISION RULES AND REGULATIONS

Cynthia Holmes had submitted an application for a variance from the Wood County Subdivision Rules and Regulations in order to allow the applicant to split off 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 a situation like this item had never occurred in the Director’s tenure with the Planning Commission.

Mr. Steiner stated that at the November 2017 meeting, a request to rezone the same parcel from an R-1 Residential zoning classification to an R-3 zoning classification was heard by the Planning Commission. Mr. Steiner stated that the applicant’s approach was to receive an R-3 zoning classification from the Township which would bring the subject parcel into conformance with the Township’s R-3 zoning requirements. Mr. Steiner stated that the Wood County Planning Commission voted to recommend to Perrysburg Township that the Township deny the request. The issue of a spot zone was cited as one of the main factors in the decision.

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 applicant currently owned the entire 0.737 acre parcel. Mr. Steiner stated that the parcel exists as one complete parcel for taxing purposes, however the parcel was split by State Route 65 – River Road.

Mr. Steiner stated that the subject parcel was zoned R-1 Rural Residential and lands to the north and south of the parcel were also zoned R-1. Mr. Steiner stated that the Maumee River was located on the western border of the subject parcel and 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 is 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 noted 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 the applicant was unable to receive a variance from the Township as the township didn’t grant frontage or area variances. Additionally, an earlier attempt to have the parcel rezoned from R-1 to R-3 was not approved. Mr. Steiner stated that the applicants decided to try and seek a variance from the Subdivision Rules and Regulations in an attempt to split the subject parcel. Mr. Steiner stated that the particular section of the Wood County Subdivision Rules and Regulations that this variance was being requested from was Section 2.03 – the Administration section. Mr. Steiner stated that language in Section 2.03 stated that “such variances shall not have the effect of nullifying the intent and purpose of these Regulations, the comprehensive plan, or the zoning resolution, when they exist”.

Mr. Steiner stated that some of his thoughts on the matter were:

1. Applicant had no other options for splitting off the subject parcel.
2. The subject parcel was the only parcel in the vicinity where one parcel straddles River Road.
3. There was unarguably a topographic constraint (the steepness of the parcel on the Maumee River). In other words, the variance was not being requested for a situation when an applicant has plenty of room and options for splitting their parcel.
4. Given this topographic constraint, building on this lot would be extremely difficult.
5. Applicants would need to go to the Perrysburg Township BZA to place any kind of structure on the parcel. This in effect would create a self-policing situation that would make building on the lot difficult.
6. It would eliminate a spot zone situation, keeping the parcel zoned the same as all surrounding parcels.

Mr. Steiner stated that it was the recommendation of the Planning Commission Staff to grant the variance to allow the parcel to be split off as requested. Mr. Steiner recommended that if the variance were granted, it should be noted in the motion that the newly created parcel cannot be changed and or altered in any way without approval from the Wood County Planning Commission.

Mr. Greg Wagoner of Shumaker, Loop and Kendrick stated that he represented the applicant. Mr. Wagoner stated that their proposed lot split was consistent with the other lots in the area that had already been granted splits or variances. Mr. Wineland asked if there were other split parcels in the area that had different owners on the west side of River Road than the owner on the east side of River Road. Mr. Wagoner stated that yes, there were other parcels in the area that had different owners on each side of the road.

Mr. Wineland asked what the extraordinary and unnecessary hardship was for this situation. Mr. Wagoner stated that there was no other avenue to split the land to make it consistent with the surrounding land due to Perrysburg Township's rules to not grant frontage or size variances.

Mr. Musteric asked if the owners would have to replat the lots since it was in a subdivision. Mr. Steiner stated that a replat would not be required per the Subdivision Regulations that allowed for lots in very old subdivisions to be split without replatting. Mr. Musteric asked how the other lots in the area were able to be split. Mr. Steiner stated that he wasn't sure. Ms. Baltz stated that she traced a few of them back and the lots were administratively approved to be split without documentation. Mr. Musteric stated that he didn't like that Perrysburg Township pushed the issue back on the Planning Commission to approve since the Township won't grant variances. Mr. Musteric wanted to know how all of the other splits were approved in the past.

Mr. Wineland made a motion to approve the variance from the Subdivision Rules and Regulations that would allow the lot to be split. Mr. Arnold seconded the motion. Mr. Black called for a vote.



Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Yes, Craig LaHote-Abstain, John Musteric-No, John Schuerman-Yes, Eric Wineland-Yes. Motion carried.

## **PUBLIC FORUM**

### **CHAIRMAN'S TIME/COMMISSION MEMBERS' TIME**

Mr. Black stated that the 2018 Meeting schedule had been passed out to the members. Ms. Baltz stated that a revised schedule for the meetings and deadlines had been passed out to reflect the correct year. Every meeting will be the first Tuesday of every month in 2018.

Mr. Wineland made a motion to approve the meeting schedule for 2018. Mr. Bowlus seconded the motion. Mr. Black called for a vote.

Tony Allion-Yes, Steve Arnold-Yes, Rob Black-Yes, Theodore (Ted) Bowlus-Yes, John Brossia-Yes, Doris Herringshaw-Yes, Craig LaHote-Yes, John Musteric-Yes, John Schuerman-Yes, Eric Wineland-Yes.

Mr. Steiner stated that he had met with the County Administrator to discuss putting a fee schedule in place for services rendered by the Planning Commission staff. Mr. Steiner stated that he was instructed to meet with one of the County Commissioners and the County Administrator to discuss the matter further. Mr. Steiner stated that he would report back to the Planning Commission board on what the Commissioners' recommendation would be on the matter.

### **DIRECTOR'S TIME**

There being no further items of business, Mr. LaHote made a motion to adjourn the February 6, 2018 Planning Commission Meeting, Mr. Wineland seconded the motion, Commission members responded in full support, meeting adjourned.

ITEM # 1 - ZONING – TROY TOWNSHIP

**APPLICANTS**

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

**PROPOSAL**

The Troy Township Zoning Commission has submitted changes to the permitted, conditional and prohibited land uses allowed within the land use matrix in the Troy Township zoning resolution.

**ATTACHMENTS**

1-A: Text amendments

**STAFF ANALYSIS**

The items Troy Township has submitted are to modify some land uses within the land use matrix to be conditionally approved, permitted or prohibited within certain districts. Some of the proposed changes would affect the following land uses: Nursing Home, Child Day Care Center, Nursery School, Asphalt Manufacturing or Mixing, Racing Facilities, Sand & Gravel Extraction, Slaughter Houses, Smelting, Stockyards and Stone Quarries.

**STAFF RECOMMENDATION**

These items are fairly minor changes and have been submitted to modify what is permitted within certain districts.

Given this, the Planning Commission Staff recommends to the Planning Commission that they recommend approval of this item to Troy Township.

# Attachment 1-A

RECEIVED  
1-31-18

THE TROY TOWNSHIP  
ZONING COMMISSION  
JANUARY 18, 2018

To: The Wood County Planning Commission:

Changes to the Troy Township Zoning Resolution:

Article 4:

MATRIX:

4.01.01 - ( c ) Blank - Prohibited Use

( d ) Uses not specifically listed for a Zoning District or which are not interpreted to be included categorically under this article shall not be permitted.

This was originally ( c )

4.02.02 - Under C-1 Nursing Home - **Leave Blank**

4.02.03 - Child Day Care Center add a "C" to R-3 and R-4

Nursery School - **R-3, R-4, R-5 and C-2 should be "C" C-1 and I-1 should be a "P".**

4.02.05 - Asphalt Manufacturing or Mixing - change from "C" in I-1 to **Blank**

Racing Facilities - Change from "C" in I-1 to **Blank**

Sand & Gravel Extraction from "P" in B-PUD to **Blank**

Slaughter House from "P" in B-PUD to **Blank**

Smelting from "P" in B-PUD to **Blank**

Stockyard from "C" in I-1 to **Blank**

Stone Quarries from "P" in B-PUD to **Blank**

Presented by Earl Hagg  
Chairman

**\*I've attached article 4 and have written in the proposed changes.**

## ARTICLE 4 PERMITTED AND CONDITIONAL USES

### SECTION 4.01 USE DESIGNATIONS IN THE LAND USE MATRIX

The following table provides a list of all land uses permitted and conditionally permitted in each of the Zoning Districts established in the Township. [Note: The R-PUD District is not indicated in the table as this is a "generic" name for the District. When an R-PUD is authorized, its name will be associated with a specific Agricultural or Residential District. The permitted and conditional uses specified for the associated district controls the land uses allowed within the R-PUD District (e.g., permitted and conditional uses within an R-2 PUD are the same as those listed for the R-2 District).

4.01.01 Explanation of Matrix Organization and Symbols. The land uses listed in the first column of the Land Use Matrix are grouped by the following types of uses: agricultural uses, residential uses, public and semi-public uses, commercial uses, industrial uses, and accessory uses. The remainder of the columns each represents a Zoning District established in this Code. Where a row containing a specified land use intercepts a Zoning District column:

- (a) The letter "P" shall specify that the land use is a permitted use in that Zoning District. A permitted use shall require ministerial review by the Zoning Inspector, unless Site Plan review is required by the Zoning Commission pursuant to Section 13.04 (Site Plan Review).
- (b) The letter "C" shall specify the land use is a Conditional Use in that Zoning District subject to Conditional Use review by the Board of Zoning Appeals pursuant to Section 12.04; and
- (c) Uses not specifically listed for a Zoning District or which are not interpreted to be included categorically under this article shall not be permitted.
- d.

4.01.02 Interpretation of Land Uses. The interpretation of uses given in categorical terms shall be as defined in Article 2 (Definitions) and as otherwise reasonably interpreted by: the Zoning Inspector upon ministerial review; the Zoning Commission upon Site Plan or Development Plan Review; the Board of Zoning Appeals upon Conditional Use Review or appeal; or by action of the Zoning Commission and the Board of Trustees upon amendment to the Zoning Resolution.

- (a) The presumption established by this Article is that uses of land recognized by the Township are addressed within at least one established zoning district in the Township's planning jurisdiction. Therefore, because the list of land uses set forth in the Land Use Matrix cannot be all-inclusive, those uses that are listed may be interpreted to include other similar uses as determined by the Zoning Inspector.
- (b) The Land Use Matrix shall not be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is located on land in other zoning districts.

**Article 4 –Permitted and Conditional Uses (cont'd)**

- (c) Mixed Uses. Whenever a mixed-use development could fall within more than one use classification in the Land Use Matrix, the classification that most closely and most specifically describes the development shall control. When a mixed use development comprises two (2) or more principal uses where any of the principal uses is a conditional use, then Conditional Use review shall be undertaken for the entire mixed-use development.

**SECTION 4.02 LAND USE MATRIX**

Zoning Districts Land Use	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> <u>Article</u> <u>14</u>
<b>4.02.01 <u>Agricultural Uses</u></b>												
Agriculture (ORC 519.01) – Article 7 Supplementary Land Use Regulations	P	P	P	P	P	P	P	P	P	P	P	P
Farm Markets (See Section 7.04) (ORC 519.21C)	P	P	P	P	P	P	P	P	P	P	P	P
Spreading of non-toxic sludge for legitimate agricultural use, pursuant to Section 7.13	P	P	P	P	P	P	P	P	P	P	P	P
<b>4.02.02 <u>Residential Uses</u></b>	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> <u>Article</u> <u>14</u>
Dwelling, Single Family	P	P	P	P								
Dwelling, Two Family (Subject to Site Plan Review)			P	P		P						
Dwelling, Multiple Family (Subject to Site Plan Review)				P	P	P						
Group adult care facility for three (3) to five (5) unrelated adults pursuant to ORC 3722.03 (See Section 7.07)	P	P	P	P	P	P						
Group adult care facility for six (6) to sixteen (16) unrelated adults pursuant to ORC 3722.03 (See Section 7.07)				C	C	P						
Group foster home pursuant to ORC 5103.0318 (See Section 7.07)	P	P	P	P	P	P						
Group MR/DD residential facility for one (1) to eight (8) persons pursuant to ORC 5123.19(N) (See Section 7.07)	P	P	P	P	P	P						
Group MR/DD residential facility for between nine (9) and sixteen (16) persons pursuant to ORC 5123.19(O) (See Section 7.07)				C	C	P						
Manufactured Home Park, as defined in Article 2 and regulated by ORC 3733					C							
Nursing Home				C	C	P	<del>C</del>					

*leave blank*

**Article 4 –Permitted and Conditional Uses (cont'd)**

Zoning Districts Land Use	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
<b>4.02.03 <u>Public/Semi-Public Uses</u></b> (Subject to Site Plan Review)	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
Cemetery/Memorial Gardens	C											
Child Day Care Home, Type B	P	P	P	P	P	P						
Child Day Care Home, Type A				C	C	P						
Child Day Care Center				C	C	C	P	C			P	
Farm Recreation Enterprise (See Section 7.05)	C											
Institutional Health Care Facility								C				
Mortuary							C	P			P	
Nursery School				C	C	C	P	C			P	
Public Service Facilities	P	P	P	P	P	P	P	P	P	P	P	P
Public Uses	P	C	C	C	C		P	P			P	
Recreational Facilities, Non-Commercial				C	C	C	C					
Semi-Public Uses (as defined herein)	C	C	C	C	C		P	P			P	
<b>4.02.04 <u>Commercial Uses</u></b> (Subject to Site Plan Review)	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
Agricultural Implement Sales & Service								C				
Animal Care Facilities	C						C	C				
Boat Storage								C				
Building Material Supplies/ Storage								C				
Entertainment Facilities												C
Financial/Insurance Services							P	P			P	
Health Care Clinic					C	C	C					
Kennel (See Section 7.09)	C						C	C				
Manufactured Home Sales								C				
Marine Sales & Service								C				
Motor Vehicle Body Shop								C			P	
Motor Vehicle Sales & Rental								C				
Motor Vehicle Service Station							C	P			P	
Offices									P			P
Offices for Professional Activities				C	C	C	P	P	P		P	
Personal Services							P	P	P		P	
Printing and Publishing								P	C		P	
Public Garage								C				
Recreational Facilities, Commercial							C	C				
Restaurant/Lounge							C	P	C		P	C
Retail Businesses: All Types											C	P
Retail Businesses: Community Retail								P			P	
Retail Businesses: Malls										P		
Retail Businesses: Neighborhood Retail							P	P			P	
Retail Businesses: Shopping Centers										P		
Self Service Storage Facility					C		C	C				

**Article 4 –Permitted and Conditional Uses (cont'd)**

Zoning Districts Land Use	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
Sexually Oriented Business (See Section 7.14)											P	
<b>4.02.05 <u>Industrial Uses</u></b> (Subject to Site Plan Review)	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
Any industrial use provided that no noxious or offensive activity shall be carried on within this district, nor shall anything be done which is injurious, dangerous or offensive to the neighborhood by reason of excessive emission of odor, dust, smoke, gas, noise, fumes, flame or vibration.											C	P
* Asphalt Manufacturing or Mixing											<del>C</del>	C
Bakeries											C	P
Blast Furnaces												C
Bottling or Packaging of Cleaning Compounds, Polishes, Seeds, etc.											C	P
Breweries <sup>3</sup>											C	P
Brick and Tile Manufacturing												P
Carpenter and Cabinet Making Shops											C	P
Cement and Cinder Block Manufacturing											C	P
Chemical Plants (manufacturing and storage) <sup>4</sup>											C	P
Cold Storage Plants											C	P
Commercial Grain Elevator	C											P
Confection Manufacturing											C	P
Creameries											C	P
Dental, Surgical and Optical Goods Manufacturing											C	P
Distilling of Bones, Fat, Glue, or Gelatin Manufacturing <sup>5</sup>												P
Dry Cleaning and Carpet Cleaning											C	P
Electric and Gas Service Buildings											C	P
Fertilizer Mixing and Manufacturing											C	P
Food Processing												P
Food Products Manufacturing											C	P
Gas Storage and Manufacturing												P
General Manufacturing												P
Jewelry Manufacturing											C	P
Junk Yards, Automobile Graveyards, or Places for the Collection of Scrap Metal or Junk for Salvage Purposes <sup>6</sup>											C	
Laboratories									P		C	P
Laboratories for Research and Testing									C		C	P

3 Amended 4/26/2007 by Resolution 2-2007 (effective 5/26/2007)  
 4 Amended 4/26/2007 by Resolution 2-2007 (effective 5/26/2007)  
 5 Amended 4/26/2007 by Resolution 2-2007 (effective 5/26/2007)  
 6 Amended 4/26/2007 by Resolution 2-2007 (effective 5/26/2007)

Article 4 – Permitted and Conditional Uses (cont'd)

*X=leave Blank*

Zoning Districts Land Use	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
Laundries											C	P
Metallic Powder Works <sup>7</sup>												P
Musical Instruments											C	P
Office, Computer and Accounting Machines											C	P
Pattern Making Shops											C	P
Pharmaceutical Product Manufacturing											C	P
Printing, Engraving and Book Binding Shops											C	P
Produce Processing Facility											C	P
Racing Facilities											X	P
Sand and Gravel Extraction												X
Saw Mills											C	P
Slaughter Houses												X
Small Electronic Products and Scientific Instruments											C	P
Small Glass Products											C	P
Small Household Appliances											C	P
Smelting												X
Soda Water and Soft Drink Bottling											C	P
Sporting Goods											C	P
Stockyards											X	P
Stone Quarries												X
Toiletries and Cosmetic Manufacturing											C	P
Tool, Die, Gauge and Machine Shops Manufacturing Small Parts											C	P
Transport and Trucking Terminals												P
Warehousing									C		C	P
Warehousing, Transfer, Terminal, Storage, and Loft Buildings, including the distribution of the items so handled											C	P
Wholesale Businesses												P
<b>4.02.06 <u>Accessory Structures and Uses</u></b>	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> Article 14
Accessory uses or structures customarily incidental to the principal permitted use on a property which it pertains to or depends upon for its existence	P	P	P	P	P	P	P	P	P	P	P	P
Accessory structure devoted to human occupancy												
Home Occupations (See Section 7.08)	P	P	P	P	P							
Non-traditional accessory structures, including but not limited to semi-truck trailers, box trucks, and cargo containers used by the air, rail, shipping, and land transportation industries <sup>8</sup>												

<sup>7</sup> Amended 4/26/2007 by Resolution 2-2007 (effective 5/26/2007)

<sup>8</sup> Amended 8/8/2001 by Resolution 01-2001 (effective 9/9/2001)



**Article 4 –Permitted and Conditional Uses (cont'd)**

Zoning Districts Land Use	<u>A-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4</u>	<u>I-1</u>	<u>B-PUD</u> <u>Article</u> <u>14</u>
Ponds (See Section 7.11)	C <sup>9</sup>	C	C	C	C	C	C	C	C	C	C	C
Outdoor Advertising	P						P	P	P	P	P	P
Structure for Temporary Housing for Seasonal Worker (See Section 7.17)	C											
P = Permitted Use C = Conditional Use Blank = Prohibited Use												

<sup>9</sup> Amended 5/31/2006 by Resolution 10-2006 (effective 6/30/2006)



ITEM NUMBER 2: SUBDIVISION VARIANCE REQUEST – PERRYSBURG TOWNSHIP

**APPLICANTS**

Jerry S. and Helen S. Krall  
135 Rosendale Place  
Rossford, OH 43460

**PROPOSAL**

Applicant has submitted an application for a variance from the Wood County Subdivision Rules and Regulations in order to allow the applicants to split off approximately two to three acres off of an existing 8.35 acre parcel of land in Section 2 of Perrysburg Township. In order to accomplish this, the applicant needs a variance from the Subdivision Rules and Regulations to create a 20 foot strip to access the back two to three acres.

**LOCATION**

The subject parcel is located in Section 2 of Perrysburg Township. More specifically, the parcel is located on the east side of Glenwood Road, the Ohio Turnpike is approximately 805 feet to the south of the parcel, and State Route 795 is approximately 1960 feet to the north.

**LAND USE AND ZONING**

The subject parcel is unzoned. Lands to the north, south, east, and west of the parcel are also unzoned. There are no floodplains or wetlands on the parcel, and the Wood County Land Use Plan has designated the parcel as being in an enhancement and reinvestment area.

**ATTACHMENTS**

- 2-A: Location Map
- 2-B: All documents relating to said request

**STAFF ANALYSIS**

First off, this request is being reviewed as a subdivision variance request since the subject parcel is located in the unzoned portion of Perrysburg Township. In order to attempt to get a variance, the applicants must go before the Planning Commission.

The proposal is to grant approval to use an existing 20 foot driveway to allow access to the back half of the existing parcel. The front of the parcel contains a self-storage business, and the back half of the property is essentially unused land.

This land behind the self-storage facility had been used for agricultural purposes; however it hasn't been used for agriculture purposes in the recent past. Additionally, a gas pipeline has been placed along the rear of the property.

The Krall's have been in the process of attempting to simplify their estates and assets. As such, they want to sell the self-storage business in the front of the property. They have been advised by their realtor that the additional 2-3 acres in the rear of the property offers little or no values to the sale price. Given its rail frontage along the back of the parcel, it is more lucrative to sell the property as two separate parcels.

The land is located in an area designated as being in an enhancement area and reinvestment area. The proposal as presented does fit these areas.

The main issue is whether or not there is reason to grant this variance. On the surface, it's hard not to ignore that an industrial end use is compatible with the land use plan designation, the rail frontage, and the existing land use in the area. Lastly, if this parcel were located in a zoned area of the township, there would be no frontage requirement provided that each parcel had access to an established road right of way.

Conversely, it isn't hard to make the argument that the applicant is requesting this variance to increase their economic opportunities, which is not a consideration in granting a variance, and in fact is counter to the spirit and intent of the variance process.

#### **STAFF RECOMMENDATION**

This request was studied and ruminated over by Planning Commission Staff. As noted in the analysis above, there are good reasons to grant the variance (potential economic development, the fact that if it were in the zoned area, there would be no frontage requirements if it were in a zoned area of the township). On the other hand, it is hard not to make the argument that what is being requested is being requested for the economic benefit of the applicants, and not for the five existing reasons for granting variances.

Given this, it is the recommendation of the Wood County Planning Commission that the Commission deny this variance request.

APPLICATION FOR SUBDIVISION VARIANCE  
WOOD COUNTY PLANNING COMMISSION  
WOOD COUNTY, OHIO

Date February 2, 2018

Application No. \_\_\_

Name Jerry S. Krall and Helen S. Krall

Address (Res) 135 Rosendale Pl, Rossford, OH 43460 (Subject Prop) 28140 Glenwood

Phone (919)949-3053

1. Locational Description: Southern ½ of the Southern ½ of the Western ½ of the North East Quarter Section Two (2) Town Four (4) USR, Excluding the Southern Seven (7) acres
2. Nature of Variance Requested: Describe generally the nature of the variance: The owner seeks a variance of Article 4, Section 4.05 (B) regarding the minimum lot width and frontage. The owner requests that a variance be granted to allow split permitting 20 feet of frontage on Glenwood Road to access a parcel of approximately 2-3 acres
3. Justification of Variance: On a separate sheet, please attach a statement relative to why the variance from requirements of the subdivision regulations is requested. Include such items as:
  - a. Exceptional topographical or other conditions peculiar to this particular parcel of land;
  - b. Why a literal interpretation of the regulations would deprive the applicant of rights enjoyed by other property owners;
  - c. That the peculiar conditions do not result from the previous actions of the applicant;
  - d. That the requested variance is the minimum variance that will allow a reasonable division of the land;
  - e. A sketch of the area showing the location and characteristics of the requested variance.

I certify that all information contained in this application and its supplements is true and correct.

Jerry S. Krall Helen Krall  
Signature

## Jerry and Helen Krall Split Variance

Jerry and Helen Krall bought the real property at 28140 Glenwood Road, Perrysburg, Ohio in 1966. After buying the property, which was a former quarry or dump, they filled the land and constructed a storage facility at the front of the property along Glenwood Road, which they operate under the name Krall Space.

Mr. and Mrs. Krall are advanced in age and they are attempting to simplify their estates. In so doing they have decided to try to sell the storage business.

The business is located at the front of their property leaving two to three acres of unused property in the rear. Recently, a gas pipeline was constructed across the rear of the property.

The rear portion of the property was formerly used as farm land, but in the recent past it has been mostly unused.

The rear of the property is adjacent to a CSX rail line. Located east of the rail line is the First Solar manufacturing complex and the Cedar Business Park.

In selling the storage business, the realtor has advised the Kralls that the additional 2-3 acres of property at the rear of the property offers little or no value to the sale price.

The property is located within a targeted economic development area as determined by the Wood County Land Use Plan adopted by the Wood County Commissioners in 2017. With this property, along with neighboring properties to the north and south of this property, there is significant rail frontage for future economic development purposes.

The Kralls would like to split the rear 2-3 acres of property from the property used as the storage business to hopefully maximize its value for future commercial or industrial development, probably in partnering with neighboring property owners. It is their belief that retaining this rail frontage would offer the possibility of future industrial or commercial development for this area.

Allowing the Kralls to have 20 feet of frontage on Glenwood Road would prevent this property from being landlocked and provide the Kralls the necessary access to the remaining property.

SURVEY #49337

CONTRACT: 1-16491

SURVEY MADE FOR: CHRIS KRALL

MARCH 10, 2017

**CERTIFICATE OF SURVEY:**  
**TOWN 4, U.S.R.**  
 PART OF THE NE. 1/4 OF SECTION 2,  
 PERRYSBURG TOWNSHIP, WOOD COUNTY, OHIO

NAD-83, GEOID 12A  
 PROJECT COORDS.  
 ARC GIS: 10.3

**REFERENCE DOC'S**

1. SURVEY BY PORTER McDONNELL, 1968 [L.E. FILES]
2. SURVEY BY BELL, 1957, [201-364]
3. SURVEY BY LEWANDOWSKI ENGINEERS, 1992, [L.E. #50740]
4. SURVEY BY MORSE, UNDATED, [L.E. FILES]
5. SURVEY BY FMB, 1989, [201-703]
6. SURVEY BY PETERMAN, 1999, [201-683]
7. SURVEY BY SAXER, 2007, [201-838]
8. SURVEY BY LEWANDOWSKI ENGINEERS, 2010, [L.E. #43346]

STEVENSON ACRES, LLC.  
 PAR: P57-400-02000008000  
 O.R.V. 3365, P. 406



**CERTIFICATION**

WE HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES SHOWN HEREON AS RECORDED IN WOOD COUNTY DEED VOLUME 440, PAGE 543 AND THAT THIS DRAWING IS A CORRECT PLOT THEREOF. ALL 1/2" GALVANIZED STEEL PIPE SET BY LEWANDOWSKI ENGINEERS ARE COMPPED WITH THE COMPANY NAME AND P.L.S. NO. 7476.

REGISTERED SURVEYOR, STATE OF OHIO #7476

NO. 1/2" IPIPE  
 N 3225.31  
 E 6089.69

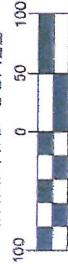


**LEWANDOWSKI ENGINEERS**

CIVIL ENGINEERS & SURVEYORS  
 THE CHIEF BLDG. 234 N. BIRE BT.  
 LEWANDOWSKI.COM  
 OFFICE: 419.285.4111

PT. NE. 1/4, SEC. 2, T4, S18R.

GRAPHIC SCALE



( IN FEET )  
 1 inch = 100 ft.

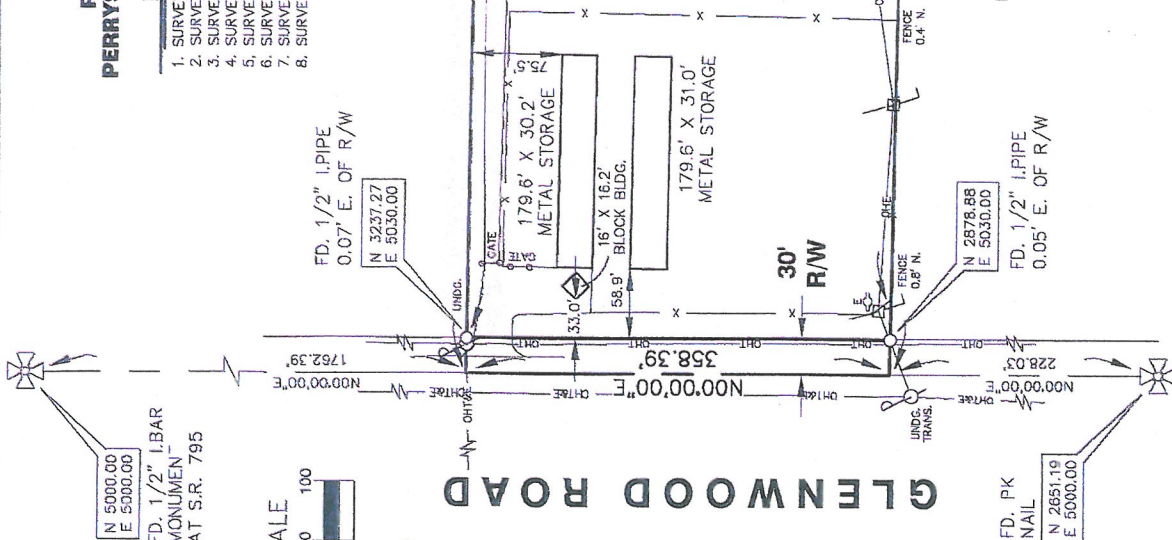


FD. 1/2" I.BAR  
 MONUMEN-  
 AT S.R. 795  
 N 5000.00  
 E 5000.00

FD. 1/2" IPIPE  
 0.07' E. OF R/W  
 N 3237.27  
 E 5030.00

N 2876.88  
 E 5030.00  
 FD. 1/2" IPIPE  
 0.05' E. OF R/W

FD. PK  
 NAIL  
 N 2651.19  
 E 5000.00



**GLENWOOD ROAD**

**CONSOLIDATED RAILROAD**

JERRY & HELEN KRALL  
 PAR: P57-400-020000011000  
 D.V.440, P.543

LEE & TERRI STEWART  
 PAR: P57-400-020000012000  
 O.R.V. 2876, P.1100

S22°41'42"W 386.72'  
 N 2868.53  
 E 5940.48  
 F.S. 1/2" IPIPE

S89°21'11"E 1059.76'  
 1089.76'  
 940.54'  
 910.54'  
 N89°20'56"W

