

Meeting Minutes
Wood County Planning Commission
April 3, 2018 @ 5:30pm

The Wood County Planning Commission met in regular session on Tuesday, April 3, 2018 at the County Office Building in Bowling Green, Ohio. Planning Commission staff in attendance was David Steiner and Katie Baltz. Planning Commission members in attendance were Tony Allion, Steve Arnold, Rob Black, Ted Bowlus, John Brossia, Doris Herringshaw, Craig LaHote, John Musteric, Barbara Ruland, John Schuerman and Eric Wineland. 8 guests were in attendance.

Rob Black called the meeting to order.

Old Business

New Business

Mr. Bowlus made a motion to approve the March 2018 Planning Commission meeting minutes. Mr. Schuerman seconded the motion. Commission members responded in full support.

Staff Activities Report

Mr. Steiner read a list of activities that had been completed by the staff for the month of March 2018. Ms. Ruland asked which firm was selected for the design work for CDBG programs. Mr. Steiner stated that Feller Finch & Associates and Poggemeyer Design Group were selected.

SUBDIVISION VARIANCE - PERRYSBURG TOWNSHIP

A Timothy and Deborah Feckley submitted an application for a subdivision variance in the unzoned area of Perrysburg Township.

Mr. Steiner stated that the intent of the subdivision variance application was to reconfigure two existing parcels of land in the unzoned area of Perrysburg Township so that access could be gained to the parcel that was currently landlocked. Mr. Steiner stated that the subject parcels were located in Road Tract 17 of Perrysburg Township. More specifically, the parcel(s) were located on the south side of Latcha Road, approximately 925 feet east of Glenwood Road.

Mr. Steiner stated that the subject parcels were currently unzoned and that there are no floodplains or wetlands on the parcels. Mr. Steiner stated that public water and sanitary sewer were not available to the parcels and the Wood County Land Use Plan had identified the area where the parcels are located at as being in a Growth Management Area.

Mr. Steiner stated that the parcels currently existed as a 5 acre parcel and a 27 acre land locked parcel. Mr. Steiner stated that the reason for this variance request was a result of an error – miscommunication between the applicant and his legal counsel in 2014. Mr. Steiner stated that the applicant thought that the splits were completed, but recently discovered that the Attorney had not recorded the parcel splits. Mr. Steiner stated that the applicant’s legal counsel was deceased, and hadn’t completed the work prior to his death.

Mr. Musteric stated that he did a little research and it appeared that the survey that had previously been reviewed had been looked at in November of 2014, which was after the regulations were changed. Mr. Steiner stated that the applicant was applying for the variance because he did not have enough road frontage to meet the requirements in the new subdivision regulations.

Mr. Musteric asked why we were making two non-conforming lots. Mr. Steiner stated that he felt that two non-conforming parcels were better than a land-locked parcel. Mr. Wineland asked what the alternatives were for the land locked parcel if it were not approved. Mr. Steiner stated that the parcel could stay as a land-locked parcel, and could be sold to an adjoining land owner to be combined, or could remain a separate land-locked parcel.

There being no further discussion, Mr. Wineland made a motion to approve the variance for the two unzoned parcels in Perrysburg Township. Ms. Herringshaw seconded the motion.

Mr. Black called for a vote.

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

SUBDIVISION - PERRYSBURG TOWNSHIP

The Eckel Trace Homeowner's Association wished to have a small piece of land that has been designated as open space in the Eckel Trace Subdivision deeded over to a lot owner located directly east of the existing parcel.

Mr. Steiner stated that since the parcel currently exists as open space, the Planning Commission would need to decide whether or not to allow the parcel be reclassified as a residential lot and sold.

Mr. Steiner stated that the subject parcel was located in Eckel Trace Plat 2, and is identified by the legal description of Eckel Trace Plat 2 Outlot 3. Mr. Steiner noted that the lot was on the south side of Sun Trace Drive between Lots 46 and 47.

Mr. Steiner stated that the parcel was currently zoned R-3 Suburban Residential, lands to the north, east and west were zoned R-3 Residential, and lands to the south were zoned A-1 Agricultural. Mr. Steiner stated that there were no floodplains or wetlands on the parcel, all utilities were available to the parcel, and the Wood County Land Use Plan had designated this area as being in a growth management area.

Mr. Steiner stated that the parcel that the HOA wanted to sell to an adjacent land owner was a tiny, essentially unusable piece of ground that would be better off being converted from open space to a privately owned parcel of land that an adjacent land owner could purchase. Mr. Steiner stated that the item of concern regarding the parcel in question is that the parcel was still considered open space, and does count when calculating the required overall amount of open space the entire plat must have.

Mr. Steiner stated that under the old platting requirements, all plats needed a minimum of 5% of open space for the subdivision. The Director stated that he had added all of the current open space on the plat, subtracted the current parcel, and what remained still (albeit narrowly) met the open space requirement.

Mr. Steiner stated that the Planning Commission Staff would recommend to the Planning Commission that the Planning Commission allow this parcel to be converted from open space and sold to an adjoin parcel owner.

Mr. Musteric asked if the requirement was 5% of the gross area of the platted area. Mr. Steiner stated that at the time this plat was recorded, it required 5 % of all of the plats combined. Mr. Brossia asked how wide the parcel was. Mr. Steiner stated that the parcel was 13 feet wide.

Mr. Allion asked if the parcel south of this subdivision was going to be developed and if this lot was created to provide access to those parcels. Mr. Steiner stated that he wasn't sure and that there may have been talk of that, but 13 feet wouldn't be wide enough. Mr. Brossia stated that he thought there may have been previous discussions about this lot being a walkway to the parcels to the south if they were ever developed.

Following a brief discussion, Ms. Ruland made a motion to approve the application to remove the open space designation from Eckel Trace Plat 2 Outlot 3. Mr. LaHote 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-No, Barbara Ruland-Yes, John Schuerman-Yes, Eric Wineland-Yes. Motion carried.

SUBDIVISION - MIDDLETON TOWNSHIP

Feller Finch & Associates had submitted two (2) letters requesting preliminary plat extensions on two (2) plats in Middleton Township. Said plats are Riverbend Lakes Plat 4-6 as well as for the remaining plats in the Village at Riverbend.

Mr. Black asked if anybody was present to represent the applicants, there was nobody present on behalf of the applicant.

Mr. Musteric stated that the review of the preliminary plats may be a good opportunity to bring up the connectivity issues. Mr. Black asked if the approval of the extension request was automatic. Mr. Steiner stated that the Planning Commission would have to decide whether to grant the extension. Mr. Wineland asked if the item were tabled, if the applicants could receive the extension at the following Planning Commission meeting before the plats expired. Mr. Steiner stated that the plats expire on May 2, 2018 and the Planning Commission meeting is scheduled for May 1, 2018.

Mr. Wineland made a motion to table the item until the next Planning Commission meeting. 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-No, Barbara Ruland-Yes, John Schuerman-Yes, Eric Wineland-Yes. Motion carried.

Mr. Wineland stated that the reason he made the motion to table the item was because there seemed to be unanswered questions and would like to know more about the applicants proposed construction timeline for the future.

ZONING - TROY TOWNSHIP

A Michael J. Rouen submitted an application to rezone two (2) parcels of land adjacent to their current automotive dealership from an A-1 Agricultural zoning classification to a C-1 Commercial zoning classification.

Mr. Steiner stated that the applicant had stated that they needed more parking for their dealership, and these two (2) parcels needed to be rezoned to a commercial zoning classification in order to allow this.

Mr. Steiner stated that the subject parcels were located on the south side of Route 20 – Fremont Pike approximately 823 feet west of the Route 23/Fostoria Road – 20 intersection and the Wood County Sandusky county line and are part of the Rouen Dodge dealership.

Mr. Steiner stated that the current parcels were zoned A-1 Agricultural. Lands to the north, south and west were zoned A-1 Agricultural, lands to the east where the dealership is located at are zoned C-1 Commercial. The Wood County Land Use Plan had designated the area where these parcels are located at as being in a Rural Management area and Natural Resources – Water quality management area. Mr. Steiner stated that there were no floodplains or wetlands on the site and there were no public utilities available to the site.

Mr. Steiner stated that he believed that there was a radio tower located beside the property. The applicant, Michael Rouen stated that there was a radio station tower and radio station office located to the west and south of his parcels that were being used commercially. Mr. Wineland asked what was currently located on the subject parcels. Mr. Rouen stated that there were currently 2 dilapidated mobile homes on the parcels that will be removed. Mr. Rouen stated that he has owned the dealership for 35 years.

Mr. Steiner stated that if there were nothing at the site, there would be no issues in recommending denial by trying to prevent a spot zone situation, placing an incompatible use in an area set aside for rural preservation, and the concern of encroaching into a natural water conservation area. Mr. Steiner stated that since the dealership predates zoning in the Township, it is safe to say that it has been operating as this type of use for quite some time.

Mr. Steiner stated that a similar situation occurred several years ago at the Sun Seed facility in Washington Township where the business was operating on a parcel zoned industrial in a sea of agriculturally zoned land. Ultimately the Commission opted to recommend to Washington Township that the Township approve the request in order to allow the business to expand.

Mr. Steiner stated that it was the recommendation of the Wood County Planning Staff that the Planning Commission approve this request.

Mr. Allion asked what was located on the 2 parcels to the west of the radio station. Mr. Allion said that it looks like one is C-1 and one is Agricultural. Mr. Rouen stated that the property contains a house and is being used for residential. Mr. Todd Gottschalk, Troy Township Zoning Inspector stated that the parcels in question pre-date zoning in Troy Township.

Mr. Gottschalk stated that the Township was concerned with safety of this intersection. Mr. Gottschalk stated that he had hoped that the dealership could utilize these new parking areas as a safety feature for unloading new vehicles, rather than trucks pulling off of the side of the road.

Mr. Rouen stated that he would be happy to change the address and delivery instructions for the drivers in order to try to alleviate the situation. Mr. Rouen stated that he was not a truck driver so he couldn't confirm whether this would actually be possible for the truck drivers to pull in and out of or not.

Mr. Black stated that the Planning Commission will only be making a recommendation to Troy Township and that the Township will make the final decision.

Mr. Brossia stated that he was concerned about the safety and the trucks stopping in the middle of the road. Mr. Brossia asked if somebody can make them stop doing this. Mr. Gottschalk stated that the Township wouldn't have that authority, and that it would be up to the Ohio State Highway Patrol to regulate.

Mr. Musteric stated that it looked like the parcels being rezoned were not contiguous with the applicants neighboring property. Mr. Rouen stated that there was a small 30 foot wide parcel between the radio station owner and his property, and that he had negotiated an easement that would allow him to cross the 30 foot parcel. Mr. Musteric asked the applicant if he had checked with the State regarding access to the properties. Mr. Rouen acknowledged that the ODOT likely wouldn't let them keep both driveways, and that they hadn't worked through the site details yet.

Mr. Allion made a motion to recommend that Troy Township approve the request to rezone 2 parcels of land from A-1 Agricultural to C-1 Commercial. Ms. Herringshaw seconded the motion.

Mr. Black called for a vote.

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

SUBDIVISION VARIANCE - PERRYSBURG TOWNSHIP

Tim and Camille Arend submitted a variance application for a parcel of land in Perrysburg Township.

Ms. Baltz stated that the applicant was seeking a variance from the frontage and size requirements set forth in the Wood County Subdivision Rules and Regulations. Ms. Baltz stated that the applicant's property was located in the unzoned portion of Perrysburg Township and would follow minimum size requirements outlined in the Wood County Subdivision Rules and Regulations.

Ms. Baltz stated that the subject property consisted of 3.03 acres of land in Section 32 of Perrysburg Township. Ms. Baltz stated that the property was located on the east side of Dunbridge Road, Reitz road is located approximately 0.53 miles to the north of the parcel and Dowling Road is located approximately 0.48 miles to the south of the subject property.

The Wood County Subdivision Rules and Regulations regulate minimum parcel sizes, minimum lot frontages and building setbacks in all unzoned areas of the County. Currently all parcels being created in unzoned townships must have a minimum of 175 feet of frontage and be at least 2 acres in size.

Ms. Baltz stated that the purpose of the variance request as stated in the application is that the owners would like to split the property into two parcels; the northern parcel would contain approximately 2 acres of land, would have approximately 209 feet of frontage and would contain the existing pole building, driveway and landscaping. Ms. Baltz stated that the southern parcel would be approximately 1.03 acres in size, would contain 114 feet of road frontage and would include the existing home and driveway. The southern parcel is the parcel that needs the frontage and area variance.

Ms. Baltz stated that the applicants purchased this property in May of 2012 with the intention of eventually splitting the parcels and building on the northern 2 acre parcel. In 2012, the Subdivision Rules and Regulations stated that "All lots shall abut on and have not less than thirty (30) feet of frontage on a street. Ms. Baltz stated that the Subdivision Rules and Regulations were updated in 2014 and the frontage requirements increased from 30 feet of frontage, to 175 feet of frontage.

Ms. Baltz stated that the applicants have obtained an inspection of the septic system associated with the existing house and have made the necessary upgrades. Ms. Baltz stated that the applicants have obtained a Household Sewage Treatment System Operation Permit from the Wood County Health Department that is valid until 2023.

Ms. Baltz stated that the Planning Commission Staff feels that the Planning Commission board should discuss the situation more thoroughly and determine if the justification that was provided is enough of a reason to grant a variance.

Mr. Wineland stated that the Planning Commission typically reviews applications to fix a problem and that didn't appear to be the case for this application. Mr. Wineland asked to know what was the purpose of the 175 foot frontage requirement and the 2 acre size requirement.

Ms. Baltz stated that the frontage and size requirements are used to regulate the density in rural areas and to allow for enough room for new septic systems.

Mr. Allion asked if the letter from the Health Department was something new that had been done. Ms. Baltz stated that the applicants preemptively had the health department analyze the property and provide the permit to demonstrate that the 1 acre parcel was sufficient for septic requirements.

Mr. Wineland stated that if this variance were allowed that it would be creating the precedent that the frontage and size requirements were not required.

Mr. Musteric asked if there were minor parcel splits available to the property. Ms. Baltz and Mr. Steiner stated that parcel research had been done, and this parcel was eligible to be split.

Mr. Allion asked why the proposed parcel to the south had 114 feet of frontage and the northern parcel had 209 feet. The Applicant, Camille Arend, stated that the numbers were based off of the existing tree line and buildings on the property.

Mr. Bowlus made a motion to approve the variance request. Mr. Arnold seconded the motion.

Mr. Black called for a vote.

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

SUBDIVISION VARIANCE - MONTGOMERY TOWNSHIP

Brett and Cindy Evans submitted an application seeking a variance from the frontage and size requirements set forth in the Wood County Subdivision Rules and Regulations.

Ms. Baltz stated that the applicant's property was located in Montgomery Township, an unzoned township and that the minimum parcel size and frontage requirements are enforced under the Wood County Subdivision Rules and Regulations.

Ms. Baltz stated that the subject property consisted of 9.66 acres of land in Section 28 of Montgomery Township, and the property was split by Deider Road. Ms. Baltz stated that Girton Road is located approximately 1900 feet to the north and Bays Road is located approximately 3350 feet (0.6 miles) to the south.

Ms. Baltz stated that the applicants would like to subdivide the subject property into two parcels of land; one parcel of land on the north side of the road and one parcel on the south side of the road. In order to split the property as proposed, a variance would need to be granted for the frontage and area requirements.

Ms. Baltz noted that the first parcel would be on the north side of Deider Road, and would need a frontage variance since only 135 feet of the required 175 feet of road frontage were available.

Ms. Baltz stated that the second parcel would contain the 1.6 acres on the south side of the road and would need an area variance, since it would not meet the 2 acre size requirement.

Ms. Baltz stated that the applicants had stated that it was their intent to sell the south parcel to an adjacent land owner to combine it with their property; The 1.6 acres could potentially be combined with the existing 0.3 acre parcel located on the corner of Deider and Wayne Roads in order to bring it closer to the required 2 acres and would help with any future septic systems.

Ms. Baltz stated that the Planning Commission Staff felt that the variance request was a reasonable request and would recommend that the Planning Commission grant both variances with the condition that the southern parcel be combined with an adjoining parcel.

Following a brief discussion, Mr. Wineland made a motion to approve the variance request for the two parcels in Montgomery Township. Ms. Ruland 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, Barbara Ruland-Yes, John Schuerman-Abstained, Eric Wineland-Yes. Motion carried.

PUBLIC FORUM

CHAIRMAN'S TIME/COMMISSION MEMBERS' TIME

Mr. Black stated that he and Mr. Wineland and Mr. Schuerman had recently met with the Planning Commission staff along with the County Engineer and members of the development community and had a fruitful discussion regarding issues with the subdivision rules, regulations and procedures. Mr. Wineland stated that he was disappointed that Mr. Feller's list of suggested changes were not provided to all parties before the meeting. Mr. Wineland stated that he would suggest scheduling a follow up meeting in September or October. Mr. Schuerman stated that he sensed that the relationship was adversarial and may need to be improved on both sides.

Mr. Allion stated that it may be a good idea to rotate the order in which votes are taken from Commission members so it was not always done in the same order.

DIRECTOR'S TIME

There being no further items of business, Mr. Allion made a motion to adjourn the April 3, 2018 Planning Commission Meeting, Mr. Wineland seconded the motion, Commission members responded in full support, meeting adjourned.