

**Meeting Minutes**  
**Wood County Planning Commission**  
**September 4, 2018 @ 5:30pm**

The Wood County Planning Commission met in regular session on Tuesday, September 4, 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, Ted Bowlus, Doris Herringshaw, Craig LaHote, John Musteric, John Schuerman and Erik Wineland. 6 guests were in attendance.

Vice-Chairman, John Musteric, called the meeting to order.

**Old Business**

**New Business**

Mr. Allion made a motion to approve the June 2018 Planning Commission meeting minutes. Mr. Bowlus seconded the motion, Commission members responded in full support, Mr. Wineland abstained.

**VARIANCE - JACKSON TOWNSHIP**

A Steve and Deb Kuesel submitted an application seeking a variance from the frontage requirements set forth in the Wood County Subdivision Rules and Regulations.

Ms. Baltz stated that the applicant's property was located in an unzoned Township, Jackson Township. Since the parcel was unzoned, the Wood County Subdivision Rules and Regulations were enforced for minimum parcel frontages and lot sizes. Ms. Baltz stated that the applicants would like to split their 11.823 acre farm parcel.

Ms. Baltz stated that the subject property being split consisted of 11.823 acres of land in Section 6 of Jackson Township. Specifically, the property was located on the east side of Henry-Wood County Line Road, approximately 900 feet south of Jerry City Road, and approximately 0.8 miles north of Cygnet Road.

Ms. Baltz stated that there were no floodplains or wetlands on the property. Ms. Baltz stated that the property had been designated as a Rural Management Area in the Wood County Land Use Plan.

Ms. Baltz stated that the applicant was seeking a variance from the 175 foot frontage requirement set forth in the Wood County Subdivision Rules and regulations, in order to subdivide the property.

Ms. Baltz stated that the request was to allow an 80 foot wide by 428 foot deep parcel to be split off of the 11 acre farm parcel and be combined with the existing 2 acre house parcel that adjoins the parcel. Ms. Baltz stated that if the variance were to be approved, the southern house parcel would have 308 feet of road frontage and measure approximately 3 acres in size and the northern farm parcel would have 123.76 feet of frontage, and would measure approximately 11 acres in size.

Ms. Baltz stated that if the variance were to be denied, the applicants would have a couple of options. Ms. Baltz stated that the applicants could move the location of the building to an area on the property that would not be straddling lot lines. Ms. Baltz stated that a second option would be for the owners to split off the area where the building would be located, not including frontage, and combine that area to the house parcel.

Ms. Baltz stated that the reason for the variance request was because the property owners were building an accessory building that would straddle lot lines, and wanted to reconfigure the lot lines so that the building would be on the house parcel. Ms. Baltz stated that the applicant's had stated that the contractor working on the project wasn't aware of Subdivision Regulations' frontage requirements, and had already had the stone delivered to the property. Upon further investigation, the applicants realized that unzoned Townships must follow the frontage requirements prescribed in the Wood County Subdivision Regulations, and would need a variance in order to proceed as desired.

Mr. Wineland asked if the applicant owned both parcels and what each parcel was being used for. Ms. Kuesel stated that they owned both parcels, and that the southern parcel was their home and the northern parcel was farmland that would eventually be passed on to Mr. Kuesel's son. Mr. Wineland asked where the building would be located. Ms. Kuesel stated that the building would be 80 feet back from the road and would allow for semi-truck parking.

Mr. Musteric asked if the applicants were going to be running a business. Ms. Kuesel stated that her husband was an owner/operator and would be bringing two semi-trucks home and hauling grain. Mr. Steiner stated that Jackson Township was unzoned and the property could be used for a business. Mr. Musteric stated that a building permit may be required if it were a commercial business rather than an agricultural business. Mr. Allion suggested that the applicant confirm with the Office of Building Inspection whether a building permit was needed or not.

Following a brief discussion, Mr. Musteric stated that he didn't see a hardship in this situation. Mr. Wineland made a motion to deny the variance request, and stated that the reason was because he felt that allowing the variance would limit the usability of the northern parcel and may create a problem in the future. Mr. Schuerman seconded the motion. Mr. Musteric called for a vote.

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

#### **SUBDIVISION - MIDDLETON TOWNSHIP**

Feller Finch & Associates and McCarthy Builders submitted a final plat entitled The Village at Riverbend Plat Four.

Mr. Steiner stated that the plat was the fourth phase of the Village at Riverbend subdivision and contained twenty four (24) single family lots and covered approximately 8.124 acres of land.

Mr. Steiner stated that the plat was located in the eastern portion of the existing Village at Riverbend plat. Mr. Steiner noted that the plats of Saddlebrook plats thirteen (13) and fourteen (14) were located to the east of the plat, the Village of Riverbend Plat Three bordered the plat to the north, and unplatted lands were located to the south.

Mr. Steiner stated that the plat was zoned R-3 Residential and all surrounding lands were also zoned R-3 Residential. Mr. Steiner stated that there were no floodplains or wetlands on the parcels and all utilities were available to the subject plat.

Mr. Steiner stated that connectivity was still an issue. Mr. Steiner stated that in December 2017 the Planning Commission granted final approval to the Village of Riverbend Plat Three with the condition that a connection from East Sunset Maple Drive to Waterville Drive be completed at some point in the calendar year 2018.

Mr. Greg Feller stated that the connection would be made with Plat Five, as previously discussed. Mr. Feller stated that they were trying hard to get construction plans approved to start working on Plat Five in the fall in order to make the connection.

Mr. Wineland stated that there seemed to be no problems with Plat Four, but the concern was making the connection with Plat Five. Mr. Wineland asked how long it would take to construct the road once the construction plans were approved. Mr. Feller stated that it would take 2 ½-3 months to construct a road, and that utilities would have to be put in place first and it was getting late in the season.

Mr. Allion asked if the Plat Five included lots along with the road that made the connection. Mr. Feller stated that Plat Five included the road that runs down to make the connection as well as another cul de sac with lots.

Mr. Musteric read an excerpt from the December 2017 meeting minutes that stated that a connection must be made in 2018. Mr. Allion asked if the Plat five construction plans had been submitted to Northwestern Water & Sewer District (NWSD). Mr. Feller stated the plans had been submitted to NWSD a month or two ago.

Mr. Feller stated that they would put the stone base for the connection road in by the end of 2018 even if the road couldn't be built in 2018 and worse case the road would be paved in the Spring of 2019.

Mr. Wineland made a motion to approve the final plat entitled The Village at Riverbend Plat Four. Mr. Bowlus seconded. Mr. Musteric called for a vote.

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

#### **SUBDIVISION - LAKE TOWNSHIP**

The Applicant pulled their item from the agenda.

## **PUBLIC FORUM**

Mr. Steiner stated that there two Lake Township residents present that lived in Freedom Estates Subdivision that had concerns regarding their subdivision.

Mr. Steiner stated that a letter was provided to Planning Commission members from the County Engineer as well as a letter from the Planning Commission Director requesting an opinion from the Wood County Prosecutors office.

Mr. Mike Kidd stated that he lived on Freedom Drive in Freedom Estates. Mr. Kidd stated that DMWW purchased the vacant lots in 2011 that were left from the Dold Development bankruptcy. Mr. Kidd stated that when a permit was given to DMWW, it was stated that a number of items would be corrected, and they were not done. Mr. Kidd was concerned about the flooding and drainage in the subdivision.

Mr. Wineland asked if there was a way that the County Prosecutor could go after the developer for any criminal charges. Ms. Holmes stated that she could talk to County Prosecutor Paul Dobson about it. Ms. Holmes stated that this was more than likely a civil problem between homeowners and the developer, and not a public problem. Mr. Wineland stated that in his experience, things can always become a criminal matter. Ms. Holmes stated that it would have to be Mr. Dobson's decision, and there would have to be a lot more facts brought forward. Mr. Kidd stated that DMWW was not a developer, and stated that DMWW bought the vacant lots and sold them to builders who then built the homes. Mr. Kidd asked what right DMWW had to create a homeowners association since they were a property owner, not a developer.

Ms. Holmes and Mr. Musteric stated that only one resident would be needed to petition to have Ayers Creek put under County maintenance to help with some drainage issues.

Mr. Randy Saint John, Freedom Estates resident, stated that he was one of the first residents to live in the subdivision and stated that there had been water issues ever since he lived there, and they just wanted the flooding problem to be fixed.

There was lengthy discussion between Commission Members, the County Engineer, Ms. Holmes, Mr. Kidd, Mr. Randy Saint John regarding the flooding issues, drainage issues, putting the pond under county maintenance and who was responsible for paying for the repairs before it can be put under maintenance, Homeowners Associations and other concerns of the residents in the subdivision.

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

### **DIRECTOR'S TIME**

Mr. Steiner stated that Ms. Holmes would speak to the Planning Commission members at the next scheduled meeting about subdivision and zoning law. Ms. Holmes asked for members to email her any specific questions, if they had any.

### **Staff Activity Report**

Mr. Steiner reviewed the staff activities performed in August 2018.

Mr. Steiner stated that the next Planning Commission meeting would be on Tuesday, October 2, 2018.

There being no further items of business, Mr. Allion made a motion to adjourn the September 4, 2018 Planning Commission Meeting, Mr. Wineland seconded the motion, Commission members responded in full support, meeting adjourned.

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