



**WOOD COUNTY PLANNING COMMISSION
AGENDA
June 4, 2019 at 5:30 PM**

The Wood County Planning Commission will meet in regular session on Tuesday, June 4, 2019 at the Commissioners' Hearing Room on the fifth floor of 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 May 2019 Planning Commission Meeting Minutes

SUBDIVISION - MIDDLETON TOWNSHIP

Feller Finch & Associates have submitted a final plat entitled "The Village at Riverbend Plat Five" for final review and approval. Said plat is the fifth (5th) phase of the overall Village at Riverbend subdivision located in Middleton Township.

ZONING – TROY TOWNSHIP

A George Katakis has submitted a request to rezone approximately 99.73 acres of land in Section 3 of Troy Township from an A-1 Agricultural Zoning Classification to an R-3 Residential Zoning Classification. Applicants have indicated that they would like to develop a residential subdivision on the property.

ZONING – PERRYSBURG TOWNSHIP

A Paul R. Swartz and Paul R. Swartz have submitted a request to rezone three (3) parcels of land totaling approximately 80.64 acres of land in Section 36 of Perrysburg Township from an A-1 Agricultural zoning classification to an I-2 General Industrial zoning classification. No end use has been proposed, however applicants have stated that they feel given the zoning classifications and land uses in the vicinity of parcel, an I-2 zoning classification would be the optimal zoning classification for the land.

ZONING – LIBERTY TOWNSHIP

A James Chambers has submitted a request to amend the text of the current Liberty Township zoning resolution to allow for the placement of cargo-shipping containers and semi-trailers on any property in Liberty Township that is zoned Industrial.

SUBDIVISION - MONTGOMERY TOWNSHIP

A Thomas and Cheryl Ward are seeking a variance from the side setback requirement set forth in the Wood County Subdivision Rules and Regulations. The applicants' parcels are located in an unzoned township, Montgomery Township. The unzoned townships must adhere to the minimum lot area, width, and setback requirements of the Wood County Subdivision Rules and Regulations. The applicants plan to combine two of their parcels. After combining two of their parcels, they wish to split off a piece of the newly combined parcel and combine it with their third parcel. A variance from the side setback requirement of 20 feet is needed to allow the split to occur.

PUBLIC FORUM:

CHAIRMAN'S/COMMISSION MEMBER'S TIME

DIRECTOR'S TIME

Staff activities for May 2019 will be reviewed.

ADJOURNMENT

Please make plans to attend!

Meeting Minutes
Wood County Planning Commission
May 7, 2019
5:30 pm

The Wood County Planning Commission met in regular session on Tuesday, May 7, 2019 at the County Office Building in Bowling Green, Ohio. Planning Commission staff members in attendance were David Steiner and Deminique Heiks. Planning Commission members in attendance were Tony Allion, Steve Arnold, Ted Bowlus (arrived at 5:32), John Brossia, Doris Herringshaw, Craig LaHote, John Musteric, Barbara Ruland, Jeffrey Schaller, John Schuerman, and Erik Wineland. Five guests were in attendance.

Chairman John Musteric called the meeting to order.

Old Business

New Business

Mr. Schaller made a motion to approve the April 2019 Planning Commission meeting minutes. Mr. LaHote seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Yes, Ms. Herringshaw - Yes, Mr. LaHote - Yes, Mr. Musteric - Yes, Ms. Ruland - Abstain, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Wineland - Yes.

ZONING – PLAIN TOWNSHIP

The Plain Township Zoning Commission had submitted a new zoning resolution for the township. The zoning resolution had not been updated since 2007.

Mr. Steiner passed out copies of the new resolution to the Commission members. Mr. Steiner provided an overview of the new resolution. Mr. Steiner stated the township zoning commission had drafted a nearly entirely new set of regulations. He specifically pointed out the addition of regulations for wind turbines, solar panels, and outdoor wood-fired boilers.

Mr. Steiner recommended that the township break out the commercial and industrial districts into more than one district for each. Mr. Steiner stated he would work with the township to include language requiring continuous frontage for lots.

Mr. Steiner stated he also wanted to note the updated signage section. Mr. Steiner stated he believed the new resolution was solid and a good working document.

Ms. Herringshaw asked Mr. Steiner about the potential impact of the state's proposed energy policy on the township's regulations. Mr. Steiner stated he was working with his legal counsel to develop more effective language for solar regulations. Mr. Steiner stated he planned to develop a model for the townships.

Mr. Musteric asked if anyone in the audience represented Plain Township. Dale Limes, a member of the Plain Township Zoning Commission, identified himself. Mr. Musteric asked Mr. Limes if he had anything to add. Mr. Limes stated he agreed with Mr. Steiner that the resolution was a working document and knew that the zoning commission would need to continually work on it.

Mr. Wineland asked Mr. Limes if the new resolution included regulations for cell phone towers. Mr. Limes stated the regulations included some language about cell towers, but it was not specific. Mr. Wineland asked Mr. Limes if there were cell phone towers in the township. Mr. Limes answered yes. Mr. Steiner stated cell towers were exempt in agriculture districts. Mr. Wineland asked if that was a state law. Mr. Steiner answered yes.

Mr. Wineland asked Mr. Limes how the township handled non-traditional accessory buildings. He was particularly interested in truck containers. Mr. Limes stated those types of buildings would not be permitted under the new resolution.

Mr. Musteric asked if all of the townships regulated ponds. Mr. Steiner stated the townships should regulate ponds. Mr. Steiner stated he believed all of the townships regulated ponds. Mr. Steiner stated there was no rule that required townships to regulate ponds.

Mr. Wineland asked if it would make sense to hold off on voting on the request, in order to make time for the township zoning commission to review Mr. Steiner's recommendations and possibly make some revisions. Mr. Limes stated many of the changes the zoning commission had made to the resolution were recommended by Mr. Steiner. Mr. Steiner stated he had had regular discussions with the zoning commission about the resolution. Mr. Steiner stated it did not matter to him whether the Planning Commission members decided to hold off on voting on the request.

Mr. Wineland asked if the township zoning commission would have to resubmit the resolution with Mr. Steiner's changes for approval if the township trustees approved the new resolution prior to it being edited. Mr. Limes answered yes.

Mr. Brossia asked if there were regulations for mini-farms. Mr. Steiner provided an overview of the agriculture zoning regulations.

Ms. Ruland asked if the township trustees already reviewed the new resolution and voted on it. Mr. Limes answered no. Mr. Limes provided an overview of the zoning process. Ms. Ruland asked if there were any timing issues. Mr. Limes answered no.

Mr. LaHote asked Mr. Limes if the township zoning commission would make the changes Mr. Steiner recommended before submitting the resolution to the township trustees. Mr. Limes answered yes.

Mr. Musteric asked Mr. Steiner if he recommended approving the request. Mr. Steiner answered yes, as long as some changes were made. Mr. Steiner stated the continuous frontage language needed to be included in the resolution. He also wanted the grammatical errors to be corrected.

Mr. Wineland stated he believed it would not be harmful to revisit the request at the following Planning Commission meeting. He reasoned that waiting would provide more time to revise the resolution. Mr. Steiner stated tabling the request could impact the timeline for the public hearings.

Mr. Wineland made a motion to table the request until the township zoning commission evaluated the suggestions made by Mr. Steiner, incorporated the changes they agreed with, and presented an updated document at the following Planning Commission meeting. Mr. Allion seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - No, Mr. Brossia - No, Ms. Herringshaw - No, Mr. LaHote - No, Mr. Musteric - Yes, Ms. Ruland - No, Mr. Schaller – No, Mr. Schuerman - No, Mr. Wineland - Yes.

The motion failed.

Mr. Schuerman made a motion to recommend that Plain Township approve the new zoning resolution. Ms. Ruland seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - No, Mr. Arnold - No, Mr. Bowlus - Yes, Mr. Brossia - Yes, Ms. Herringshaw - Yes, Mr. LaHote - Yes, Mr. Musteric - No, Ms. Ruland - Yes, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Wineland - No.

ZONING – PERRYSBURG TOWNSHIP

An Amber Worthington and Lucas Buckley had submitted an application to rezone a 6.26 acre parcel of land from a Planned Unit Development-Residential (PUD-R) zoning classification to an R-1 Rural Residential District (Low Density) zoning classification.

Ms. Heiks provided an overview of the application. Ms. Heiks stated the applicants intended to build a single family home on the parcel. The parcel was directly north of the Lakemont Subdivision. Five different zoning classifications existed around the parcel.

Mr. Schaller asked if the current zoning was PUD-R and if the density differed. Ms. Heiks answered yes to both of the questions. The proposed zoning classification was for low density development.

Mr. Wineland asked if the original plan in zoning the parcel as PUD-R was to keep it consistent with the development south of it. Mr. Wineland asked if the applicants' plan was to just build one home on the parcel. Ms. Heiks answered yes to both of the questions.

Ms. Ruland asked the applicants if the wetland on their parcel would impact their plans. The applicants stated no. The applicants stated they would also build their home outside of the flood plain.

Ms. Herringshaw asked how much of the property was considered a wetland. Ms. Heiks stated the pond area was considered a wetland. Ms. Ruland stated the pond made up nearly half of the parcel. Ms. Heiks stated that was why she brought up the topography of the parcel as being an important factor during her presentation.

Mr. Wineland asked what was in the buildings across the street from the parcel. The applicants stated apartments and a bank. Kelly Hemminger, the Perrysburg Township Zoning Administrator, stated there was a credit union and UAW Hall across the street from the parcel.

Mr. Wineland stated the Planning Commission members needed to determine the best use for the property. Mr. Wineland stated he believed it was residential. The applicants stated the property was too narrow to rezone it to an agricultural zoning classification.

Mr. Musteric asked the applicants how much frontage they had on Oregon Road. The applicants answered 300 feet. Mr. Brossia asked if they would be able to develop a driveway on the parcel. The applicants stated there was already a driveway on the parcel.

Mr. Wineland made a motion to recommend that Perrysburg Township approve the rezoning request. Mr. Arnold seconded the motion.

Mr. Musteric called for a vote.

Mr. Allion - Yes, Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Yes, Ms. Herringshaw - Yes, Mr. LaHote - Yes, Mr. Musteric - Yes, Ms. Ruland - Yes, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Wineland - Yes.

PUBLIC FORUM

CHAIRMAN'S TIME/COMMISSION MEMBERS' TIME

Mr. Allion stated he did not receive a mailed copy of the agenda packet. Mr. Allion also discussed having issues with mail delivery. Ms. Heiks stated the Planning Commission staff did not mail out copies of the agenda packet. She added that they did email the packets to all of the Commission members. Ms. Heiks and Mr. Steiner explained that they had had some issues with mail delivery. Other Commission members discussed having issues with mail delivery in the past. Ms. Heiks stated she could send out copies of the agenda packet in the mail if anyone was interested in receiving it that way. The Commission members agreed it would be acceptable to just receive a copy of the agenda packet by email.

DIRECTOR'S TIME

Staff Activity Report

Mr. Steiner reviewed the staff activities performed in April 2019. Mr. Steiner passed around a flyer for a workshop on appointing authorities and briefly discussed the event.

Mr. Brossia started a discussion about what he perceived to be a lack of zoning enforcement. Multiple Commission members participated in the discussion.

Ms. Ruland made a motion to adjourn the May 7, 2019 Planning Commission meeting. Ms. Herringshaw seconded the motion. Commission members responded in full support. The meeting adjourned.

DRAFT

ITEM # 1 – SUBDIVISION - MIDDLETON TOWNSHIP

APPLICANTS

Feller Finch & Associates
1683 Woodlands Drive
Maumee, OH 43537

PROPOSAL

Applicants have submitted a final plat entitled “The Village at Riverbend Plat Five” for final review and approval. Said plat is the fifth (5th) phase of the overall Village at Riverbend subdivision located in Middleton Township.

LOCATION

As noted, the plat is located in the existing Village Riverbend Subdivision. The Village at Riverbend Plat Two is located to the north of the proposed plat. River Bend Lakes Plat Two is located to the southwest; lands to the south and east are still unplatted.

LAND USE AND ZONING

Said plat is zoned R-3 Residential. All lands surrounding the plat are also zoned R-3 Residential.

ATTACHMENTS

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

STAFF ANALYSIS

In the Director’s opinion, this item is fairly cut and dry. This plat is another phase of an overall plat that was granted preliminary approval. It is an area where this type of development is prevalent and will continue in the future. Most important is that with this plat the connection from Sunset Maple Drive to Waterville Drive is made. This has been a contentious issue for quite some time, as well as a safety issue.

If there are concerns from the Wood County Engineer, than these will need to be addressed by the applicants prior to the Engineer signing off on the plat.

STAFF RECOMMENDATION

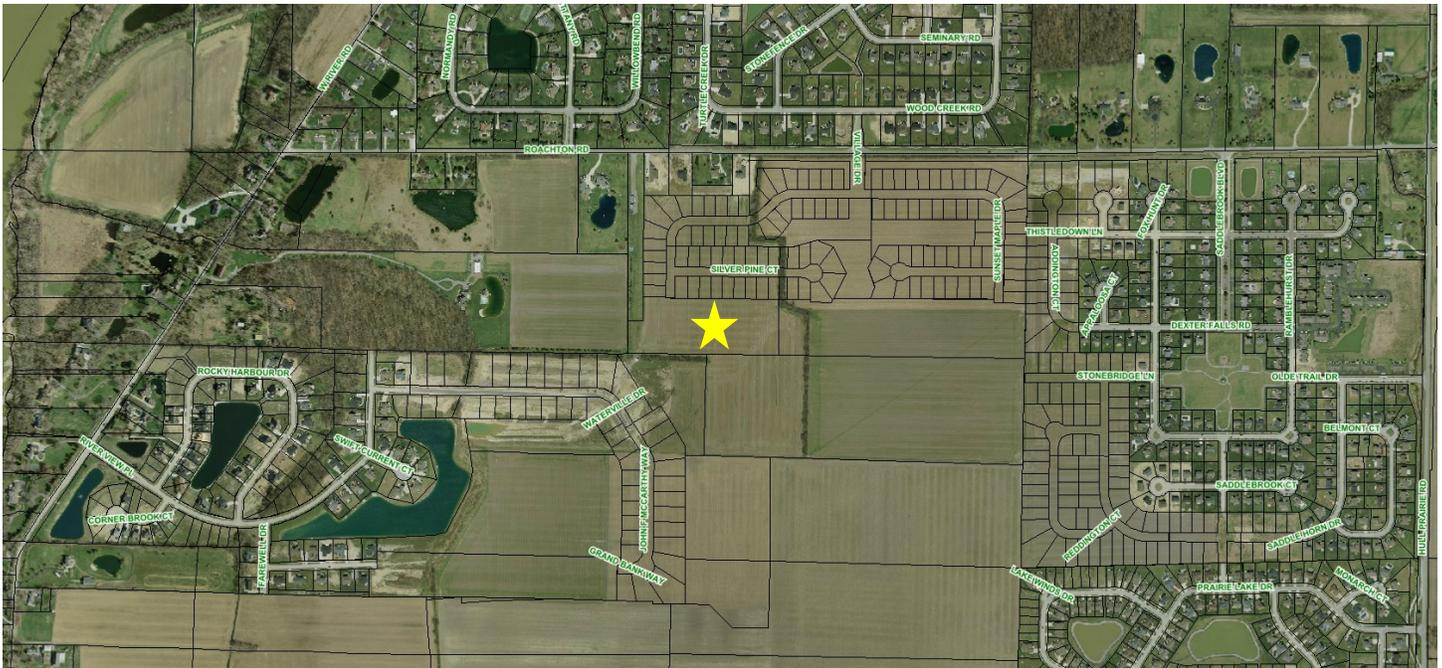
The Wood County Planning Commission Staff recommends that the Planning Commission grant final approval to the plat of the Village at Riverbend Plat Five subject to any items listed by the Wood County Engineer be corrected prior to plat recording.

ATTACHMENT 1-A

Parcel Information

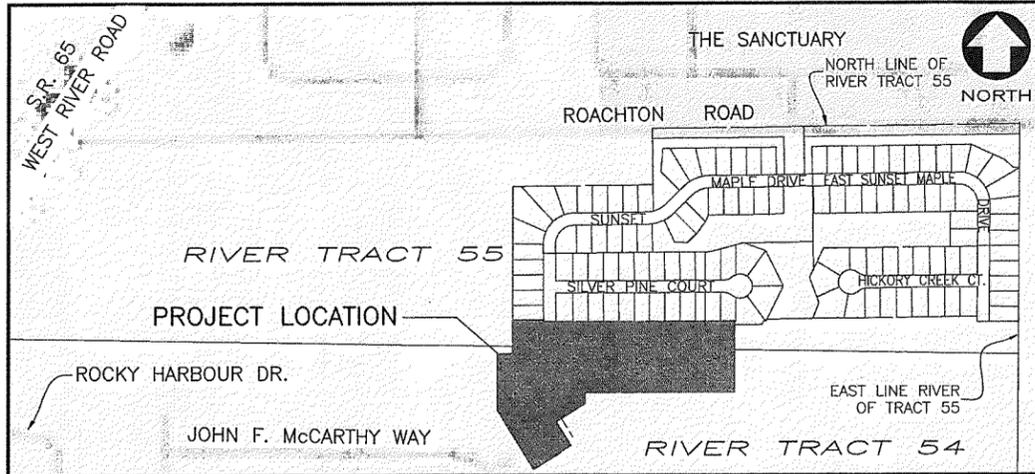
Applicant: Feller, Finch &
Associates

Request: Final Plat Approval



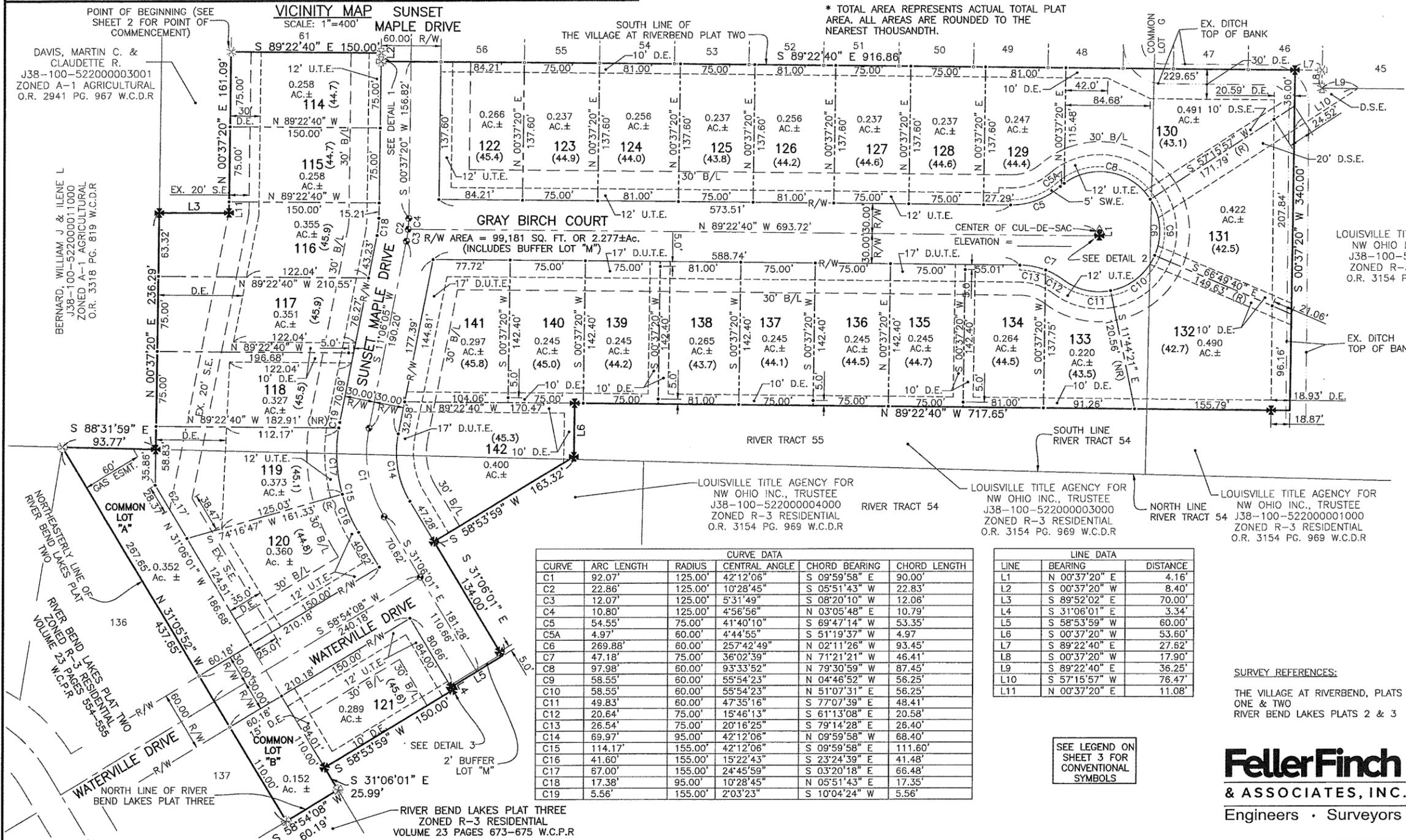
The Village at Riverbend Plat Five

PART OF RIVER TRACTS 54 & 55, TOWN 1, UNITED STATES RESERVE OF THE TWELVE MILE SQUARE AT THE FOOT OF THE RAPIDS OF THE MIAMI OF LAKE ERIE, MIDDLETON TOWNSHIP, WOOD COUNTY, OHIO
EXISTING ZONING: R-3

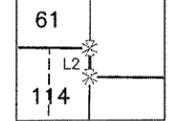


DESCRIPTION	AREA (ACRES)	AREA BREAKDOWN (ACRES±)		
		TAX PARCEL NO. J38-100-522000001000	TAX PARCEL NO. J38-100-522000003000	TAX PARCEL NO. J38-100-522000004000
LOTS	9.122	1.103	6.415	1.604
GRAY BIRCH COURT R/W	1.101	.009	1.093	---
SUNSET MAPLE DRIVE R/W	0.883	---	0.546	0.337
WATERVILLE DRIVE R/W	0.290	---	---	0.290
BUFFER LOT M	0.003	---	---	0.003
* TOTAL	11.399	1.112	8.054	2.233

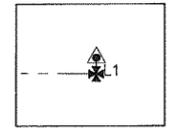
THE VILLAGE AT RIVERBEND PLAT TWO
ZONED R-3 RESIDENTIAL
VOLUME 23 PAGES 691-693
W.C.P.R



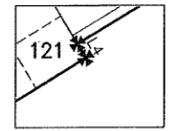
* TOTAL AREA REPRESENTS ACTUAL TOTAL PLAT AREA. ALL AREAS ARE ROUNDED TO THE NEAREST THOUSANDTH.



DETAIL 1



DETAIL 2 (CENTER OF CULDESAC)



DETAIL 3

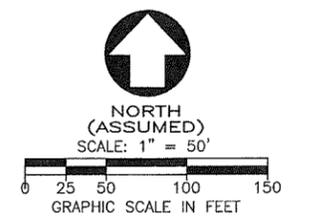
R-3 ZONED BUILDING SETBACK LINES
FRONT = 30 FT.
SIDE = 10 FT. MIN, 25 FT. SUM OF SIDES
REAR = 30 FT.

AS PER FEMA COMMUNITY PANEL NUMBER 39173C0015 D EFFECTIVE DATE SEPT. 2, 2011, THIS PROJECT IS NOT WITHIN THE 100 YEAR FLOOD HAZARD AREA.

CURVE	ARC LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
C1	92.07'	125.00'	42°12'06"	S 09°59'58" E	90.00'
C2	22.86'	125.00'	10°28'45"	S 05°51'43" W	22.83'
C3	12.07'	125.00'	5°31'49"	S 08°20'10" W	12.06'
C4	10.80'	125.00'	4°56'56"	N 03°05'48" E	10.79'
C5	54.55'	75.00'	41°40'10"	S 69°47'14" W	53.35'
C5A	4.97'	60.00'	4°44'55"	S 51°19'37" W	4.97'
C6	269.88'	60.00'	257°42'49"	N 02°11'26" W	93.45'
C7	47.18'	75.00'	36°02'39"	N 71°21'21" W	46.41'
C8	97.98'	60.00'	93°33'52"	N 79°30'59" W	87.45'
C9	58.55'	60.00'	55°54'23"	N 04°46'52" W	56.25'
C10	58.55'	60.00'	55°54'23"	N 51°07'31" E	56.25'
C11	49.83'	60.00'	47°35'16"	S 77°07'39" E	48.41'
C12	20.64'	75.00'	15°46'13"	S 61°13'08" E	20.58'
C13	26.54'	75.00'	20°16'25"	S 79°14'28" E	26.40'
C14	69.97'	95.00'	42°12'06"	N 09°59'58" W	68.40'
C15	114.17'	155.00'	42°12'06"	S 09°59'58" E	111.60'
C16	41.60'	155.00'	15°22'43"	S 23°24'39" E	41.48'
C17	67.00'	155.00'	24°45'59"	S 03°20'18" E	66.48'
C18	17.38'	95.00'	10°28'45"	N 05°51'43" E	17.35'
C19	5.56'	155.00'	2°03'23"	S 10°04'24" W	5.56'

LINE	BEARING	DISTANCE
L1	N 00°37'20" E	4.16'
L2	S 00°37'20" W	8.40'
L3	S 89°52'02" E	70.00'
L4	S 31°06'01" E	3.34'
L5	S 58°53'59" W	60.00'
L6	S 00°37'20" W	53.60'
L7	S 89°22'40" E	27.62'
L8	S 00°37'20" W	17.90'
L9	S 89°22'40" E	36.25'
L10	S 57°15'57" W	76.47'
L11	N 00°37'20" E	11.08'

SEE LEGEND ON SHEET 3 FOR CONVENTIONAL SYMBOLS



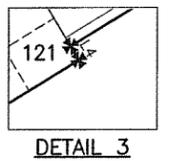
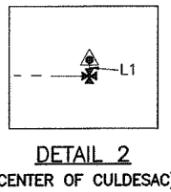
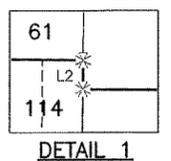
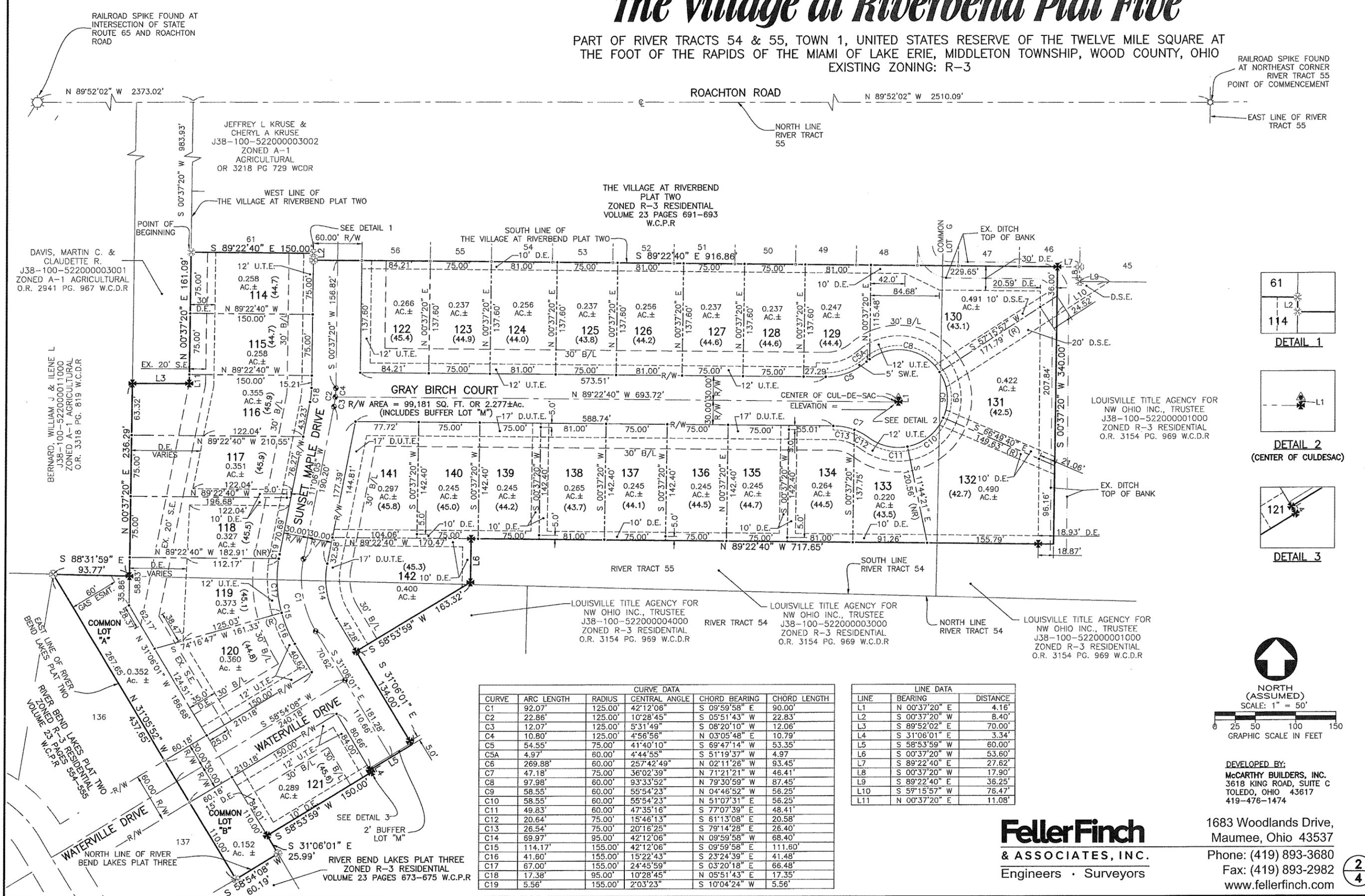
Feller Finch & ASSOCIATES, INC.
Engineers • Surveyors

DEVELOPED BY:
McCarthy Builders, Inc.
3618 KING ROAD, SUITE C
TOLEDO, OHIO 43617
419-476-1474

1683 Woodlands Drive,
Maumee, Ohio 43537
Phone: (419) 893-3680
Fax: (419) 893-2982
www.fellerfinch.com

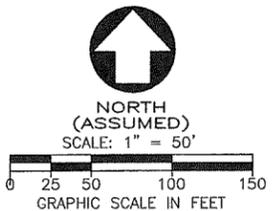
The Village at Riverbend Plat Five

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EXISTING ZONING: R-3



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& ASSOCIATES, INC.
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The Village at Riverbend Plat Five

PART OF RIVER TRACTS 54 & 55, TOWN 1, UNITED STATES RESERVE OF THE
TWELVE MILE SQUARE AT THE FOOT OF THE RAPIDS OF THE MIAMI OF LAKE ERIE,
MIDDLETON TOWNSHIP, WOOD COUNTY, OHIO

LEGAL DESCRIPTION:

A parcel of land being part of River Tracts 54 & 55 in Town One (1), United States Reserve of the Twelve Mile Square at the foot of the Rapids of the Miami of Lake Erie, in Middleton Township, Wood County, Ohio, said parcel of land being bounded and described as follows;

Commencing at the intersection of the East line of River Tract 55 with the North line of River Tract 55, said North line of River Tract 55 also being the Centerline of Roachton Road, said point of intersection being marked with a found railroad spike;

Thence in a westerly direction along the North line of River Tract 55, having a bearing of North eighty-nine (89) degrees, fifty-two (52) minutes, two (02) seconds West, a distance of two thousand five hundred ten and nine hundredths (2510.09') feet to the East line of a parcel of land as described in Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis;

thence South zero (00) degrees, thirty-seven (37) minutes, twenty (20) seconds West along the said East line of a parcel of land as described in Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis said East line of Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis also being the northerly extension and also the West line of The Village at Riverbend Plat Two, as recorded in Volume 23, Pages 691-693, Wood County Plat Records, a distance of nine hundred eighty-three and ninety-three hundredths (983.93') feet to a found concrete monument and also being the Point of Beginning;

thence South eighty-nine (89) degrees, twenty-two (22) minutes, forty (40) seconds East along the South line of The Village at Riverbend Plat Two as recorded in Volume 23, Pages 691-693, Wood County Plat Records, a distance of one hundred fifty and zero hundredths (150.00') feet to the intersection of the West right-of-way line of Sunset Maple Drive, as recorded in The Village of Riverbend Plat Two, Volume 23, Pages 691-693, Wood County Plat Records, said point of intersection being marked with a found concrete monument;

thence South zero (00) degrees, thirty-seven (37) minutes, twenty (20) seconds West along said West right-of-way line of Sunset Maple Drive, as recorded in The Village at Riverbend Plat Two, Volume 23, Pages 691-693, Wood County Plat Records, a distance of eight and forty hundredths (8.40') feet to the intersection of the said South line of The Village at Riverbend Plat Two as recorded in Volume 23, Pages 691-693, Wood County Plat Records, said point of intersection being marked with a found concrete monument;

thence South eighty-nine (89) degrees, twenty-two (22) minutes, forty (40) seconds East along the said South line of The Village at Riverbend Plat Two, as recorded in Volume 23, Pages 691-693, Wood County Plat Records, a distance of nine hundred sixteen and eighty-six hundredths (916.86') feet to a set concrete monument;

thence South zero (00) degrees, thirty-seven (37) minutes, twenty (20) seconds West along a line, a distance of three hundred forty and zero hundredths (340.00') feet to a point, said point being referenced by a set concrete monument being North eighty-nine (89) degrees, twenty-two (22) minutes, forty (40) seconds West, a distance of eighteen and eighty-seven hundredths (18.87') feet from said point;

thence North eighty-nine (89) degrees, twenty-two (22) minutes, forty (40) seconds West along a line, passing through a set concrete monument at a distance of eighteen and eighty-seven hundredths (18.87') feet, a total distance of seven hundred seventeen and sixty-five hundredths (717.65') feet to a set concrete monument;

thence South zero (00) degrees, thirty-seven (37) minutes, twenty (20) seconds West along a line, a distance of fifty-three and sixty hundredths (53.60') feet to a set concrete monument;

thence South fifty-eight (58) degrees, fifty-three (53) minutes, fifty-nine (59) seconds West along a line, a distance of one hundred sixty-three and thirty-two hundredths (163.32') feet to a set concrete monument;

thence South thirty-one (31) degrees, six (06) minutes, one (01) second East along a line, passing through a set concrete monument set at a distance of one hundred twenty-nine and zero hundredths (129.00') feet, a total distance of one hundred thirty-four and zero hundredths (134.00') feet to a point;

thence South fifty-eight (58) degrees, fifty-three (53) minutes, fifty-nine (59) seconds West along a line, a distance of sixty and zero hundredths (60.00') feet to a set concrete monument;

thence South thirty-one (31) degrees, six (06) minutes, one (01) second East along a line, a distance of three and thirty-four hundredths (3.34') feet to a set concrete monument;

thence South fifty-eight (58) degrees, fifty-three (53) minutes, fifty-nine (59) seconds West along a line, a distance of one hundred fifty and zero hundredths (150.00') feet to a set concrete monument;

thence South thirty-one (31) degrees, six (06) minutes, one (01) seconds East along a line, a distance of twenty-five and ninety-nine hundredths (25.99') feet to the intersection with the North line of River Bend Lakes Plat Three, as recorded in Volume 23, Pages 673-675, Wood County Plat Records, said point of intersection being marked with a found concrete monument;

thence South fifty-eight (58) degrees, fifty-four (54) minutes, eight (08) seconds West along the

said North line of River Bend Lakes Plat Three, as recorded in Volume 23, Pages 673-675, Wood County Plat Records, a distance of sixty and nineteen hundredths (60.19') feet to the intersection with the northeasterly line of River Bend Lakes Plat Two, as recorded in Volume 23, Pages 554-555, Wood County Plat Records, said point of intersection being marked with a found concrete monument;

thence North thirty-one (31) degrees, five (05) minutes, fifty-two (52) seconds West along the said northeasterly line of River Bend Lakes Plat Two, as recorded in Volume 23, Pages 554-555, Wood County Plat Records, a distance of four hundred thirty-seven and sixty-five hundredths (437.65') feet to the intersection of the North line of River Bend Lakes Plat Two, as recorded in Volume 23, Pages 554-555, Wood County Plat Records, said North line of River Bend Lakes Plat Two, as recorded in Volume 23, Pages 554-555, Wood County Plat Records also being the North line of River Tract 54, and also being the South line of a parcel of land as described in Official Record 3318, Page 819, Wood County Deed Records, in the name of William J. and Ilene L. Bernard, said point of intersection being marked with a found concrete monument;

thence South eighty-eight (88) degrees, thirty-one (31) minutes, fifty-nine (59) seconds East along said North line of River Tract 54 and said South line of a parcel of land as described in Official Record 3318, Page 819, Wood County Deed Records, in the name of William J. and Ilene L. Bernard, a distance of ninety-three and seventy-seven hundredths (93.77') feet to the intersection of East line of a parcel of land as described in Official Record 3318, Page 819, Wood County Deed Records, in the name of William J. and Ilene L. Bernard said point of intersection being marked with a set concrete monument;

thence North zero (00) degrees, thirty-seven (37) minutes, twenty (20) seconds East along said East line of a parcel of land as described in Official Record 3318, Page 819, Wood County Deed Records, in the name of William J. and Ilene L. Bernard, a distance of two hundred thirty-six and twenty-nine hundredths (236.29') feet to the intersection of the South line of a parcel of land as described in Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis, said point of intersection being marked with a set concrete monument;

thence South eighty-nine (89) degrees, fifty-two (52) minutes, two (02) seconds East along said South line of a parcel of land as described in Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis, a distance of seventy and zero hundredths (70.00') feet to the intersection with the East line of said parcel of land as described in Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis, said point of intersection being marked with a set concrete monument;

thence North zero (00) degrees, thirty-seven (37) minutes, twenty (20) seconds East along said East line of a parcel of land as described in Official Record 2941, Page 967, Wood County Deed Records, in the name of Martin C. and Claudette Davis, a distance of one hundred sixty-one and nine hundredths (161.09') feet to the Point of Beginning.

Said parcel of land having an area of 496,540 square feet or 11.399 acres of land, more or less.

The above described parcel of land consists of:
48,437 square feet or 1.112 acres of land within Tax Parcel No. J38-100-522000001000.
350,820 square feet or 8.054 acres of land within Tax Parcel No. J38-100-522000003000.
97,283 square feet or 2.233 acres of land within Tax Parcel No. J38-100-522000004000

The bearings used hereon are based on an assumed meridian and are for the express purpose of calculating angular measurement.

Said set concrete monuments being 6" in diameter and 30" in length with a 2" aluminum cap, the aluminum cap being stamped Feller, Finch & Assoc., Inc.

The above description is based on a field survey performed under my supervision during May 2018.

Prior Deed Reference is Official Record 3154, Page 969, Wood County Deed Records in the name of Louisville Title Agency of NW Ohio Inc., Trustee.

Prepared by:

FELLER, FINCH & ASSOCIATES, INC.
1683 Woodlands Drive
Maumee, OH 43537
D. Edward Thornton, P. S.
Professional Surveyor No. 7827
Date Written: April 4, 2019

DEVELOPED BY:
MCARTHUR BUILDERS, INC.
3618 KING ROAD, SUITE C
TOLEDO, OHIO 43617
419-476-1474

FellerFinch
& ASSOCIATES, INC.
Engineers • Surveyors

1683 Woodlands Drive,
Maumee, Ohio 43537
Phone: (419) 893-3680
Fax: (419) 893-2982
www.fellerfinch.com

LEGEND	
—	PLAT LINE
---	LOT LINE
---	CENTER LINE
✱	SET WOOD COUNTY TYPE A MONUMENT
✱	SET WOOD COUNTY TYPE B MONUMENT
⊕	SET ALUMINUM DISK - WOOD COUNTY BM IN CONCRETE
⊕	SET 5/8 INCH DIA. X 30 INCH LONDIRON REBAR W/ PLASTIC CAP STAMPED "FELLER FINCH PS 7827"
⊕	FOUND RAILROAD SPIKE
✱	FOUND WOOD COUNTY TYPE A MONUMENT
⊕	FOUND 5/8 INCH DIA. X 30 INCH LONG IRON REBAR W/ PLASTIC CAP STAMPED "FELLER FINCH PS 7827"
(R)	= RADIAL LINE
(NR)	= NOT RADIAL LINE
B/L	= BUILDING LINE
R/W	= RIGHT-OF-WAY LINE
O.R.	= OFFICIAL RECORD
D.E.	= DRAINAGE EASEMENT
D.U.T.E.	= DRAINAGE AND UTILITY AND TOLEDO EDISON EASEMENT
D.S.E.	= DRAINAGE AND SANITARY EASEMENT
SW.E.	= SIDEWALK EASEMENT
U.T.E.	= UTILITY AND TOLEDO EDISON EASEMENT
W.C.D.R.	= WOOD COUNTY DEED RECORDS
W.C.P.R.	= WOOD COUNTY PLAT RECORDS
(XX.X)	= PROPOSED MINIMUM FINISH GRADE ELEVATIONS. ADD 600.00 TO ELEVATIONS

The Village at Riverbend Plat Five

PART OF RIVER TRACTS 54 & 55, TOWN 1, UNITED STATES RESERVE OF THE
TWELVE MILE SQUARE AT THE FOOT OF THE RAPIDS OF THE MIAMI OF LAKE ERIE,
MIDDLETON TOWNSHIP, WOOD COUNTY, OHIO

OWNER'S CERTIFICATION

We, the undersigned, do hereby certify we are the owners of the hereon-described property and we have caused the same property to be surveyed and subdivided into lots as shown on this plat. We also do hereby voluntarily consent to the execution of this plat, establish setbacks as shown and do dedicate to the Wood County Board of Commissioners, the rights-of-way, as shown, for the public's use. The roads and streets of this subdivision are hereby declared Township roads. Therefore, maintenance of the improved roads or streets shall be the responsibility of the Township. (ORC 711.07, 1949 OAG 1209).

Buffer Lot(s) are hereby dedicated to the Wood County Board of Commissioners for the express purpose of prohibiting access across said buffer lot(s) until such time the abutting right(s)-of-way dedication(s) is (are) extended or widened beyond said buffer lot(s).

We do further hereby establish and grant the following designated easements as shown on this plat:

- 1.) Sidewalk Easement: granted to The Village at Riverbend Home Owners Association, Inc.;
- 2.) Utility Easement: granted to other public and quasi-public utilities;
- 3.) Drainage Easement: granted to The Village at Riverbend Home Owners Association, Inc.;
- 4.) Toledo Edison Company Easement: granted to the Toledo Edison Company;
- 5.) Sanitary Easement: granted to Northwestern Water and Sewer District

These easements are established and granted for permitting construction, installation, relocation, and/or maintenance of utility facilities thereon. Said dedication of rights-of-way and granting of easements shall include the conveyance of all water, sanitary sewage, storm water, electric, telephone, cable, gas and other quasi-public related utilities located therein.

Maintenance shall include the right to remove any structures, trees, branches, or other growth or obstructions of any kind, which might interfere with the construction, installation, relocation, or safe operation of utilities.

The Village at Riverbend Home Owners Association, Inc. shall be responsible for all the drainage systems and drainage maintenance located in the Drainage Easements (DE) as shown on this plat and outside the public roads or streets rights-of-way for all the existing plats and future plats of The Village at Riverbend Development. Drainage systems shall include, but are not limited to, any natural or man-made watercourses, culverts, manholes, catch basins, pump stations, open ditches, swales, and/or detention/retention ponds. Drainage maintenance to maintain the free flow of water in such systems shall include, but is not limited to, silt removal, tree trimming and/or removal, brush and debris removal, vegetative control, bank restoration, erosion control, etc. Drainage maintenance of any kind within the public rights-of-way is the responsibility of the Township. In the event of the dissolution of the Home Owners Association (HOA), the individual lot owner(s) shall assume the responsibility of the drainage maintenance of the drainage systems. Failure of the Home Owners Association and/or the lot owners to maintain the drainage systems may result in being served with a ditch obstruction notice per Section 6151.14 of the Ohio Revised Code.

We further certify that we will improve this subdivision with the following improvements: waterlines, sanitary sewers, storm sewers, pavement, curbs, sidewalks, street signs, traffic signs, street lights, grading and landscaping (if required), as shown on the approved subdivision plans on file with the Wood County Engineer and the Northwestern Water and Sewer District.

In witness whereof, the owners have signed their names this, the ____ day of _____, 20____.

For:
Louisville Title Agency For NW Ohio Inc., Trustee
626 Madison Ave., Toledo, Ohio 43604

John W. Martin, CEO

James M. Lindsey, President

Marrionne Cappiello, Secretary/Treasurer

STATE OF OHIO)
) SS
COUNTY OF WOOD)

Be it remembered that on this, the ____ day of _____, 20____, before me the undersigned, a

Notary Public in and for said State, personally came the above named, of Louisville Title Agency For NW Ohio Inc., Trustee, who acknowledged the signing and execution of the foregoing plat to be their voluntary act and deed. In testimony whereof, I have set my hand and Notary Seal the day and year written.

Signature _____

Print name here _____

NOTARY PUBLIC
State of Ohio

My commission expires _____



OFFICE OF THE WOOD COUNTY ENGINEER

The signature of the Wood County Engineer affirms that the perimeter boundary and the metes and bounds description shown hereon have been reviewed and are accurate. All other technical details remain the responsibility of the surveyor signing the plat.

Signed on this, the ____ day of _____, 20____.

John M. Musteric, P.E., P.S.
Wood County Engineer

OFFICE OF THE NORTHWESTERN WATER AND SEWER DISTRICT

This plat is approved by the Northwestern Water and Sewer District on this,

the ____ day of _____, 20____.

Jerry R. Greiner, Executive Director

OFFICE OF THE WOOD COUNTY DISTRICT BOARD OF HEALTH

This plat is approved by the Wood County District Board of Health on this,

the ____ day of _____, 20____.

Lana Glore, Director of Environmental Services

OFFICE OF THE WOOD COUNTY PLANNING COMMISSION

This plat is approved by the Wood County Planning Commission on this,

the ____ day of _____, 20____.

W. David Steiner, Director

OFFICE OF THE WOOD COUNTY COMMISSIONERS

This plat is approved and accepted on this, the ____ day of _____ of 20____. We, the undersigned, Commissioners in and for the County of Wood, State of Ohio, do hereby approve and accept this plat, together with the dedication of all rights-of-way shown hereon.

Doris I. Herringshaw, Commissioner

Craig Lahote, Commissioner

Dr. Theodore H. Bowlus, Commissioner

OFFICE OF THE WOOD COUNTY AUDITOR

This plat is submitted for appraisalment and is hereby transferred, on this, the ____ day of _____, 20____.

Matthew Oestreich
Wood County Auditor

OFFICE OF THE WOOD COUNTY RECORDER

This plat was filed for record on this, the ____ day of _____, 20____, at _____ o'clock.

Recorded in Volume _____, Page(s) _____, Book of Plats, on this, the ____ day of _____, 20____.

Fees Paid _____, Instrument Number _____

Julie L. Baumgardner
Wood County Recorder

GENERAL CONTRACTOR NOTE:

The general contractor who constructs the dwelling on each lot shall provide concrete sidewalks along all street frontage within the subdivision. The sidewalks shall be four (4) feet in width, four (4) inches in depth, except at drives, where six (6) inches in depth shall be provided for the full width of the drive. It is the duty of each lot owner, at his own expense, to keep and maintain the sidewalks adjacent to his lot in a good and sufficient manner and to clear the aforesaid sidewalk of snow, ice, dirt and any other debris within twenty-four (24) hours after such deposit, and the owner shall indemnify and hold the Township or County harmless from any liability to any person for his neglect, failure or refusal in performing such duty.

TOLEDO EDISON CO. UNDERGROUND UTILITY EASEMENT

We, Louisville Title Agency For NW Ohio Inc., Trustee, owners of the hereon platted land, do hereby grant unto The Toledo Edison Company, their successors and assigns (hereinafter referred to as the Grantee), a non-exclusive, permanent right-of-way and easement twelve (12) feet in width under, over, and through all lots and all land shown hereon and parallel with and contiguous to all street lines, to construct, place, operate, maintain, repair, reconstruct, and relocate such underground electric cables, ducts, conduits, above grade transformers, pedestals, box pads, and other facilities as are deemed necessary or convenient by the Grantees for distributing and transmitting electricity, for public and private use of such locations as Grantees may determine, upon, within, and across the easement premises. Said easement rights shall include the right, without liability therefore to remove trees and landscaping including lawns within and without said easement premise which may interfere with the installation, maintenance, repair, or operation of electric current and with the right of access, ingress, and egress to and from any of the within described premises for exercising any of the purposes of this right-of-way and easement grant. All lots and all lands shall be restricted to underground utility service.

OFFICE OF THE MIDDLETON TOWNSHIP TRUSTEES

I have examined this plat and find it in compliance with the provisions of the Middleton Township Zoning Resolution on this, the ____ day of _____, 20____.

Jim Bostdorff, Trustee - Chairman of the Board

SURVEYOR'S CERTIFICATION

We hereby certify that during May 2018, we surveyed the hereon property, subdividing the same into lots numbered 114 to 142, both inclusive; and Buffer Lot M. Distances are given in feet and decimal parts thereof. Concrete monuments which contain iron rods at least 5/8 inch diameter x 30 inches long, shall be set at each change in direction of the boundary of the plat. Monuments which conform to the Wood County Standard Construction Drawings Type B Monuments, shall be set upon completion of pavement construction. Iron rods at least 5/8 inch diameter and 30 inches long shall be set at all other change in direction of the rights-of-way lines and lot corners.

FELLER, FINCH & ASSOCIATES, INC.
1683 Woodlands Drive
Maumee, OH 43537

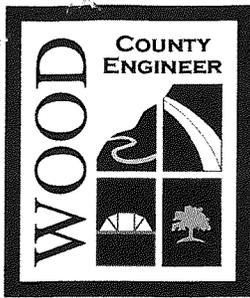
D. Edward Thornton, P.S. Date
Professional Surveyor No. 7827



DEVELOPED BY:
McCARTHY BUILDERS, INC.
3618 KING ROAD, SUITE C
TOLEDO, OHIO 43617
419-476-1474

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& ASSOCIATES, INC.
Engineers • Surveyors

1683 Woodlands Drive,
Maumee, Ohio 43537
Phone: (419) 893-3680
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www.fellerfinch.com



Office of the Wood County Engineer

John M. Musteric, P.E., P.S.

One Courthouse Square
Bowling Green, OH 43402
419-354-9060 (o)
419-354-1409 (f)
www.engineer.co.wood.oh.us

May 22, 2019

Mr. David Steiner, Director
Wood County Planning Commission
One Courthouse Square, Fifth Floor
Bowling Green, OH 43402

RE: Final Plat of **The Village At Riverbend Plat Five**
Part of River Tracts 54 and 55, T1, USR,
Middleton Township, Wood County, Ohio

Dear Mr. Steiner:

We have reviewed the Final Plat submittal of the above subdivision against our Final Plat Checklist and have the following **major** comments:

General

- 1.) Item 1(g)-Submit the plat on a CD as a .dwg file after corrections are made.

Plat Detail

- 1.) Item 2(g)-Label Waterville Drive in the Vicinity Map.
- 2.) Item 2(q)-The plat is missing some labeling of existing/proposed easement on page 1 for the storm sewer outlet.
- 3.) Item 2(t)-Breakout areas of Lot A and Lot B in the Area Breakdown Table.

Certifications

- 1.) Item 3(n)-The certification of all improvements installed or proof of an established escrow count for all non-constructed improvements.

Minor Comments

- 1.) Minor comments on the plat on pages 1, 2 and 3.

Land Transfer Policy-Legal Description

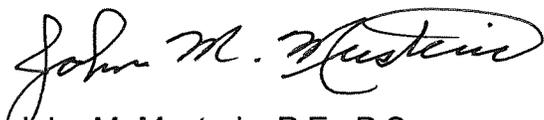
- 1.) Scrivener's errors in the legal description.

We have enclosed a marked up copy of the plat to return to the consulting engineer/surveyor. Please have them return this with their revised submittal.

Mr. David Steiner, Director
Wood County Planning Commission
Final Plat of **The Village At Riverbend Plat Five**, Middleton Township
May 22, 2018
Page Two

If you have any questions, please do not hesitate to call our office.

Sincerely,

A handwritten signature in black ink that reads "John M. Musteric". The signature is written in a cursive style with a large, looping initial "J".

John M. Musteric, P.E., P.S.
Wood County Engineer

JMM/mw/nd

Enclosures: As noted

c: The Village at Riverbend Plat Five File w/enclosures
Middleton Township File w/o enclosures

ITEM # 2 – ZONING - TROY TOWNSHIP

APPLICANTS

George Katakis
24679 Lemoyne Road
Perrysburg, OH 43551

PROPOSAL

Applicant has submitted a request to rezone approximately 99.73 acres of land in Section 3 of Troy Township from an A-1 Agricultural Zoning Classification to an R-3 Residential Zoning Classification. Applicants have indicated that they would like to develop a residential subdivision on the property.

LOCATION

The subject parcels are located in Section 3 of Troy Township. More specifically, the 32.9 acre parcel is located at the northwest corner of Truman Road and Route 420, and directly north of the Truman Mobile Home Park. The 17.75 acre parcel is located behind the 32.9 acre parcel and is currently land locked. The 49 acre parcel of land is bordered by Lemoyne Road to the west and Route 420 to the east.

LAND USE AND ZONING

All three parcels are zoned A-1 Agricultural. Lands surrounding the 49 acre and the 17.75 acre parcel are zoned A-1 Agricultural. The 32.9 acre parcel of land is bordered to the south with R-4 Residential zoning, lands to the north and west are zoned A-1 Agricultural, and lands to the east are zoned A-1 Agricultural and R-1 Residential.

There is 100 Year Floodplain located on the 17.75 acre and 49 acre parcel of land. Wetlands also exist, but are only within the banks of Crane Creek.

The Wood County Land Use Plan has designated this area as being located in a growth management area.

ATTACHMENTS

- 2-A: Location Map
- 2-B: Zoning Map

STAFF ANALYSIS

The subject parcels are currently zoned A-1 Agricultural. Most of the existing parcels in the immediate area are also zoned A-1 Agricultural. There is a higher density R-4 zoning directly to the south of the 32.9 acre parcel. Said zoning is for the Truman Road Mobile Home Park.

The area where the parcels are located at are in growth management area per the Wood County Land Use Plan. These are areas of the County where growth is expected and attention to this growth and what type of growth is needed.

Current land use consists of lower to medium density residential.

The item that most concerns the Planning Commission Staff is the prevalence of floodplain on the 17.75 and 49 acre parcels that are included in this application. There is an extensive amount of floodplain spreading from Crane Creek onto the two parcels.

Any use in these floodplain areas would require extensive coordination with the Wood County Planning Commission. Additionally, if the land is to be developed into a platted subdivision, further issues will arise. Article 4.01 of the Wood County Subdivision Rules and Regulations states that: "in all cases, sites that are located wholly within the 100-year flood plain will be regarded as not being suitable for subdivision development, and will not be permitted to be developed. When only portions of a development site are located within a 100-year flood plain, areas outside of the 100-year flood plain may be improved, subdivided and developed, while areas inside the 100-year flood plain should be set aside as open space, or places for passive recreational activity (as described in Section 7.01 and 7.02). For major subdivisions, a written statement may be required by the Planning Commission describing characteristics of the development site, such as bedrock geology and soils, topography, flood prone areas, existing vegetation, structures and road networks, visual features, and past and present use of the site".

The last item of consideration is the issue of access. ODOT has confirmed that there is no access along State Route 420, and they will not grant access to 420. As far as Truman Road is concerned, ODOT has provided the Planning Commission with the following comment: "Access to Truman Road will be approved by the local road authority and must be outside of the ODOT L/A along Truman as well." This is the purview of the Wood County Engineer's Office, and any type of access concerns would be regulated by their Office.

STAFF RECOMMENDATION

The Wood County Planning Commission Staff recommends that the Planning Commission deny the rezoning. Planning Commission Staff are extremely concerned with the floodplain issue on the parcels. If the Commission feels compelled to rezone the parcel(s), the Staff recommends that only the 32 acre parcel be rezoned. The reasoning behind this is that this is the only parcel out of the three that does not contain extensive floodplain.

If it is recommend that all parcels be rezoned, it should be strongly noted that extensive engineering as well as extensive coordination with the Wood County Planning Commission will be required.

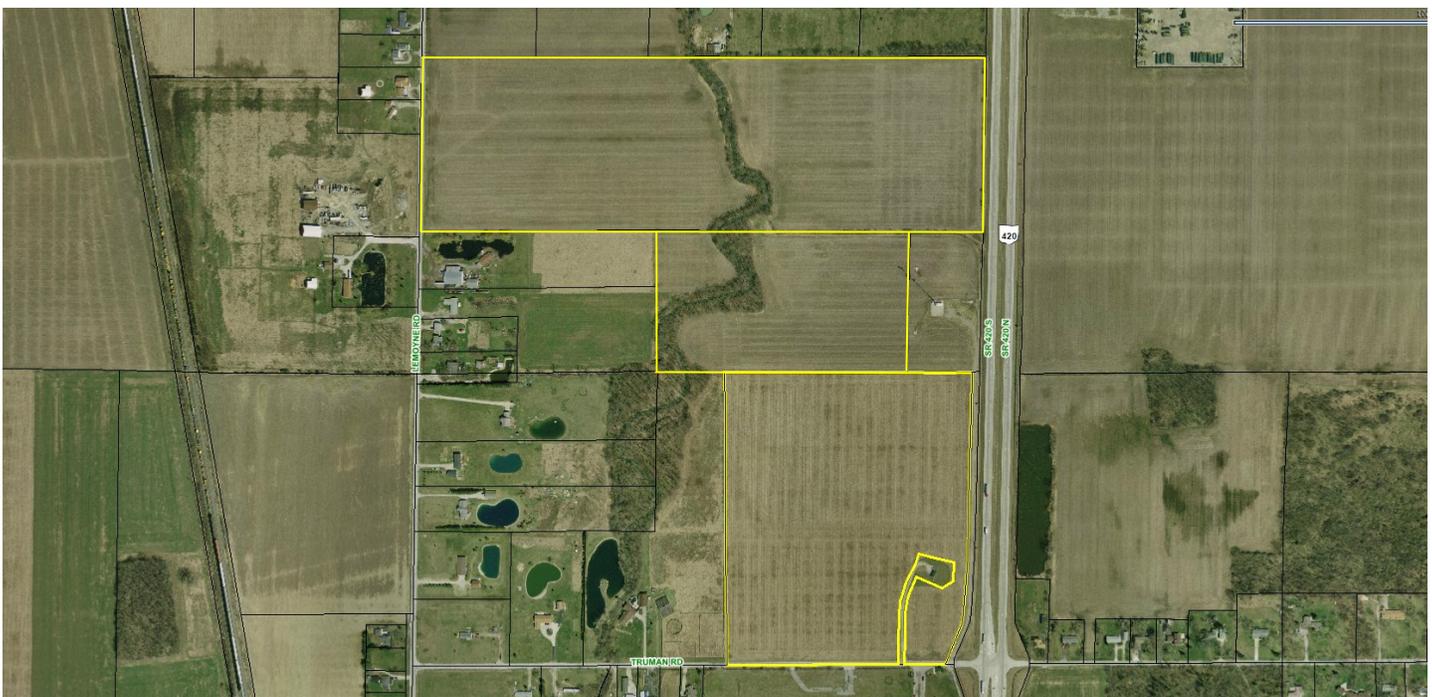
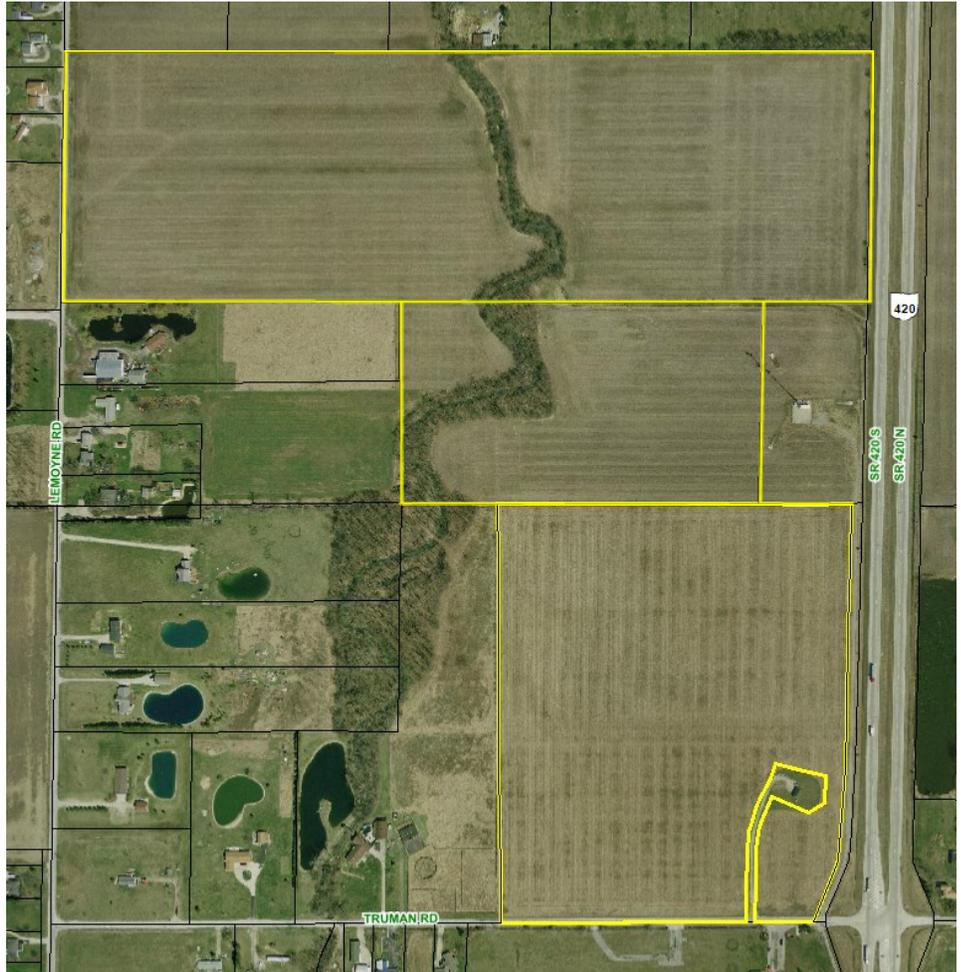
ATTACHMENT 2-A

Parcel Information

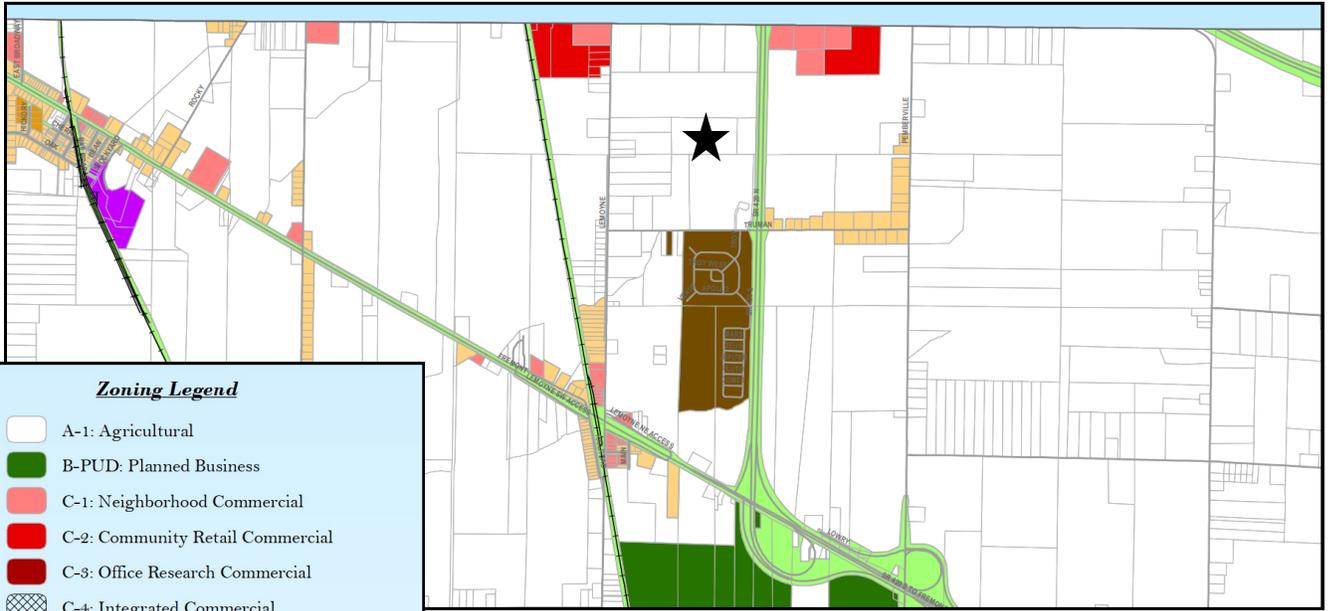
Owner: George Katakis

Parcel #: U69-612-030000021001,
U70-612-030000012503, and
U70-612-030000011000

Request: Rezone from A-1 to R-3

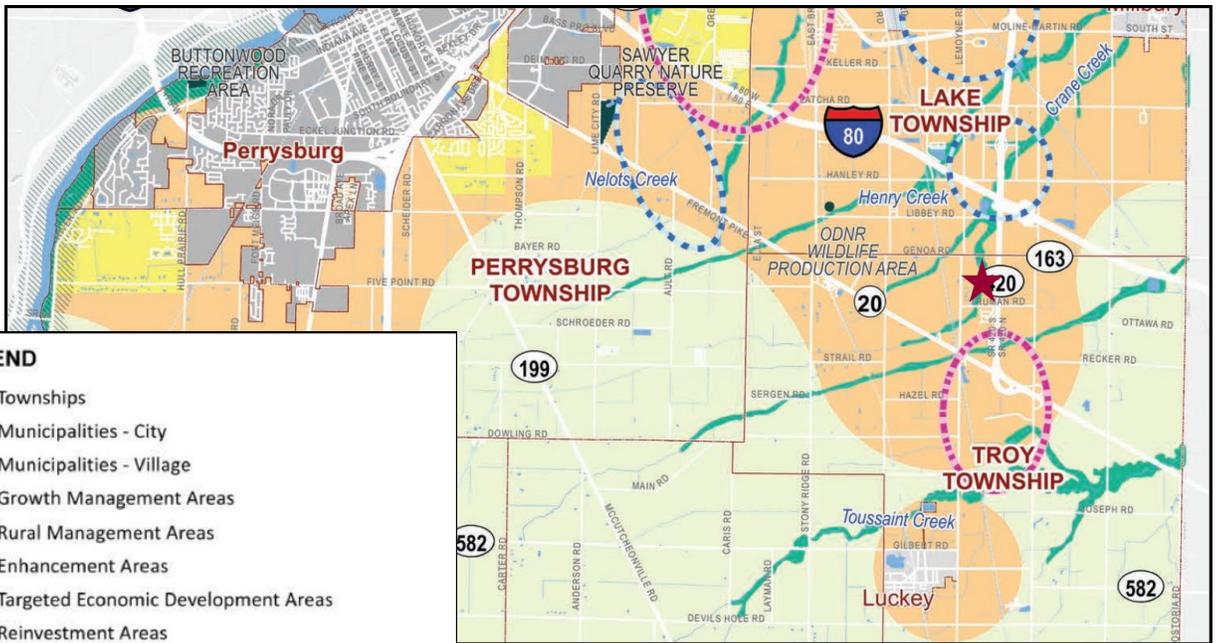


ATTACHMENT 2-B



Zoning Legend

	A-1: Agricultural
	B-PUD: Planned Business
	C-1: Neighborhood Commercial
	C-2: Community Retail Commercial
	C-3: Office Research Commercial
	C-4: Integrated Commercial
	I-1: Light Industrial
	R-1: Residential
	R-2: Residential
	R-3: Residential
	R-4: Residential
	R-5: Special Residential
	R-PUD: Planned Residential
	U: Unzoned



LEGEND

	Townships
	Municipalities - City
	Municipalities - Village
	Growth Management Areas
	Rural Management Areas
	Enhancement Areas
	Targeted Economic Development Areas
	Reinvestment Areas
	Natural Resources/Water Quality Management Areas
	Parks/Open Space
	Maumee River Recreation Area
	Water

ITEM # 3 – ZONING - PERRYSBURG TOWNSHIP

APPLICANTS

Paul R. Swartz
25691 Wood Creek Road
Perrysburg, OH 43551

Craig G. Biniker
7418 Walbridge Road
Perrysburg, OH 43551

PROPOSAL

Applicants have submitted a request to rezone three (3) parcels of land totaling approximately 80.64 acres of land in Section 36 of Perrysburg Township from an A-1 Agricultural zoning classification to an I-2 General Industrial zoning classification. No end use has been proposed, however applicants have stated that they feel given the zoning classifications and land uses in the vicinity of parcel, an I-2 zoning classification would be the optimal zoning classification for the land.

LOCATION

The subject parcels are located in Section 36 of Perrysburg Township. More specifically, the parcels are located on the west side of Oregon Road. Tracy Road is located approximately one half mile to the east, and State Route 795 is located half a mile to the south of the parcels, and the Ampoint industrial park borders the parcels to the west.

LAND USE AND ZONING

All three parcels are zoned A-1 Agricultural. Lands zoned Industrial and R-5 Residential border the subject parcels.

There is a significant amount of floodplain on the parcels, however it is 500 year floodplain which is not regulated by the Planning Commission Office.

The Wood County Land Use Plan has designated this area as being located in an enhancement area and a targeted economic development area.

ATTACHMENTS

- 3-A: Location Map
- 3-B: Zoning Map

STAFF ANALYSIS

In the Director's opinion, this item is fairly cut and dry. The subject parcels are located in an area that is no longer compatible with agricultural zoning. Industrial uses occur around the parcels, and it is only a matter of time until the subject parcels be developed for industrial uses.

There is some high density residential uses occurring to the south of one of the parcels, however this is apartment housing, and this type of housing tends to be less impacted by commercial – industrial uses bordering them. Additionally buffering requirements will need to be adhered to between the residential and industrial end uses.

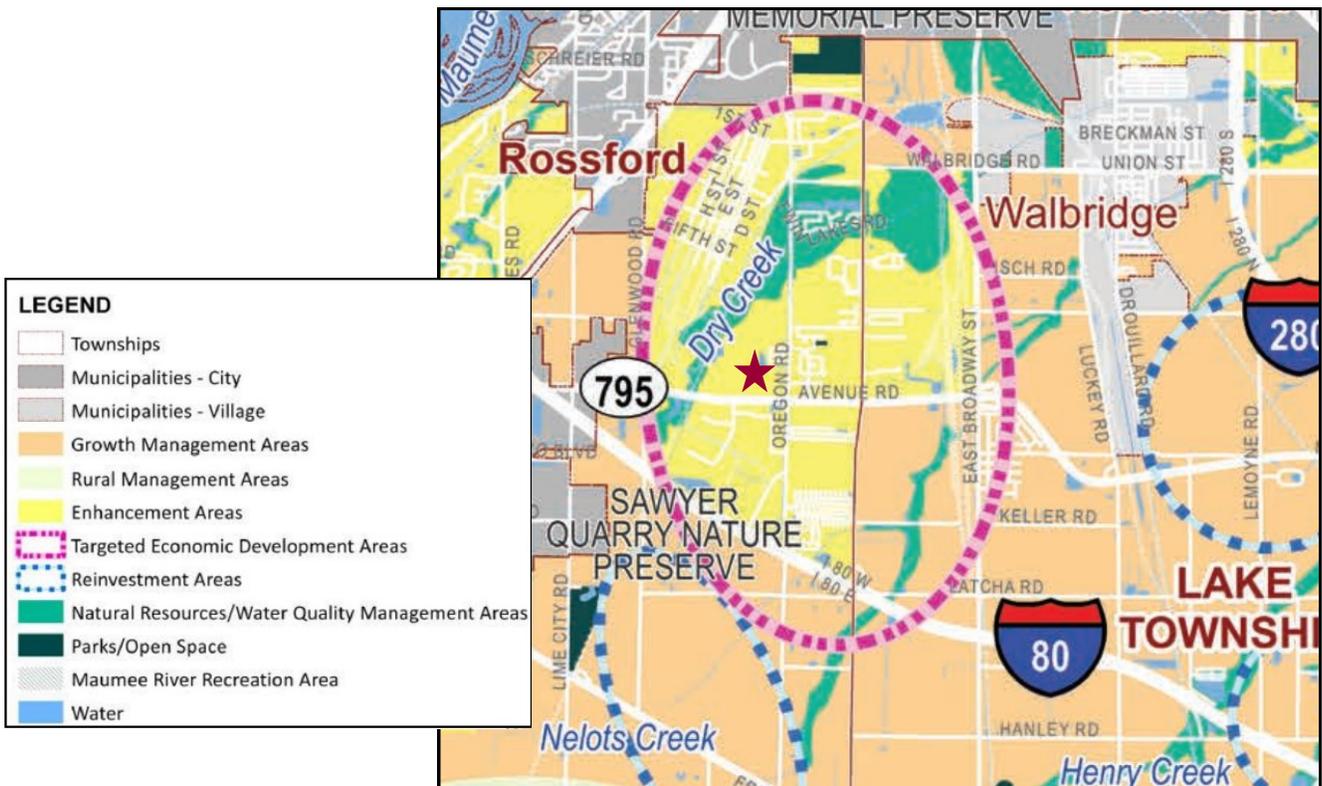
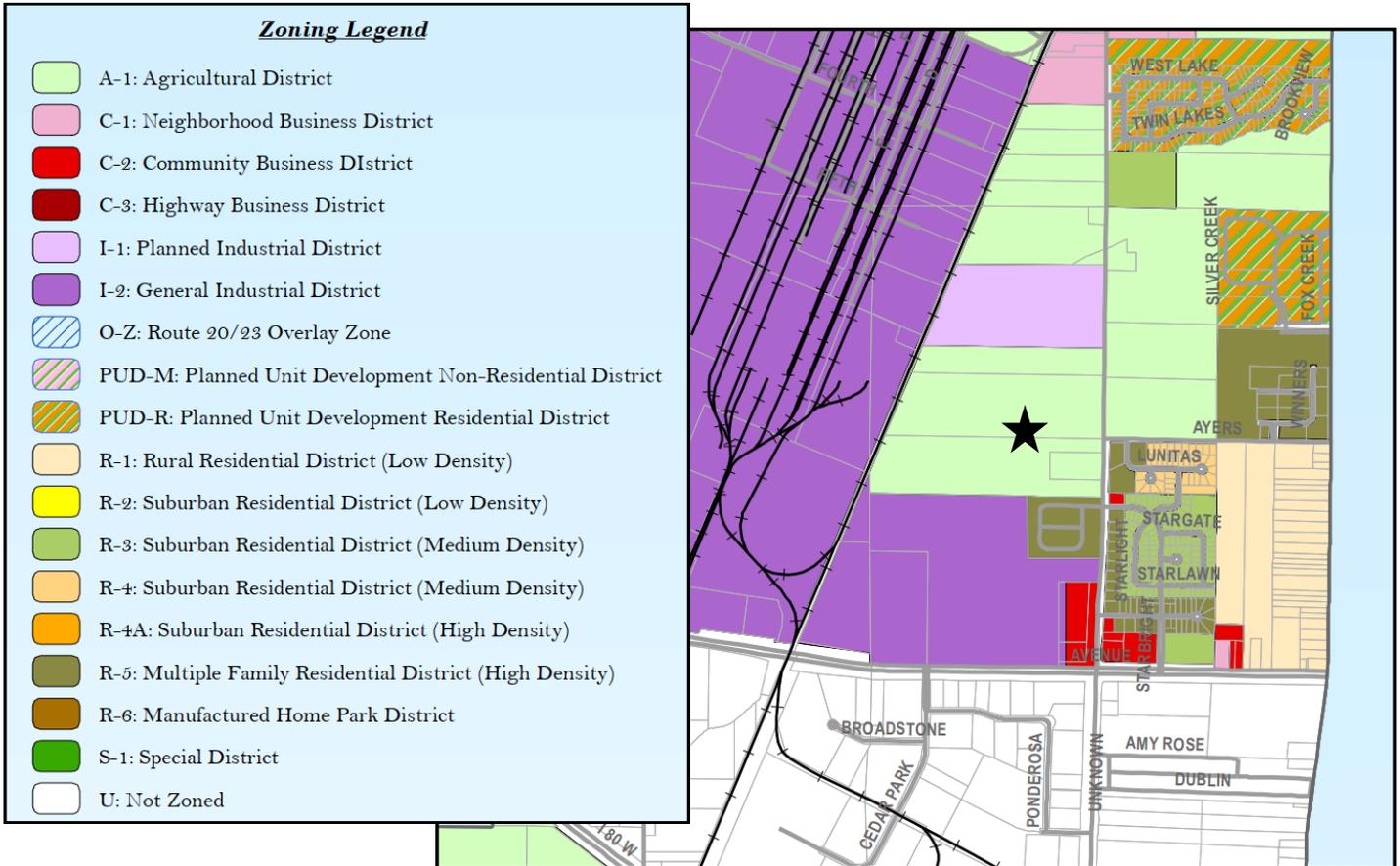
As noted, the Wood County Land Use Plan has designated the area where the parcels are located as being in an enhancement area as well as a targeted economic development area. Enhancement areas are areas of the County that have established infrastructure and building stock, but could use some reinvestment and renewal in said stock. Targeted economic development areas are areas where industrial and commercial growth is encouraged.

There is floodplain on the parcels, but it is 500 year floodplain, which FEMA defines as: “areas with a 0.2% (or 1 in 500 chance) annual chance of flooding. This zone is also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile.” The Planning Commission Office does not regulate development in these floodplain areas.

STAFF RECOMMENDATION

The Wood County Planning Commission Staff recommends that the Planning Commission approve the rezoning request. As noted, the requested zoning classification fits into what is occurring in the area as well as what the area is slated for in regards to the land use plan.

ATTACHMENT 3-B



ITEM # 4 – ZONING - LIBERTY TOWNSHIP

APPLICANTS

James Chambers
15700 Bowling Green Road West
Bowling Green, OH 43402

PROPOSAL

Applicant has submitted a request to amend the text of the current Liberty Township zoning resolution to allow for the placement of cargo-shipping containers and semi-trailers on any property in Liberty Township that is zoned Industrial.

ATTACHMENTS

4-A: Information and research on cargo containers

STAFF ANALYSIS

This item is a request from a township resident-property owner to directly amend the text of the existing Resolution. This is perfectly allowable, however it doesn't occur very often.

Currently the Liberty Township Zoning Resolution prohibits what they refer to a "nontraditional accessory buildings". The Township further defines these as: "semi-truck trailers, box trucks, cargo containers used by rail, air, shipping and land transportation industries". The applicant wishes to amend the zoning text to allow for these structures to exist as a permitted use on parcels zoned Industrial. What has prompted this is a trend in the township towards shipping containers being used and advertised as self storage facilities.

This item is not a new item, nor is it without controversy. Townships have been prohibiting these buildings in their respective townships for the better part of twenty years. The main reason cited for this prohibition are safety concerns. These structures are not meant to be used for long term storage facilities and there are valid concerns regarding the structural integrity of these containers being used for storage.

The Ohio Board of Building Standards Industrialized Unit group has summarized that these units must provide the following to building inspection departments to validate their suitability for use as storage units:

1. Documentation submitted showing compliance with the appropriate material standards;
2. Alternative engineered design submittals and technical data per OBC Section 106.5; or
3. Designed with strict adherence to the "Conditions of Use" of evaluation reports per OBC Section 114.3.2, by a listed conformity assessment body. (Currently, the Board is aware of the following evaluation reports for shipping containers from ICC-ES which are limited to intact non-retrofitted containers:

- a. ESR-3764 for SG Blocks, Inc.
- b. ESR-4082 for Sea Box Inc.
- c. ESR-4163 for Falcon Structures.)

Essentially what the Ohio Building Code is proposing is a rigid set of standards designed to make these structures as safe as possible.

STAFF RECOMMENDATION

The Wood County Planning Commission Staff has long been in opposition to these structures being used for storage or other uses. The main concern the staff has had is the safety aspect of them. As noted in the above paragraph, as well as in the attached document, there continues to be ongoing concerns with the structural integrity of these structures. It is also acknowledged that this may be the time to revisit this issue. With intermodal rail hubs becoming more commonplace and specifically within Wood County at the CSX site in Henry Township, the issue will not be going away.

As stated, the Planning Commission Staff is opposed to using these structures for anything other than their intended use as cargo transport containers. The main reason is safety. There are too many factors that contribute to comprising the structural integrity of these structures. There are issues with condensation creating rust damage to the steel these containers are made from, the tops of them may not be able to adequately handle a snow load, the wood lining the floor of some of these containers may soak up harmful chemicals that could possibly leach into the topsoil, and, especially in NW Ohio, there is the wind damage potential in a tornado event.

On the other hand, it does make sense that if these units are permitted in Liberty Township, they be permitted on parcels zoned industrial. These parcels have buffering and screening requirements that need adhered to, as well as nuisance requirements and possible EPA requirements. If these containers were permitted to locate on industrial parcels, it is highly suggested that these are made conditional uses. By making them conditional uses, the township can get a better idea of the size and scope of the proposed operation as well as what type of containers are being used. Furthermore, regardless of whether the township elects to make these conditional or permitted uses, they should require applicants to provide documentation to the township showing that the structure(s) are suitable for their proposed end use. This should be in the form of a detailed structural engineering report. Not only does this help to ensure safety, it also deters the casual applicant who doesn't intend to use the containers as part of a significant operation.

After reviewing and researching all of the implications and components of this subject, the Planning Commission Staff still strongly opposes the use of any shipping containers for on-site storage. The reason for this is safety concerns. Zoning is designed to protect the Health and safety of a political entity. The Staff cannot in good conscience recommend approval of something they feel is contrary to the spirit and intent of zoning.

If the Planning Commission elects to approve the applicant's request, then the Planning Commission Staff strongly advises that the motion to approve contains the following strong suggestions:

1. Make them a conditional use in an Industrial district.
2. Consider adding more restrictive buffering requirements when these items abut non compatible uses.
3. Require that all applicants provide the township zoning official with a detailed engineering report that states the requested units are acceptable for use as storage facilities.

THE OHIO BUILDING CODES, BUILDING MATERIALS, AND SHIPPING CONTAINERS

The Ohio Board of Building Standards Industrialized Unit (IU) group frequently receives inquiries about the use of shipping containers as buildings or building components. A shipping container itself is of open construction (all components are visible in the finished product) and as such it is not within the scope of the IU program. However, if the container is modified off site, is of closed construction (assemblies with concealed components), and transported to the site of use, it falls within the scope of the IU program. Whether or not a shipping container is regulated as an IU, if it is modified with interior and exterior finishes, doors, windows, plumbing, or electrical fixtures, compliance with either the Ohio Building Code (OBC) or Residential Code of Ohio (RCO) is required depending on how it will be used.

Therefore, information is required to be provided on construction documents that indicates that the materials used in its construction comply with the applicable OBC referenced standards for metal materials used in a steel framed structure. As with any steel building component, designers must show evidence that a steel building or steel building components will be designed and fabricated according to the referenced standards listed in OBC Chapter 22 for steel building materials. This system of standards compliance is the same used to determine compliance for all Ohio-based IU steel building manufacturers. Consequently, designers cannot overlook this when owners are considering using steel shipping containers from unapproved or unknown sources as building components. Compliance can be accomplished one of three ways:

1. Documentation submitted showing compliance with the appropriate material standards;
2. Alternative engineered design submittals and technical data per OBC Section 106.5; or
3. Designed with strict adherence to the “Conditions of Use” of evaluation reports per OBC Section 114.3.2, by a listed conformity assessment body. (Currently, the Board is aware of the following evaluation reports for shipping containers from ICC-ES which are limited to intact non-retrofitted containers:
 - a. ESR-3764 for SG Blocks, Inc.
 - b. ESR-4082 for Sea Box Inc.
 - c. ESR-4163 for Falcon Structures.)

It appears then that, for most shipping containers manufactured outside the U.S. with no evaluation report, the only way to accept them as structural building materials is to have metal samples from each component type within each container tested and have the welds evaluated by an Ohio recognized conformity assessment body or, when used as an alternative engineered design, have each retrofitted steel container subjected to OBC Chapter 17 testing procedures (refer to OBC Sections 1713 – 1715).

Finally, when reviewing shipping containers for compliance with the codes, particular attention should be given to the following:

1. The wood floor decks in shipping containers are treated with highly toxic insecticides and are difficult to remove without damaging the base structural materials; and
2. Metal quality and strength has a great range of values – approximately 20,000 to 70,000 kips/sq. in. The designer wishing to use shipping containers must provide data documenting what the materials used are in order to determine that they will be used in compliance with the codes.

Objective identification of materials that are manufactured, tested, and listed in compliance with consensus standards protects the building owner regarding material suitability, sustainability, and consistency of construction as well as provides a level competitive playing field for all current listed and compliant material providers. This material identification system used in Ohio and the U.S. ultimately reduces the costs of materials, provides uniformity, and assures safety in the built environment.

ITEM # 5 – Subdivision– MONTGOMERY TOWNSHIP

APPLICANTS

Thomas and Cheryl Ward
4700 Warner Rd.
Wayne, OH 43466

PROPOSAL

The applicants are seeking a variance from the side setback requirements set forth in the Wood County Subdivision Rules and Regulations. The applicants' parcels are located in an unzoned township, Montgomery Township. The unzoned townships must adhere to the minimum lot area, width, and setback requirements of the Wood County Subdivision Rules and Regulations. The applicants plan to combine two of their parcels. After combining two of their parcels, they wish to split off a piece of the newly combined parcel and combine it with their third parcel. This process would help bring the parcels closer towards meeting the minimum lot area requirement. A variance from the side setback requirement of 20 feet is needed to allow the split to occur. A pool on the middle parcel is within 20 feet of the proposed side lot line.

LOCATION

The subject parcels are located on the north side of Warner Road, between SR 199 and Wayne Road in section 9 of Montgomery Township. The Village of Wayne is a little more than a mile southwest of the parcels.

LAND USE AND ZONING

The applicants' parcels are located in an unzoned township. The surrounding parcels are mostly used for farmland. Parcels with dwellings and sizes similar to the subject parcels are found throughout the section. The parcels do not contain flood plain or wetlands.

ATTACHMENTS

- 4-A: Location Map
- 4-B: Variance Request Documents

STAFF ANALYSIS

Two homes and each of their respective accessory buildings are spread across the applicants' three parcels. The applicants wish to separate the two homes and their accessory buildings, so that they are located on separate parcels. The west and middle parcel must be combined for the proposed split. Each of those parcels is only about 1.67 acres. The Wood County Subdivision Rules and Regulations require a minimum lot size of two acres for parcels used for single family homes.

The applicants wish to split off approximately .4 acres on the northeast corner of the proposed combined parcel. Part of a dwelling and an accessory building are located on this piece of land. The split would require a variance from the side setback requirement, which is 20 feet. A swimming pool is located within 20 feet of the proposed side setback line. According to the Wood County Subdivision Rules and Regulations, a side setback line is "a line established by the subdivision regulations generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure, other than an accessory building, may be located above ground." The swimming pool is considered a "structure" per the definition.

If the variance were to be approved, the split would bring the eastern parcel closer to meeting the minimum area size requirement of two acres. The parcel is currently about 1.66 acres.

If the variance were to be denied, the applicants would need to move the swimming pool and its deck to make the proposed split acceptable.

Any parcels being created will be reviewed by the Planning Commission Staff and will be subject to the staff's approval.

STAFF RECOMMENDATION

There are three major factors to consider when deciding whether to grant a variance. A variance from the Wood County Subdivision Rules and Regulations is justified when:

1. An applicant would have no reasonable use of the property without relief,
2. The hardship results from unique characteristics of the property, specifically topographic or other physical conditions, that were not sufficiently recognized when the parcel was created, and
3. The applicant did not create the hardship.

Based on those factors, it appears this request is not justified.

However, at the time the applicants purchased the property, the side setback requirement was only five feet. The proposed split and combination would have been acceptable at that time.

Furthermore, the Subdivision Rules and Regulations are designed to control density and ensure that owners are splitting off enough acreage for buildable parcels in unzoned areas. Approving this variance will not impact those objectives.

Ultimately, 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.

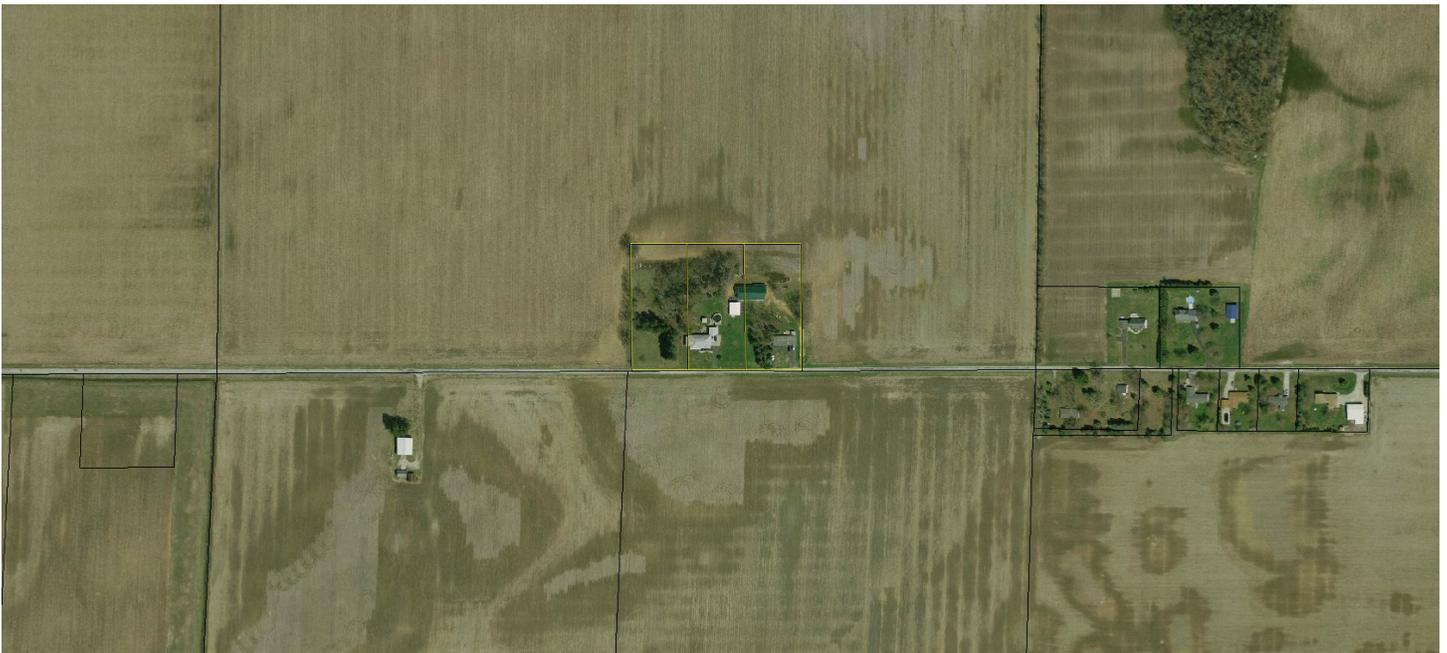
ATTACHMENT 5-A

Parcel Information

Owners: Thomas and Cheryl Ward

Parcel #: L45-412-090000016000, L45-412-090000015000, and L45-412-090000014000

Request: Variance from the Wood County Subdivision Rules and Regulations



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

Date 5-1-19

Application No. _____

Name MARK TRAUT / Thomas-Cheryl Ward

Address 4642 Warner Rd. Wayne, OH 43466 / 4700 Warner Rd. Wayne, OH 43466

Phone 419-575-5806

1. Locational Description: Parcel's L45-412-09000001400 / L45-412-09000001500 / L45-412-09000001600.

2. Nature of Variance Requested: Describe generally the nature of the variance _____

Combined Western Parcel and 4700 Warner Rd. (center parcel). Add to Eastern parcel 4642 Warner Rd. New parcel line will be closer than 20 FT to the 4700 above ground pool deck (not attached to house). See Attachment

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 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.

WOOD COUNTY PLANNING COMMISSION
2019 MAY -2 AM 11:41
FILED

Mark Traut / Thomas A. Ward / Cheryl S. Ward
Signature

N

Wood County GIS



Notes

5

E

IN Reference to the attached map, the parcel line between the West parcel and the middle parcel will be no longer, combining the west parcel and middle parcel to "one" parcel. The East parcel will be expanded to the middle parcel acquiring the rest of the "Green" building and all of the white building. From "3" to "4" on the map will be no longer! The Reason for the Variance application is the new parcel line From "5" to "6" will be inside 20 Feet of the swimming pool deck that is setting on blocks and is "not" attached to the house of 4700 Warner rd.

Thanks for in advance,

MARK A. TRAUT

Thomas A. Ward

WOOD COUNTY PLANNING COMMISSION

Staff Activities Report

May 2019

PLANNING AND ZONING

- Researched potential zoning language for solar farms and solar energy.
- Continued to research and draft a document – guide to handling spot zoning.
- Spoke to landowner regarding the feasibility of constructing a subdivision on their property.
- Reviewed the final plat of The Village at River Bend Plat 5.
- Attended a webinar on the upcoming 2020 Census. Planning a complete count committee.

ENVIRONMENTAL

- Investigated a possible floodplain violation in the Village of Cygnet.
- Toured the Portage River to examine flood characteristics after heavy rainfalls.

COMMUNITY DEVELOPMENT

- Continued to work on all CDBG grants as well as CHIP grant.
- Set public hearing for Village of Bradner Critical Infrastructure Grant (CIG).

ECONOMIC DEVELOPMENT

- Coordinated with the State of Ohio for clarification on an enterprise zone application.

ADMINISTRATIVE

- Issued five rural addresses, as of May 22nd.

May Parcel Splits and Combinations						
	2015	2016	2017	2018	2019*	Average
Splits	0	2	15	15	6	8
Combinations	0	4	7	2	2	3

*As of May 22nd