



**WOOD COUNTY PLANNING COMMISSION
AGENDA
October 6th, 2020 at 5:30 PM**

The Wood County Planning Commission will meet in regular session on Tuesday October 6th, 2020 at the County Office Building in Bowling Green, Ohio. The time of this meeting is 5:30 pm. A suggested agenda follows:

OLD BUSINESS

NEW BUSINESS

Approval of the September 2020 Planning Commission Meeting Minutes

SUBDIVISION VARIANCE REQUEST - MONTGOMERY TOWNSHIP

Two applicants are seeking a variance from the minimum lot width requirements set forth in the Wood County Subdivision Rules and Regulations. The applicants' parcels are located in unzoned Montgomery Township. Unzoned townships must adhere to the minimum lot area, width, and setback requirements of the Wood County Subdivision Rules and Regulations. The applicants' plans for the parcels do not meet the minimum frontage requirements and therefore need a variance.

SUBDIVISION – TROY TOWNSHIP

Feller Finch & Associates have submitted a request for a one year preliminary plat extension for the proposed Eagles Landing Subdivision located in Troy Township. The subdivision was granted preliminary approval in October 2019.

PUBLIC FORUM:

CHAIRMAN'S/COMMISSION MEMBER'S TIME

DIRECTOR'S TIME

WOOD COUNTY PLANNING COMMISSION STAFF ACTIVITIES REPORT

Staff activities for September 2020 will be reviewed.

ADJOURNMENT

Please make plans to attend

Please be advised that appropriate facial masks must be worn when in the Courthouse Complex. Individuals not wearing masks will be denied entry.

**Meeting Minutes
Wood County Planning Commission
September 1, 2020
5:30 pm**

The Wood County Planning Commission met in regular session on Tuesday, September 1, 2020 at the County Office Building in Bowling Green, Ohio. Planning Commission staff members in attendance were David Steiner and Jamie Stanley. Planning Commission members in attendance were: Steve Arnold, Ted Bowlus, Brendyn George, Doris Herringshaw, Craig LaHote, John Musteric, Jeffrey Schaller, John Schuerman, Brian Swope and Erik Wineland. One (1) guest was in attendance.

Chairman John Musteric called the meeting to order.

Old Business

Mr. Schaller made a motion to approve the July 2020 Planning Commission meeting minutes. Mr. LaHote seconded the motion. Mr. Musteric called for a vote.

Mr. Arnold - Abstain, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George - Yes, Ms. Herringshaw - Abstain, Mr. LaHote - Yes, Mr. Musteric - Yes, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Swope – Abstain, Mr. Wineland - Yes.

New Business

Ms. Herringshaw made a motion to approve the August 2020 Planning Commission meeting minutes with amendments as stated. Mr. Arnold seconded the motion. Mr. Musteric called for a vote.

Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George - Yes, Ms. Herringshaw - Yes, Mr. LaHote - Yes, Mr. Musteric - Yes, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Swope – Abstain, Mr. Wineland - Abstain.

Mr. Steiner introduced Brian Swope as the City of Bowling Green representative on the Planning Commission. Mr. Swope gave a brief biography of himself and the Commission welcomed him.

ZONING – TROY TOWNSHIP

Mr. Steiner provided an overview of the application. Mr. Steiner explained that the Troy Township Zoning Commission has submitted language to address and regulate transportation for hire businesses within the township. Mr. Steiner explained the item was previously heard at the July 2002 Planning Commission meeting and the Planning Commission members identified several deficiencies and shortcomings with the language. Mr. Steiner explained that the Commission members recommended that Troy Township deny the language as submitted and re-apply with updated language. Mr. Steiner explained that what is currently being reviewed is the adjusted language that the Township feels addresses the concerns raised by the Planning Commission previously.

Mr. Steiner explained that the some of the issues cited previously of ambiguous language and definitions in the language had been addressed. Mr. Steiner explained that the two largest concerns that needed clarification were the definition of a commercial vehicle and the maximum square footage of an associated building.

Mr. Steiner stated that the staff recommends that the Planning Commission deny the language change request as presented until the issues are further rectified: specifically the vagueness of the commercial definition language and the Township should make sure the maximum storage building size is adequate.

Troy Township representative, James Bell, indicated that they had discussions with legal counsel and used the Middleton Township definition of commercial vehicle to establish the Township definition. Mr. Bell read the Township's definition of commercial vehicle in their current resolution to alleviate the concerns. Mr. Bell also indicated that the maximum building size is adequate for 3 (three) large size vehicles.

The Commission members discussed the definition and making sure the definition has enough clarity to not impact smaller entities (i.e. limo services, Uber, etc....).

Mr. Musteric discussed the language regarding Right of Way and front yard setback requirements. Mr. Musteric emphasized the importance of adhering to the established rules and regulations depending on the type of road.

Mr. Wineland made a motion that the Commission recommend that the Township approve the revised language. Mr. Schuerman seconded the motion.

Mr. Musteric called for a vote.

Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George - Yes, Ms. Herringshaw - Yes, Mr. LaHote - Yes, Mr. Musteric - Yes, Mr. Schaller - Yes, Mr. Schuerman - Yes, Mr. Swope - Yes, Mr. Wineland - Yes.

The motion to approve carried.

ZONING – TROY TOWNSHIP

Mr. Steiner explained that the Troy Township Zoning Commission has submitted zoning language that requires all buildings and dwellings over 200 square feet and not located in a manufactured home park in the Township be affixed to the land upon a properly engineered, permanently sited foundation system that meets the applicable State and Wood County Building Regulations. Mr. Steiner explained that the Township's reason was that "Troy Township would like to have the same requirements as the Wood County Building Inspector regarding foundations for all buildings".

Mr. Steiner stated that the language refers the applicant to the Wood County Building Inspection Department and that the applicant would have to adhere to these regulations anyway in order to

receive a building permit. In this vein, Mr. Steiner recommends that the Planning Commission recommend to the Township to approve this language.

Mr. Bell, representing Troy Township, stated the language was for safety in the Township.

The Planning Commission discussed a potential change from “over 200 feet” to “equal to or greater than 200 feet in area” as it would have more clarity.

Mr. LaHote made a motion that the Commission recommend the Township approve the language. Mr. Bowlus seconded the motion.

Mr. Musteric called for a vote.

Mr. Arnold - Yes, Mr. Bowlus - Yes, Mr. Brossia - Absent, Mr. George - Yes, Ms. Herringshaw - Yes, Mr. LaHote - Yes, Mr. Musteric - Yes, Mr. Schaller – Yes, Mr. Schuerman - Yes, Mr. Swope – Yes, Mr. Wineland - Yes.

The motion to approve carried.

PUBLIC FORUM

CHAIRMAN’S/COMMISSION MEMBERS’ TIME

DIRECTOR’S TIME

Staff Activities

Mr. Steiner stated there would be an October meeting as there is already variance request to be heard in an unzoned area of the County.

Mr. Steiner referred the members to the Staff Activities report. Mr. Steiner explained that the office continues to assist Plain Township with zoning issues. Additionally, Mr. Steiner stated that the office researched and assisted Troy Township officials with a zoning matter.

Mr. Steiner stated that grant activity continued with work on CDBG and CHIP grants including contracts, RFQs and labor interviews.

Ms. Stanley shared that eight (8) rural addresses were issued from June 26, 2020 to August 20, 2020.

Ms. Stanley shared that five (5) parcel splits and five (5) parcel combinations were processed.

Motion to Adjourn:

Mr. Bowlus made a motion to adjourn the September 1, 2020 Planning Commission meeting. Commission members responded in full support. The meeting adjourned.



L45-412-200000009000

L45-412-200000003000

L45-412-200000002000

L45-412-210000032000

L45-412-200000017000

L45-412-200000018000

L45-412-200000019000

L45-412-200000019002

L45-412-210000035000

L45-412-200000019001

L45-412-200000026000

L45-412-200000021000

L45-412-210000036000

L45-412-200000022000

L45-412-200000025501

DEFIANCE PIKE

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L45-412-200000019000

L45-412-200000019002

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L45-412-200000019001

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L45-412-200000021000

L45-412-210000036000

L45-412-210000039000

L45-412-200000022000

L45-412-200000022002

L45-412-200000025501

L45-412-200000022000

L45-412-210000037000

DEFIANCE PIKE

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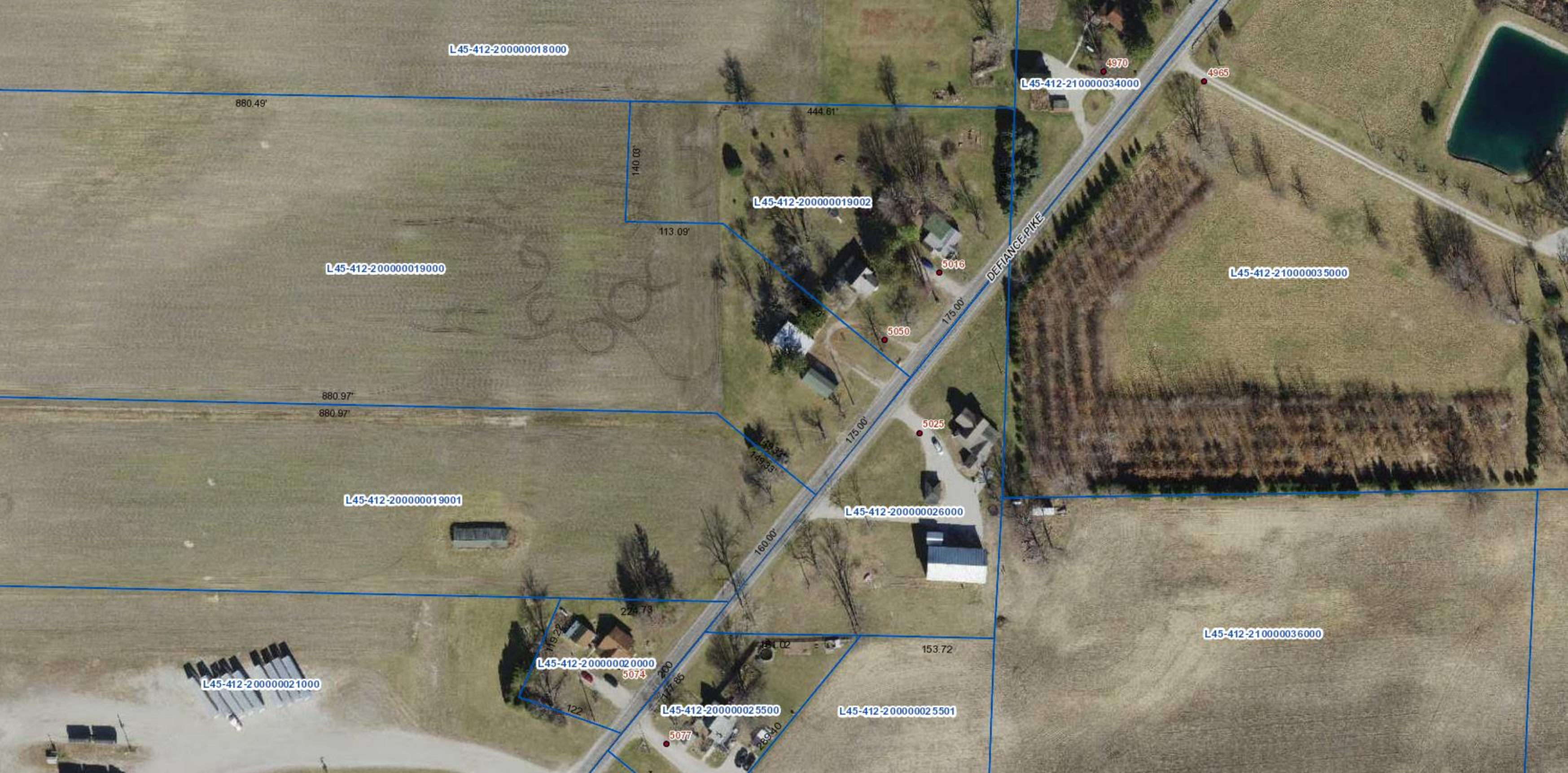
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APPLICATION FOR SUBDIVISION VARIANCE
WOOD COUNTY PLANNING COMMISSION
WOOD COUNTY, OHIO

Date 8-23-2020 Application No. _____

Name GARY & CATHERYNE HARRISON

Address 11196 WAYNE RD, WAYNE, OHIO 43466

Phone 419-308-0921 (cell) 419-288-2607 (office)


1. Locational Description: PARCEL #L 45-412-200000019002 at
5050 DETIANCE PIKE, WAYNE, OHIO 43466
2.14 DEEDED ACRES

2. Nature of Variance Requested: Describe generally the nature of the variance _____
TO MOVE THE SOUTH PROPERTY LINE TO INCLUDE THE 2
BUILDINGS (TWO DOOR CAR GARAGE & POLE BARN). AS TO THEN
PURCHASE THE BUILDINGS FROM KENNETH GEORGE. (EXHIBIT "E")

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.

 GARY HARRISON
Signature
Kenneth George Kenneth GEORGE
419-308-5614 Cell

Kenneth & Cynthia George
6057 Mermill Road
Wayne, Ohio 43466

September 1, 2020

Wood County Planning Commission
One Courthouse Square
Bowling Green, Ohio 43402

To whom it may concern,

We (Kenneth & Cynthia George) are asking for a variance which would allow us to sell ½ acre more or less from parcel #L45-412-200000019000 which will include a small pole building and a garage to Gary and Catheryne Harrison who own the adjacent parcel #L45-412-200000019002. We would need to sell approximately half of our 175' of frontage to The Harrisons to include the buildings which are near the road. This would leave us with plenty of frontage to access our farmland which lies alongside and behind The Harrisons property. Attached are several exhibits which detail the parcels involved and how the buildings ended up on the parcel of farmland we purchased and not on the parcel with the house so the buildings can be utilized by the homeowners. The Harrisons would also be selling us a small part of their parcel approximately ½ acre more or less which projects into our farm field.

Thank you for your time.

Kenneth George



Cynthia George



Lauren J. Schall 9/1/2020



LAUREN J. SCHALL
Notary Public, State of Ohio
My Commission Expires
April 1, 2023

Variance Application Exhibit

August 23, 2020

Referencing Parcel #L45-412-200000019002

Justification of Variance, item "E" ...a sketch of the area showing the location and characteristics of the requested variance:

EXHIBIT "A"; showing the original Parcel of land owned by Blake Tyson till he died in 2016 (the black line on the drawing indicates what was originally Blakes). The original heir of Blake's Estate was Donald Tyson and he then sold to his son Bartley Tyson. Bartley then broke it up into 3 different parcels...#1 parcel was the house lot of 2.14 acres, #2 was the farm parcel of 20.0 acres, and #3 parcel was Bart's hunting paradise of 18.54 acres. And at the time, Kenneth George farmed all the tillable soil for Blake and still continues to farm all for all three land owners.

EXHIBIT "B"; shows the Parcel #L45-412-200000019001 (18.54 acres) with 160' of frontage and is currently owned by Bartley Tyson. Bart is a son of the original heir Donald Tyson. And Kenneth George is farming the tillable soil currently.

EXHIBIT "C"; shows the Parcel #L45-412-200000019000 (20.0 acres) with 175' of frontage and is currently owned by Kenneth George. This parcel also has two buildings on it near the frontage of the property; a two door garage and a small pole barn, that Blake Tyson (the original owner) had built many years ago. Kenneth is a farmer and lives in Wood Co and is currently farming this plot of land.

EXHIBIT "D"; shows Parcel #L45-412-200000019002 (2.14 acres) with 175' of frontage and is currently owned by Gary & Catheryne Harrison. This parcel had two houses on it that were demolished and currently has a new home built on it in 2019. I am currently renting the two buildings from Kenneth George and he would like to sell them to me...But, here's the problem; he can't because of the Wood Co frontage requirements.

EXHIBIT "E"; this exhibit shows my proposal, which is way I am asking for a "Variance"; (1) I want to buy the buildings from Kenneth George and he wants to sell them to me. (2) I want to straighten out the west property line as so it doesn't have a dog leg that goes out into the farm field and so does Kenneth George. (3) And Kenneth George would be happy with only approximately half of the required Wood Co frontage requirements. Half the frontage will give him plenty of room to enter his property to farm it.

Therefore, I would ask the Planning Commission to grant a Variance in this application.

Thank you,

Gary Harrison

[Print](#) | [Back](#)

Wood County GIS

EXHIBIT "A"



Notes

Black line indicates that the
③ Parcels (Gary Harrison, Bart Tyson,
AND Kenny George) were all owned
by Blake Tyson... Then he died.

[Print](#) | [Back](#)Wood County GIS *Exhibit "B"*

Notes

*Owner : Bantley Tyson
18.54 Ac
w/160' Frontage*

[Print](#) | [Back](#)Wood County GIS *Exhibit "C"*

Notes

*Owner: KENNETH GEORGE
20.0 ACRES
w/175' Frontage*

[Print](#) | [Back](#)Wood County GIS *Exhibit "D"*

Notes

*Owner: Gary Harrison
2.14 Ac
w/175' Frontage*

[Print](#) | [Back](#)Wood County GIS *Exhibit "E"*

Notes

*This is the Proposal;
Black line indicates new property lines
that includes the 2 Bldgs with the house
X's indicates old property lines*

ITEM # 2 – Subdivision Variance – MONTGOMERY TOWNSHIP

APPLICANTS

Gary and Catheryne Harrison
11196 Wayne Road (parcel #L45-412-200000019000/ 5050 Defiance Pike)
Wayne, OH 43466

AND

Kenneth and Cynthia George
6057 Mermill Road (PARCEL # L45-412-200000019002/ 5050 Defiance Pike)
Wayne, OH 43402

PROPOSAL

The applicants are seeking a variance from the minimum lot width 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 each split off a small portion (approximately 0.50 acres) of their current parcels and then exchange these two splits. These two newly created parcels would then be combined with their own parcels to place the existing buildings on the same parcel (owned by the Harrison's) and allowing access to the second parcel being farmed (owned by the George's). A variance from the lot width requirement of 175 feet is needed to allow the splits and then combinations to occur. The split would result in the George parcel having a lot width of approximately half of the required 175 feet. The accessory structures are currently, and have historically been, used by the owners of parcel number L45-412-200000019000 even though they are located on the parcel number L45-412-200000019002. The two parcels in question both currently have 175 feet of frontage, however, they were originally part of a parent parcel owned by the Tyson family before being split into three parcels. The three parcels were created by the Tyson family in 2017 prior to the Harrison's and the George's purchasing the parcels.

LOCATION

The subject parcels are located on the west side of Defiance Pike, between Girton Road and Mermill Road in section 21 of Montgomery Township. The Village of Wayne is approximately 1.3 miles northeast of the parcels.

LAND USE AND ZONING

The applicants' parcels are located in an unzoned township. The surrounding parcels are mostly used for farmland. There is a commercial entity on the parcel located approximately 350 feet southwest of the parcel seeking the variance (5110 Defiance Pike). 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

- 2-A: Location Map
- 2-B: Variance Request Documents – Application and supporting documents

STAFF ANALYSIS

The accessory buildings located on the George property are currently utilized by the Harrison's. The applicants wish to change the property lines to encompass both the Harrison residence and the accessory buildings on the same parcel. The Harrison parcel and the George parcel would both have a parcel split from their respective parcels that would be exchanged and then combined for each parcel to remain

approximately the same acreage as currently and both would meet and exceed the minimum 2 acre lot requirement. The Harrison parcel would remain approximately 20 acres and the George parcel would remain just above the 2 acre minimum requirement. The Wood County Subdivision Rules and Regulations require a minimum lot size of two acres for parcels used for single family homes.

Mr. George wants to split off approximately 0.5 acres on the east portion of the parcel where the accessory structures are located. This would decrease their frontage from the required 175 feet minimum to approximately 87.5 feet. The split would require a variance from the minimum lot width requirement which is 175 feet according to the Wood County Subdivision Rules and Regulations. If the variance were to be approved, the split would allow the Harrison's to have ownership of the accessory structures and the George's would still have adequate access to the land they currently farm. The Harrison's would then split off approximately 0.5 acres of their property in the rear yard area and exchange that split for the front split of the George's property to maintain approximately the same amount of property for both applicants.

If the variance were to be denied, the applicants would need to determine how to utilize the accessory buildings. The current parcel owners were not responsible for the parcel boundaries that currently exist. The Tyson's were the previous owners and had the property split into the current parcel configuration in 2016/2017. The Harrison's purchased their parcel in 2017 and the George's purchased their parcel in 2018.

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.

At the time the applicants purchased the property, the current minimum frontage requirement existed and the accessory buildings were located on a separate parcel from the residence. However, the accessory buildings were originally on the same parcel as the residence prior to the split by the Tyson family.

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 members should discuss the situation thoroughly and determine if the justification that was provided is enough of a reason to grant a variance.

WOOD COUNTY PLANNING COMMISSION

Staff Activities Report September 2020

PLANNING AND ZONING

- Researched and assisted Troy Twp. Zoning officials with zoning matter.
- Met with Prosecuting Attorney, Troy Township Zoning Inspector and private attorney to discuss aforementioned zoning matter.

COMMUNITY DEVELOPMENT

- Continued to work on all CDBG grants as well as CHIP grant.
- Received notice that Wood County was awarded 1 million dollars of grant funds for the PY2020 CHIP grant. Projects will begin in first part of 2021.
- Officially awarded a Critical Infrastructure Grant (CIG) for Village of Brander for water tower and main water line improvements.
- Awarded the second phase of the Perrysburg Heights NRG grant to Geddis Paving and Excavating.
- Adjusted and resubmitted Fair Housing Plan for the PY2020 Community Development Grant.
- Completed semi annual labor reporting for all CDBG grants.

ADMINISTRATIVE

- Began work on the 2021 budget.
- Continued to train new planner.
- Prepared items for October 2020 Planning Commission meeting.
- Issued 7 rural addresses issued from August 21, 2020 through September 25, 2020
- Processed 8 parcel splits (61.962 acres) and 6 parcel combinations (40.803 acres)

ITEM # 2 – SUBDIVISION -TROY TOWNSHIP

APPLICANT

Feller Finch & Associates
1683 Woodlands Drive
Maumee, OH 43537

PROPOSAL

Applicants are seeking a one (1) year extension on preliminary plat approval for the proposed Eagle's Landing Subdivision in Troy Township. The plat was granted preliminary approval at the August 2019 Planning Commission meeting.

ATTACHMENTS

2-A: extension request letter.

STAFF ANALYSIS

The subject plat was granted preliminary approval at the October 2019 Planning Commission meeting. Since this approval, the engineer's for the plat have been designing various components of the plat such as storm water retention, drainage, and floodplain mitigation. The COVID issue effectively put a damper on any work being done on the plat.

STAFF RECOMMENDATION

The Director feels that given the extenuating and unanticipated circumstances in the past year that have effectively put a damper on any progress, the request for extension should be granted.