

PERRYSBURG TOWNSHIP ZONING COMMISSION
26609 Lime City Road
Perrysburg, OH 43551

ZONING COMMISSION MEETING
March 14, 2005

Mr. Black, chairman, called the meeting of the Perrysburg Township Zoning Commission to order at 6:00 p.m. A roll call was taken. The meeting was tape-recorded.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, John J. Benavides, and Arthur Rometo.

MEMBERS ABSENT: Stephen J. Stanford and Jeffrey Normand.

APPROVAL OF THE AGENDA: Mr. Schaller moved with a second by Ms. Warnimont to approve the agenda. A roll call vote was taken. Yes votes by Mr. Schaller, Ms. Warnimont, Mr. Benavides, Mr. Rometo, and Mr. Black. Motion carried 5-0-0.

MOTION TO APPROVE 2/14/05 MINUTES: Ms. Warnimont moved with a second by Mr. Benavides to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Benavides, Mr. Schaller, and Mr. Black. Mr. Rometo abstained. Motion carried 4-0-1.

Mr. Black asked Mr. Garn regarding a prior question about the Northwest Water and Sewer District and some issues and wondered if Mr. Garn was able to get him and/or other people together with them. Mr. Garn responded that yes, there was a meeting this last week with Penta County, Northwest Regional Water and Sewer, Rudolph/Libbey and others attending. Close to a dozen people attended just to discuss the issue because there is a problem. Northwest Regional Water and Sewer is going to send a letter out to the people telling them they are going to be working on trying to get the storm water out of the sewer system. Mr. Black asked if the neighbors seemed satisfied. Mr. Garn said there were no neighbors there. Mr. Black thought there was a gentleman present that was not satisfied. Mr. Garn said yes, and that he presumed Northwest Regional had talked to him and some others. He thinks someone else showed up at the trustees' hearing about the same problem and some other problems. Northwest Regional is trying to address them.

Mr. Black asked if anyone in the audience had anything they wished to address other than agenda items, and there were none.

ZONING CHANGE APPLICATION NUMBER ZC-2005-02. Mr. Kurt Miller of Miller Diversified, Inc., brought in an application from a William J. Wolf and Antoinette Wolf who wish to have their property rezoned. This property is located at the northwest

corner of Neiderhouse and Thompson Roads and is approximately 41 acres in size. The property is presently zoned A-1 (Agricultural District). They are requesting that the zoning be changed to R-3 Suburban Residential District (Medium Density). The developer has stated that they would like to develop a single-family residential subdivision with approximately 90 lots. It is recommended that the zoning commission direct its zoning inspector to forward this application to the Wood County Planning Commission for its consideration and recommendation.

Kurt Miller addressed the commission regarding this application. Mr. Miller started off by saying in talking with Mr. Garn, it was suggested that he come out to the meeting and discuss this with the commission earlier on in the process. What they are proposing, this is a 40-acre site on the corner of Thompson and Neiderhouse, and the layout that they are proposing is what they see on the board. What they would like to do is straight R-3 single-family zoning. Earlier he talked to Mr. Black for a short period of time, and it was suggested to perhaps submit this as a PUD. He had the layout, and at that time he was not familiar with the PUD regulations of the township. And he has since given a thumbnail sketch reading of it since he talked with Mr. Black, and that made him come out to the meeting because he thinks submitting this as a PUD has some issues on his side of it, and he would like to go straight R-3 on it. He has done a fair amount of development around the area, mostly Monclova Township as single family as of late, and really their forte is straight single-family development. They have not done any villa type or zero lot line development to date. What they would like to do is similar to what they have done in Monclova Township. As this is laid out, it meets all the requirements of the R-3 zoning, 75 foot frontages on the lots or greater. They all meet the square footage requirement. They meet all the setback requirements that are within the R-3. Their goal on the site is to do straight single-family development. They have no plans of doing any villa or higher density type development.

In reading the PUD code, it seems to him that they aren't asking for anything out of the ordinary here. He does not really want to increase the densities. Right now as this is laid out it's 2.275 units per acre, and he does not want to get into any more than that. He would like to keep it as is. By doing a PUD, essentially what he sees happening, you are sort of forced to do some smaller lots which makes you drive up the density in order to get the open space requirements. The way it is laid out right now, they are providing open space along Thompson Road, and buffering along Neiderhouse Road, and then all the development would be internal to that. It's a fairly simple layout.

One of the concerns from talking to Mr. Black was a change in the configuration of the development after it's been submitted, and it's a 40-acre site. And Mr. Miller does not see how you could squeeze any more on there than what is really shown, so he does not see that happening. The configuration of the streets is fairly simple, so he does not see a change there. If it's a matter of saying this will be the plan that he is going to do, he does not mind making a commitment to that's the plan that he would do. The

question is how is he going to achieve that, and with a PUD it could not be that exact layout. So that's the issue why he would like to submit it as straight R-3 zoning.

As far as utilities on the site, the storm water, there is a big ditch along Thompson Road, which they would access for the storm water outlet. And they have a detention pond detaining water on the site as well. The water and sewer lines would need to be extended from the north and be brought down. The water line can be brought down easily enough. The sewer line, they have talked with Northwest Sewer and Water District, and one of a couple of things can happen there. At first they basically determined that maybe the best for right now would be to do a pump station with a force main going up to the current sewer. The second go-around they decided that maybe they were better off running gravity down. Either way, that can be done. There are some issues with the gravity and whether it's going to be underneath the road and the road redone, or it's going to be along the right-of-way, or an additional easement. They are working up what they are planning on doing, and they are going their direction on that. So the utilities will be available to that site.

Mr. Black asked if the ditch would be filled in. Mr. Miller said he has seen they have done that. That's a good question, and he does not have the answer to it right now. His guess is they would probably want to do that. He does not want to widen Thompson Road. Mr. Black said he will be granting them some additional land. And Mr. Miller said right.

Mr. Schaller asked as far as the utility work, when would he anticipate that work to be completed. Mr. Miller said they would do all that work as soon as they go through the zoning process, preliminary approvals, they would do that at the same time that they are doing the on-site improvements. Mr. Schaller asked how long he would anticipate it would take to address the water and sewer issues, and Mr. Miller responded they have said they will go one of those routes, so it's verbally agreed to. As far as contractual arrangement, upon completion of the preliminary drawing, that would be part of the requirement they would work out with them during the preliminary drawing requirement. It would be done at the phase.

Mr. Black asked Mr. Garn if he had any comments. Mr. Garn said he is still not sure if they are going to resubmit this to Wood County as a PUD or not. Mr. Miller said he would like to, and that's why he came tonight because he would like to go straight R-3 zoning and keep the process. Mr. Garn confirmed he would like to keep it R-3 and not as a PUD, and Mr. Miller agreed.

Mr. Black asked if anyone else had any comments.

Mr. Garn further commented that the other developments in that area in that section are PUD's. He looked at that on the map. The other straight R-3 zoning is a mile the other way. Mr. Miller said right, Mr. Harris is straight R-3. A couple of them Brian

McCarthy has done with his villa stuff, PUD makes sense on that. There is another McCarthy and others that PUD also makes sense because of the mixture of uses in it. The one to the north he does not know the history. Mr. Garn said that was an R-3/PUD to start with. Mr. Miller said he did not know what the PUD requirements were back then. He does not think they are what they are now. Mr. Garn said there is one just north that doesn't show anything as to streets and roads now, but it's also approved as a PUD, about 8 acres there. Mr. Miller asked what kind of use they were going to have, and Mr. Garn did not know. That was before his time. Mr. Miller said his thought was he thinks those have fallen under older PUD regulations.

Mr. Garn said his other comment, so that the board is aware, and he mentioned it to Mr. Miller, in Middleton Township where they had one recently where they split the zoning, and the perimeter was R-2, and then the interior was R-3. The size of the lots may be different, but they had done something a little different there. He thinks initially it had been turned down, and then the developer came back and resubmitted that way. He does not know the area, he just happened to be there for the hearing.

Mr. Miller said he had looked at the lot density on the one to the north, and they actually have more lots on 40 acres than what he would have here. Mr. Black asked which one that was. It was Oak Meadows. Mr. Miller said Feller Finch is working on their engineering on it. And when he first talked to them he said that was the density he wanted, and they told him he can't get it. They had more lots on their site than he did.

Mr. Black asked if he was planning on being the developer, and Mr. Miller said yes. And just so the commission knows, from the development side they typically develop the property and sell lots, they do not do the construction. They sell it to end users and builders as well. That's not to say they don't build a few houses in there, but normally they don't do much of the construction.

Mr. Schaller said Neiderhouse Road is a very rural road. This development could potentially be adding traffic to that road. Are there any anticipated upgrades that they would be doing to Neiderhouse Road. Mr. Miller said that would be part of the preliminary. His past experience with development is when it's a more country, rural road, that typically they do some widening and usually sometimes a resurfacing if the road is not in good condition. And if that was the county's requirement, he would not object to it. He is used to doing that in their other developments.

Mr. Schaller said in the storm sewer, is that getting gravity flow to the existing creek out there, or does it have to be pumped. Mr. Miller said that was gravity, the storm. Mr. Schaller said he knows from time to time there have been issues with storm water out there. Mr. Miller said there again they would be required to retain enough that they would not exceed the agricultural run-off rate, and thus the detention area. Mr. Black

said so that's a detention pond, and Mr. Miller said right, that's not a pond for detention.

Mr. Black asked if the utilities would be out of the current right-of-way between them and Eckel Junction. Mr. Miller said water would likely be in the right-of-way. The sewer, if it's a forced main, will be on the opposite side in the right-of-way. If it's gravity, it's either going to be down the center of the road or it's going to be off on one side in a separate easement.

Mr. Black asked if there were any other questions. A question was asked of Mr. Miller that he does not believe that his usage through the way he is going to lay out his lots and everything and the single usage really merits a PUD. Mr. Miller said that's correct. Number one, the lots and his configuration is really a straight single-family use. He is not doing anything out of the ordinary. And he has done a fair amount of PUD's in the past, and typically the PUD's, you're varying your setbacks and you're making smaller lots within a certain criteria. Usually with the PUD's he's worked with in the past, you are like an R-1/PUD where you have to meet the density of an R-1 category. And therefore you are making smaller lots and changing setbacks in order to get what you need, and you are giving more open space in exchange for those smaller lots. In the case of the Perrysburg Township zoning code, he sort of sees the same thing. It's a separate zoning category. But using Brian McCarthy's villa type stuff, he's got 55 or 60-foot frontage lots, 5 or 10-foot side yard setbacks. He does not need any of that because he really wants to shoot for straight single family, so he does not want to go with that. By submitting as a PUD and the open space, increasing to 25 percent open space, it ends up in order to get a similar type density he has to reduce the lot sizes. And then it gets out of the target market he is after because he wants a single family and that type of price range. It makes it difficult in his case when you are wanting to do straight single family. He was asked what his target market is. Mr. Miller said generally their stuff has been in the \$250,000.00 price range. Their lots have run in the mid 40's to \$56,000.00 a lot on their typical stuff. And then when asked about the values, he usually uses a rule of multiply by five is typically what they have done.

Mr. Black asked Mr. Garn if he had any other questions. Mr. Garn said he anticipates there are probably 40 some neighbors in the area, five-acre lots. Of course Mr. Miller was looking for a certain density for a PUD, because their PUD is pretty freewheeling as to what you can do. Mr. Miller said right, up to four units per acre. Mr. Garn said less or more. Mr. Black said one of the points is they have an R-3, and this is what an R-3 would do. There is only so much you can do. Mr. Miller said right. He further said he knows you can't have contractual zoning, but if there is a concern about changing layouts or something, you can talk to the legal beagles, but he does not mind committing to a particular layout. And even on landscaping issues he does not mind committing to certain landscaping requirements. He has always done either what he was asked to do or more on landscaping. If he was going towards a villa, or apartment/villa, or a mix of uses he could see the purpose of the PUD. If it's a large

tract. He is working on one in Monclova Township that was 150 acres, and he had a combination of commercial, single family, and villa development on that. It makes sense on that to do it because of the size of the site and the uniqueness, changing setbacks, and lot requirements, and the open space blend. So after reading it this afternoon, it didn't seem to make sense on this site to really do it for what he is targeting to do.

Mr. Black asked if there was a motion to approve the application going to the Wood County Planning Commission. Ms. Warnimont moved with a second by Mr. Rometo. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Rometo, Mr. Benavides, Mr. Schaller, and Mr. Black. Motion carried 5-0-0. Mr. Miller said if anybody wants to get together with him to talk about things with the plan ahead of time, or one on one, he is open to do that.

Mr. Black asked if Mr. Garn had anything. Mr. Garn said no, other than the plan with the straight zoning, so it could be any configuration, or anything is R-3. It's just a zoning issue. Mr. Black said it's a density issue, and Mr. Garn said a density issue.

Mr. Black asked Mr. Miller if that was the maximum density he could have under the R-3, what he has there. Mr. Miller said it's 10,500, and so technically he thinks you could get more. He does not have a calculator. He thinks you could get close to three, technically, except with the open space requirement and the setbacks along the perimeter that are required, and just the dimensions of that site. For example, when Feller Finch had laid this out, they actually had put more lots. Actually had close to a hundred. And he said he did not want that because he does not want people accessing Thompson Road. He did not think that was good planning. So he added some other lots, so he thinks he is close.

Mr. Black asked Mr. Garn if there was anything else he would like to share. He told Mr. Black that he hasn't seen anything with Emerald Lakes for awhile. Mr. McCarthy is here. He wanted to know what was new and different.

Mr. McCarthy responded to Mr. Garn saying he is just finishing up the engineer's plans right now, so it will be forthcoming. Probably in the next 30 days. Mr. Garn said he did not know if there were any changes. Mr. McCarthy said no, everything is going so far according to plans. Mr. Garn said about coordinating roadways and so on. Mr. McCarthy said it's still open in the other phase over there. Until they pinpoint exactly where those are going to go. The first phase is all according to plan. There was an issue on a roadway on Emerald Lakes on the adjoining subdivision. He does not know what happened exactly. They may have picked up an old plan, and the stub street coming from the development moved locations from where they laid their plan out to where it actually is now. So he is looking to possibly move a stub street into that subdivision and just align up with theirs. He doesn't know exactly which way they are going with theirs. Mr. Black asked if this would be an additional street coming out of

his subdivision that wouldn't otherwise have been there. Mr. McCarthy said they had two streets tying into the adjacent subdivision. Their intent is to still have two streets, but the location of the street that they were tying into, one of the streets moved. So it wouldn't involve any more lots or anything like that, it's just a question of possibly moving that street. But until they actually etch what they have in stone, he hasn't addressed that yet where that connecting street to the two subdivisions is going to be. So it was a little surprise to him, but he will figure it out as soon as he is told what they want to do on that. They are down in Wood County deciding exactly the location of that street. They weren't under a PUD, they were under a straight zone, so they had to get them to move that road around a little bit. When they were moving it, he was trying to line up to it. When theirs moves, his has to move also.

Mr. Black asked Mr. Garn if Thompson is a county road and Neiderhouse is a township road. Mr. Garn said they are both township roads. But there is talk of Thompson Road needing quite a bit of improvement. Even more going from Neiderhouse to Roachton also. A lot more traffic in the area than was anticipated.

Mr. Black asked if anyone had any other issues to share this evening. He asked Mr. Garn if there was anything else. Mr. Garn wanted to know if they wanted to talk about site plans later on. Just subdivisions, to finalize some of that as to approval on ponds and so on. Mr. Black thought that was all in the latest resolution. Mr. Garn said it's still in there about site plans for subdivisions. He needs to talk to one of the subdivisions and bring them in so they have some type of approval on the ponds, at least that end of that.

Mr. Black asked if there was a motion to adjourn. Mr. Rometo moved with a second by Mr. Schaller to adjourn. All members were in favor. The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary