

*LUCAS COUNTY
PLAN COMMISSION
REPORT*

November 20, 2013

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620, Toledo, OH 43604

Phone 419-245-1200, FAX 419-936-3730

MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

TOLEDO CITY PLAN COMMISSION

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(Chairman)

CYNTHIA A. GERONIMO
(Vice Chairman)

BALSHARAN SINGH GREWAL

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LUCAS COUNTY PLANNING COMMISSION

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LISA COTTRELL, ADMINISTRATOR

**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING
SCHEDULE - 2013**

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION <i>(HEARINGS BEGIN AT 2PM)</i>			
November 27	December 21	December 28	January 10
January 2	January 28	February 1	February 14
January 28	February 25	March 1	March 14
February 25	March 25	March 29	April 11
March 25	April 22	April 26	May 9
April 29	May 27	May 31	June 13
May 27	June 24	June 28	July 11
June 24	July 22	July 26	August 8
July 30	August 26	August 30	September 12
August 26	September 23	September 27	October 10
September 23	October 21	October 25	November 7
October 21	November 18	November 22	December 5
COUNTY PLANNING COMMISSION <i>(HEARINGS BEGIN AT 9AM)</i>			
December 10	January 7	January 11	January 23
January 14	February 11	February 15	February 27
February 11	March 11	March 15	March 27
March 11	April 8	April 12	April 24
April 8	May 6	May 10	May 22
May 13	June 10	June 14	June 26
June 10	July 8	July 12	July 24
July 15	August 12	August 16	August 28
August 12	September 9	September 13	September 25
September 9	October 7	October 11	October 23
October 7	November 4	November 8	November 20
November 4	December 2	December 6	December 18

* County deadlines are for Preliminary Drawings

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TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

November 20, 2013

9:00 A.M.

PUBLIC HEARING WILL BE HELD AT ONE GOVERNMENT CENTER

AT JACKSON BOULEVARD AND ERIE STREET

IN COUNCIL CHAMBERS

ON THE FOLLOWING CASES

AGENDA

ROLL CALL – Lucas County Planning Commission

PROOF OF NOTICE

SWEARING IN

MINUTES

FINAL PLATS

- | | | |
|---------|---|--|
| S-25-13 | - | Final Plat of CRIMSON HOLLOW Plat 7 located at Dutch Road and Waterville Monclova Road, Monclova Township (jl) |
| S-26-13 | - | Final Plat of BRINT CROSSING Plat 3 located north of Brint Road and east of Mitchaw Road, Sylvania Township (jl) |

**ITEM
NO.**

ZONING – WASHINGTON TOWNSHIP

- | | |
|--------------|--|
| 1. Z21-C452: | Amendment to the Washington Township Zoning Resolution regarding front yard definition, livestock, animal waste, and charity donation boxes (jl) |
|--------------|--|

CHAIRMAN’S REPORT

DIRECTOR’S REPORT

ADJOURNMENT

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GENERAL INFORMATION

Subject

Request	-	Amendment to the Washington Township Zoning Resolution regarding front yard definition, livestock, animal waste, and charity donation boxes.
Location	-	Washington Township
Applicant	-	Washington Township Zoning Commission

STAFF ANALYSIS

The Washington Township Zoning Commission requests amendments to the Washington Township Zoning Resolution. Exhibit ‘A’ reflects the township proposal and Exhibit ‘B’ reflects staff modifications. Three of the amendments relate to prohibitions and the township is encouraged to seek legal counsel before final adoption. An overview includes the following:

- **Change front yard definition for L-shaped houses** – The change clarifies the area that should be included in a front yard for the purposes of zoning regulations. A front yard is based on the front building line and L-shaped houses have at least two front building lines. The amendment uses the line that is the furthest from the street.
- **Prohibitions on livestock and animal waste** – Townships have the ability to regulate agricultural activities on a limited basis based on the level of development within the township (see Ohio Revised Code Section 519.21). Staff recommends adding, “unless otherwise permitted by ORC 519.21 or other state law” to the text amendment. The township currently addresses the use of animal waste, or manure, through Sec. 1308.K *Causes of Blight or Blighting Factors*. The section states that any noxious odor detectable from the property line is considered a nuisance and not permitted. The township wanted to add language explicitly prohibiting manure, rather than relying on more subjective measures relating to the senses. Staff recommends simplified language.
- **Prohibition on charity donation boxes** – The amendment addresses the donation boxes typically seen in commercial strip center parking lots. These boxes, or bins, can become a dumping ground for unwanted materials. The low overhead of the boxes allows them to be dropped easily in locations, sometimes without the consent of property owners. The change does not affect any charitable organization wishing to maintain a storefront presence in the township.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission, recommend approval of the proposed amendments, as shown in EXHIBIT “B”, to the Washington Township Zoning Commission and Township Trustees.

TEXT AMENDMENT
WASHINGTON TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z21-C452
DATE: November 20, 2013
TIME: 9:00 A.M.

JL/an
Exhibit “A” follows
Exhibit “B” follows

Exhibit "A"
Township Language
(Additions in bold italics. Deletions in strikethrough.)

1) SEC. 2400 DEFINITIONS

Add text to clarify extent of front yard.

Yard, Front: A yard extending along the full width of the lot between side lot lines and from the front lot line to the front building line ***furthest from the street.***

2) SEC. 1300 GENERAL

Add new section for Agriculture prohibiting livestock and animal waste.

Section 1300

- A. ***The raising or maintaining of livestock and farm animals is prohibited anywhere in the township.***
 - 1. ***No lot owner shall permit the use of any lot for the keeping of farm animals or livestock and produces, directly or indirectly, the noxious odor of the animals and livestock, insects, flies or other carriers of waste material, including, but not limited to, the transmission or flow of animal waste through the ground or by air from the lot to any adjoining lot or public right-of-way, or any other result of an animal or an animal husbandry ownership or use, which endangers the public's health, safety, and general welfare on the lot or the owners or occupant of any adjoining lot. The Board of Township Trustees may determine and find any such use to be a nuisance and that such nuisance causes injury to the property of another, endangers life and health, is offensive to the sense, violates laws of decency, or obstructs the reasonable and comfortable use of one's property.***

3) Sec. 1301.M ACCESSORY BUILDINGS OR STRUCTURES

Add new section to prohibit charity donation boxes.

Section 1301 Accessory Building or Structure

- M. ***Charity donation boxes designed to accept and / or store donated items are prohibited in all zoning districts.***

Exhibit "B"
Staff Language

(Additions in bold italics. Deletions in strikethrough.)

1). SEC. 2400 DEFINITIONS

Add text to clarify extent of front yard.

Yard, Front: A yard extending along the full width of the lot between side lot lines and from the front lot line to the front building line ***furthest from the street.***

2). SEC. 1326 AGRICULTURE

Add new section for Agriculture prohibiting livestock and manure.

Section 1326 Agriculture

- A. The raising or maintaining of livestock and farm animals and the use or storage of animal waste as fertilizer is prohibited anywhere in the township, unless otherwise permitted by ORC 519.21 or other state law.***

3). SEC. 1301.M ACCESSORY BUILDINGS OR STRUCTURES

Add new section to prohibit charity donation boxes.

Section 1301 Accessory Building or Structure

- M. Charity donation boxes designed to accept and / or store donated items are prohibited in all zoning districts.***

STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

Recommendations for conditions of approval often originate from agencies that have reviewed plans and proposals under consideration by the Plan Commission. To indicate which agency requested which condition of approval, that agency's name is placed at the end of the condition in parenthesis. Agency names are listed below:

TOLEDO-LUCAS COUNTY
PLAN COMMISSIONS
ONE GOVERNMENT CENTER
SUITE 1620
TOLEDO, OH 43604
419-245-1200

FIRE PREVENTION
c/o BUILDING INSPECTION
ONE GOVERNMENT CENTER
SUITE 1600
TOLEDO, OH 43604
419-245-1220

TOLEDO EDISON COMPANY
CHRISTINE CUNNINGHAM
ENGINEERING SERVICES
6099 ANGOLA RD.
HOLLAND, OH 43528
419-249-5440

DIVISION OF WATER DISTRIBUTION
401 S. ERIE STREET
TOLEDO, OH 43604
419-936-2826

DIVISION OF FORESTRY
COMMISSIONER
2201 OTTAWA PARKWAY
TOLEDO, OH 43606
419-936-2326

UNITED STATES POST OFFICE
POSTMASTER
435 S. ST. CLAIR STREET
TOLEDO, OH 43601
419-245-6802

DIVISION OF WATER
RECLAMATION
COMMISSIONER
3900 N. SUMMIT STREET
TOLEDO, OH 43611
419-727-2602-

DIVISION OF INSPECTION
COMMISSIONER
ONE GOVERNMENT CENTER
SUITE 1600
TOLEDO, OH 43604
419-245-1220

LUCAS SOIL AND
CONSERVATION DISTRICT
JEFF GRABARKIEWICZ
138 W. DUDLEY
MAUMEE, OH 43537
419-893-1966

DIVISION OF TRANSPORTATION
COMMISSIONER
110 N. WESTWOOD
TOLEDO, OH 43607
419-245-1300

DIVISION OF
ENGINEERING SERVICES
COMMISSIONER
ONE LAKE ERIE CENTER
600 JEFFERSON AVENUE, STE 300
TOLEDO, OH 43604
419-245-1315

LUCAS COUNTY ENGINEER
KEITH EARLEY
ONE GOVERNMENT CENTER
SUITE 870
TOLEDO, OH 43604
419-213-4540

SERVICE DEPARTMENT
EDWARD MOORE, DIRECTOR
110 N. WESTWOOD
TOLEDO, OH 43607
419-245-1835

COLUMBIA GAS COMPANY
TONY BUCKLEY
FIELD ENGINEER TECHNICIAN
3222 W. CENTRAL AVE.
TOLEDO, OH 43606
419-539-6063

LUCAS COUNTY
SANITARY ENGINEER
JIM SHAW
1111 S. McCORD ROAD
HOLLAND, OH 43528
419-213-2926

TOLEDO-LUCAS COUNTY
HEALTH DEPT.
LANA GLORE, ENV. HEALTH SERV.
635 N. ERIE STREET ROOM 352
TOLEDO, OH 43604
419-213-5446

A T & T
ATTN: DESIGN MANAGER
130 N. ERIE, ROOM 714
TOLEDO, OH 43624
419-245-7000

BUCKEYE CABLESYSTEM, INC.
GARY KASUBSKI
4818 ANGOLA ROAD
TOLEDO, OH 43615
419-724-3821

VERIZON
BRAD SNYDER
300 W. GYPSY LANE
BOWLING GREEN, OH 43402
1-419-354-9452

WATERVILLE GAS
JAMIE BLACK
PO BOX 259
WATERVILLE, OH 43566
419-878-4972

OHIO GAS
MIKE CREAGER
13630 AIRPORT HWY.
SWANTON, OH 43558
419-636-1117

TIME WARNER
RAY MAURER
3760 INTERCHANGE ROAD
COLUMBUS, OH 43204
614-481-5262

EMBARQ
117 EAST CLINTON STREET
NAPOLEON, OH 43545
419-599-4030

CENTURYLINK
TIM R. TAYLOR
375 E RIVERVIEW AVE
NAPOLEON, OH 43502

