

*LUCAS COUNTY
PLAN COMMISSION
REPORT*

December 16, 2015

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620, Toledo, OH 43604

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

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**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING
SCHEDULE - 2016**

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION (<i>HEARINGS BEGIN AT 2PM</i>)			
November 30	December 28	December 31**	January 14
December 28	January 25	January 29	February 11
January 25	February 22	February 26	March 10
February 29	March 28	April 1	April 14
March 28	April 25	April 29	May 12
April 25	May 23	May 27	June 9
May 30	June 27	July 1	July 14
June 27	July 25	July 29	August 11
July 25	August 22	August 26	September 8
August 29	September 26	September 29	October 13
September 19	October 17	October 31	November 3**
October 17	November 14	November 18	December 1**
COUNTY PLANNING COMMISSION (<i>HEARINGS BEGIN AT 9AM</i>)			
December 14	January 11	January 15	January 27
January 11	February 8	February 12	February 24
February 8	March 7	March 11	March 23
March 14	April 11	April 15	April 27
April 11	May 9	May 13	May 25
May 9	June 6	June 10	June 22
June 13	July 11	July 15	July 27
July 11	August 8	August 12	August 24
August 15	September 12	September 16	September 28
September 12	October 11**	October 14	October 26
October 3	October 31	November 4	November 16**
October 31	November 28	December 2	December 14**

* County deadlines are for Preliminary Drawings

** Date shifts are due to holidays

**Conversion Table
Toledo Zoning Code Update - Zoning District Designations**

Existing District	New District Effective June 6, 2004
R-A, Single Family	RS12, Single Dwelling
R-B, Single Family	
R-1, Single Family	RS9, Single Dwelling
R-2, Single Family	RS6, Single Dwelling
R-3, Two Family	RD6, Duplex
R-2A, Restricted Multi Family	RM12, Multi Dwelling
None	RM24, Multi Dwelling
R-4, Multi Family	RM36, Multi Dwelling
R-4A, Multi Family	
R-5, Multi Family	
R-MH, Manufactured Home	RMH, Manufactured Housing Park
Commercial Districts	
C-1, Neighborhood	CN, Neighborhood
N-MX, Neighborhood Mixed Use	
C-2, Restricted Office	CO, Office
C-7, Office Park	
C-6-HS Redevelopment - Heritage South*	CS, Storefront
C-6-LA, Redevelopment - Lagrange*	
C-MX, Community Mixed Use	CM, Mixed Use
C-3, Commercial	CR, Regional
C-4, Shopping Center	CR-SO, Regional - Shopping Ctr. Sign Overlay
C-5, Central Business District	CD, Downtown
Industrial District	
M-1, Restricted Industrial	IL, Limited Industrial
M-2, Industrial	IG, General Industrial
M-4, Warehouse	
M-3, Planned Industrial	IP, Planned Industrial/Business Park
Special Purpose District	
P, Parks	POS, Park & Open Space
None	IC, Institutional Campus
Overlay Districts	
CUP, Community Unit Plan	None
D.O.D, Downtown	-DO, Downtown
HD, Historic District	-HO, Historic District
MR-O, Maumee River	-MRO, Maumee River
None	-UNO, Urban Neighborhood
None	-PO, Pedestrian
None	-SO, Shopping Center Sign

*The Heritage South and Lagrange C-6 Standards remain unless repealed

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

December 16, 2015

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-24-15: Final plat of BEATARMY, a replat of lots 2 and 45 in the VILLAS AT THE QUARRY PLAT 3, located at Quarry Road and Joshua Lane, Springfield Township (4 lots) (bh)

SUBDIVISION – MONCLOVA TOWNSHIP

1. S-25-15: Final plat of GONAVY ALLOTMENT, located at Deepwater Lane and Quarry Road (2 lots) (bh)

ZONING – SWANTON TOWNSHIP

2. Z33-C143: Zoning Resolution Amendments – multiple sections (bh)

ZONING – SPENCER TOWNSHIP

3. Z30-C116: Zone Change from R-3 to C at 225 Irwin Road (bh)

CHAIRMAN’S REPORT

DIRECTOR’S REPORT

ADJOURNMENT

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GENERAL INFORMATION

Subject

- Request - Final Plat of GONAVY ALLOTMENT
- Location - North of Salisbury Road, East of Albon Road
- Applicant - Dave Ball
420 Madison Avenue
Toledo, OH 43604
- Engineer - Lewandowski Engineers, LLC
234 N Erie Street
Toledo, OH 43604

Site Description

- Zoning - R-A Suburban Residential
- Area - ± 1.937 Acres
- Frontage - ± 25 Feet along Quarry Road
± 89 Feet along Deep Water Lane
- Existing Use - Undeveloped Land

Area Description

- North - Single Family Residential / R-A Suburban Residential
- South - Single Family & Attached Single Family Residential / R-A & R-A PUD Suburban Residential
- East - Quarry / R-A Suburban Residential
- West - Attached Single Family Residential R-A PUD Suburban Residential

Parcel History

- Z17-C10 - Zone Change to M-1 to allow for extraction activities in 1960 (Planning Commission recommended approval on April 21, 1960)
- S-1-89 - Preliminary Drawing of the Quarry (Planning Commission approved on March 2, 1989)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- Z17-C110 - Zone Change from A-3 & M-1 to R-A Suburban Residential (Planning Commission recommended disapproval of R-A PUD, however approval of R-A on March 2, 1989)
- Z17-C160 - Special Use Permit request for a beach and racquet club (Planning Commission recommended approval on May 12, 1995)
- S-4-06 - Preliminary Drawing of the Quarry View (Withdrawn by applicant May 17, 2006).
- S-8-06 - Preliminary Drawing of the Quarry View & Quarry View Villas (Planning Commission approved on November 15, 2006)

Applicable Plans and Regulations

- Monclova Township Zoning Resolution
- Monclova Township Contemporary Land Use Plan 2009
- Lucas County Subdivision Rules and Regulations
- Lucas County Land Use Policy Plan (within the “expansion zone”)

STAFF ANALYSIS

The request is a Final Plat for the reconfiguration of a portion of the Quarry development located north of Salisbury Road and east of Albon Road. The case is being heard as an agenda item in order to notify surrounding property owners of the changes to the emergency and public access to the quarry and provide an opportunity for public input. Adjacent land uses include single-family residential to the north, south, and west, with the quarry lying to the east.

The 1.937 acre site will be divided into two (2) single-family lots and a Lot “A”. The two (2) single-family lots will be accessed from Quarry Drive via a shared twenty-five (25) foot driveway. This twenty-five (25) feet also serves as the frontage for the sites. A Monclova Township Board of Zoning Appeals variance will need to be obtained to reduce the required frontage of the lots from the required seventy-five (75) feet to twelve and a half (12.5) feet (each residential lot will split the twenty-five (25) foot access easement).

GENERAL INFORMATION (cont'd)

Additionally, the Lucas Subdivision Rules and Regulations require that the maximum depth of any lot shall not be greater than three and a half (3.5) times its width unless otherwise permitted by the Lucas County Planning Commission. Based on the “Flag” lot design, these lots will exceed the maximum depth-to-width ratio. Staff is supportive of a waiver of the depth-to-width as the easement area has historically been used as a driveway.

Furthermore, the applicant has indicated that Lot “A” is to be used for emergency and public access to the quarry. The plat does not reference how Lot “A” is to be used. Staff requests that the applicant memorialize how Lot “A” is to be used on the plat to ensure proper access is maintained into the future.

STAFF RECOMMENDATION

All final clearances have been received and the staff recommends that the Lucas County Planning Commission approve the final plat for the GONAVY Allotment, North of Salisbury Road, East of Albon Road in Monclova Township, subject to the following two (2) conditions:

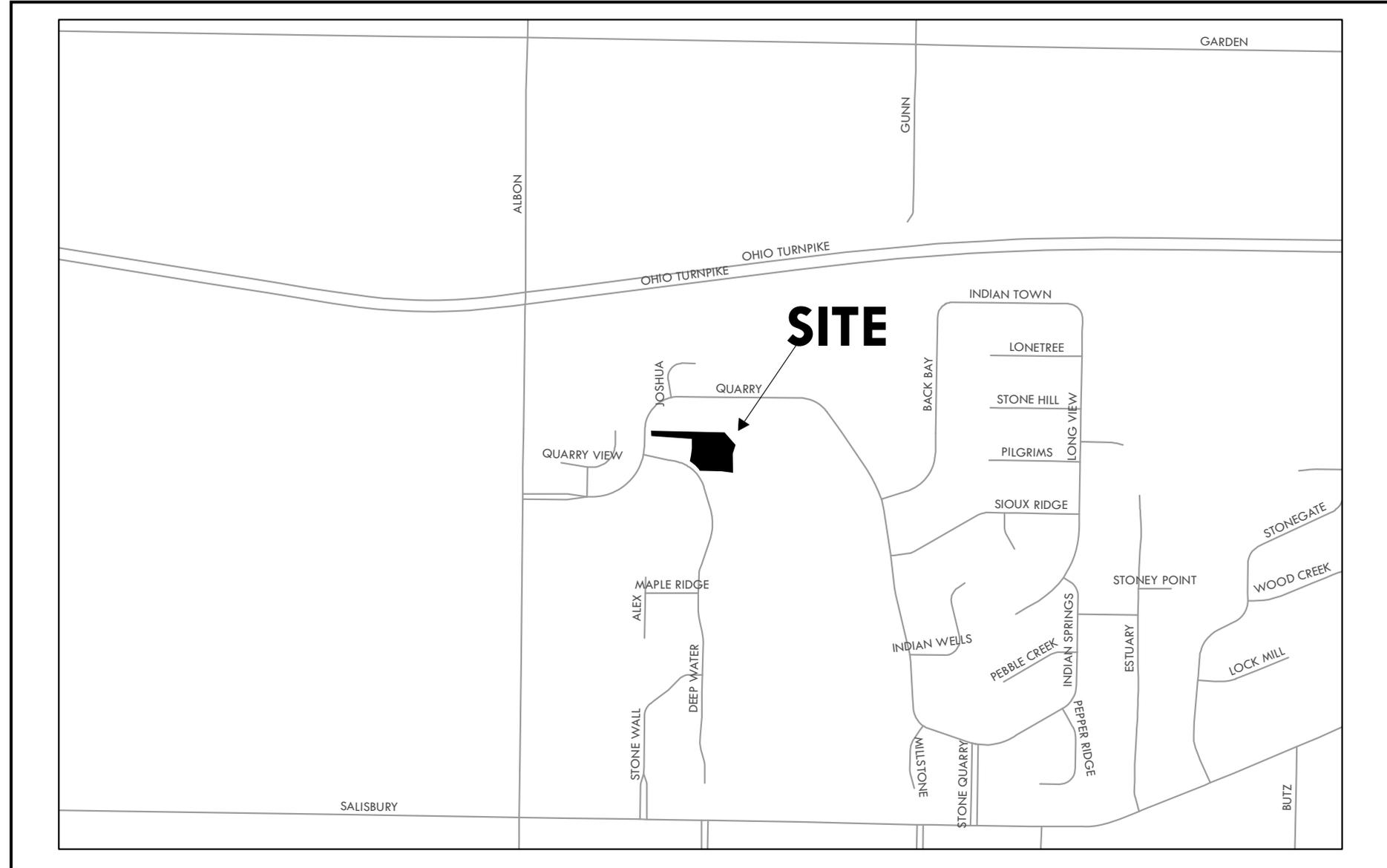
1. The applicant shall obtain a Monclova Township Board of Zoning Appeals variance of the required seventy-five (75) foot lot frontage requirement; and
2. Lot “A” shall be memorialized on the plat to ensure proper access to the quarry is maintained into the future.

FINAL PLAT
MONCLOVA TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: S-25-15
DATE: December 16, 2015
TIME: 9:00 a.m.

BH
Three (3) sketches follow

GENERAL LOCATION

S-25-15
ID 133

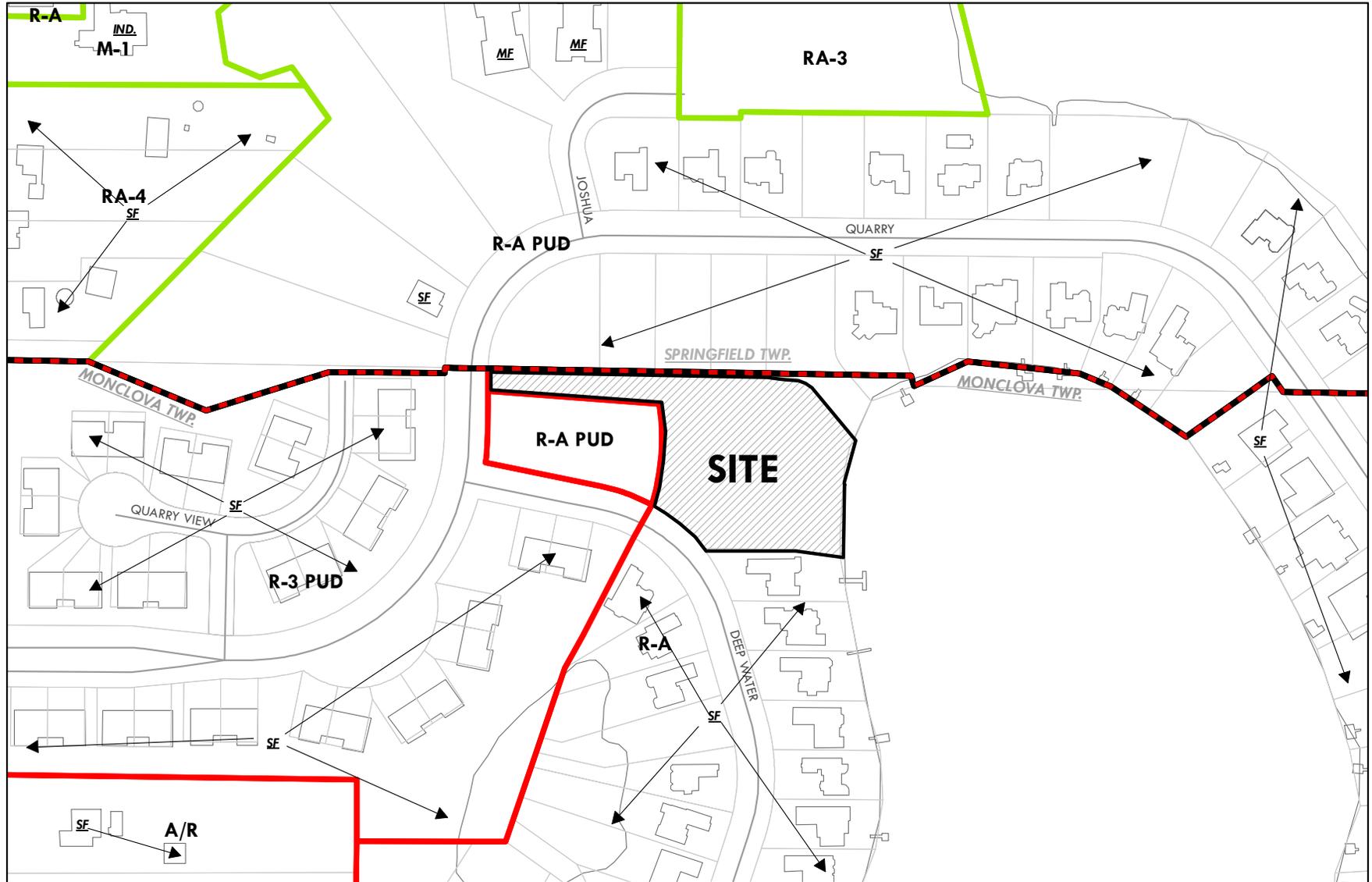


ZONING & LAND USE

S-25-15
ID 133



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SITE PLAN

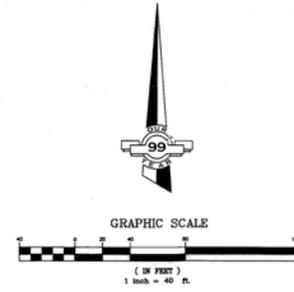
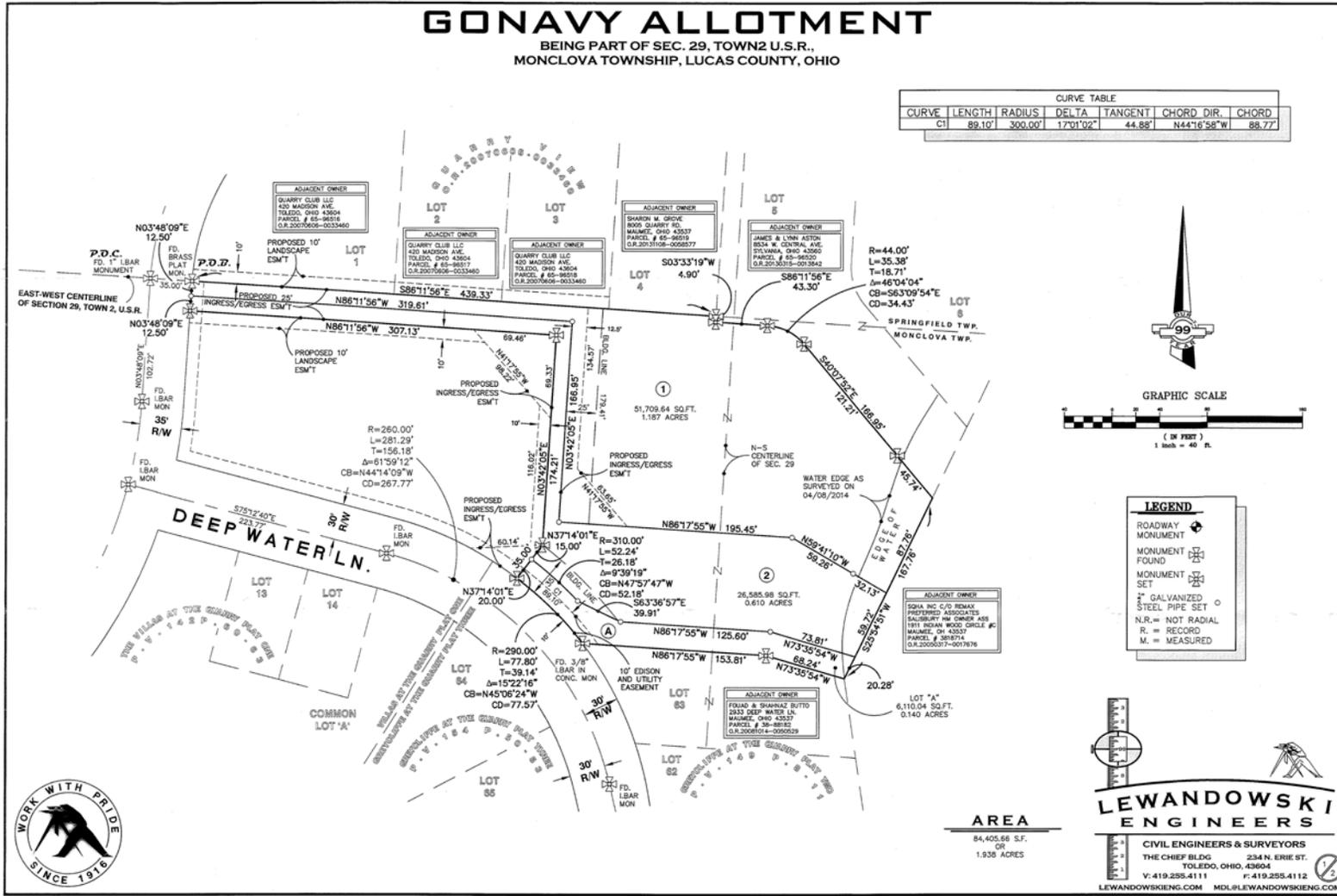
S-25-15
ID 133



GONAVY ALLOTMENT

BEING PART OF SEC. 29, TOWN2 U.S.R.,
MONCLOVA TOWNSHIP, LUCAS COUNTY, OHIO

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIR. CHORD
C1	89.10'	300.00'	17°01'02"	44.88'	N44°16'58"W 88.77'



LEGEND	
	ROADWAY MONUMENT
	MONUMENT FOUND
	MONUMENT SET
	GALVANIZED STEEL PIPE SET
	N.R. = NOT RADIAL
	R. = RECORD
	M. = MEASURED

AREA
84,405.68 S.F.
OR
1.938 ACRES

LEWANDOWSKI ENGINEERS
CIVIL ENGINEERS & SURVEYORS
THE CHIEF BLDG 234 N. ERIE ST.
TOLEDO, OHIO 43604
V: 419.255.4111 F: 419.255.4112
LEWANDOWSKIENG.COM MDL@LEWANDOWSKIENG.COM



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GENERAL INFORMATION

Subject

- Request - Amendments to the Swanton Township Zoning Resolution
- Location - Swanton Township
- Applicant - Swanton Township Zoning Commission

STAFF ANALYSIS

The Swanton Township Zoning Commission has requested various amendments to the Swanton Township Zoning Resolution. These amendments include revisions and deletions to various definitions, corrections to cross-reference sections and the addition of language to further simplify the Zoning Resolution. Additional amendments are expected in the upcoming months as staff continues to work with Swanton Township to clarify other amendments.

Exhibit “A” attached to this report includes the original amendment as submitted by the Swanton Township Zoning Commission, along with proposed amendments from staff.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission recommend approval of the proposed amendment, as shown in Exhibit “A”, to the Swanton Township Zoning Commission and Township Trustees.

TEXT AMENDEMENT
SWANTON TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z33-C143
DATE: DECEMBER 16, 2015
TIME: 9:00 a.m.

BH
Exhibit “A” follows

Exhibit "A"

Township Text Amendment Proposal with Staff Changes

(Deletions in strikeout, additions in underline.
Staff changes in highlight.)

1. **Section 2.1 - Agriculture:** ~~Includes farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry. Agriculture shall not include kennels.~~ Includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. **Agriculture shall not include kennels.**
2. **Section 2.1 - Dish Antenna (Earth Station)** - 3) a coaxial cable which carries the signal into the interior of the building. ~~See also section 9.4.~~
3. **Section 2.1 - Frontage:** ~~All of the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured at the set back building line, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street. See Figure 2.3.~~
4. **Section 2.1 - Geothermal System:** Any energy system where ~~power~~ thermal transfer is extracted from heat stored in the earth and designed to deliver a heating and cooling resource to any building/structure.
5. **Section 2.1 - Hazardous Waste:** Any waste or combination of waste in solid liquid, semi-solid or contained gaseous form ~~which falls within the definition of Hazardous Waste under as defined by 3734.01(j) O.R.C.~~
6. **Section 2.1 - Industrialized Unit:** A factory built dwelling unit designed for assembly at the building site, bearing certification of compliance with the Ohio Basic Building Code and meeting the definition of "Industrialized Unit" as defined under Section ~~3781.10(j)~~ 3781.06(c)(3) of the Ohio Revised Code. For the purposes of this resolution, an industrialized unit is a dwelling.
7. **Section 2.1 - Manufactured Home:** A factory built dwelling unit designed for assembly at the building site, bearing certification that it is built in compliance with the Federal Manufactured Housing Construction Safety Standards of 1974 and meets the definition of "Manufactured Home" in Section ~~4501.04~~ 3781.06(c)(4) of the Ohio Revised code.

Exhibit "A" (cont'd)

8. **Section 2.1 - Yard**: An open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used. See Figure ~~2-4~~ 2-3.
9. **4.1.1 "A: Agricultural"** - d. Home Occupation; See Sections 2.1 and ~~9-9~~ 9.10
10. **4.1.2 "R-A" Suburban Residential** – c. Home Occupation; See Sections 2.1 and ~~9-9~~ 9.10
11. **4.1.5 j. The following "A" Agricultural District Uses**: 5) Special uses as provided in section 7
12. **5.3 Review and Approval Procedures** - Site plan review and approval is required for all new development, for any change of use, and for any existing structure that is enlarged by 25% or more or when the enlargement contains 5,000 square feet or more in floor area. Single-family dwellings are exempt from the site plan review requirements. The site plan review shall be as specified in Section ~~9-18~~ 9.17 of the Zoning Resolution. Building elevation drawings showing the front, rear and side views shall be submitted along with the site plan. In addition, the Ohio Department of Transportation requires a driveway access permit application for any new or modified access, as well as for a change in use for existing driveways. The Ohio Department of Transportation requires a traffic impact study for any proposed use that generates greater than 100 trips per peak hour.
13. **5A.3 Review and Approval Procedures** - Site plan review and approval shall be necessary for all new development and for any existing structure that is enlarged by 25% or more or when the enlargement contains 5,000 square feet or more in floor area. Existing single-family residences are exempt from these site plan review requirements but are required to obtain the ODOT driveway access permit noted below. Site plan review shall be required if any portion of the parcel lies within the overlay boundaries, even if all or part of the structure does not. The site plan review shall be as specified in Section ~~9-18~~ 9.17 of the Swanton Township Zoning Resolution. Building elevation drawings showing the front, rear and side views shall be submitted along with the site plan with the additional requirement that review and recommendation by the Lucas County Planning Commission staff and Township Zoning Commission be mandatory. In addition, ODOT requires a driveway access permit application for any new or modified access, as well as for a change in use for existing driveways. ODOT may require a performance bond for this permit. ODOT also requires a traffic impact study for any proposed use that generates greater than 100 trips per peak hour.
14. **5A.4 Permitted and Special Uses** - All uses which are permitted or special uses in the underlying zoning district(s) except the uses expressly excluded by Section ~~5-A-1-5~~ 5A.5.

Exhibit "A" (cont'd)

15. **5A.7 Development Standards** - G) Parking Requirements - Parking is prohibited in the front yard landscape area (see ~~5.A.1.7.E~~ 5A.7.E) and in the rear yard setback when adjoining a residential district. The number of parking spaces required are as established in Section 8 of this resolution depending upon the zoning and the intended land use.
16. **5A.8 Access to Individual Parcels** - Access along U.S. 20-A shall be reviewed relative to the distance from other drive approaches and from roadway intersections. Access shall be reviewed by the Lucas County Engineer and ODOT prior to approval. When the criteria noted in Section ~~5.A.1.3~~ 5A.3 are met or when otherwise deemed appropriate by the Lucas County Engineer or ODOT or the Swanton Township Zoning Commission, the developer may be required to prepare a traffic impact study or a traffic assessment study.
17. **6.3.1 Application**: The development plan shall be submitted and processed in accordance with Section 14 and shall meet all additional requirements of Section 9.14.2, except 9.14.2(d)(e)(i)(k(2)) and (l). All other provisions shall comply with the underlining zoning intensity standards.
18. **7.2.1 Special Uses** - k. Manufactured home park, as provided for in Section ~~9.12~~ 9.11.
19. **7.2.1 Special Uses** - t. Motor vehicle salvage and/or junk yards are permitted within "M-2" Heavy Industrial Districts and all other districts where preexisting as a legal non-conforming use and shall meet the conditions in Section ~~9.13~~ 9.12.
20. **7.2.1 Special Uses** - u. Sexually Oriented Businesses in a C-4 or M District (See Section ~~9.20~~ 9.19 – Supplementary Regulations).
21. **SECTION 8** - CROSS REFERENCES - SECTION ~~9.13~~ 9.12 Motor Vehicle Salvage Yards and Junk Yards.
22. **SECTION 8** - CROSS REFERENCES - SECTION ~~9.15~~ 9.14 Self Service Storage Facility.
23. **SECTION 8** - CROSS REFERENCES - SECTION ~~9.18~~ 9.17 Site Plan Review
24. **8.2.1 General** - g) A request for a reduction of parking and/or loading requirements may be submitted to the Board of Zoning Appeals as provided for in Section ~~13.2.2~~ 13.3.2 (c) and (d)
25. **9.2 Accessory Buildings and Uses - 9.2.1** - An accessory building not exceeding the allowable height of a main building for the district may ~~occupy~~ not to exceed 30 percent of a required rear yard, but no accessory building shall be closer to the front lot line than five (5) feet behind the building line for the main structure, closer than 10 feet to the main building, nor closer than five (5) feet to any lot line.

Exhibit "A" (cont'd)

26. **9.3 Blighting Factors or Causes of Blight** - b) The outdoor storage upon any premises of building materials unless a zoning permit has been issued by the Township and a building permit issued by the Lucas County Department of Building Regulations not more than one (1) year previously for construction upon said premises, and said materials are intended for use in connection with such construction. Building materials shall include ~~by~~ but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure. Provided, that outdoor storage of building materials which is not in violation of applicable zoning or safety regulations is permitted if said materials are kept out of view of the public and abutting premises. Provided further, that all construction debris shall be removed from any premises within 30 days after occupancy thereof.
27. **9.3 Blighting Factors or Causes of Blight** - f) In any area the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting zoning permit issued by the Township and a building permit issued by the Lucas County Department of Building Regulation and unless exterior construction is completed within one (1) year after issuance thereof. The Swanton Township Zoning Inspector may grant extensions not to exceed six (6) months per extension.
28. **9.4.1 General Requirements** – e) Advertising signs shall be in accordance with Section ~~9-17~~ 9.16.
29. **9.7.2 Refilling** - The refilling of an area which has been excavated for the extraction of soil, sand and gravel and/or minerals shall be considered waste disposal and shall meet the requirements set forth by the Lucas County Board of Health for Solid Waste disposal ~~under~~ 3734.05 O.R.C.
30. **9.11.2 General Requirements** - j) Manufactured Home Parks shall comply with the rules of the Ohio Department of Health, Public Health Council, Manufactured Home Parks, Chapter ~~37-1-27~~ 3701-27-01 of the Administration Code; be platted in accordance with the Lucas County Subdivision Regulations and subject to site plan review.
31. **9.14.2 Specific Requirements** – g) Signs: Shall conform to requirements under Section ~~9-17~~ 9.16.
32. **9.16 Signs** – Non-Conforming Sign - A sign which was placed on the lot legally, but which does not comply with Section ~~24~~ 9.16 of this Resolution.

Exhibit "A" (cont'd)

33. **9.17.1 Site Plan Review**- 8. Site plans shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, the two-foot (2') contours and the 100-year high water elevation shall be shown on the site plan. Information on this requirement may be obtained from the Lucas County Engineer's Office (~~presently located at), 8th Floor, One Government Center, Toledo, OH 43604 (phone 419/245-4540).~~
34. **9.17.2 Application Procedure** - b) The Zoning Inspector shall transmit the completed site plan including all Specific Requirements (see ~~9.16.1-B~~ 9.17.2(b)) to the Zoning Commission for review and recommendations.
35. **9.19.3** - A permit or license issued under this section to a sexually oriented business shall expire one year after the date of issuance. An application for a renewal permit shall be filed not later than forty-five (45) days prior to the expiration of the permit. An application for renewal shall be acted upon within twenty-one (21) days of receipt of the application. The information contained with the initial application for a permit and supplementary information required by Item ~~9.20.2~~ 9.19.2(iv) above shall be used to determine whether or not to renew a permit. Each permit for a sexually oriented business shall contain the name of the applicant, the address of the sexually oriented business and the expiration date of the permit.
36. **9.20.4 Refilling** - A borrow pit shall not be refilled without authorization of the township trustees by resolution. The refilling of borrow pit shall comply with all of the requirements of Ohio Revised Code Section 3734, including but not limited to the licensing requirements. At least 30 days before the refilling of the borrow pit the property owner will provide a site plan to the zoning inspector describing in reasonable detail the nature and extent of the refilling activity and the final grade after refilling. ~~Refilling of a borrow pit shall comply to Sections B, C, D, E, H and J.~~
37. **9.21.2 Specific Requirements** - j. FAA: The FAA is required to receive notification of any construction or alternation of an object that is more than 200 feet in height above the ground level at the site or if the object is located within 10,000 feet of an airport per FAA, ~~Title 14, Section 77.13~~ 14CFR77.13.
38. **SECTION 10** - CROSS REFERENCES - SECTION ~~9.18~~ 9.17 Site Plan Review
39. **10.3 Temporary Buildings and Uses** - Temporary buildings, structures or uses and/or temporary open storage of equipment shall be permitted subject to approval and conditions by the Board of Zoning Appeals under Section ~~13.2~~ 13.3.2(h).
40. **10.5 Site Plan Review** - A site plan review shall be required in accordance with the requirements in Section ~~9.18~~ 9.17.

Exhibit "A" (cont'd)

41. **11.3 Single Nonconforming Lots of Record** - Variances for district requirements, other than lot area or lot width, shall be obtained only through action of the Board of Zoning Appeals as provided in Section ~~13.2.3~~13.3.3.
42. **11.6 Nonconforming Structures** - 3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is ~~move~~ moved.
43. **11.7 Nonconforming Uses of Structures or of Structures and Land in Combination** - If no structural alterations are made, any nonconforming use of a structure or structure and land, may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. The appeal procedure (See Section ~~13.3~~ 13.4) requires that the request for substitution be made first to the Zoning Inspector, who must deny the zoning permit. The appeal is then taken to the Board for the final determination. In permitting such change, the Board may require appropriate conditions and safeguards in accord with other provisions of this Resolution;
44. **SECTION 12 - CROSS REFERENCES - SECTION** ~~13.3.1~~ 13.2.1 Appeals
45. **12.5.1** - A fee, in accordance with the Swanton Township Zoning Certificate Fee Schedule, shall accompany each application for a zoning certificate. **The fee schedule can be found on the Swanton Township Website: www.swantontwp.org.**
46. ~~12.5.4 - The Zoning Inspector shall forthwith deposit all fees with the Township Clerk who shall credit such fees to the General Revenue Fund of the Township.~~
47. Renumber ~~12.5.5~~ 12.5.4 and ~~12.5.6~~ 12.5.5 due to the deletion of section 12.5.4.
48. **12.5.6 Time Limit** - A Zoning Certificate shall be valid for a period of ~~six (6) months~~ one (1) year after the date of issuance.
49. **14.2.3 Fees** - A fee shall be paid upon the filing of the application in accordance with the established fee schedule ~~as shown in Section 11.5~~. All additional expenses incurred by the township in excess of the minimum required fee shall be paid by the applicant. No action shall be taken on an application until all fees have been paid in full.

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GENERAL INFORMATION

Subject

- Request - Zone Change from R-3 Multi Family Residential to C Neighborhood Commercial
- Location - 225 Irwin Road
- Applicant - Second Baptist Church
9757 Frankfort Road
Holland, OH 43528
- Engineer - Lewandowski Engineers
234 N Erie Street
Toledo, OH 43614

Site Description

- Zoning - R-3 Multi Family Residential
- Area - ± 0.694 Acres
- Frontage - ± 219 Feet along Irwin Road
- Existing Use - Park

Area Description

- North - Park / R-3 Multi Family Residential
- South - Wooded Lot / R-3 Multi Family Residential
- East - Single Family Residential / R-3 Multi Family Residential
- West - Single Family Residential & School / R-A Residential

Parcel History

- S-2-67 - Preliminary & Final Plat of Oak Terrace Plat 1(Planning Commission approved Preliminary Plat 3/3/67, Planning Commission approved Final Plat 9/18/69)
- Z30-C2 - Zone Change from R-A Rural Residential to R-B Suburban Residential (Planning Commission Deferred 1/25/68, Trustees Approved 3/27/68)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

Z30-C2 - Zoning Resolution Text Amendment Changes Include the Elimination of the R-B Suburban Residential Zoning District (Planning Commission recommended approval 9/27/00, Trustees Approved 3/15/01)

Applicable Plans and Regulations

Spencer Township Zoning Resolution
Spencer Township Land Use Plan 1999
Lucas County Subdivision Rules and Regulations
Lucas County Land Use Policy Plan (within the “expansion zone”)

STAFF ANALYSIS

The request is for a Zone Change at 225 Irwin Road from R-3 Multi-Family Residential to C Neighborhood Commercial. The area of the proposed rezoning will encompass the southwest corner of Oak Terrace Plat 1 Lot 101, totaling 0.694 acres. The entire 10.4 acres of Lot 101 has historically been used as a public park. Surrounding land uses include a park to the north, single family dwellings to the east, a wooded lot to the south and a single family dwelling and a school to the west.

The current owner acquired the park from the Lucas County Land Bank in 2014. The property is still used for community recreation; however the applicant has requested the Zone Change to allow for the onsite building to be used as a full service medical clinic and for social service activities. Staff encouraged the applicant to seek the Zone Change for only the area needed for the clinic and social service use; this included the building, parking and land for setbacks.

The proposed configuration took into account setback, parking and surrounding land uses, reducing the amount of the residentially zoned property to be changed. By reducing the amount of land to be rezoned, it is believed that this will aid in mitigating any future negative impacts onto residentially zoned properties to the east by limiting the allowable uses that may be permitted.

STAFF ANALYSIS (cont'd)

In addition to a proposed medical clinic the applicant has indicated the desire for a social service component. According to the Spencer Township zoning resolution, social service activities are best defined as a Daycare Facility. The definition of a daycare is a building or part thereof other than a permanent residence which administers to the needs of children or adults providing social, recreational, or educational activities on a daily basis with no provisions for resident care. The applicant has indicated that they will provide educational outreach programs for both youth and adults in addition to working with other organization, such as the YMCA, to further serve the surrounding community.

The area located to the northeast of Angola and Irwin Roads, including the park, was platted in 1969 as part of Oak Terrace Plat 1. This plat noted a restriction that indicates Lot 101 is to be dedicated to “public use for park purposes”. As a result, a replat of this lot will be required to remove this restriction for the commercial portion; staff has conditioned the Zone Change accordingly. In addition to removing the plat restriction, the replat could also create a separate parcel for the commercially zoned portion. However, a variance may be needed in order to divide the parking lot along a lot line.

The 1999 Spencer Township Land Use Plan Map recommends this area for Single Family uses. However, the plan targets the area of Angola and Irwin Road as a primary area for smaller community oriented services. Prior to the rezoning of this area to Suburban Residential the contiguous properties to the south were zoned Neighborhood Commercial. Commercially zoned property exists south of Angola and Irwin Road, however, only one of properties contains a commercial style building. Although this property is not directly situated on the corner of Angola and Irwin Road it is located in the immediate area and would serve the community that it is located in addition to aiding in future growth with minimum problems.

Based on the property’s location near the corner of Angola and Irwin Roads, the limited availability of commercially zoned property in the area and the consistency with a number of the goals of the Spencer Township Land Use Plan, staff recommends approval of this Zone Change from R-3 Multi Dwelling Residential to C Neighborhood Commercial.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission recommend approval of Z30-C116, a Zone Change request from R-3 Multi-Dwelling Residential to C Neighborhood Commercial for property located at 225 Irwin Road, to the Spencer Township Zoning Commission and Trustees for the following three (3) reasons:

1. Although the Spencer Township Land Use Plan targets the site for Single Family uses, the Land Use Plan also identifies the area of Angola and Irwin Roads for smaller community oriented services which is in close proximity to the site;

STAFF RECOMMENDATION (cont'd)

2. The proposed Zone Change will aid with the stabilization of property values and furthering the goals and objectives of the Spencer Township Land Use Plan and Zoning Resolution; and
3. Prior to the rezoning of this area to suburban residential, the contiguous properties to the south were zoned Neighborhood Commercial.

The staff recommends that the Lucas County Planning Commission recommend approval of Z30-C116, a Zone Change request from R-3 Multi-Dwelling Residential to C Neighborhood Commercial for property located at 225 Irwin Road, subject to the following one (1) condition.

1. The applicant shall replat the proposed commercially zoned portion of Lot 101 to remove the plat restriction that indicates this land is to be dedicated to public use for park purposes.

ZONE CHANGE
SPENCER TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z30-C116
DATE: December 16, 2015
TIME: 9:00 a.m.

BH

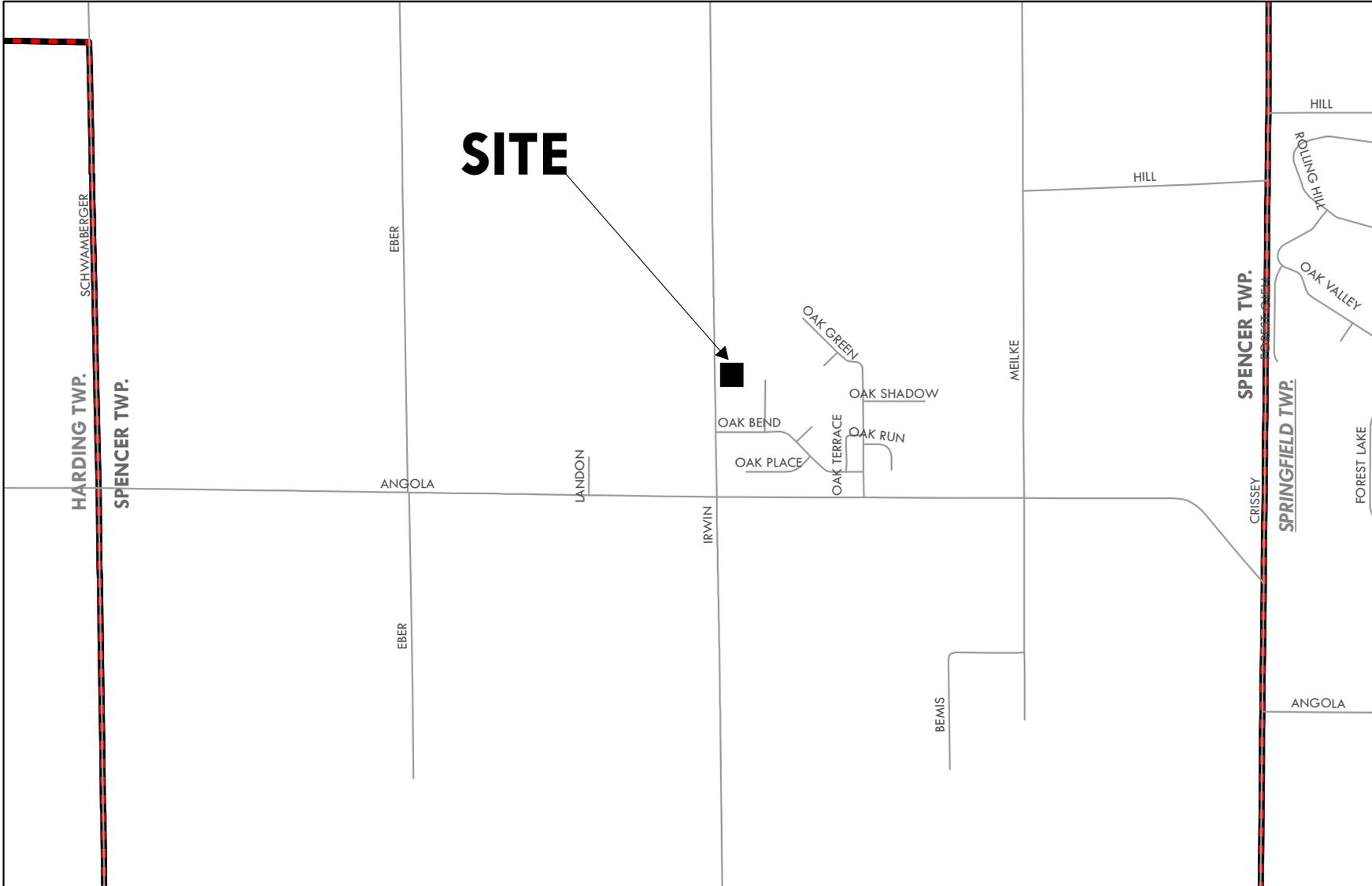
Two (2) sketches follow

GENERAL LOCATION

Z30-C116
ID 120



5 - 3

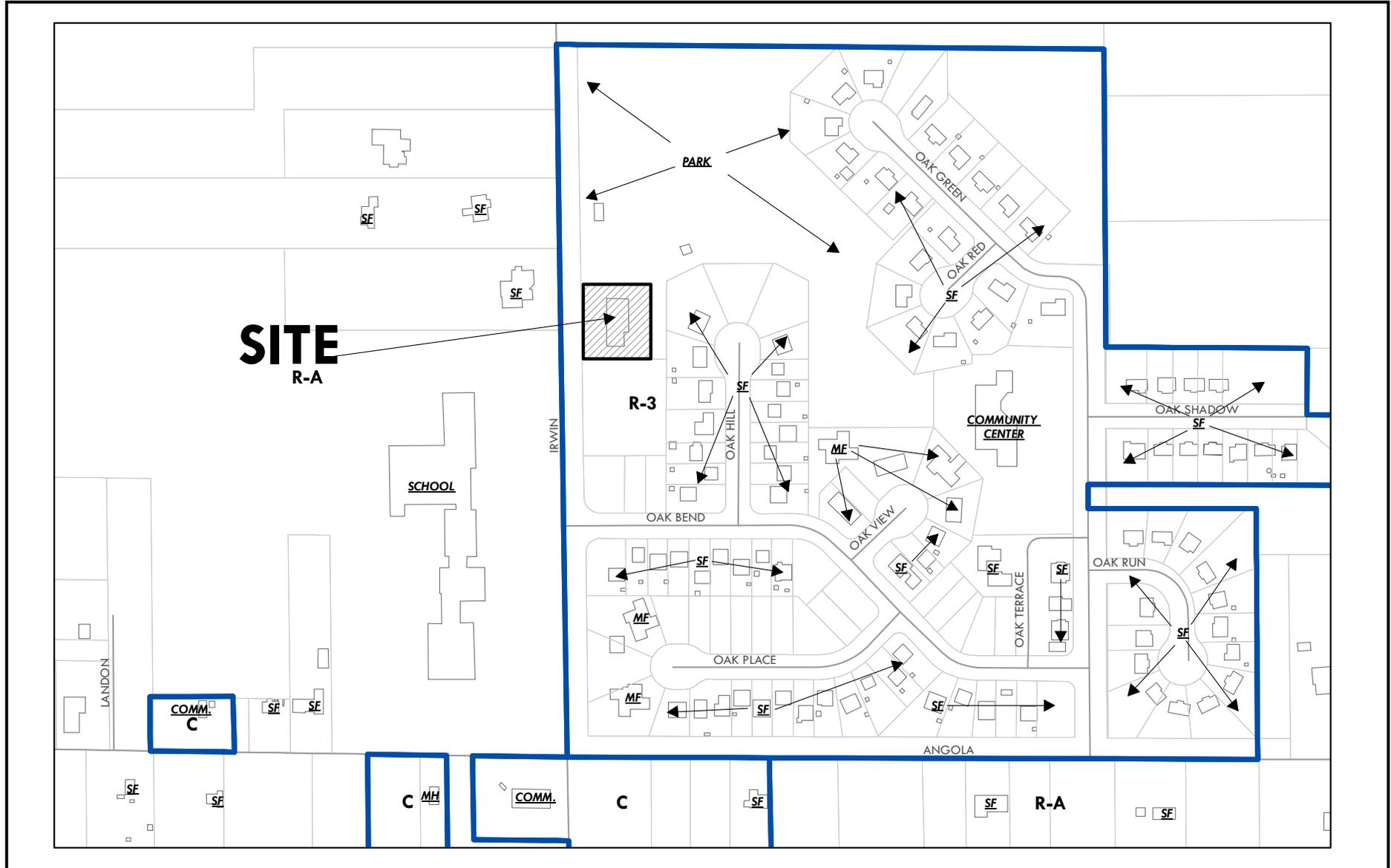


ZONING & LAND USE

Z30-C116
ID 120



3 - 6



SITE
R-A

R-3

SCHOOL

COMMUNITY
CENTER

COMM.
C

C MH

COMM.

C

SF

R-A

SF

LONDON

IRWIN

PARK

OAK HILL

OAK BEND

OAK PLACE

OAK VIEW

ANGOLA

OAK TERRACE

OAK RUN

OAK SHADOW

OAK GREEN

OAK RED

SF

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
130-A 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
1049 S. MCCORD ROAD
HOLLAND, OH 43528
419-213-2860

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

COLUMBIA GAS COMPANY
TONY BUCKLEY
FIELD ENGINEER TECHNICIAN
2901 E. MANHATTAN BLVD
TOLEDO, OH 43611
419-539-6078

LUCAS COUNTY
SANITARY ENGINEER
JIM SHAW
111 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
419-213-4209

A T & T
ATTN: DESIGN MANAGER
130 N. ERIE, ROOM 714
TOLEDO, OH 43604
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
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 E. CLINTON STREET
NAPOLEON, OH 43545
419-599-4030

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

