

*LUCAS COUNTY
PLAN COMMISSION
REPORT*

November 14, 2018

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

KEN FALLOWS
(Chairman)

ERIC GROSSWILER
(Vice Chairman)

JULIA BRYANT

JOHN ESCOBAR

BRANDON REHKOPF

LUCAS COUNTY PLANNING COMMISSION

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(Chairman)

MICHAEL W. DUCEY
(Vice Chairman)

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(County Commissioner)

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KEITH G. EARLEY

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BRANDON REHKOPF

THOMAS C. GIBBONS, SECRETARY

LISA COTTRELL, ADMINISTRATOR

**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING
SCHEDULE - 2018**

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION (<i>HEARINGS BEGIN AT 2PM</i>)			
November 27	December 25	December 29	January 11
December 26	January 22	January 26	February 8
January 22	February 19	February 23	March 8
February 26	March 26	March 30	April 12
March 26	April 23	April 27	May 10
April 23	May 21	May 25	June 14
May 29	June 25	June 29	July 12
June 25	July 23	July 27	August 9
July 30	August 27	August 31	September 13
August 27	September 24	September 28	October 11
September 24	October 15	October 19	November 1**
October 22	November 19	November 23	December 6**
COUNTY PLANNING COMMISSION (<i>HEARINGS BEGIN AT 9AM</i>)			
December 11	January 8	January 12	January 24
January 16	February 12	February 16	February 28
February 12	March 12	March 16	March 28
March 12	April 9	April 13	April 25
April 9	May 7	May 11	May 23
May 14	June 11	June 15	June 27
June 11	July 9	July 13	July 25
July 9	August 6	August 10	August 22
August 13	September 10	September 14	September 26
September 10	October 8	October 12	October 24
October 1	October 29	November 2	November 14**
November 5	December 3	December 7	December 19**

* 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

November 14, 2018

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-18-18: Final plat of Stoney Creek Plat One, located west of Albon Road, south of Salisbury Road, Monclova Township (44 lots) (bh)

ITEM
NO.

ZONE CHANGE – SPENCER TOWNSHIP

1. Z30-C124: Zone Change from R-A to M-1 at 10900 Shaffer Road (bh)

TEXT AMENDMENT – JERUSALEM TOWNSHIP

2. Z28-C144: Text amendment Enacting Conditional Uses with Board of Zoning Appeals Process and Eliminating Special Use Permits (bh)

CHAIRMAN’S REPORT

DIRECTOR’S REPORT

ADJOURNMENT

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GENERAL INFORMATION

Subject

- Request - Zone Change from R-A Residential District to M-1 Industrial District
- Location - 10900 Shaffer Road
- Applicant - Spencer Township Board of Trustee
630 Meilke Road
Holland, OH 43528

Site Description

- Zoning - R-A Residential District
- Area - ± 37.47 Acres
- Frontage - ± 1350 Feet along Shaffer Road
± 1350 Feet along Whitehouse Spencer Road
± 670 Feet along Garden Road

Area Description

- North - Park/Open Space (Owned by Nature Conservancy) / M-1 Industrial
- South - Park/Open Space (Owned by Metropark) / A/R Agriculture/Residential
- East - Park/Open Space (Owned by Metropark) / M-1 Industrial
- West - Park/Open Space (Owned by Nature Conservancy) / M-1 Industrial

Parcel History

- Z30-C108 - Zone Change from M-1 Industrial to R-A Residential District (PC recommended approval 3/28/07, Trustees approved 5/3/07)

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 a Zone Change from R-A Residential District to M-1 Industrial District for the 37.47 acre property located at 10900 Shaffer Road. The property is currently developed with a single family dwelling and accessory buildings. The Township recently acquired the property in 2018 with the plan to market it as an extension of the Westwinds Industrial Park which is located approximately 1,300 feet to the east. Adjacent land uses include Metropark to the south and east and Nature Conservancy Land to the north and west.

Prior to May 2007 this parcel was Zoned M-1 Industrial and developed with a single family dwelling. A zone change was required to secure financing as single family dwellings are not a permitted use in the M-1 Zoning District. The Township has indicated that all residential attributes will be removed prior to the redevelopment of the site for industrial use.

The 1999 Spencer Township Land Use Plan recommends this area for Low Density Residential/Conservation uses. The plan further identified the area around the Westwinds Industrial Park for future industrial expansions. However in 2004, all remaining undeveloped land surrounding the Westwinds Industrial Park that was owned by the Lucas County Commission was conveyed to the Metroparks and Nature Conservancy. This left a single 12.92-acre parcel of undeveloped industrially zoned land in the township. Therefore the Township has expressed the need for more industrial zoned property.

Therefore, based on the property’s location in conjunction to adjacent M-1 Industrial Zoning, the Land Use Plan identifying future industrial expansions for the Westwinds Industrial Park and the lack of available industrial zoned land in the Township, staff recommends approval of this Zone Change from R-A Residential District to M-1 Industrial District for the 37.47 acre property located at 10900 Shaffer Road.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission recommend approval of Z30-C124, a Zone Change from R-A Residential District to M-1 Industrial District for the property located at 10900 Shaffer Road, to the Spencer Township Zoning Commission and Trustees for the following four (4) reasons:

1. The proposed Zone Change is compatible with surrounding zoning and uses.
2. A lack of available Industrial Zoned land currently exists throughout the Township.
3. The Spencer Township Land Use Plan identifies future industrial expansions for the Westwinds Industrial Park.

STAFF RECOMMENDATION (cont'd)

4. The proposed Zone Change is anticipated to have minimal adverse impacts on surrounding properties.

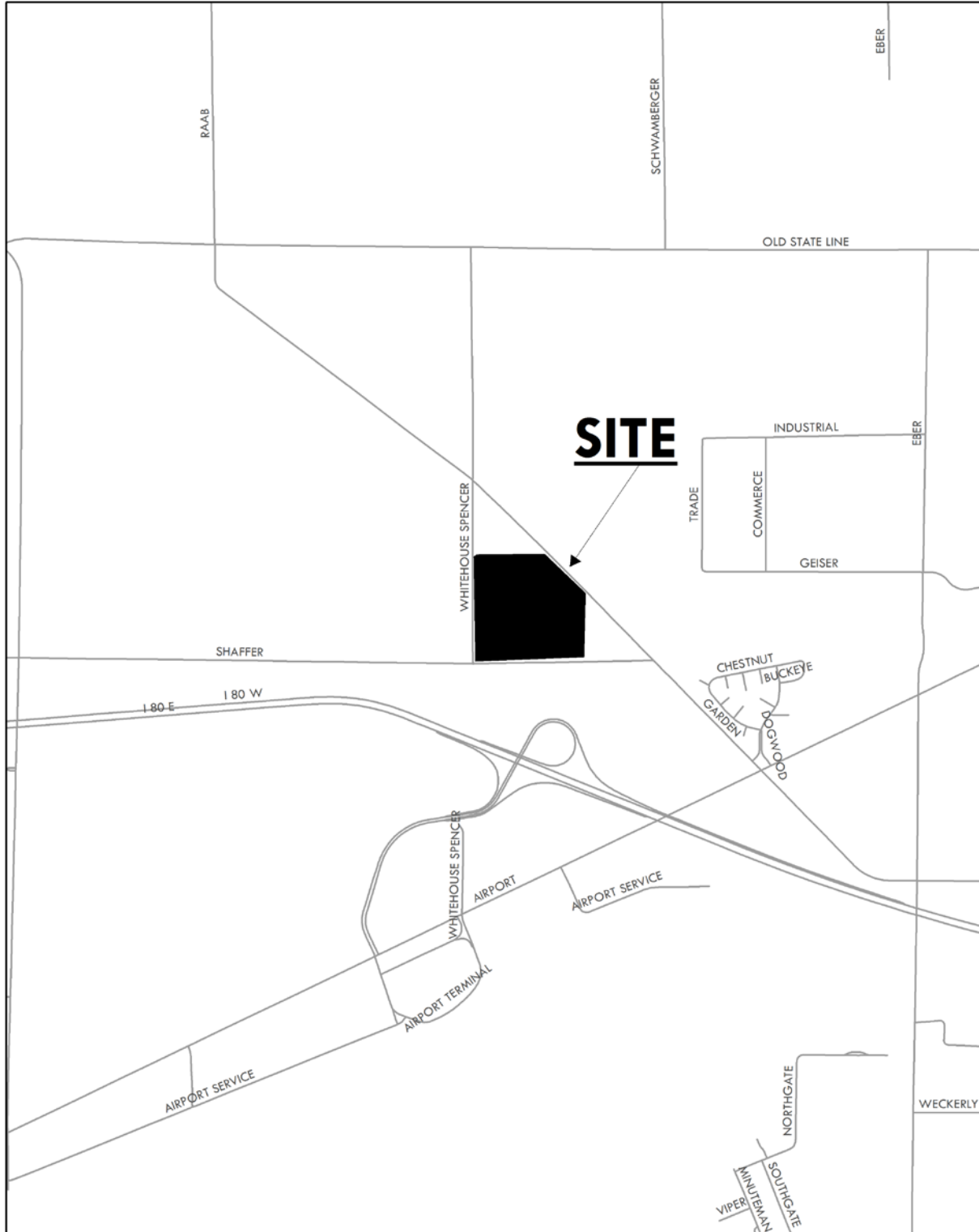
ZONE CHANGE
SPENCER TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z30-C124
DATE: November 14, 2018
TIME: 9:00 a.m.

BH

Two (2) sketches follow

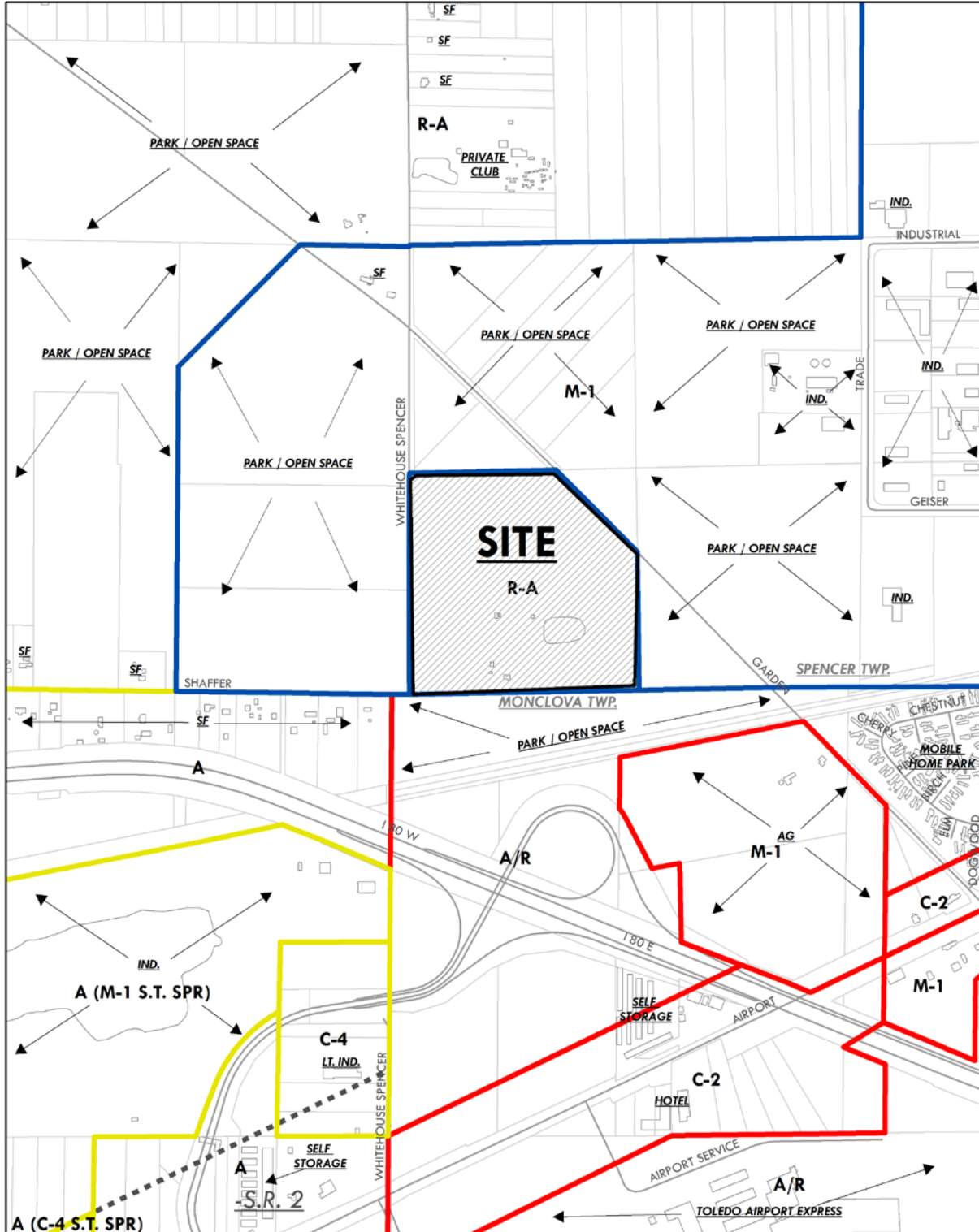
GENERAL LOCATION

Z30-C124
ID 127



ZONING AND LAND USE

Z30-C124
ID 127



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GENERAL INFORMATION

Subject

- Request - Amendment to the Jerusalem Township Zoning Resolution Enacting Conditional Uses with BZA Process and Eliminating Special Use Permits.
- Location - Jerusalem Township
- Applicant - Jerusalem Township Zoning Commission

STAFF ANALYSIS

The Jerusalem Township Zoning Commission has requested an amendment to the Jerusalem Township Zoning Resolution. The changes include replacing all reference of special use permits with conditional use permits while updating the process; authority; and submittal requirements throughout the Township Zoning Resolution.

The Ohio Revised Code (ORC) was amended in 2007 granting final authority to Township Boards of Zoning Appeals in relation to Conditional Use Permits. Since 2007, Spencer, Harding, Monclova, Springfield and Sylvania Townships have amended their zoning resolutions from Special Use to Conditional Use Permits. In an ongoing effort to remain current with the ORC, Staff anticipates other Townships will modify their Zoning Resolutions from Special Use Permits to Conditional Use Permits.

Staff is proposing a modification of the proposed amendment to include a section for Conditional Use Permit applications to be reviewed by the Plan Commission. Based on the intense nature of the uses subject to Conditional Use review, providing a venue to allow for additional public input and recommendations from the Plan Commission is warranted. This will also provide consistency in terms of Conditional Use Permit language throughout the Lucas County Townships.

STAFF RECOMMENDATION

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

BH
Exhibit “A” follows

TEXT AMENDMENT
JERUSALEM TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z28-C144
DATE: November 14, 2018
TIME: 9:00 a.m.

Exhibit "A"

Township Text Amendment Proposal

SECTION 22

PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USES

2200 PROCEDURE

Under certain unusual circumstances, a use of property which typically affects an area more intensely than those uses permitted in the zoning district in which it is located may nonetheless be desirable and compatible with permitted uses, if that use is properly controlled and regulated. Such uses are listed as "Conditional Uses" within the respective zoning districts.

The Board of Zoning Appeals may grant conditional approval for the use of the land, buildings, or other structures and may allow such a use to be established where such approval will be consistent with the general purpose and intent of this Zoning Resolution as well as the general purpose and intent of the Jerusalem Township Land Use Plan.

2201 APPLICATION FOR CONDITIONAL USE

An applicant shall file with the Zoning Inspector, the following documents along with the application fee.

2201.01 Basic Requirements

- A.** A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan that contains the applicant's phone number and mailing address.
- B.** The site plan documents shall include a complete legal description of the property and a general location sketch showing nearby section lines and/or residential and major roadways.
- C.** All site plans shall have a title – "Conditional Use Review". The site plan shall indicate the scale of the drawing and shall use an engineer's scale. The site plan shall have the north arrow pointing either toward the top of the drawing or to the left side of the drawing. The location map and site plan orientation shall be the same.
- D.** The following documents shall be filed: Fifteen (15) blue-line or blackline prints of the site plan on paper no larger than 24" x 36". Detailed drawings other than the site plan need not be submitted for the purpose of site plan review.

2201.02 Site Plan Requirements

- A.** The site plan shall show the zoning classification(s) and existing uses of the property and all abutting property; the approximate location of buildings and driveway locations opposite to, and adjacent to the property.

Exhibit "A" (cont'd)

- B.** The site plan shall indicate the dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.
- C.** The site plan shall indicate the distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to the front, side and rear property lines.
- D.** The site plan shall indicate the name of all adjacent roadways and right-of-way and pavement widths measured from the centerline of the roadway.
- E.** The site plan shall indicate the locations, height, and material of all existing and proposed fencing and/or walls on the property.
- F.** The site plan shall show the location, height, lighting and dimensions of existing or proposed signs on the property.
- G.** The site plan shall indicate the width(s) and location(s) of existing or proposed sidewalks, if any, and drive approach aprons. The drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat.
- H.** The site plan shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, 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.
- I.** The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.
- J.** The site plan shall show existing and proposed sanitary and storm sewers, water mains, and the location of fire hydrants if present. In the event these improvements are not proposed, the site plan shall indicate the location of proposed or existing wells and sewage systems both on-site and on abutting parcels.
- K.** The site plan shall indicate the location of existing or proposed off-street parking spaces and drive aisles with complete dimensions, the number and size of the proposed parking stalls including handicap spaces and the type of pavement composition of the parking area, such as asphalt or concrete, and if the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any, between the two areas.

Exhibit "A" (cont'd)

- L. A site plan with a proposed drive-thru window operation shall indicate where the vehicle will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.
- M. Exterior building elevation(s) visible from all abutting streets and highways.

2202 REVIEW BY PLAN COMMISSION

All requests for a Conditional Use, shall be reviewed by the Lucas County Plan Commission prior to the Board of Zoning Appeals public hearing. The above application for Conditional Use will be forwarded to the Plan Commission by the Township Planning and Zoning Department.

The Planning Commission shall hold a public hearing on the proposed Conditional Use and recommend approval or denial of the said use, or approval with conditions, and submit its recommendation to the Township Board of Zoning Appeals. When received, such recommendation shall then be considered at a public hearing held by the Board of Zoning Appeals on said proposed use.

2203 GENERAL STANDARDS FOR CONDITIONAL USES

The Board of Zoning Appeals shall not approve a Conditional Use unless in each specific case, it makes specific findings of fact directly based on the particular evidence presented to them that support conclusions that such use at the proposed location shall meet all the following requirements:

- A. Will be found to be consistent with the general objectives, or with any specific objective or purpose, of this Zoning Resolution.
- B. Will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- C. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and adequate drainage, refuse disposal, water and sewer, and schools.
- D. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be significantly detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- E. Will have vehicular approaches to the property that shall be so designated as not to create interference with existing traffic on the surrounding public streets or roads.

Exhibit "A" (cont'd)

2204 SUPPLEMENTARY CONDITIONS

In granting any Conditional Use, the Board shall insure that the specific conditions and standards established in Section 16–Supplemental Regulations have been adequately addressed. The Board may prescribe other appropriate conditions and safeguards as it deems necessary to insure that the use will be conducted in conformance with the intent and purpose of this Resolution.

2205 PUBLIC HEARING

- A. Once the application has been received, the applicant must post and maintain one or more on-site Notices as provided. The applicant is responsible for removing the posted Notices within ten (10) days after the decision of the Board of Zoning Appeals. No one except the applicant, agent or Township shall remove or tamper with any such Notice during the time it is required to be posted and maintained.

- B. The Board of Zoning Appeals shall schedule a reasonable time for the hearing of a matter to come before it and shall give at least ten (10) days notice to the parties in interest, stating the time and place. In addition, notice of such public hearing shall be given in one publication in one or more newspapers of general circulation at least ten (10) days before the date of such hearing.

2206 ACTION BY BOARD

The Board of Zoning Appeals shall make its findings and determination in writing within sixty (60) days from the date of the filing of the request. At the hearings, any party may appear in person by agent or by attorney and shall be given the opportunity to be heard. A copy of the findings and determination made by the Board of Zoning Appeals shall be transmitted to the applicant within fourteen (14) days following the hearing.

2207 PUBLIC INFORMATION

All communications to members of the Board of Zoning Appeals, written or oral which pertain to any matter before the Board and shall be reduced to writing and made a part of the record. The official record of the Board's proceeding in any matter shall be kept on file at the Township Hall, subject to the order of the Lucas County Common Pleas Court and available for inspection by the public.

2208 FEES

The Township Trustees shall establish fees as deemed appropriate to defray the costs associated with the advertisement, mailings, or other required or necessary expenses incurred.

2209 EXPIRATION OF CONDITIONAL USE

A Conditional Use shall automatically expire if the Conditional Use has not been instituted or utilized within one (1) year from the date on which the Conditional Use was granted by the Board of Township Trustees, or for any reason the use shall cease for more than a two (2) year continuous period. Violation of any condition(s) of approval shall be cause for the revocation of the Conditional Use by the Board of Zoning Appeals.

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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
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
419-213-4209

A T & T
ATTN: DESIGN MANAGER
130 N. ERIE, ROOM 714
TOLEDO, OH 43604
419-245-6568

BUCKEYE CABLESYSTEM, INC.
MANAGER 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
ROB 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

