

Minutes of Perrysburg Planning and Zoning Committee

Meeting Held March 20, 2023

CALL TO ORDER - 5:00 P.M.

The meeting was called to order at 5:03 p.m. by Chairperson Tim McCarthy.

ROLL CALL

Committee members present were Tim McCarthy, Barry VanHoozen, and Cory Kuhlman. Committee member Cory Kuhlman left the meeting at 6:28 p.m. Also present were Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

CITIZEN'S CONCERNS

None.

APPROVAL OF FEBRUARY 1, 2023 MEETING MINUTES

There being no objections, the minutes of the February 1, 2023 meeting were approved 3-0.

ASSIGNMENT OF PERMANENT ZONING (SCHROEDER/RICH PROPERTY ALONG WEST RIVER ROAD)

Mr. Walters explained that Council passed an Ordinance to accept an annexation request for this property from Perrysburg Township to the City of Perrysburg. Due to the proximity of the Maumee River and the associated floodplain, the Planning & Zoning Division recommended to split-zone the parcel to acknowledge the hazard area, yet still allow for productive use of the balance of the land. The Planning Commission recommended, 5-0, S-1 (Scenic and Open Space) for the portion of the property found to be below 590 feet of elevation and R-1 (Single Family Residential) for the portion of the property found to be at or above 590 feet of elevation.

Mark Rich, 29357 Simmons Road, stated that he is okay with S-1 and R-1. He is looking for a commitment that, if the elevation in the lower area is raised up by legal means, it can be zoned R-1 too. Dr. Rich wants to know how others would be negatively impacted by anything that has been suggested.

Jim Seibold, 27149 West River Road, is puzzled by the 590 foot elevation line because of the ice jam events that occur. Mr. Seibold explained that there is a way to establish base flood elevation where ice jamming is prevalent. Mr. Walters asked him, based on his resident knowledge, what he would say that number is. Mr. Seibold responded that he is not an expert, but he would guess it is closer to 600 feet.

Tim Brock, 170 South East Silver Lake Road Traverse City MI, representing his mother at 27123 West River Road, has a degree in Geological Engineering and has spent the last 43 years working in the field of Geology internationally. They are not opposed to the R-1 and S-1 zoning, and he agrees with Mr. Seibold on using the FEMA map designations. Mr. Brock noted that no filling of the swale area is allowed because it could cause water drainage onto his mother's property.

Scott Libbe, 28301 West River Road, fully endorses R-1 and S-1. He noted that 590 feet does not seem right. Mr. Libbe added that 31,000 cubic yards of fill would be required to elevate the floodplain area in the future. Mr. Libbe hopes Dr. Rich builds on the R-1 and gets a good return on his investment.

Susan Parker, 27155 West River Road, hopes Dr. Rich does build and thinks it will increase the value of their homes. She and her husband are all in favor of R-1 and S-1. Ms. Parker noted that if the fish camp continues, they need to abide by the rules that are set.

Dr. Rich responded that no one said how it would negatively impact them. He wants to be a good neighbor and follow any legal obligations that exist. Dr. Rich does not agree with the number that Mr. Libbe presented.

Don Feller, Chairman and CEO of Feller Finch & Associates, wanted to address the 590 feet issue. He noted that very rarely is there a specific elevation of a floodplain on a specific property. Mr. Feller stated that they would not drain water onto the Brock property.

Marv Himmelein, 28315 West River Road, is concerned that the 590 line moves and that the zoning changes as that line moves. Mr. Easterling explained that FEMA has not established that and leaves it up to engineering companies, like Feller Finch, to determine that. It will have to come back for a rezoning.

There being no objections, this is being recommended 3-0 to City Council.

PROPOSED CODE AMENDMENT TO CHAPTER 1250.41 - STORAGE OF RECREATIONAL EQUIPMENT OR TRAILERS

Mr. Easterling explained that the proposed amendments clean up conflicting language and further clarifies. Many of the changes have been brought to the Planning & Zoning office as ongoing complaints by citizens over the years.

Ray and Nancy Heath, 28596 Woodland Avenue, asked about the size of the driveway as it relates to the size of the vehicle being parked there. Ms. Heath asked about the five feet to any lot line and if that applied to the front of the property. Mr. Easterling explained that they have typically only enforced it from the side and rear property lines, but the language means that it should include the front property line as well.

Mr. Kuhlman noted that this is why HOAs in subdivisions are important, so that even if the City allows something, the HOA might not. Mr. Kuhlman prefers that language is added in to include the front lot line, since it has not been enforced before.

Mr. VanHoozen asked about what the consequences are for not following the requirements. Mr. Easterling explained that the City starts with a warning and then will send it to the Prosecutor's Office. Mr. Walters added that it is \$100.00 per day.

There being no objections, the amendments are being recommended 3-0 to City Council.

Mr. Kuhlman noted that he has no objections to the rezoning request of C-4, the next agenda item.

Committee member Cory Kuhlman left the meeting at 6:28 p.m.

REZONING REQUEST I-2 (GENERAL INDUSTRIAL) TO C-4 (HIGHWAY COMMERCIAL) - 545 W. BOUNDARY STREET

Mr. Walters explained that the property is located at the northeast portion of the intersection of West Boundary Street and Sixth Street. It is currently zoned I-2 (General Industrial) and the applicant, the City of Perrysburg, is requesting a rezoning of the property to C-4 (Highway Commercial). The area of this property is approximately 0.50 acres and does not currently contain any structures. Mr. Walters explained that the property owner is not opposed to this rezoning, but did semi-object to the balance of the rezoning, which caused a legal question and the City has reached out for a legal opinion on that. There being no objections, the rezoning is recommended 2-0 to City Council.

NONCONFORMING SIGNAGE

Mr. McCarthy explained that this was an issue that Jonathan Smith raised. Mr. Walters explained that any change made to what is nonconforming signage will then require the sign to come into compliance. Mr. Walters added that the Board of Zoning Appeals has granted variances. Mr. Easterling added that every time a business comes in, it is \$300.00 to apply for a variance. Mr. VanHoozen asked how many signs are out of compliance. Mr. Walters responded that it is more than they can count.

WOOD COUNTY BUILDING INSPECTOR

Jan Materni had questions about the Wood County Health Board and asked what happens if a landlord is not providing proper accommodations to tenants, such as water and heat. Mr. VanHoozen asked if there are still communication issues with the County and wondered if that has gotten any better. Mr. Easterling confirmed that it has gotten better and that the County has been working well with the Fire Department.

OTHER BUSINESS

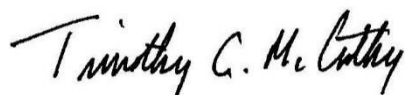
Noureen Lakhani and John Millett are representatives from Welltower present to speak about its interest in developing property for a mix of uses, including multi-family. Mr. Millett explained that the property is currently under contract. The goal is to develop single-story products that appeal to young professionals with no children or empty nesters looking to downsize. Mr. McCarthy explained that Welltower is a client of his law firm and he is going to abstain until he knows if he can be a part of the conversation.

Mr. VanHoozen asked about the total number of units on the property. Mr. Millett explained that there are a total of 199 residential units on the property, 20 are single-family homes, 61 will be front-loading, and 118 rear-loading. Mr. VanHoozen asked about the commercial piece. Mr. Millett suggested the ideas of Barry's Bagels, a grocery store, and a UPS store, but nothing is certain yet. Mr. VanHoozen stated that the concern is the effects on schools, which affects their decision making. Ms. Lakhani understands the concern, but noted their product is geared towards empty nesters and young professionals. Mr. VanHoozen is not opposed to the project, just concerned. Mr. McCarthy stated that they will report this to City Council and this will get it on Council's radar for discussion.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:10 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy C. McCarthy". The signature is written in a cursive, flowing style.

Timothy C. McCarthy, Chairperson
Planning & Zoning Committee

Next meeting: Wednesday, April 5, 2023 at 5:30 p.m.