

PLANNING COMMISSION MEETING

AUGUST 29, 2013

The meeting was called to order at 7:00 p.m. by Chairman Greg Bade. Commission members present were: Greg Bade, Byron Choka, Mayor Evans, Tom Forquer, Seth Hudson and Therese Witt. (6). Chris Carry was absent. Also present were: Brody Walters, Planning and Zoning Administrator and Mathew Beredo, Law Director.

APPROVAL OF MINUTES FROM THE JULY 25, 2013 MEETING

Mayor Evans moved to approve the minutes of the July 25, 2013 meeting as written. Mr. Forquer seconded and they were approved 5-0. Ayes: Bade, Choka, Evans, Forquer, Witt (5). Abstain: Hudson (1).

ADMINISTRATOR'S REPORT

Mr. Walters called attention to a letter received from the Fort Meigs Cemetery Board stating that the Board unanimously agreed to not oppose the rezoning request for 399 West Boundary Street. Mr. Walters stated that the only agenda items received for September are requests for Preliminary Plat extensions, so there will not be a September meeting.

Mr. Choka asked about the sidewalk at Social, the former site of Arnie's, on Dixie Highway. Mr. Walters said it is about 80% complete as they ran into some issues with a Northwest Water and Sewer District manhole.

Request for Rezoning 399 West Boundary Street

APPLICANT/OWNER/DEVELOPER

Donald R. Knepper
4976 C.R. 55
Gibsonburg, Ohio 43431

REQUEST

Chapter 1265 – Non-conforming Uses
Chapter 1285 – Changes and Amendments
Chapter 1225.08 – Use Regulations (R3 & C1)

PROPERTY LOCATION & DESCRIPTION

The subject property is located at the northeast corner of the intersection of Indiana Avenue and West Boundary Street (SR25). The subject property consists of 1 parcel

(Q61-000-902304003000) that is approximately 1.6 acres in size. The property is Inlot 5 of the Marcl subdivision.

The property is currently zoned R3 (Single Family Residential) and the applicant has requested to rezone the property to C1 (Neighborhood Commercial).

BACKGROUND

The subject property contains and has been used as a veterinary office for many years. The use enjoys a legal non-conforming status and would need to be returned to a residential use should either of the following occur:

- The current use is discontinued for a consecutive period of 2 years or more;
- The structure (60% or more) is damaged

Additionally, the use cannot be expanded on the property, nor can the use be changed to one that is "more intense".

The applicant requests the zoning of C1 (Neighborhood Commercial) to permit future uses that are consistent with both the current use and the immediate area.

Rezoning this property to C1 could result in the following uses: (note: SAU = special approval use)

1. Farm Markets and Stands (SAU)
2. Neighborhood Business less than 10,000 SF
3. Office and Banks
4. Personal Services
5. Consumer Repair Services
6. Medical Offices (SAU)
7. Child Day Care Center (SAU)
8. Essential Services
9. Mortuaries / Funeral Home (SAU)
10. Parks and Recreational Facilities (SAU)
11. Public and Private Schools (SAU)
12. Public Service Facility (SAU)
13. Public/Private Utility

RECOMMENDATION

The Planning & Zoning Administrator recommends that the Planning Commission recommend to City Council approval of the zone change from R3 to C1 for the 1.5906 acres owned by Mr. Donald Knepper at 399 W. Boundary Street, Perrysburg, Ohio.

Further, it is recommended that a public hearing be set before City Council for October 15, 2013 at 6:20 p.m.

Mr. Walters reviewed the above Staff Report. He stated that because of a recently approved Code amendment, Animal Services Indoor should be included on the list as a permitted use and Animal Services Outdoor should be included as a SAU under the C1

zoning classification. This rezoning would make the current use a permitted use. Patrick Lindsey was present to represent Dr. Knepper. Mr. Forquer asked if they have outdoor animal services at this location now. Mr. Lindsey said they do not; it is all indoors. Mr. Lindsey said the impetus behind this zoning change is that Dr. Knepper is getting up in years and he is the primary caregiver for a daughter with special needs, so he wants to be prepared should he need to close his business. Mayor Evans clarified that they are not looking at anything specific right now. Mr. Lindsey said Dr. Knepper plans to continue to practice for two to five years, but he wants to have options available. With the current zoning, he would have to sell the property to another veterinarian or it would have to be used as a single family residence. Mr. Walters was asked if adjacent property owners were notified about this request. He stated that properties within 200' were sent notices, but we did not hear from any of them except for the Fort Meigs Cemetery Board. Ms. Witt asked about neighborhood businesses less than 10,000 square feet, and Mr. Walters read the definition. Mr. Choka asked if this would include a restaurant or bar. Mr. Walters said he is not sure that would meet the criteria. Mr. Bade asked about essential services. Mr. Walters read the definition and added that this is a common use basically allowed anywhere to allow the City to do business.

Mayor Evans moved to recommend approval of the zone change from R3 (Single Family Residential) to C1 (Neighborhood Commercial) for the 1.5906 acres owned by Donald Knepper at 399 West Boundary Street and he recommended that a public hearing be set before City Council for October 15, 2013 at 6:20 p.m. Seconded by Mr. Forquer. Ayes: Choka, Evans, Forquer, Hudson, Witt (5). Nays: Bade (1).

OTHER BUSINESS

Mr. Walters stated that per Mr. Bade's email, he reached out to Briarwood Cove and the property owner regarding a dumpster enclosure at Levis, but he has not heard back from either property owner yet.

There being no further business, the meeting adjourned at 7:16 p.m.

Respectfully submitted,

Mary Jo Sutton