

RECORD OF PROCEEDINGS

Minutes of Waterville Township Zoning Commission

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held at 7:30 p.m. at the Waterville Township Hall on February 18, 2013

ROLL CALL:

- Chairman Glenn A. Banas - Present
- Vice-Chairman Thomas R. Wardell - Present
- Member Keith A. Moosman - Present
- Member Rich Hertzfeld - Absent (Ill)
- Member George J. Cole - Absent (Florida)

OFFICIALS:

- Property Standards Officer James E. Fischer - Present
- Zoning Inspector Eric H. Gay - Present
- Fiscal Officer/Zoning Secretary Kay Ann Robertson - Present

GUESTS:

- Bill Burkett, 9413 Stitt Road, Whitehouse, Appeals board appointee
- Karen Schneider, 7035 Finzel Road, Whitehouse, Township trustee

MINUTES:

The minutes for the January 21, 2013 meeting had been prepared by Fiscal Officer Kay Ann Robertson and sent to each zoning commission member prior to the meeting.

Thomas R. Wardell made a motion to dispense with the reading of the minutes of the January 21st meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by Keith A. Moosman.

Motion Carried.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ZONING:

- 1) One permit to date - James Yaggie, 11405 Stiles Road - Pole barn.
- 2) Concerning the ceramics business Peggy Ross plans to operate at 9525 S.R 64, Inspector Eric Gay had a good conversation with the owner of the property and put him on alert that the next time the business at that location changes hands, he will have to pave the parking lot because our new architectural review text language is now in place. The gentleman who owns the property operates a paving company south of Bowling Green, Ohio.
- 3) Inspector Gay had an inquiry from a gentleman living on North River Road just inside the township limits going north who wanted to sell guns out of his home. He would need a "Home Occupation" permit and Inspector Gay sent him an application. If he does not own the property, then the owner would have to sign the application. We would also require a site plan, a letter of intent, a sales plan, a copy of a permit to sell firearms, etc.
- 4) An appraiser called concerning Yard Expressions. It is located next door to Whitehouse Seed Company, 9110 SR 64. It is not operating currently and the owners are using the building for storage.
- 5) The annexation agreement with the City of Waterville has been rescinded by the trustees. Township and city representatives had been working most of 2012 on the agreement. The trustees had passed the agreement September 2012 & sent it to the city for their approval the first part of October. It has been in limbo since then. The trustees legal counsel advised them to rescind the agreement because it has been too long. The trustees rescinded the agreement on January 24th and Waterville approved it on January 28th.
- 6) Inspector Gay attended the Ohio Township Association Winter Conference in Columbus and remarked that they had very good workshops this year. Items of interest:
  - a. If an individual receives a notice of a zoning decision made that they do not agree with, they have 20 days to appeal that decision. After 20 days you are out of luck.
  - b. Monclova and Springfield Township are working on zoning language to make special uses all conditional uses and they would be granted by the Zoning Board of Appeals.
  - c. "Ag" exempt still remains a very,very grey area. Many townships are struggling with issues.

continued.....

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Continued:

- d. Some townships are establishing "property maintenance codes" and using that as a way to regulate appearances of buildings and grounds.
- e. 91% of the land in the State of Ohio is located within a township.

PROPERTY STANDARDS OFFICER:

- 1) The new zoning books include the architectural review text which was recently adopted. The major changes are located in Section 5.
- 2) Richard Rajner, 10010 Hertzfeld Road in Waterville Township has issued a complaint against Lou Leasor at 10020 Hertzfeld Road for blighting. This is an ongoing issue. The last time letters were sent and the Health Board became involved. There is a pickup without a current license plate. It's cab is packed full. Standards Officer Jim Fischer sent a certified letter to Mr. Leasor on 2/14/2013. He will keep us posted.

COMMENTS:

Karen Schneider - Comments from the Winter Conference:

- a. Winerys are a grey area as to how they are handled.
- b. The "ag" exempt information form the township uses may have issues and not hold up in court.
- c. Our language in the township zoning resolution for a variance states the applicant must prove it is an unnecessary hardship. It is being suggested that it should read "practical difficulties." This commission may want to give it some thought.
- d. Ms. Schneider also attended the same workshop as the zoning inspector about using "conditional uses" instead of "special uses". She states the process would be much shorter. Only one (1) public hearing with the appeals board setting the conditions. Now it is a much longer process with two (2) public hearings (zoning commission and trustees) with input from the county plan commission and much more opportunity for comments from the public.

Glenn Banas - Comments on water rates:

Mr. Banas states that he has public water (Dutch Road) which used to be purchased and billed by the City of Toledo. They have turned part of that line over to Whitehouse. Since Mr. Banas does not live in the village, his water rates are now tripled. The village wants him to annex. Mr. Banas says they are saying he does not have to be contiguous to annex. Perhaps the township solicitor can look into it.

ADJOURNMENT:

There being no further business to be brought before this commission, Thomas R. Wardell made a motion to adjourn. Seconded by Keith A. Moosman.

Motion Carried.

Adjourned at 8:32 p.m.

Attest: Kay Ann Robertson

Commissioner: Tom Wardell  
Keith A. Moosman

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*Held*

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