

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 June 16, 2014

ROLL CALL:

- Chairman Glenn A. Banas - Present
- Vice-Chairman Thomas R. Wardell - Absent
- Member William J. Burkett - Present
- Member Keith A. Moosman - Present
- Member Rich Hertzfeld - Present
- Property Standards Officer James E. Fischer - Present
- Zoning Inspector Eric H. Gay - Present

OFFICIALS:

Fiscal Officer/Zoning Secretary Kay Ann Robertson - Present

GUESTS:

Township Trustee Karen M. Schneider - Present

MINUTES:

The minutes for the May 19th meeting had been prepared by Fiscal Officer Kay Ann Robertson using notes taken by Zoning Commission Member Bill Burkett in her absence and sent to each zoning commission member prior to the meeting date:

Keith A. Moosman made a motion to dispense with the reading of the minutes of the May 19th meeting and to approve the minutes with no additions, deletions and/or corrections. Seconded by Rich Hertzfeld.

Motion Carried.

CORRESPONDENCE:

From the Toledo-Lucas County Plan Commission, a notice of their intent to hold a public hearing on the Sisters of Notre Dame's request to amend their Special Use Permit for a retirement center, chapel, fellowship space and modular classrooms at 5900 Davis Road in Waterville Township. Public Hearing to be held on June 25, 2014 at 9:00 a.m.

Glenn A. Banas made a motion to hold a public hearing on July 21, 2014 at 7:30 pm at the Waterville Township Hall, 621 Farnsworth Road, Waterville, Ohio. The purpose of the hearing is to consider a request for an amendment to the Sisters of Notre Dame existing Special Use Permit for a private school (Lial Montessori School) to add a retirement center, chapel, fellowship space and modular classrooms on 85 + acres of land located at 5900 Davis Road in Waterville Township. Seconded by William J. Burkett.

Motion Carried.

OLD BUSINESS:

At the February 17, 2014, meeting, this commission voted to send a request to the Toledo-Lucas County Plan Commission for an amendment to the Waterville Township Zoning Resolution to establish a SR 295 Overlay District to mirror the overlay district Providence Township has directly across the street. There has been alot of discussion back and forth as to how the language should read. The county plan commission has scheduled their public hearing for June 25th but the township has asked them to defer their recommendation until we can clarify the language:

Bill Burkett: The county plan commission was against excluding residential and multi-family. When this commission talked as a group, we were thinking along the lines of any residential needing to first apply for a "guaranteed" special use permit which would put them on alert that they could have commercial or greater next door. At the meeting with Tom Lemon (County Plan Director) and Josh Lewandowski (County Planner), they said they had never heard of such a thing.

Eric Gay: The letter Bill Burkett sent the county plan commission was excellent. The township would keep the "ag" zoning and the guaranteed special use permit would serve as a warning to residential builders that they may have to deal with commercial development right next door.

Bill Burkett: The county plan commission had property owners from the SR 295 area and they were voicing their objections.

Karen Schneider: Even if we used a guaranteed special use permit for a residence, it would still come as a surprise if commercial developes. She is in favor of excluding all residential and multi-family.

Keith Moosman/Bill Burkett: Both of these zoning commission members were in favor of using a guaranteed special use permit instead of excluding residential and multi-family.

Rich Hertzfeld: Mr. Hertzfeld was told that when a land owner wishing to build in the overlay district came in for a zoning permit, they would then be told about the guaranteed special use permit.

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Continued:

Rich Hertzfeld: What prompted the county plan commission to put the residential back in to the language? They were responding to the objections from township property owners in that area.

Eric Gay: We were trying to mirror Providence Township's language for our overlay district by excluding dwellings and multi-family dwellings. We intend to have more discussion before the plan commission recommendation.

NEW BUSINESS:

Last meeting, Inspector Gay mentioned that Fallen Timbers Fairways was going to consider amending PUD. The original PUD was granted in 1991 and later amended in 2003 but was never acted upon. Since more than two (2) years have gone by and they want to change the 2003 plans somewhat, they will need to re-apply:

Glenn A. Banas made a motion to hold a public hearing on August 18, 2014 at 7:30pm at the Waterville Township Hall, 621 Farnsworth Road, Waterville, Ohio 43566. The purpose of the hearing is to consider a request by Fallen Timbers Fairways to amend their RA-PUD at 6225 Waterville-Monclova Road on approximately 71.17+ acres of land in Waterville Township. Seconded by **Keith A. Moosman**. Motion Carried.

ZONING INSPECTOR'S REPORT:

1) Eighteen (18) permits to date:

- Permit #2014-11 - Joel Reed, 5755 Davis Road - Storage garage.
- Permit #2014-12 - Duke Wheeler, 11781 Obee Road - Sign
- Permit #2014-13 - Nichols Partners, 6550 A.W. Trail - Tower backup generator.
- Permit #2014-14 - Judy Allen, 5917 Janelynn Drive - Shed.
- Permit #2014-15 - Sisters of Notre Dame, 5700 Davis Road - Amend special use.
- Permit #2014-16 - Jim Bersee, 9220 Noward Road - Barn addition.
- Permit #2014-17 - Peter Burdo, 6438 Coventry Way - Shed.
- Permit #2014-18 - Fallen Timbers Fairways, 6225 Waterville-Monclova Road - Amend RA-PUD.

2) For the past couple of months, the township has been dealing with the issue of the Heilmann Farm signs. There are approximately seventeen (17) signs on several of the roads in the township. The signs within the SR 64 Overlay District are definitely not in compliance. Our zoning regulations state the signs on the rest of the county and township roads must be set 25 ft. back from the road right-of-way and the Heilmann Farms signs seem to be at the road right-of-way and not 25' beyond plus they do not have permits. The question was raised as to the reason for the road right-of-way plus 25' and Rich Hertzfeld said he thought it was to keep the sign out of the sight-line. Inspector Eric Gay did research the 25' and it has been in our book for quite some time. This zoning commission may want to address the 25' in the future but for now it is what we have to work with. The alternative for the Heilmanns is to take their case to the township board of appeals and let them decide.

3) Doug and Judy Kampfer, 10104 Hertzfeld Road in Waterville Township, attended the township trustees' meeting on May 28th. A few days prior, Doug had been in his back yard when a bullet went whizzing past. Dave Vnuck has a gun shop and shooting range just down the street and the bullet had come from that direction. When the Kampfers went to the gun shop, they observed a gathering of people using the range and not all of them were within the shooting shed. If the shooting shed is used, the bullets will land in the dirt mound and not go over the top. There have been several meetings since the incident trying to make the range safer. The following are some of the changes to be made:

- a. Terminate use of all rifles and full automatic guns - hand and shot guns only.
- b. All shooters must shoot from inside the shooting shed.
- c. Additional dirt added to existing mound - objective 10' to 12' high.
- d. Range closed to public - only club members.
- e. Range only open when owner or his representative is present.

The township has one other shooting range (Progressive Fishing Association on Schadel Road) and there were problems with it several years ago. They ended up making the backstop mound higher and thicker and they also fly a flag when there will be shooting at the range. The flag puts the adjoining property owners on notice that there will be shooting in the area. The issue is not covered in our zoning resolution and may be something this commission may want to take a look at.

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Continued:

PROPERTY STANDARDS OFFICER'S REPORT:

- 1) Last meeting, Mr. Fischer had reported a complaint about a broken down fence at 5654 Whitehouse-Spener Road. It turns out that it was not a complaint about a fence needing repair at that address but rather underbrush that needed to be attended to.
- 2) The Steeple Chase Subdivision (Whitehouse Village) borders a township resident who is complaining that one of their residents is dumping his grass clippings onto his property. There is also a notation that the privacy fence needs to be repaired. Property Standards Officer Jim Fischer and Trustee Les Disher are working to resolve the issue.

ADJOURNMENT:

There being no further business to be brought before this zoning commission, William J. Burkett made a motion to adjourn. Seconded by Rich Hertzfeld.

Motion Carried.

Adjourned at 8:53 p.m.

Attest:

Commission
Members: