

RECORD OF PROCEEDINGS

887

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 April 21, 2014

ROLL CALL:

- Chairman Glenn A. Banas - Present
- Vice-Chairman Thomas R. Wardell - Present
- Member William J. Burkett - Present
- Member Keith A. Moosman - Present
- Member Rich Hertzfeld - Present

OFFICIALS:

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

GUESTS:

- Tony Urbas, 5845 Berkey-Southern Road, Whitehouse, Ohio
- Duke Wheeler, 11781 Obee Road, Whitehouse, Ohio

CORRESPONDENCE:

None.

PUBLIC HEARING - Z22-C125 - WHEELER SPECIAL USE FOR RENTAL FACILITY:

Chairman Glenn A. Banas opened the public hearing which had been advertised for this date, time and place. The purpose of the hearing was to consider a request for a special use permit to operate a reception facility at 11781 Obee Road, Whitehouse, Ohio. The property consists of 8.64 ± acres zoned "A" Agricultural located in Waterville Township.

STAFF ANALYSIS:

The request is a special use permit for a reception hall for an 8.64 acre property located at 11781 Obee Road. The property currently contains a barn that is partially converted to a basketball court, areas for pasture, and an asphalt drive with 12 parking spaces. Adjacent land uses include undeveloped land to the north and west, rural residential to the south and the butterfly house and corn maze to the east.

LAYOUT:

The plan shows that the layout of the site will remain unchanged. Parking for the reception hall will be provided on the adjacent property to the east with a grass parking area. The area provides for 128 spaces. Only 40 spaces are required per the zoning resolution. Grass parking is allowed in Waterville Township, provided the parcel is in a remote location and not in close proximity to other buildings. The adjacent butterfly house and corn maze use similar grass parking areas. A waiver will be needed from the township trustees. Staff supports the waiver for the overflow area; however, the existing asphalt drive should be expanded from 10 feet to 25 feet in order to accommodate two way traffic for special events and address emergency response concerns.

USE:

The use is similar to the special events listed above, but does possess a few different characteristics worth considering. Reception halls tend to have later hours, large numbers of people celebrating in a smaller area, live music and dancing, people gathering outside and all the noise associated with these events. Single-family residences to the south of the property may notice this use more than the other special uses.

The reception hall does not have a specific expectation on the number of events it would host. They do indicate that the adjacent Butterfly House currently has around 10 wedding ceremonies a year and are hoping to have a similar number of ceremonies at the hall. The hall is expected to operate from May 1st - October 31st, Sunday through Thursday from 9 am - 8pm and Friday and Saturday from 9 am to 1 am. Events will be held both inside and outside. If the initial year is successful a paved parking lot and bathrooms will be added next year.

Given the additional characteristics associated with special events like wedding receptions, a one-year review of the reception hall is recommended and included as a condition of approval. Restrictions on the hours of operation may also be considered, especially for events held outside. The inclusion of the restrictions mentioned above will ensure that the site has minimal impact on the adjacent property owners, especially to the south.

LANDSCAPING:

Additionally, there is no landscaping plan submitted with the site plan. A plan continued.....

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is listed as a condition of approval because of the change in use and new parking area. The seasonal nature of the facility may warrant relief from this requirement.

STAFF RECOMMENDATION:

The staff recommends that the Lucas County Planning Commission recommend approval of Z22-C125, a Special Use Permit for reception facility, to the Waterville Township Zoning Commission and Trustees for the following two (2) reasons:

- 1. The request is comparable to the adjacent corn maze and butterfly house special uses; and,
- 2. The one-year review at the township level will ensure that the use has a minimal impact on surrounding property owners.

The staff further recommends that the Lucas County Planning Commission recommend approval to the Waterville Township Zoning Commission and Trustees, subject to the following twelve (12) conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions:

Lucas County Sanitary Engineer

No comments or objections.

Whitehouse Fire Department

- 1. 25 foot minimum [for] all drives. Site plan only. [Contact Whitehouse Fire Department for additional clarification.]

Lucas County Engineer

- 2. It appears that no additional impervious area will be added to the site. If additional pavement is added, a drainage review will be required to determine if storm water detention is required.
- 3. A large portion of this parcel is located within the 100-year FEMA floodplain and floodway of Swan Creek. The limits of the floodplain and floodway should be indicated on the plan. A permit is required from the Lucas County Engineer's Office if any work will take place within the 100-year floodplain or floodway.
- 4. If more than one acre of land is disturbed, an Ohio EPA, NPDES permit is required and provisions for water quality, sediment and erosion control shall be provided in accordance with this permit.
- 5. A permit is required from the Lucas County Engineer's Office if any work will take place within the public right-of-way on Obee Road.
- 6. A minimum of one van accessible handicap space shall be provided in accordance with ADA and Ohio Building Code requirements.
- 7. One set of revised plans addressing the previous items shall be forwarded to the Lucas County Engineer's Office for final review. Upon approval, three (3) sets of plans should be provided to our office prior to issuance of zoning and building permits.

Lucas County Health Department

- 8. If facility will have interior plumbing, a permit for septic installation will be required to be obtained from the Toledo-Lucas County Health Department prior to any building permits being issued. A well permit will also be required to be obtained.

Plan Commission

- 9. The use of a grass parking area for special events must be approved by the Township Trustees.
- 10. The asphalt drive shall be enlarged from 10 feet to 25 feet in order to accommodate two-way traffic for special events and address emergency response concerns.
- 11. A review shall be completed at the township level after one year to ensure that the reception hall has a minimal impact on adjacent property owners.

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12. A landscape plan shall be submitted to Waterville Township because of the new use and parking lot. The seasonal nature may warrant relief from this requirement.

COMMENTS:

Rich Hertzfeld: Wondered if grass parking is allowed, why would it have to be waived by the Trustees.

Tony Urbas: Said that mud on the road had been an issue in the past with events at the Butterfly House. Police had been called about it on occasion. Mr. Urbas is convinced that if it is rainy weather, people will park along both sides of the road and not in the grassy area proposed by Duke Wheeler.

Duke Wheeler: There will be no parking in the low area. If he needs more parking, he will use the Butterfly House parking and shuttle them down. Parking has not been an issue in the six (6) years the Butterfly House has been in operation and they have had as many as 2,000 guests. For now there will be 100 paved parking spaces at the location inside the fence. They are in the process of widening the drive as recommended by the fire department.

Glenn Banas: Good to see that there have been no parking problems in the six yrs the Butterfly House has been open. May need some wording that parking will not be allowed along Obee Road. The township will review the site in one year or less.

Rich Hertzfeld: Since there will definitely be music at the receptions, will it be inside or out, or both?

Duke Wheeler: The music could be inside or out. He had an issue from an adjoining neighbor about loud music at the corn maze and Mr. Wheeler changed the direction of the speakers and solved the problem. He will monitor the noise.

Glenn Banas: If noise becomes an issue, the commission will contact Mr. Wheeler. He will also have to abide by the hours set.

Tony Urbas: Suggested that all speakers be kept on the inside. Opening the big doors on either end should not be a problem.

Duke Wheeler: No bands will be permitted outside and the dance floor will also be inside. All the trees surrounding the area should deaden the sound. If it gets too loud, he will quiet it down. 300 people will probably be the limited seating.

Eric Gay: Mr. Wheeler will get Don Feller to add the landscaping to the site plan.

Bill Burkett: The driveway should be widened before the first event. To which Mr. Wheeler replied that the drive will be done.

Glenn A. Banas made a motion to recommend approval of the Special Use Permit for Wheeler Family Investments for a reception facility at 11781 Obee Road with the following conditions:

1. All twelve (12) recommendations of the plan commission, plus:
2. Under "USE" second paragraph - remove "expected to operate from May 1st to October 31st.
3. Under "LANDSCAPING" - landscaping will be added to site plan now.
4. Under "WHITEHOUSE FIRE DEPARTMENT" - the 25' drive is under construction.
5. Under "LUCAS COUNTY ENGINEER" #3 - the floodway and floodway lines on the site plan will be labeled.
6. Under "LUCAS COUNTY HEALTH DEPARTMENT" #8 - there is a well on the property. Mr. Wheeler is converting the bathroom in the hall to a handicapped.
7. The owner will enforce the "NO PARKING" along Obee Road.
8. The facility may operate all year long.
9. No external speakers for music - all music kept within the building.
10. Adequate outdoor restroom facilities.

Seconded by Thomas R. Wardell.

Glenn A. Banas,	Aye.
Thomas R. Wardell,	Aye.
William J. Burkett,	Aye.
Keith A. Moosman,	Aye.
Rich Hertzfeld,	Aye.

continued.....

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ZONING INSPECTOR'S REPORT:

1) Ten (10) permits to date:

- Permit #2014-07 - James & Jean Thomas, 9081 Dutch Road - Residence.
- Permit #2014-08 - J. A. Doyle Homes, 8713 Palermo Circle - Residence.
- Permit #2014-09 - Nichols Partners LLC - 6550 Anthony Wayne Trail - Replace cell tower antenna.
- Permit #2014-10 - Melanie Humphrey, 6224 Waterville-Monclova Road - Inground swimming pool and fence.

2) There are plans for Coventry Glen Plats 2 & 3. Inspector Eric Gay reports that he is in possession of a letter from the Township Solicitor that the extra conditions imposed by neighbor Jack Fischer must be adhered to before any permits are issued.

3) Inspector Gay has a meeting with the new owner of the Ricky Ridge property on Noward Road. The property now consists of over five (5) acre parcels with water and sewer and zoned "A" Agricultural.

4) In 1991, the Fallen Timbers property in Waterville Township was granted a PUD for development and then the bottom fell out of the market and nothing was done. They are now ready to proceed. Josh Lewandowski, county plan commission, is advising that rather than go back and redo everything because of a time limit, the township let proceed as originally approved.

5) The Lucas County Plan Commission has our 295 Overlay District on the docket for April 23rd.

6) It has been reported the Heilmann Farms have placed signs on all of their properties that say "Heilmann Farms", some wording of explanation and a phone number. Most of the signs are on county and state roads but most are in the road right-of-way. If they are only up part of the year, they may be called temporary and permitted. More on the subject later.

PROPERTY STANDARDS OFFICER'S REPORT:

Nothing. Very quiet.

ADJOURNMENT:

There being no further business to be brought before this zoning commission,

Keith A. Moosman made a motion to adjourn. Seconded by Thomas R. Wardell.

Motion Carried.

Adjourned at 8:52 p.m.

Attest: Kay Ann Robertson

Members: [Signatures]