

Monclova Township Board of Zoning Appeals

Summary for January 9, 2017

The meeting commenced with the Pledge of Allegiance to the Flag at 5:30 PM led by Chair Karen Lemle.

**Roll Call:**

Present: Board Member Lemle, Board Member Plocek, Board Member Brigham, Board Member Downey, and Board Member Ohns

Staff Members Present: Zoning Administrator Eric Wagner, Dawn Sanderson, law Director (until approximately 7 PM), and Recording Secretary/Support Staff Kathleen Stewart Kuns

**Record of Proceedings:**

**MOTION:** Downey moved to approve the November 14, 2016 minutes as submitted by Recording Secretary.

**SECOND:** Ohns

**Yes:** Board Member Lemle, Board Member Plocek, Board Member Brigham, Board Member Downey, and Board Member Ohns

**Public Hearing:**

Conditional Use to Section 4.2(c) of the Zoning Resolution to allow a banquet hall at 5402 South Jerome Road; Applicant: Brad & Debbie Wotring/Agent: Greg Feller-Feller, Finch & Associates

Greg Feller, 1683 Woodlands Drive, Maumee, was sworn in and in summary stated the following:

Asking for Conditional Use for barn-style banquet hall. Existing zoning use is A/R Agricultural/Residential. The Township's Zoning Resolution states five different items to be considered for Conditional Use: Harmonious with exiting environment; not hazardous or disturbing; not detrimental...Feller also stated they anticipate the barn to be 80x80; noted parking per code is 32 spaces; hoping for approval to have additional parking needs met via the township allowing parking in grass.

Feller noted that the Land Use Plan repeats "rural area" of township. Property owners are emphasizing a rural feel with barn and not having pavement. Setback is significant. Lighting is low impact. Not a two-story building. Showed concept drawing but Feller noted that it might change; Wotring has not committed to a design.

Feller commented on surrounding community: Sidecut Metropark is to the east; treatment plant to the west; south is the Maumee River; and north is residential. Feller commented that existing home (Wotring's property) is above subject area of hearing-on top of hill. Feller commented that the proposed banquet facility will be serviced by septic. Driveways will be sized to service fire equipment. Feller commented that lighting will be bollard-type lighting. Walkway will be lighted. Hours of operation will be Friday evenings through Sunday afternoon. Feller noted that traffic will not be peak hour but mostly in evenings on Friday and Saturday and Sunday morning. Will only generate traffic when there is an event. Maximum occupancy is 250.

Aaron Collins, Oregon, Ohio, invited speaker on behalf of Wotring request, spoke regarding noise and sound and commented that as the sound travels, the noise will dissipate. Gave examples of decibels.

Spoke on noise of outside concerts and his experience. Does not feel sound emanating from the site will be an issue.

Lemle-Banquet on weekends only? Feller-There may be events during the weekday.

Downey-Strictly be used as a banquet hall? Wotring-Primary use will be as a gathering space for banquets. May have a church function or other similar events.

Feller confirmed agreement with Lucas County Plan Commission in that there will be no speaker or amplification outside, with the exception, he added, of small speakers for Pastor's outside ceremonies. Ohns received confirmation that weddings or other items may be held outside.

Downey confirmed that there will be no smoking in building. Feller stated that there will be an outside pad designated for such activity. Feller added that they will follow whatever the laws are; assuming there will be a smoking pad.

Wagner asked about a loading dock. Feller-No loading dock, delivery trucks will just pull up.

Ohns asked for more information regarding outside use.

Brad Wotring was sworn in. Commented on the fact that he and his wife were originally looking for space to hold square dancing for church members. This interest morphed into a desire to own a reception hall. Wotring stated that there might be occasion where they marry interested individuals outside the hall and have the reception inside.

Downey commented on need for more parking.

Plocek asked about employees. Wotring stated that parking attendants and Mr. and Mrs. Wotring will be coming from on site. Plocek questioned the number of caterers, DJs, etc. Feller-Maybe 10 or 15 extra people.

Ohns stated spring recreational fishing events for River Road and commented on parking, traffic.

Feller confirmed that the county's conditions state hours of operation – Sunday through Thursday 9-9; music stopping by 8; Friday through Saturday restriction 9-12, music to stop by 11 (6:03 pm). Those conditions will be abided by, per Feller.

Brigham asked if neighbors were involved in pre-planning or any neighborhood discussions. Outreach to neighbors was not specifically confirmed.

Brigham asked about septic. Feller stated that it will be designed by a professional.

Ohns-Commented on flooding and ice damming in and near that area. Ohns further questioned the need to protect natural resource from contamination of septic in an area that is known for having issues? Feller-Health Department has specifics; will be designed. Feller stated that the diagram before the board with placement of the septic system is a concept drawing; may not be in that location.

Due to Brigham's question of neighbor outreach and in general, attendees stating that they were not notified, Lemle clarified township notices going to abutting properties and commented on on-site property signs that were very visible. A Board member noted that Brigham's question had more to do with the applicant's outreach to his own neighbors.

Plocek asked about length of residency and awareness of flooding. Wotring commented on current residency in Maumee; the subject parcel is a recent purchase. The previous owner had built up the area. The house is in the midst of renovations.

Lemle called for those desiring to give testimony on behalf of project to come forward. No one came forward.

Lemle called for those opposed to the proposed request and desiring to give testimony make themselves known. Several indicated a desire.

Kelly Kohler, 5669 N. River Road, Nurse Practitioner with ENT practice (Ear-Nose-Throat) and stated her professional familiarity with noise issues. Commented on people coming into the community with no vested interest; concerned about drinking, noise at any time of the day, no potential gain to the community; concerned about curve on Jerome Road; concerned about the decibel examples given earlier - unrealistic. Monclova Township noise restrictions will not be able to be adhered to. Gave examples of others she spoke with near banquets facility and noise. Stated that cars will be parked on road and enforcement officers will not be around.

Kohler cited 8.1 and 8.2 of the Monclova Township Zoning Resolution.

Barry Savage, 6512 Anthony Drive, lives above proposed project; off of Jerome Road. Long term residents of this area (6:18 pm). There is no commercial use on North River Road except approval of Johns Manville in 1950 and county government. Savage stated that the same philosophy is adhered to on Perrysburg side of Maumee River. Savage stated his belief that this use conflicts with harmonious use of neighborhood; not conducive to Metropark environment. Banquet barn not justified. Jerome Road is not classified for such use. Narrow road, not conducive to fast moving traffic. More wear and tear on roadway, which was not designed for commercial traffic.

Pat Lynch, 5677 North River Road (6:22 pm). Lynch quoted from Zoning Resolution regarding the purpose of Conditional Use permit, 8.1, uses necessary for the good of the public. She stated her belief that “necessary” and “good of the public” are the standards to be used. 37 banquet facilities within a 10 mile radius. Not necessary. There has been no showing of necessity. Lynch questioned if it would be for the township good.

Ron Blaser, 6523 Anthony Drive, commented on vague proposal, people staffing event will use the 32 parking spots designated on drawing.

Phillip Mendel, 5709 North River Road, stated that he lives four houses from Jerome-River Road intersection. Spoke of safety for runners, bicyclist in area. Two blind turns (6:28 pm). Johns Manville three shifts per day travel this road. When road was built, area was sparsely populated. If built, suggested township widen and add bicycle path.

Tim Kohler, 5669 North River Road, commented on range of uses and uncertainly. Non-peak hours use is not guaranteed. Owners just bought this property, application would fundamentally change the character of the neighborhood.

Rich Mariea, 6501 Fallen Timbers Lane, stated that plans are vague; he personally runs on River Road and feels there is not enough room on the roadway.

Sharon Cowan, 6532 Anthony Drive, commented on vague language, commented on subjectiveness of applicant and agent’s testimony. 32 parking spots will not be enough. Customers will be parking on roadway. Cowan stated that when the river crested last year, it affected the subject property. In park setting, not business.

As there were no further testimony to be had, Lemle called for the closing of the public comment section of the hearing. Ohns moved to close the public comment section of meeting; seconded Plocek.

Yes: Board Member Lemle, Board Member Plocek, Board Member Brigham, Board Member Downey, and Board Member Ohns

Lemle stated that the Board will move into Executive Session to deliberate.

The Board of Zoning Appeals returned from Executive Session at approximately 7:10 pm.

Lemle stated that the hearing will continue until January 24<sup>th</sup> at 5:30 pm.

**Adjournment:**

**MOTION:** Plocek moved to adjourn at approximately 7:15 pm.

SECOND: Brigham

Yes: Lemle, Plocek, Brigham, Downey, and Ohns

Motion unanimously passed.

Respectfully Submitted:

Kathleen Stewart Kuns

Recording Secretary

Accepted by:

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Karen Lemle

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Dan Downey

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Lois A. Brigham

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Melva Plocek

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Diane H. Ohns

Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at [monclovatwp.org](http://monclovatwp.org) during that same calendar year. Also on file in the Office of the Fiscal Officer in accordance with the township's Records Retention Schedule.