

Monclova Township Board of Zoning Appeals

Summary for March 13, 2017

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

Roll Call:

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

Staff Members Present: Zoning Administrator Eric Wagner, Deputy Chief Mike George, Law Director Dawn Sanderson, and Recording Secretary Kathleen Stewart Kuns

Record of Proceedings:

MOTION: Brigham moved to approve the February 13, 2017 minutes as submitted by the Recording Secretary.

SECOND: Ohns

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

Public Hearing:

This hearing is to consider a variance to Section 4.2(D) of the Zoning Resolution. The applicant is requesting a variance of 80 feet from the required 100 feet of frontage for five lots at 4236 Albon Road.

Chair noted that the applicant is Henry Heuerman, Executor; and the agent is Matt Gruber of Total Ground Solutions

Eric Wagner gave a summary of the request. 12 lots in total for this project, the five lots for which this hearing is relevant are towards the back of the parcel, ranging from 4.7 acres to 7 acres in size. Lots in rear would be accessed through Albon Road.

Chair called for applicant or agent to come forward. Matt Gruber of 1953 Horseshoe Bend Drive was sworn in. Gruber stated that the cul de sac's 55 foot turning radius was designed to handle the Fire Department requirements. He made himself available for questions.

Deputy Chief highlighted comments in his March 9th letter, including that if applicant received approval fire hydrant(s) will be private.

Ohns inquired as to the differences in the original submitted layout and the updated one, which was received by the Board today. Gruber stated that more details were added in response to Monclova Township Fire Department letter; also added utility easement.

Brigham confirmed that application meets all other township and county requirements other than frontage.

Chair called for those opposed.

Herman Gase, 8502 Monclova Road, disapproved of granting the variance. Lives next to the subject property. Concerned about trespassers. Opposed as it sets a precedence.

Bob Kose, 4015 Albon Road, questions undue hardship standard. Sets a bad precedent. Concerned about other properties in area and gateway that approval would cause.

Wagner commented that consideration of a variance is unique to each case. He noted that the township has granted some frontage variances previously due to different roads, topography, etc.

Marv Sherman, 4458 Albon, asked about the five acre requirement. Wagner stated that in his fifteen year tenure with the township, there has not been a requirement of that size. Is not aware of any history for that requirement.

R.J. Lumbrezer, surveyor for the applicant, commented that county has requirements for lots that are split under five acres.

Plocek questioned future splitting of proposed lots to make additional subdivided lots.

Brain Gruber, 7949 Rock Ridge Drive, Monclova, stated that they are not looking to split additional lots from what is being proposed tonight. Would be willing to add that as a condition. They are creating large estate lots. If platted, could fit 100 lots. Their plan keeps character of area with estate lots. Outbuildings will be allowed.

Ron Romes, 4340 Albon Road, questioned setback for lots abutting Albon Road. Clarified which lots had what setback. Asked who would maintain private drive.

Gruber-Drive would be maintained by lots' association.

Jim Gase, 7964 Monclova Road, setback is 100 feet; should stay that way. Concerned about curve. Stated opposition.

Eric Noss, building homes at 4047 and 4057 Albon Road, previously asked for variance for shared drive with county access drive. County denied. Does not believe that county will allow this proposal.

Gruber stated that they met with Lucas County and has already been approved if variance is allowed at Board of Zoning Appeals level. Gruber stated that you end up with less drives coming off of Albon Road with the presented design. Gruber noted that not only will the five lots in the back use the shared drive, but the lots to the north and south of the drive will use the shared drive and not have driveways directly off of Albon Road.

Bob Kose spoke again (5:57 pm), asking why have frontage requirements at all. Wagner addressed the concern by stating that frontage variance are granted occasionally due to unique situations.

R. J. Lumbrezer stated that drive will be utility and drive access easement. Not one rule or law that can guide everything. Sometimes zoning acts more as a guideline, which allows for variances.

Ballmer-5 20 ft parcels will be combined, in essence private roadway, drainage, and easement. Have you thought of platting?

Gruber-Not opposed, but county stated that since the lots are over 5 acres, they do not require it.

Ballmer stated that platting would make some things easier.

Brigham-Developments with ditch require some creative thinking.

Mary Moser, 4142 Albon Road, stated that she is the owner of the house on the bend. Moser received confirmation that there will be bridges to manage access to the parcels affected by the ditch. Received confirmation that there will be deed restrictions. No hogs or farm animals. May allow horses. Moser stated that she would not be opposed to horses but would be for other farm animals. Commented on dangerous visibility on curve. Moser recognized that they could have put more houses on the parcel.

Lisa Eisenberg, 4310 Albon Road, asked about pipeline easement. Lumbrezer noted that the gas easement is adjacent to this subject parcel. There are no issues with building on southerly lot due to gas easement.

Chair noted that at this time they would recess and go to Executive Session.

Having returned from Executive Session, chair called for a motion from the members.

Plocek moved and Brigham seconded the motion to approve the request as submitted.

Ohns stated that per 16.2(c) of the Zoning Resolution, this property has unique feature in regards to the ditch and in addition to that, granting this request continues the philosophy of the Land Use Plan by maintaining the rural character of this area with less density.

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

Adjournment:

MOTION: Brigham moved to adjourn.

SECOND: Plocek

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

Motion unanimously passed.

Respectfully Submitted:

Kathleen Stewart Kuns

Recording Secretary

Accepted by:

Dan Downey

Melva Plocek

Lois A. Brigham

Diane H. Ohns

Jeffrey Ballmer

Roll calls taken in random order. Official minutes will display signatures. This meeting was electronically recorded. Audio is available at 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.