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Monclova Township Board of Zoning Appeals

Summary for July 25, 2023

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

Roll Call:

Present: Board Member Stanton, Board Member Limes, Board Member Ballmer, Board Member Ross, Board Member Stewart

Staff Members Present: Zoning Administrator Eric Wagner, Support Staff Kathleen Stewart Kuns

Record of Proceedings:

MOTION: Stanton moved to approve the July 11, 2023 minutes as submitted by Recording Secretary.

SECOND: Ballmer

Yes: Board Member Stanton, Board Member Limes, Board Member Ballmer, Board Member, Board Member Ross, Board Member Stewart

Public Hearing:

Chairman Stanton noted the meeting is a result of a continuance of a July 11th hearing requesting a Conditional Use to operate Bed and Breakfast per Section 4.2C of the Monclova Township Zoning Resolution; Site: 5931 River Road; Applicant: Christopher and Melissa Burns

Chair reminded all that the portion of the hearing that accepts public testimony was closed at the July 11th hearing.

Chair offered the floor to ZA Wagner. Available for questions.

The Board spoke with Captain Scott Bockelman, Monclova Township’s Fire Prevention Officer. Bockelman performed a site visit; submitted revised opinion with comments in letter dated July 17th.

Any new information from public that needs to be discussed.

Stanton stated that one item that was of concern was the Conditional Use being applied beyond the ownership of property; concern after transmittal of property. Stanton reminded that Burns’ that they were still under oath and invited an individual to come forward.

James Valtin, 7367 Coder, Monclova, was placed under oath and stated that he represents the owners of the property. He reached out to Monclova Township Law Director Dawn Sanderson. The Burns are volunteering that the permit would only apply to them. If the property is sold or transferred the Conditional Use permit would not transfer. Valtin suggested that this may address a particular concern regarding what happens down the road.

At approximately 4:40 PM Stanton asked if there were further questions from the Board. No one indicated any lingering questions. Having no other business to attend to, Stanton moved to recess into private deliberation to consider the request. Ballmer seconded.

Yes: Board Member Stanton, Board Member Limes, Board Member Ballmer, Board Member, Board Member Ross, Board Member Stewart

1 The Board returned from Executive Session at 4:52 PM. Stanton stated that General Session would
2 resume at this time.

3 Ballmer stated that the BZA members appreciated Captain Bockelmans's efforts with regard to lingering
4 questions and on-site inspection. Ballmer added that when looking at Zoning Resolution Section 8.2,
5 there is specific criteria need to be met.

- 6 1. Bed and Breakfast is allowed as conditional use is A/R Zoning. Ballmer stated that, in fact, it is
7 the only area that allows this type of operation.
- 8 2. Existing single family dwelling is in the area of nearly all single family dwellings
- 9 3. The proposal will not be hazardous or disturbing.
- 10 4. The property is served by public utilities; Lucas County Sheriff, Monclova Township Fire and
11 Rescue.
- 12 5. Proposed usage will not involve uses, activities, materials, equipment or operations that would be
13 detrimental by reason of excessive traffic, noise, smoke, fumes or odors.

14 Stewart moved to approve a Bed and Breakfast operation at 5931 River Road upon stipulations and
15 comments as follows:

- 16 1. Review and approval from Captain Scott Bockelman of Monclova Township Fire~Rescue, with
17 specific references in Bockelman's letter dated July 17, 2023; and from Charles McLaughlin of
18 Lucas County Building Regulations, including the installation of any of improvements to comply
19 with the Fire and Building Codes for this usage.
- 20 2. Letter from Molly Maguire of the Toledo-Lucas County Planning Commission dated 6-15-23.
- 21 3. There shall be no parking of vehicles within the right-of-way of River Road nor in the front yard
22 of the property. One additional parking space for each bedroom shall be provided near or
23 adjacent to the existing garage (Section 6.2).
- 24 4. Quiet time should be observed from 10:00 PM to 8:00 AM.
- 25 5. Any outdoor lighting shall not flood onto adjacent property.
- 26 6. At the request and agreement of the applicants, an additional term of this conditional use permit
27 shall be restricted to the current titled owners of the subject property and no future titled owners
28 of this property shall have any rights under the permit. Upon sale or transfer to a third party, the
29 conditional use permit shall automatically terminate.
- 30 7. Owners are subject to all other township zoning regulations.
- 31 8. The Conditional Use permit may be revoked if these conditions for approval are violated.
- 32 9. The Zoning Administrator is responsible for advising the BZA and Administrator of any
33 violations, and the Zoning Administrator may then recommend to the BZA that it revoke the
34 Conditional Use permit.
- 35 10. The applicant will abide by the townships lodging tax for the full 2023 tax year forward.

36 Seconded Stanton.

37 Yes: Board Member Stanton, Board Member Limes, Board Member Ballmer, Board Member Ross,
38 Board Member Stewart

39 At approximately 5:00 PM the meeting was adjourned.

40 Respectfully Submitted:

41 Kathleen Stewart Kuns, Recording Secretary

42 Accepted by:

1 _____
2 Doug Stanton, Chair

3 _____
4 Jeffrey Ballmer

5 _____
6 Keith Stewart

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

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