

Monclova Township Board of Zoning Appeals

Summary for September 30, 2024

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

Roll Call:

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

Absent: Board Member Limes has an excused absence.

Staff Members Present: Zoning Administrator Eric Wagner, Fire Chief Matt Homik, Law Director Dawn Sanderson, and Recording Secretary/Support Staff Kathleen Stewart Kuns

Record of Proceedings:

MOTION: Stewart moved to approve the September 9, 2024 minutes as submitted by the Recording Secretary.

SECOND: Ross

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

Public Hearing:

Public hearing to consider a variance to Section 12.4 C 1, 3, 5, & 6. Applicant is requesting a variance of Architectural Review requirements at 6606 Monclova Road for dome sports facility; Applicant: Ron DeLeeuw; Agent: Feller Finch.

Zoning Administrator Wagner gave a review of the case including his reasoning for denying an application because the inflatable structure does not meet the Monclova Township Zoning Resolution's Architectural Review requirements. Wagner added that the proposed pickleball facility will have an inflatable structure that is approximately 150 feet by 300 feet in area and would be 48' tall at the highest point. The inflatable structure is proposing to house 14 courts while the outdoor facility will have six pickleball courts. The applicant's proposal shows 126 parking spaces. Wagner noted that there is a future proposal for a 130 feet x 370 feet sports dome with three additional outdoor courts. Conceptual drawings were submitted.

The applicant, Ron DeLeeuw, 4800 Kilburn, Berkey Ohio came forward and was sworn in. Mr. DeLeeuw gave the following details: Looked at trends of pickleball. Looked at sports, food, and bar activity. Closer to home. Looked all over Lucas County. 8.5 acres allows for two facilities for inflatable domes. Domes provide many opportunities inside without other limitations like columns or beams. It is an economic choice. There are challenges for Anthony Wayne sports, sees opportunity for other activities. Applicant recognized that structure is outside guidelines. The second dome will be for volleyball, basketball and other sports. Spoke of third dome for student athletes for field sports like soccer and football. Use is fine, location is great, the fabric is not allowed. Local people investing. Can be done in 10 months. Will soften pallet of white dome with landscaping.

Sherry Hathaway, 4718 Violet Road, Toledo, spoke as a representative of the Lucas County Board of Developmental Disabilities, spoke on behalf of Lucas County Special Olympics. Hathaway stated that applicant is offering free space to Special Olympics to practice for their Olympics.

Ron Deleeuw spoke of Anthony Wayne Youth Foundation sports and their need for better amenities.

Deleeuw spoke of master plan (6:02 PM). Spoke of after school sports, walking trail, shuffleboard, bocce ball, fire pits, playground.

Jeannete Druschel, 4273 Crystal Ridge Drive, stated opposition, especially three domes. 6 AM to 10 PM at night. Spoke of activity noise, traffic, better place that does not have housing. Spoke of 48' tall. Inquired if a traffic study has been performed.

Chair gave en masse swearing.

Bill Burkett, 9413 Stitt Road, Monclova Township, noted that this area has economic development agreements. Three industrial facilities: Senator Group, Yarder Manufacturing, and Rolled Alloys and the value of industrial property. The importance to take advantage of industrial opportunity. Commercial use falls short of jobs opportunities versus industrial. Not what Triad Business Park was intended for the Township and the JEDZ partners.

Matt Yarder, 19750 Otsego Pike in Bowling Green, owner of Yarder Manufacturing in Monclova Township. Owners of additional land that applicant alludes to. Put a lot of money into their concept. Chose Monclova for the higher end scale of it. Senator Group that manufactures high end furniture, has nice showroom; Rolled Alloys and Dana, a great fit for business. Bringing jobs to area. High standard for architectural concepts is being abided by. Yarder requested others abide by same standard that the rest of the businesses are held to.

Patrick Burtch, 3218 Stonewall, also Vice-Chair of the Joint Economic Development Zone (JEDZ) for Monclova Township, Toledo, and Maumee partnership, came before the Board. Commented on the standards of Monclova Township. From Monclova Township Zoning Resolution, quoted building standards-brick and mortar buildings. Maumee rejected an inflatable dome by Fallen Timbers Mall. In Resolution, an appeal is granted for hardship only if all findings are made, per Section 16.2 in Monclova Township Zoning Resolution. Burtch spoke of unique physical circumstances and exceptional topography (6:14 PM). Restated that all must be met. Burtch quoted the five points in the Zoning Resolution that must be present in order to grant the variance. The unnecessary hardship is self-created. Created the need for the variance because of the purchase. Burtch commented that a variance should be granted that will represent the minimum variance possible, e.g. 3%. The request is an absolute variance; a 100% variance. He sees that as a detriment for Township Zoning control in the future, if this absolute variance is granted.

Burtch stated that he takes issue with the area that is being proposed. Zone purpose was for settling lawsuit. Share income tax revenue. Burtch noted jobs statistics for 16 acres for this type of use versus an industrial or higher commercial use. Millions of dollars in revenue. Stated that he is not representing Maumee, he lives in Monclova Township. Great concept but not in the JEDZ. Traffic etc. are besides the issue. Cost to taxpayers. Opportunity benefit lost. Yarder etc. far greater chance for tax benefit for emergency services. Higher and better use inside a joint economic zone. Request that variance be denied.

Chuck Hoecherl, 3153 Lexington Glen Blvd., stated that this is a permitted use, but dome request is outside the acceptable standards of the Township. There are architectural and aesthetic reasons for that. Hoecherl referenced dome in Rossford and displayed a picture for the Board's review, noting that the Amazon facility is dwarfed by the dome. Hoecherl stated that he plays pickleball, understands demand. Great concept, not a great building.

Katie Varga, 7940 Iron Horse, owner of nearby self-storage facility on Technology Drive came forward. Supports health and wellness, but that aside, paddle dome should have the same

architectural requirement and requirements to follow as all the businesses in the area, including hers. Dome style business does not fit in this area.

Chair asked for those in favor.

Lynn Cox, 7522 Royal Timbers, came forward. Cox stated need and noted Facebook support.

Brenda Kerr, 6641 West Meadows Lane, came forward. Stated that Kime does a great job with landscaping. Community will benefit.

Michelle Hills, 4743 Carriage Crossing in Sylvania Township. Spoke of volleyball clubs using this facility.

Jacob Barnes, 4029 Secluded Ravine Court, came forward. Spoke in favor on behalf of AW Regional Commerce. In favor of this project.

Karen Cremark, 4942 Catawba Drive, instructor for pickleball, in support of project.

Ron DeLeeuw spoke again. Recognize those who are concerned about traffic, spoke of north/south traffic. Creates something for the residents to do. Commented on outside storage related to the self-storage unit. 8.5 acres – not that big compared to 45 acres for Rolled Alloys.

The Board members moved to close public comment portion and to enter into deliberations for the purposes of considering the case. Unanimous. Board of Zoning Appeals adjourned into deliberations.

Stewart moved to re-enter General Session. Motion was seconded by Ross.

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

The Board asked applicant questions.

Applicant spoke of creating 30 jobs with all three phases - 12 acres. Payroll dollars serves the budget of jurisdiction. This is giving people something to do. Spoke of willingness to reduce height of dome. Believes it will breathe life into Maumee's Fallen Timbers Mall.

Ross-What is benchmark to meet phase 2 and 3?

DeLeeuw-Will begin ASAP. Just asking for a building material change. Will still be conforming to all other requirements. Can begin next fall. Estimated dome would take 10 months whereas a traditional building style could take 12.

Ross-What is income level or target in order to move forward to phase 2? DeLeeuw stated that he will be told by bank. Pouring cement slab and erecting structure. Will be looking for investors for phase 2. 8.5 acre parcel. Will inquire about four acres for sale. Theoretically, can do smaller dome. Just pickleball and nothing else.

Burtch inquired how Appeals Board would handle future requests for same building material.

Per Stanton inquiry, DeLeeuw commented on pickleball membership levels.

DeLeeuw commented that the project might not bring in tax dollars, but good for schools. Bringing revenue and bringing people into community. Indirect help with tax base.

Ballmer-Noted that applicant mentioned food and bar service in presentation and therefore Ballmer inquired about liquor license.

DeLeeuw-Full bar and restaurant; 44 seats with a second story mezzanine that seats 20. Planning on liquor license but has not applied.

Stanton received confirmation of 14 courts. Could rent out for other activities.

Stewart received confirmation-7 days per week operation.

Ballmer asked about business address being stipulated as Monclova Road. DeLeeuw was amenable to that, but he has multiple businesses and may use a different address.

Ballmer asked about projection of net business income and annual payroll. Ron believes pickleball salary is \$275,000 per year for four acres of land for the 1.5% of payroll tax.

Burtch-Would pay less than homeowner pays (7 PM). Hoecherl – benefit for township would equate to \$1,375 dollars annually. Not what JEDZ is intended for. Not that this isn't a good development, but not in the right location.

Nancy Kime 4410 Northmoor Rd., was sworn in and stated that she is the architect for the proposed project. Kime reminded all that the request before the Board is for the surface of the building. It is different than what is listed as acceptable in the Zoning Resolution. Applicant is coming before BZA to build with material that is not on the list. Air inflated structure is being asked for. Tax money conversation aside, they are asking for a different material. Could construct a metal-sided building. Want to do something different.

As there was no further testimony, Stewart moved to close that portion of the hearing that accepts public testimony (7:08 PM); seconded by Ross.

Ballmer looked to Fire Chief Homik to express thanks to Monclova Township Fire Department's Scott Bockelman for recommendations from letter dated September 12, 2024.

Ballmer stated the following Finding of Facts:

Existing zoning for this parcel is C2- General Commercial District and lies within a Joint Economic Development Zone (JEDZ).

Sports Fields, Indoor/outdoor is a permitted use along with 44 other permitted uses and 12 Conditional Uses.

Applicant is requesting a variance of Section 12.4C -The following standards shall apply to all building facades and exterior walls and represent the basic desires of the review procedure. Ballmer noted that this is a great project, but we are not here for the project. The hearing is to determine a variance for the project.

Section 12 Architectural Review Requirements

12.4 C1: Ground floor facades that face the main access street shall have arcades, display windows, and entry areas. Awnings or other such features along no less than 50% of their horizontal length. Large expanses of blank walls are to be avoided.

Building and entrance is on the east side of the proposed structure and not facing the main access street.

Structure is inflatable and has a smooth surface not fitting the above requirement.

12.4 C3: It is recommended that predominant exterior building materials, 60% or greater of the exterior surface, should be encouraged include the following: Brick, wood, natural and faux stone, tinted and/or textured concrete block or tilt-up masonry panels, fiber cement siding, Dry-vit or similar stucco product, simulated natural material for stone, wood, and glass.

Proposed structure is inflatable and has none of the above.

12.4 CS: The use of high-intensity colors, metallic colors, blacks or fluorescent colors are discouraged. Building trim and accent colors may feature bright colors, including primary colors. It is recommended that colors and architectural features be selected that complement neighboring or district buildings.

Bright colors are proposed for the outdoor courts which will be on ground level while the proposed inflatable dome will be white, specifically named "lucent white" and light gray striped.

12.4 CS: Each principle building on the site shall have a clearly defined, highly visible customer entrance and should feature at least three design elements including but not

limited to the following: Arches, arcades, architectural features such as tile work and moldings which are integrated into the building structure and design, canopies or porticos, display windows, integral planters or wing walls that incorporate landscaped areas and/or places for sitting, outdoor patios, overhangs, peaked roof forms, raised cornice parapets over the door, recesses/projections.

Seating is proposed for the outdoor courts. Entrance is defined. Proposed structure is inflatable and does not incorporate any of the above feature.

Ballmer stated that Dr. Burtch referred to the five requirements in 16.2C. The applicant did not meet any of the five criteria. Ballmer stated that we are beholden to the Zoning Resolution.

Ballmer moved to deny the variance.

Seconded by Stanton.

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

Adjournment:

MOTION: Stewart moved to adjourn.

SECOND: Ross

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

Respectfully Submitted:

Kathleen Stewart Kuns, Recording Secretary

Accepted by:

Keith Stewart

Michelle Hudson Ross

Doug Stanton

Jeff Ballmer

Darrel Limes

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.