

**MINUTES**

**CITY PLANNING COMMISSION**

**Thursday, October 9, 2008**

**Municipal Building Conference Room**

**MEMBERS PRESENT:** Mayor Sehnert  
Bruce Hardy  
Joe Opperman  
Thom Hershey  
Tom Joseph

**STAFF ATTENDING:** Matt Carpenter, Assistant Chief Engineer.  
Judy Scrimshaw, HRPC Staff  
Dave Hackenberg, Law Director  
Jim Holmes, Fire Prevention

**GUESTS:** 9

**CALL TO ORDER**

**ROLL CALL**

The following members were present:

Mayor Pete Sehnert  
Bruce Hardy, Service Director  
Joe Opperman  
Thom Hershey  
Tom Joseph

**SWEARING IN**

All those planning to give testimony were sworn in by the Clerk.

**APPROVAL OF MINUTES**

Thom Hershey moved to approve the minutes of the September 11, 2008 meeting. Joe Opperman seconded the motion. Motion carried 5-0.

**NEW ITEMS**

**HRPC**

1. **SITE PLAN APPLICATION #7394-SP filed by Blanchard Valley Regional Health Center for proposed medical offices to be located at 1721 Medical Blvd.**

**General Information**

The site is located on part of Lot 3 in the Lake Cascades Corporate Center. It is zoned as a PUD (Planned Unit Development). It is not located within a flood hazard area. The City of Findlay Land Use Plan designates the site as Office.

**Parcel History**

A medical office building is already located on the east half of original Lot 3. The lot was split in 2006.

**Staff Analysis**

The applicant is proposing a 16,400 square foot medical office building.

Setback requirements for the PUD are 35' for front yards and 0 lot lines for sides and rear if the abutting land is the same zoning. The building sits well within these boundaries.

Required parking for medical offices is based on one space per 150 square feet of floor area. 110 spaces are required for the 16,400 square foot building and the plan shows a total of 113 spaces.

No new access points are requested. Instead the site will share an existing drive from Medical Blvd. that was developed with the office building on the east part of Lot 3. When the site plan for the first office was approved, the plan showed this drive servicing both phases of development on the lot. The parking areas are connected as well.

A sign is proposed to be located at the corner of Western Avenue and Medical Boulevard. It is to be a low profile monument sign. It appears to be 15' off of the right of way line.

**ENGINEERING**

Access – The applicant is proposing to utilize an existing access point to Medical Boulevard, which will be shared with 1717 Medical Boulevard.

Water – The applicant is proposing to connect to an existing 8" water main, which is located on the west side of Western Avenue. The size of the proposed water service is

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not indicated. If the applicant is required to install sprinklers for fire suppression, a separate fire line and domestic service line must be extended to the existing 8" main.

Sanitary Sewer – The applicant is proposing to tap an existing 8" sanitary sewer at a manhole located near Medical Boulevard. This connection must be core-drilled into the existing manhole, per the City's specifications.

Stormwater Management – The applicant is proposing to modify an existing detention basin located on the site, which services 1717 Medical Boulevard. In addition, the applicant is proposing to install an underground detention system within the proposed parking lot to service this site. The calculations have been reviewed and appear accurate. In order to preserve the rights of the existing detention basin for 1717 Medical Boulevard and the storm sewer which conveys the flow to the basin, easements must be provided to Findlay Professional Offices, LLC, which is the owner of 1717 Medical Boulevard.

Sidewalks – Sidewalks currently exist along Western Avenue, but not along Medical Boulevard. As such, sidewalks should be installed along Medical Boulevard.

**FIRE PREVENTION**

- 1) A Knox Box will be required.
- 2) Fire prevention requires a set of prints showing life safety items.

**STAFF RECOMMENDATION**

Staff recommends approval of the site plan for Cascades Medical Office building subject to the following:

1. Separate fire and domestic water services be installed, if necessary.
2. Easements for storm sewer and detention basin serving 1717 Medical Boulevard be recorded and copies provided to the City Engineering Department.
3. Sidewalks shall be constructed along Medical Boulevard.
4. A Knox Box will be required.
5. Fire prevention requires a set of prints showing life safety items.

**ACTION**

Thom Hershey moved to approve Site Plan Application #7394-SP with the following five (5) conditions:

1. Separate fire and domestic water services be installed, if necessary.
2. Easements for storm sewer and detention basin serving 1717 Medical Boulevard be recorded and copies provided to the City Engineering Department.
3. Sidewalks shall be constructed along Medical Boulevard.
4. A Knox Box will be required.
5. Fire prevention requires a set of prints showing life safety items.

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Tom Joseph seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Joseph, aye; Mr. Opperman, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 5-0.

**2. APPLICATION FOR USES SUBJECT TO SPECIAL CONDITIONS #7393-SU  
filed by William Spitler for proposed home occupation to be located at 1150  
Brookside Drive.**

**General Information**

This request is located on the west side of Brookside Drive directly across from the intersection of Brookview Court. It is a 5.57 acre lot that runs along Eagle Creek. A portion of the land that is directly behind the homes that front on Blanchard Avenue is zoned B-Residential and the remainder is zoned A- Residential. The buildings are in the A- Residential portion and are located just outside of the flood hazard area. To the north of this property is zoned B-Residential, to the south, west and east is zoned A- Residential. The Land Use Plan designates the land as Floodway Lots.

**Parcel History**

The building that is being proposed for the business use was once the site of an old barn. It burned down and the owner replaced it with the current block garage building.

**Staff Analysis**

The applicant is proposing to conduct a business doing powder coating on metal out of a 5,000 square foot block garage located south of his home. He is requesting to be considered as a "Home Occupation".

In the City of Findlay Zoning Ordinance, the Home Occupation definition states "any use conducted entirely within a dwelling and participated in by a member of the family residing therein, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof;".

Mr. Spitler's residence is 1140 Brookside Drive (the home north of the garage building) therefore he is not conducting business out of the dwelling. It is the opinion of HRPC Staff that any home occupation should be "clearly incidental and secondary to the use of the dwelling for dwelling purposes..." In other words, a passerby would not even realize that any business was being conducted out of the home if it did not have any identifying signage. Courthouse records indicate the home to be 1588 square feet in size. Conducting business out of a building three times the size of the residence would hardly appear to be "incidental and secondary" to the use of the property as a residence.

**ENGINEERING**

The Engineering Department has no concerns with this application.

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**FIRE PREVENTION**

1) Wood County permits will be required.

**STAFF RECOMMENDATION**

HRPC Staff recommends denial of the application for a Special Use for a Home Occupation as the proposal does not meet the criteria in the Code.

**ACTION**

Thom Hershey moved to deny the application for Special Use for a Home Occupation #7393-SU because the proposed use does not fit the definition of a Home Occupation. Tom Joseph seconded the motion. Following is the roll call vote: Mr. Hershey, aye; Mr. Joseph, aye; Mr. Opperman, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 5-0.

**3. REQUEST FOR ZONING USE VARIANCE filed for 1230 Hurd Avenue.**

**General Information**

This home is located on the west side of Hurd Avenue roughly midway between Baldwin Avenue and Stadium Drive. It is zoned A-Residential and is not within a flood hazard area. All surrounding lots are also zoned A-Residential. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

**Parcel History**

According to a letter on file dated 1988 in the City Zoning office, it was purchased in 1955 by a Morrison family as a duplex. The current owners purchased the home in 1998 and have never used it as a duplex.

There is also a sanitary sewer permit in the file for a reconnect in 1996 for 1230 Hurd Avenue which refers to the property as a single unit.

**Staff Analysis**

The neighborhood is predominately single family in nature. The small (3 unit) apartment complex at the corner of Lima Avenue and Hurd Avenue (currently vacant) was zoned B-1 Local Business until it was changed in December, 2003 to B-Residential. B-1 zoning permitted multi-family uses. We could find a possible three (3) other properties that are duplexes now between Lima Avenue and Stadium Drive out of 49 dwelling units. This means that roughly 93% of the homes are now single family.

The 2007 City of Findlay Land Use Plan states that there are many nonconforming duplexes existing in single family zoned neighborhoods that may continue to be used, but once they are no longer used as such, they will lose their nonconforming status. The

Zoning Ordinance of the City states that a once “a nonconforming use has been discontinued for a period of at least two years, such nonconforming use shall not thereafter be reestablished, and the future use shall be in conformity....”

**ENGINEERING**

The Engineering Department has no concerns with this application.

**FIRE PREVENTION**

No concerns

**STAFF RECOMMENDATION**

Staff recommends that FCPC deny the request to return the property to a duplex.

**ACTION**

Joe Opperman recommended denial of the Zoning Variance request. Thom Hershey seconded the motion. Following is the roll call vote: Mr. Opperman, aye; Mr. Hershey, aye; Mr. Joseph, aye; Mr. Hardy, aye; Mayor Sehnert, aye. Motion carried 5-0.

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Pete Sehnert  
Mayor

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Bruce Hardy  
Service Director