

# **FINDLAY CITY PLANNING COMMISSION**



## **STAFF REPORT September 12, 2013**

### **CITY PLANNING COMMISSION MEMBERS**

**Mayor Lydia L. Mihalik, Chairman**  
**Service-Safety Director, Paul E. Schmelzer, P.E., P.S.**  
**Thom Hershey**  
**Joseph Opperman**  
**Dan Clinger**

**Matt Cordonnier, HRPC Director**  
**Judy Scrimshaw, HRPC Staff**  
**Matt Pickett, Fire Inspector**  
**Steven C. Wilson, P.E., P.S., Engineer**  
**Don Rasmussen, Law Director**

# City of Findlay City Planning Commission

Thursday, September 12, 2013 - 9:00 AM

## COMMENTS

### NEW ITEMS

1. **PETITION FOR ZONING AMENDMENT #ZA-08-2013** filed by Betty J Riley and Wasbro Rental Property, LLC to rezone 124-124 ½ Center Street, Findlay from R-3 Single Family Small Lot to M-1 Multiple Family.

### HRPC

#### **General Information**

This request is located on the north side of Center Street and is the second house east of the alley abutting Rite Aid. It is zoned R-3 Single Family Small Lot. All abutting lots are also zoned R-3. It is not located within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

#### **Parcel History**

The property is currently divided into two (2) dwelling units.

#### **Staff Analysis**

The applicants are requesting to change the property to M-1 Multiple Family in order to create a third dwelling unit in the structure.

HRPC Staff visited the site to see that adequate parking would be available for a three (3) unit dwelling. The Zoning code requires 2 off street parking spaces per dwelling unit. There is currently a 2 car garage at the rear of the lot and most of the back yard is paved. We concluded that there is room for 6 or 7 vehicles without anyone blocking in another vehicle on the premises.

This street currently has a single family designation and there are multiple duplex and triplex units existing here. As we analysis the land uses for zoning map amendments, there will probably be many other changes made in this neighborhood.

### ENGINEERING

None

### FIRE PREVENTION

None

### STAFF RECOMMENDATION

Staff recommends that FCPC recommend approval of **PETITION FOR ZONING AMENDMENT #ZA-08-2013** to rezone 124 – 124 ½ Center Street from R-3 Single Family

**Small Lot to M-1 Multiple Family.**

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#### Notes

ZONING AMENDMENT #ZA-08-2013  
REZONE FROM R-3 SINGLE FAMILY TO M-1 MULTIPLE  
FAMILY

**2. PETITION FOR ZONING AMENDMENT #ZA-09-2013** filed by Habitat for Humanity to rezone Lot 1 except the W 10 ft. and Lot 2 Block 17 Thorpe & Andrew's W Park Plat (1849 Payne Avenue), Lot 21 Block 15 Thorpe & Andrew's W Park Plat (1822 Payne Avenue), Lot 22 Block 15 Thorpe & Andrew's W Park Plat (1810 Payne Avenue), and Lots 23 & 24 Bock 15 Thorpe & Andrew's W Park Plat (1806 Payne Avenue), from R-2 Single Family Medium Lot to R3 Single Family Small Lot.

### **HRPC**

#### **General Information**

This project is located in the West Park Subdivision. All surrounding parcels are also zoned R-2 Single Family. It is not within the 100 year flood plain. The City of Findlay Land Use Plan designates the area as Single Family Small Lot.

#### **Parcel History**

All of the lots are currently vacant.

#### **Staff Analysis**

The majority of the lots in the West Park Subdivision were originally platted with a 49.5' lot frontage. This would automatically place them in the R-3 category as far as lot size standards. (R-2 has a minimum of 50' width)

The R-2 district also has a minimum living area of 1300 square feet. As a rule Habitat Homes normally don't exceed 1200 square feet of living area.

This subdivision is one of the areas that will likely be rezoned to R-3 as a whole.

### **ENGINEERING**

No comment

### **FIRE PREVENTION**

No comment

### **STAFF RECOMMENDATION**

Staff recommends that CPC recommend approval of **PETITION FOR ZONING AMENDMENT #ZA-09-2013** filed by Habitat for Humanity to rezone Lot 1 except the W 10 ft. and Lot 2 Block 17 Thorpe & Andrew's W Park Plat (1849 Payne Avenue), Lot 21 Block 15 Thorpe & Andrew's W Park Plat (1822 Payne Avenue), Lot 22 Block 15 Thorpe & Andrew's W Park Plat (1810 Payne Avenue), and Lots 23 & 24 Bock 15 Thorpe & Andrew's W Park Plat (1806 Payne Avenue), from R-2 Single Family Medium Lot to R3 Single Family Small Lot.

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### Hancock County GIS



#### Notes

ZONING AMENDMENT #ZA-09-2013  
REZONE FROM R-2 SINGLE FAMILY MEDIUM LOT TO  
R-3 SINGLE FAMILY SMALL LOT

**3. FINAL PLAT APPLICATION #FP-08-2013** filed by Country Club Acres, 655 Fox Run Road, Findlay for Woods at Hillcrest 8<sup>th</sup> Addition.

**HRPC**

**General Information**

This is a residential subdivision located in Section 35 of Allen Township. It is off the east side of CR 140 and bounded by existing Woods at Hillcrest on the east and older Hillcrest Additions to the south. Allen Township is not zoned. Land to the north east and west is all in Allen Township and therefore is not zoned. To the south which is Liberty Township, is zoned R-1 One Family and R-2 One Family. The City of Findlay Land Use Plan designates the area as Single Family Large Lot. The property is not located within the 100 year flood plain.

**Parcel History**

The latest Preliminary Plat for this area was approved by FCPC on June 13, 2013.

**Staff Analysis**

The applicant is proposing 39 lots in this phase. Scotch Pine Drive will be extended west to connect out to CR 140.

Because there is no zoning in Allen Township, there is not a minimum lot size or frontage requirement. All the lots appear to be consistent with the previous phases of the development in regard to size. All lots are intended for single family use.

There are potential issues with the choice of street names for each of the cul-de-sacs and the stub street to the north. The City and County have been trying to eliminate confusion with similar or identical street names in newer subdivisions. There is a Hickory Lane in Marion Township off of US 224. There is already a Whitetail Run in another addition of Woods at Hillcrest. There is an Indian Lake Drive in Forest Lake Subdivision. Therefore we want to see the names of Hickory Ridge Lane, Whitetail Court and Indian Trail Court changed to some more unique names.

**Staff Recommendation**

HRPC Staff recommends approval of **FINAL PLAT APPLICATION #FP-08-2013** for The Woods at Hillcrest 8<sup>th</sup> addition subject to approval of construction drawings by the Engineer and changing the names of Hickory Ridge Lane, Whitetail Court and Indian Trail Court.

**ENGINEERING**

**FIRE PREVENTION**

No Comment

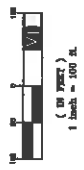
**STAFF RECOMMENDATION**

Staff recommends approval of **FINAL PLAT APPLICATION #FP-08-2013** for the Woods at Hillcrest 8<sup>th</sup> Addition subject to the following conditions:

- Change Hickory Ridge Lane, Whitetail Court and Indian Trail Court to more unique names.

# Final Subdivision Plat of THE WOODS AT HILLCREST 8th

BEING A PART OF THE SW 1/4 OF SECTION 35, T24N, R10E,  
ALLEN TOWNSHIP, COUNTY OF HANCOCK, STATE OF OHIO.  
22.785 ACRES



NOTE: All bearings are based on published Ohio North 3401 Zone State Plane Coordinate System.

CURVE #	LENGTH	RADIUS	BEARINGS	CHORD	DELTA
C1	100.17	260.00	S79°14'30"E	108.58	25°10'24"
C2	171.81	260.00	S81°14'30"E	175.57	4°00'48"
C3	73.86	150.00	S75°44'48"E	75.17	28°10'23"
C4	38.88	75.00	N18°24'27"E	38.84	8°46'39"
C5	12.00	75.00	N85°32'44"E	11.88	8°19'54"
C6	54.55	60.00	S41°19'04"W	52.69	52°05'14"
C7	41.83	60.00	S41°58'42"E	41.00	40°02'10"
C8	84.37	60.00	S77°22'20"E	52.53	81°14'00"
C9	41.80	60.00	N89°33'21"E	40.77	39°43'14"
C10	54.88	60.00	N100°44'27"E	52.89	37°43'18"
C11	22.74	60.00	N82°53'54"W	22.61	2°14'32"
C12	50.38	75.00	S18°17'00"E	50.00	38°28'33"
C13	114.44	225.00	N74°05'11"W	110.25	30°10'33"
C14	78.81	180.00	N69°02'00"W	78.80	15°38'00"
C15	71.18	180.00	N75°53'51"E	70.59	24°34'00"
C16	14.00	180.00	N32°44'48"E	14.00	4°27'23"

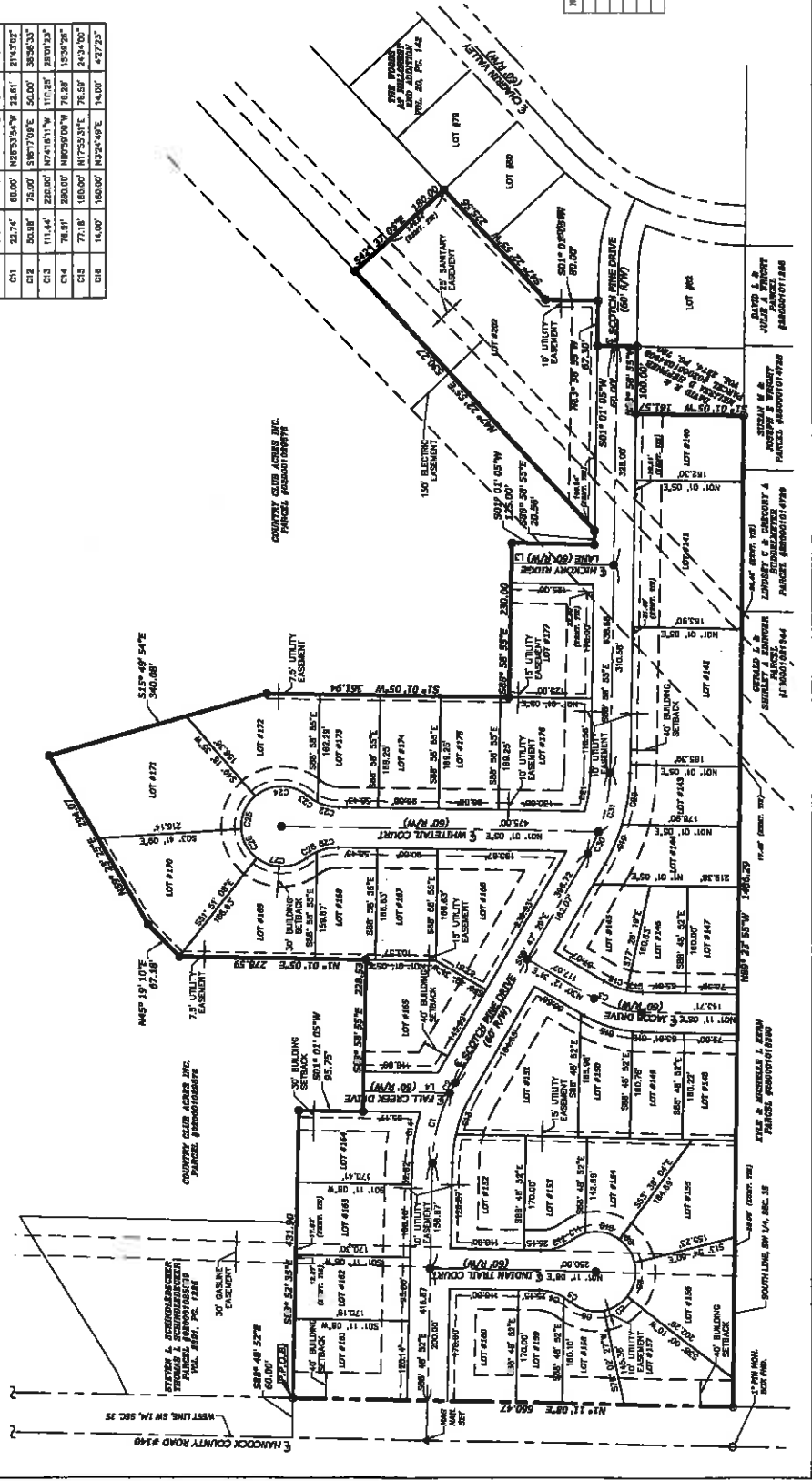
CURVE #	LENGTH	RADIUS	BEARINGS	CHORD	DELTA
C17	23.81	180.00	N52°24'24"E	23.79	1°12'23"
C18	34.88	180.00	N41°33'00"E	34.81	1°29'00"
C19	84.53	280.00	S82°25'00"E	84.28	1°31'00"
C20	78.22	280.00	S89°45'42"E	77.87	1°00'24"
C21	59.40	280.00	S81°44'10"E	59.22	1°12'00"
C22	32.84	75.00	S12°27'48"W	32.33	2°13'28"
C23	18.39	75.00	S82°30'05"W	18.35	1°03'00"
C24	84.48	60.00	N07°13'38"E	77.88	80°38'00"
C25	50.50	60.00	N87°13'17"W	51.04	52°38'44"
C26	56.44	60.00	S82°13'52"W	48.87	48°11'00"
C27	78.86	60.00	S09°42'42"W	73.94	78°24'19"
C28	18.39	75.00	N20°25'34"W	18.35	1°03'00"
C29	38.98	75.00	N12°35'06"W	38.33	2°45'28"
C30	38.72	280.00	S81°38'04"E	38.88	2°14'54"
C31	88.65	280.00	S78°35'38"E	89.18	2°04'31"

LINE #	BEARINGS	LENGTH
L1	S30°12'24"W	6.47
L2	S80°58'50"E	12.79
L3	N1°10'10"E	188.00
L4	N1°10'10"E	188.31

DATE: AUGUST 15, 2013  
PREPARED FOR:  
OWNER/DEVELOPER:  
COUNTRY CLUB ACRES, INC.  
655 FOX RUN ROAD-SUITE B  
FINDLAY, OH 45840

NO.	REVISION	BY	DATE

VAN HORN HOOPER  
& ASSOCIATES, INC.  
SURVEYING & ENGINEERING  
P.O. BOX 612  
FINDLAY, OHIO 45839  
EMAIL: info@vanhornhooper.com  
PHONE: (419) 423-5630





4. **FINAL PLAT APPLICATION #FP-09-2013** filed by Country Club Acres, 655 Fox Run Road, Findlay for Southridge Estates 3<sup>rd</sup> Addition.

**HRPC**

**General Information**

This plat is located along the north side of TR 145 and west of Goldenrod Lane. The land is zoned R-1 Single Family Low Density Residential. The properties to the north and east are also zoned R-1. The property to the south is zoned R-3 Single Family High Density. To the west is zoned R-1 One Family in Liberty Township. The City Land Use Plan designates the land as Single Family Large Lot. The site is not located within the 100 year flood plain.

**Parcel History**

The latest Preliminary Plat for this subdivision was approved by FCPC on June 13, 2013.

**Staff Analysis**

This phase of the subdivision will extend Katarina Court west and add a cul-de-sac (Viburnum Court) going south. It will contain 17 new lots.

When the Preliminary Plat was submitted, Lot 94 did not meet the required frontage width of 65'. This has been corrected on the Final Plat.

**ENGINEERING**

None

**FIRE PREVENTION**

None

**STAFF RECOMMENDATION**

Staff recommends approval of **FINAL PLAT APPLICATION #FP-09-2013** for Southridge Estates 3<sup>rd</sup> Addition.



## **5. AMENDMENTS TO THE CITY OF FINDLAY ZONING CODE**

HRPC Staff and Zoning Inspector Todd Richard have been reviewing the zoning code over the last several months. We had actually started the process more than a year ago and had submitted a lengthy list of proposed changes nearly a year ago, but CPC has never taken the time to begin the review process. We are currently proposing a more limited list of changes for your review.

With the prospect of several downtown area buildings coming down in the very near future, one of our main concerns at this time is developing guidelines for the construction of downtown parking lots.

The Electronic Message Centers are beginning to proliferate around town. There was some confusion in the wording that allowed Todd to issue permits for larger signs than we had intended. We are correcting that language in hopes of getting the size control we had envisioned.

Other minor matters that Todd has had recurring issues with in the new code are also included for review.

Included in your Planning Commission are the pages with text to be removed struck through and new text in red.

**A. PERIMETER LANDSCAPING**

Parking lots with frontage on Main Street shall have the following perimeter screening:

**1. Buffer**

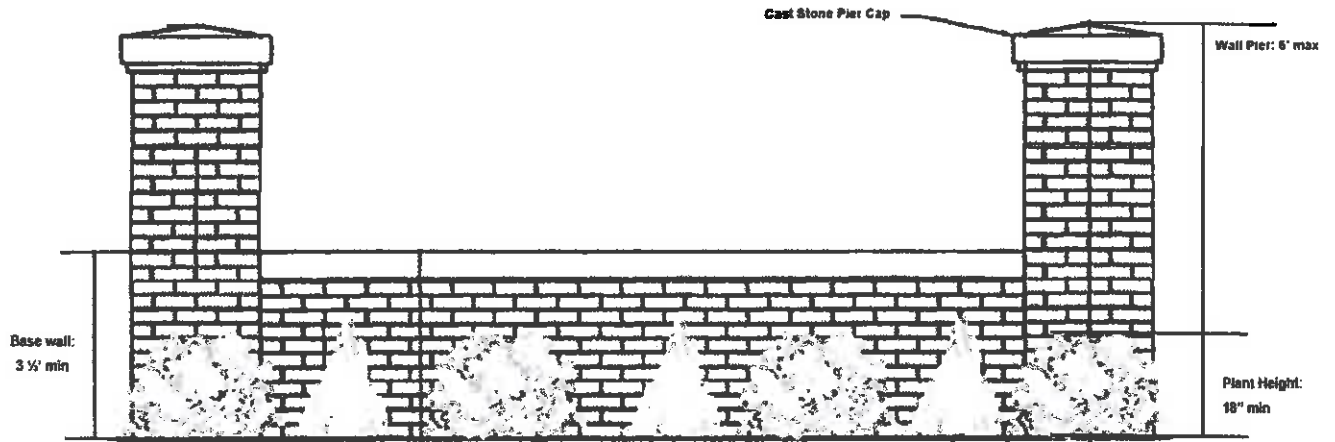
Parking lots with frontage on Main Street shall have a minimum five (5) feet wide buffer area for landscaping and decorative wall for screening. The landscaping shall be placed between the wall and the lot line. Corner clearance standards do not apply to this section. If the parking lot has street frontage on multiple streets including Main Street, it will be required to continue a masonry wall on the secondary street until it intersects with a public right of way such as a street or alleyway or a 200' whichever is less. The remainder of the frontage must be screened by landscaping.

**2. Shrubs**

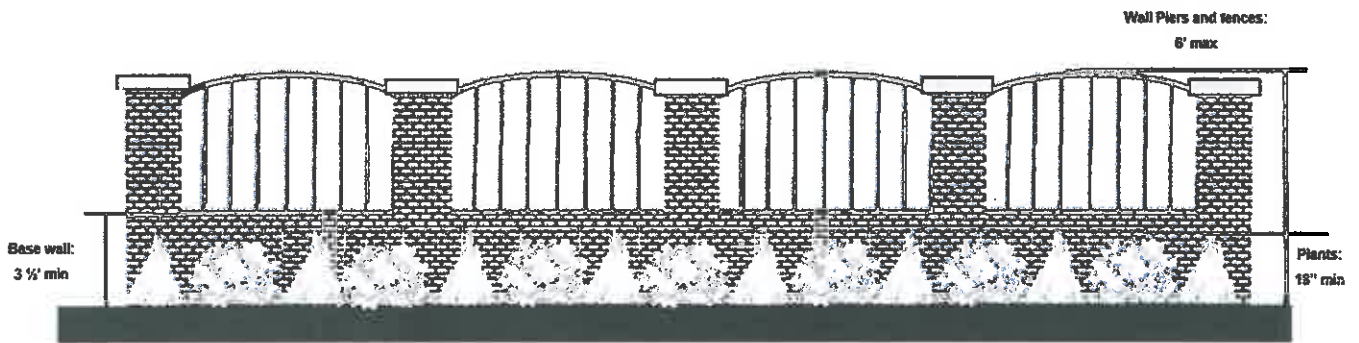
Shrubs shall be planted at a minimum ratio of one (1) shrub per five (5) lineal feet on the street frontage. The minimum size of plantings shall be eighteen (18) inches in height. A minimum of fifty percent (50%) of the shrubs shall be evergreen. Shrubs shall be located between the wall and lot line.

**3. Walls & Fences**

A decorative wall or wall-fence combination that is a minimum of three and a half (3 ½) feet in height and no more than 6 feet in height must be installed within the buffer area. The wall must not be blank and monotonous in appearance and must incorporate decorative patterns or architectural elements such as piers, pilasters or breaks in the wall. Walls must be at least 50% masonry. Smooth faced blocks, wire or chain link fencing, painted or stained wood screens and unpatterned or unpainted concrete or concrete blocks shall not be permitted. Decorative name plates and channel lettering encompassing no more than eight (8) square feet in size are permitted on wall space to identify the lot. Chapter 1161.03 (fencing) for applicable requirements.



*Figure 1161.4.1: Example of decorative wall and shrub line*



*Figure 1161.4.2: A second example of decorative wall and shrub line*

Parking lots within C-3 District without frontage on Main Street, shall have the following perimeter screenings:

1. Screening

Parking lots shall be screened from streets using either plant materials or decorative wall. Parking lots directly adjacent to residential lots shall use opaque fencing or masonry walls for screening.

2. Shrubs

Shrubs shall be planted at a minimum ratio of one (1) shrub per seven (7) lineal feet around the perimeter. Minimum size at planting shall be twenty-four (24) inches in height. A minimum of fifty percent (50%) of the shrubs shall be evergreen.

3. Walls

A masonry wall may be used in lieu of shrubs. See Chapter 1161.03 (fencing) for applicable requirements.

**B. SCREENING**

Parking lots with frontage on Main Street are required to have a five foot wide buffer that includes a low profile masonry wall and landscaping. Surface parking lots with frontage on streets other than Main Street must include a landscape buffer. See Chapter 1161.4 Landscaping for C-3.

**C. ACCESS**

Parking lots with frontage on Main Street are required to have ingress/egress onto secondary streets or alleyways. Curb cuts onto Main Street are prohibited.

Industrial and I2 General Industrial Districts and shall not be permitted in any other zoning district, or overlay district.

**B. SIZE**

Electronic Message Centers shall not exceed twenty-five percent (25%) of the total **approved** sign area. ~~permitted on the site.~~

**1161.12.14 ROOF SIGNS**

For the purposes of this Ordinance, roof signs shall be considered as attached signs when determining the allowable square foot area and total square foot area of all permitted signs.

**1. Height**

Roof signs cannot exceed the maximum building height allowable per district.

**2. Erection**

Requirements for erection of a roof sign are as follows:

- a. No roof sign shall be erected or maintained with the face thereof nearer than five (5) feet to the outside wall toward which the sign faces; however, if the sign is less than twenty (20) square feet, it shall not be erected with the face thereof nearer than one (1) foot to the outside wall toward which the sign faces.
- b. Every roof sign shall be thoroughly secured to the building by iron, or other metal anchors, bolts, supports, rods, or braces. When erected upon buildings that are not constructed of entirely fireproof material, the bearing plates of said sign shall bear directly upon masonry walls and intermediate steel columns in the building. No roof sign shall be supported or anchored to the wooden framework of a building.

**1161.12.15 SUBDIVISION ENTRYWAY SIGNAGE**

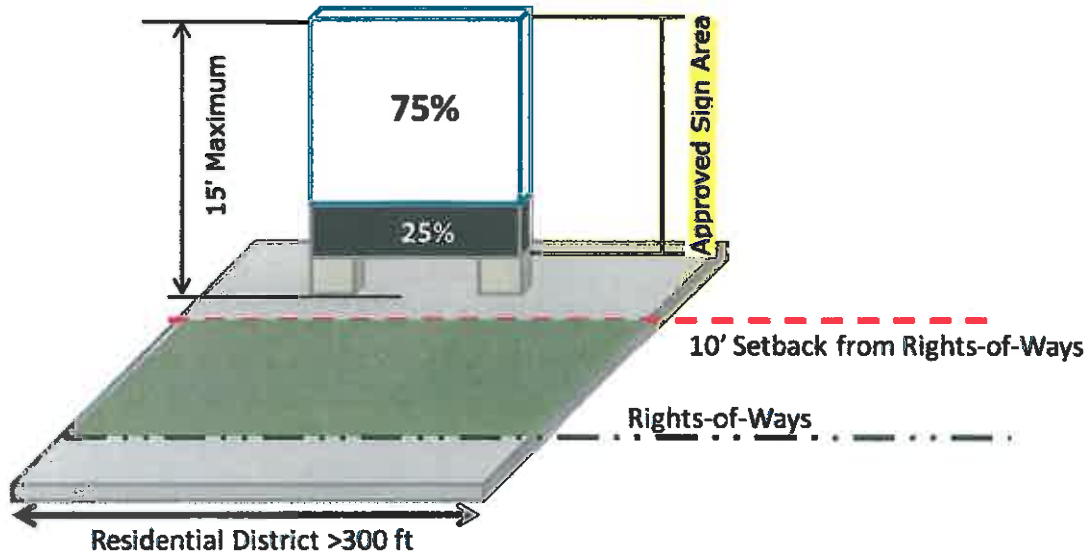
Entrances to residential, commercial or industrial subdivisions may be identified by monument signage. Such signage shall not encroach into the requirements per Chapter 1163.11 Corner Vision Clearance Standards. The sign area shall not exceed seventy (70) square feet in sign area. Signage shall be allowed on both sides of the major entry ways into the subdivision, each being no larger than seventy (70) square feet in sign area.



The following requirements shall prevail over Electronic Message Centers, as defined:

**A. LOCATION**

1. Shall only be placed on conforming accessory signs, or on Interstate High-Rise Signs, where permitted and as defined.
2. Shall not be permitted on any wall or fence.



**ELECTRONIC MESSAGE BOARD**

C-1, C-2, I-1, I-2 & University Overlay

3. If an Electronic Message Center is erected as part of any freestanding conforming accessory sign, the overall height of the sign structure shall not exceed fifteen feet (15'). Clearance requirements on corner lots shall still apply.
4. Interstate High Rise Signs are exempt from 1161.12.13 (A) (3) and are subject to requirements set forth in 1161.12.11 Interstate High Rise Signs.
5. Electronic Message Centers shall be at least 300 feet from any residential district.
6. Electronic Message Centers shall only be permitted in the C1-Local Business, C2-General Business, University Overlay Districts, I-1- Light





## R-3

### 1123.05 REQUIRED BUILDING SETBACKS

#### A. FRONT YARD SETBACK

Major & secondary thoroughfares: fifteen feet (15')

All other streets: ten feet (10')

#### B. SIDE YARD SETBACK

Three feet (3')

#### C. STREET SIDE YARD SETBACK

Ten feet (10')

#### D. REAR YARD SETBACK

~~Thirty feet (30')~~ Fifteen percent (15%) of the lot depth or thirty (30) feet, whichever is less.

#### E. AVERAGE FRONT YARD SETBACK

Available for use on lots not able to comply with requirements herein, **yet not to have less than a five foot (5') front yard setback.** See CHAPTER 1174 DEFINITIONS.

#### F. OVERHANGS

Overhangs may not encroach into any setbacks by more than two (2) feet.

### 1123.06 LOT REQUIREMENTS

#### A. MINIMUM REQUIRED LOT SIZE

The minimum lot size is 3,500 square feet.

#### B. MINIMUM REQUIRED LOT FRONTAGE

Thirty five feet (35')

#### C. MAXIMUM PERCENT OF LOT COVERAGE

##### 1. Maximum:

No lot shall exceed 50% in coverage for all roofed structures

##### 2. Exceptions include:

One accessory building containing fifty (50) square feet or less per site.

*Example 1: A lot in an R-3 District has 55% lot coverage. The residents are still able to erect an accessory building of 100 square feet. These are typically the kit sheds available at any home improvement store. The shed will still require a zoning permit.*

*Example 2: A lot in an R-3 District is 5,000 square feet and has 40% lot coverage (2000 sq. ft). It does not have a garage and owner would like to construct a 600 square foot garage. The owner is limited to 550 square feet before reaching the 50% maximum (2,500 sq. ft). Can the application for*

characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

**A. PROPORTION OF NONCONFORMITY**

A non-conforming structure may be enlarged or altered provided the new construction complies with the requirements of this Ordinance.

*Example: new work may not increase the non-conformity, such as encroachment into the setbacks.*

**B. NON-REPLACEMENT OF NONCONFORMITY**

Should such structure be destroyed by any means to an extent of more than seventy-five percent (75%) of its actual cash value, exclusive of the foundation, it shall be reconstructed only in conformity with the provisions of this Ordinance. Cash value may be determined by an appraisal or the Hancock County Auditor's value.

**C. REPAIR/REPLACEMENT OF NONCONFORMITY**

Portions of nonconforming structures such as porches, attached garages or other appurtenances may be replaced so long as the replacement does not increase the degree of nonconformity of the structure.

**D. LOCATION OF NONCONFORMITY**

Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District in which it is located after it is removed. This does not preclude the elevation of structures to comply with the flood damage reduction ordinance.

**E. ADDITIONS TO NON-CONFORMING STRUCTURES**

Additions to non-conforming structures must meet the applicable set-backs with the following exception: Infill construction as noted below will be permitted.



**YES**



**NO**



**CHAPTER CONTENTS**

1133.01	Intent	1133.06	Required Lot Frontage
1133.02	Permitted Use - Certificate Required	1133.07	Outdoor Display of Merchandise
1133.03	Conditional Uses	1133.08	Screening
1133.04	Required Building Setbacks	1133.09	Applicable Chapters
1133.05	Maximum Gross Floor Area	1133.99	Penalties

**1133.01 INTENT**

The C-1 Neighborhood Commercial District is established to provide for the development of commercial and frequently used businesses associated with the shopping, service and family needs of adjacent or local residential areas. The C-1 Local Commercial zoning district is intended to provide for the establishment of smaller shops or stores serving a localized area rather than larger businesses serving regional areas.

**1133.02 PERMITTED USE - CERTIFICATE REQUIRED**

All uses permitted in O-1, except residential uses, are permitted in this district, , in addition to which the following uses are also permitted: Retail Business (except conditions per Chapter 1161.15 ).

- |                            |                                   |
|----------------------------|-----------------------------------|
| A. PROFESSIONAL ACTIVITIES | O. FLOWER SHOPS                   |
| B. LIBRARIES               | P. FOOD RETAILING                 |
| C. RESTAURANTS             | Q. HARDWARE STORES                |
| D. ART AND ANTIQUE SHOPS   | R. HEALTH SERVICES                |
| E. BAKERIES – RETAIL       | S. ICE CREAM SHOPS                |
| F. BED & BREAKFASTS        | T. BEAUTY SALONS                  |
| G. BOOK STORES             | U. BARBER SHOPS                   |
| H. BUSINESS SERVICES       | V. BODY CLINICS                   |
| I. COFFEE SHOPS            | W. VETERINARY CLINICS (NO KENNEL) |
| J. CONVENIENCE STORES      | X. PAWN SHOPS                     |
| K. CRAFT SUPPLIES          | Y. ACCESSORY USES                 |
| L. DANCE STUDIOS           |                                   |
| M. DAY CARE CENTERS        |                                   |
| N. DRY CLEANERS            |                                   |



they are a single lot must combine the parcels with a new legal description and deed at the Hancock County Auditor's Office. Proof of a recorded deed must be provided as part of the application.

Example: This requirement prevents a property owner of multiple parcels from erecting an accessory structure on a separate, vacant but recorded lot that could eventually be sold and thus become an illegal non-conforming use and lot under CHAPTER 1162 NONCONFORMITY Sections 2 – 5.

2. **Maximum Floor Area:** The combined building footprint of all accessory buildings on site shall not exceed ~~eight hundred (800)~~ **nine hundred (900)** square feet. **This does not include existing detached garages of up to 576 square feet or the structures exempted in the residential districts.** Example The 50 sq. ft. allowable accessory building permitted in all residential districts.
3. **Restricted in Front Yard Requirement:** No accessory structure shall be permitted in the required front yard.
4. **Conversions:** Permanently attaching any accessory building to a primary building shall be considered a conversion and shall be subject to all required setbacks for primary structures.

Example: A detached garage on a street side yard is proposed to be attached to the primary building with a breezeway. The garage is located in R-3 Single Family and is five feet (5') from the property line. In this instance the conversion would violate the setback required for primary structures and applicant would not be issued a zoning permit.

**D. SETBACKS**

1. **Front Yard Setback -** Accessory structures shall not encroach upon the required front setback of the lot on which they are located, except fences and decks.
2. **Side and Rear Setbacks -** Accessory structures may not be located closer than three feet (3') of the side yard and five feet (5') of the rear yard..
3. **Screening -** In no case shall an accessory structure encroach upon any required screening.

**E. OCCUPANCY:**

Accessory buildings shall not be occupied as a dwelling.

**F. HEIGHT:**

The maximum height allowed for an accessory building is eighteen feet (18').

