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## Whitehouse Planning Commission Meeting Notice

Notice is hereby given that the Planning Commission of the Village of Whitehouse will meet on Monday, August 5, 2019, at 7:00 p.m. in the Council Chambers, Whitehouse Village Hall, 6925 Providence Street, Whitehouse, Ohio.

### AGENDA

1. Call the Public Hearing to order to hear testimony on a proposed zoning map amendment for 7211 Berkey Southern Road, Whitehouse, Ohio, Lucas County Parcel No. 9112037.
2. Close the Public Hearing.
3. Call the Regular Meeting to Order
4. Approve Minutes of the May 6, 2019, Planning Commission Meeting.
5. Review Staff Report 05-2019 and make a recommendation to Whitehouse Village Council concerning a request for a zoning map amendment at 7211 Berkey Southern Road, Whitehouse, Ohio (Parcel No. 9112037).
6. Other business as appropriate under the Charter.
7. Adjourn.

Jordan D. Daugherty  
Village Administrator

**MINUTES OF THE PLANNING COMMISSION  
VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO  
MAY 6, 2019**

At 7:00 pm, Chairman Tom Lytle called the meeting of the Whitehouse Planning Commission to order.

**Roll Call:** Tom Lytle, David Prueter, Allen Kuck. **Also present were the following:** Charles Grass, Don Feller, Don Flenner, Maintenance Director Steve Pilcher, Administrator Jordan Daugherty and Planning Administrator Tiffany Bachman

At 7:02 pm, Chairman Tom Lytle called the meeting to order.

First order of business is to hear testimony on proposed zoning map amendment for 7150 Heller Whitehouse, Ohio, Lucas County, parcel 9801627. Applicant is Charles Grass, partner of Whitehouse Meadows, LLC. Current zoning is S-1. The request is to rezone a portion of the lot located on west side of district ditch. The adjacent zoning to the north is R-3 single family residential, south is agricultural, east is R-3 single family residential, and west is S-1. The adjacent uses are, to the north single family homes, south agricultural, east is single family homes and to the west is agricultural wood lot.

Chairman Lytle opened the floor for public comment. No public comment was given. The public hearing was then closed.

Approve minutes of January 7, 2019 planning commission meeting. Motion by , seconded by to approve the minutes. 3-0

Next agenda item was to review and make a recommendation to Village Council concerning the staff report on zoning map amendment at 7150 Heller Rd, Whitehouse, OH. Considerations were that Mr. Grass filed a petition for zoning map amendment on March 29, 2019, public notice appeared in the Mirror on April 4, 2019 as required by legislation. The parcel in question is currently zoned S-1. Owner/applicant are requesting only the property west of district ditch to be rezoned as R-3 PUD, as they will be splitting the lot. If the zoning map amendment is approved applicant is proposing to expand the current subdivision of Whitehouse Meadows by 14 lots.

Letter was received by a neighbor, Karen Longnecker, who could not be present at the public hearing, but wanted to express her concern in writing. She owns farm parcels 9801761 and 9801337 to west of the subject parcel. She would like Mr. Grass to install a barrier to keep people out her woods and farm ground if he purchases the proposed parcel. She would also like a barrier installed between her property and what has already been developed. Her property also

has the address of 7150 Heller Road and right now the only access to her property is off Stiles Road. She would like a means of accessing her property from Heller Road if the need should arise in the future. The Planning Commission and Mr. Grass need to take action to provide an access road to my property.

Motion by , seconded by to recommend approving the lot split. 3-0

Next agenda item is to review and discuss staff report #3-2019, concerning a preliminary drawing for Whitehouse Meadows, a revised subdivision plan submitted by Charles Grass. The property is currently owned by Fred Gothkie. Feller, Finch & Associates are the engineers, property is at 7150 Heller Rd. Current zoning is R-3 PUD single family residential. Request is for submitting his preliminary plot for 59 lots in Whitehouse Meadows. Developer is proposing a combination of single family lots, zero lot line, single family homes as a planned new development. Access will be off Heller Rd. New road names are Big Buck Trail, White Tail Way and Red Stag Court.

Lytle- #2 New preliminary plot has a 90' corner lot which is 10' short from regulations.

Don Feller from Feller, Finch & Associates stated there are already two 90' corner lots in that subdivision in plat one that was given a variance. Will ask for a variance on this request also.

Lytle- #3 Any water lines shall be looped, however there is not one at the end of Red Stag Court.

Feller said there is not public access available for that area on Red Stag to do a loop.

Pilcher-Number one concern is water quality. Second is water break concern. Recommend going back to party land was purchased from and request an easement. Mr. Grass is familiar with this ordinance. Not the first time the Village has required this.

Lytle-this is a preliminary and will not be voted on tonight. Will ask for input from the Fire Department to see if this is a requirement.

Grass-What about an auto flush valve?

Pilcher-Not acceptable because the first phase of the subdivision has not been looped as required.

Lytle-Loop would be required

Lytle-#4 In case of green space reserved for exclusive use of residents and maintained by homeowners. Where is access to pond and green space?

Grass-HOA owns 10' property between lot 9 and lot 10 for public access.

Lytle-What is being proposed is two lots over the maximum density for a PUD

Feller-When it was redesigned, the figures were not changed to reflect that. He will get with Tiffany on those figures.

Lytle-#5 All lots should have a minimum setback of 30' from the right away except where the zoning code requires a different amount

Feller-Asking for same thing as previous preliminary.

Lytle-Will grant a variance for this one also.

Lytle-#16 It appears some of these lots are in a flood plain. Can not approve if more than 10% are in the flood plain.

Grass-Has an issue with concrete washout being responsibility of developer when the builders are responsible to have the washout.

Pilcher-Each individual builder is responsible for the concrete washout.

Lytle-Responsibility of each individual builder but also on the developer for the entire development.

Lytle-Strongly encourage enforcement of section 93-13 village ordinance sediment erosion control. Talks about a bond issue. Is this something new?

Pilcher-Yes it is something new which is part of storm water erosion control that was passed by Village Council.

Lytle-If this is legislation should the Planning Commission require or can they require this to be done?

Pilcher-Suggest Planning Commission require it on all new developments

Grass-The funds that are required at 1500 per acre would go to the Village. That puts a burden on the developer with funds being tied up in this manner.

Daugherty-We do have a fee schedule set up for this.

Grass-What would the funds be used for? Stabelization? Or anything related to the requirements?

Pilcher-It would pertain to anything related to the requirements, a mess in the roadway that the Village would have to hire someone to clean up that the developer didn't take care of. Lucas County takes care of any citations or warnings.

-Where are those funds kept and when are they released?

Daugherty-Funds are typically released the same day that the inspection is done if it passes.

Grass-Is this going to pertain to the whole subdivision or just the new plats going forward because this wasn't required in the first phase. Am I going to be grandfathered in or what is the procedure going forward?

Daugherty-We would not go at this retroactively

Lytle-So this would only pertain to the new lots?

Daugherty-Yes. What is before you today, the new ones.

Pilcher-The only other thing I noticed is the 25' ditch easement.

Lytle-The little parcel backs up to 59, 58, 26 and 8 is that going to remain undeveloped?

Feller- No that is for storm water retention. That will probably be a smaller pond.

Motion by Dave Prueter, seconded by Allen Kuck to accept this preliminary considering all the requirements that were mentioned. 3-0

Next agenda item is to review and discuss staff report relative to application for renewal for Plats 6 & 7 Steeplechase submitted by the developer for 33 single family lots. Mr. Flenner is with us tonight. Time ran out on the previous submission, so Mr. Flenner is here to ask for re-approval on 6 & 7. Will start Plat 6 in spring of 2019 and need extension for Plat 7 for 2020. This is the same layout as before.

Flenner-Is there a fee for planting the trees along the street? I usually take care of it myself

Pilcher-Yes, it's \$4.50 per tree

Lytle-Where is the dividing line between 6 & 7?

Flemmer-Lot 133 and 125 are the last two plots in Plat 6.

Motion by Allen Kuck, seconded by David Prueter to approve as defined.

With no other business to come before the Commission, Allen Kuck moved to adjourn the meeting, seconded by David Prueter. Motion passed 3-0 Meeting adjourned at 8:19 pm

Respectfully submitted,

Tiffany Bachman  
Planning Administrator

**WHITEHOUSE PLANNING COMMISSION  
PETITION FOR A ZONING MAP AMENDMENT  
STAFF REPORT #05-2019  
August 5, 2019**

Owners: John & Kathryn Falke

Applicant: John & Kathryn Falke, owners

Subject Property: 7211 Berkey Southern Road, Lucas County, Ohio  
County Parcel No. 9112037

Current Zoning: A Agricultural

Request: A zoning map amendment to rezone the lot located at 7211 Berkey Southern Road.

Adjacent Zoning: To the North: S-1 Suburban  
To the South: Township  
To the East: S-1 Suburban  
To the West: Township

Adjacent Uses: To the North: Single family home  
To the South: Agricultural  
To the East: Agricultural  
To the West: Single Family home/Wooded lot

Access: Berkey Southern Road

**CONSIDERATIONS:**

1. In February 2019, John and Kathryn Falke signed a petition to annex into the Village of Whitehouse. This annexation was approved by Council on April 16, 2019. The property located at 7211 Berkey Southern Road was annexed in as Agricultural.
2. Mr. and Mrs. Falke filed a Petition for a Zoning Map Amendment on June 10, 2019.
3. A Public Notice appeared in The Mirror Newspaper on June 20, 2019, setting the matter for a Public Hearing on August 5, 2019. All owners of property within 150 feet of the parcels were notified of the Public Hearings (PC-August 5, 2019 and Council-August 6, 2019) by Certified Mail dated July 3, 2019.
4. The parcel in question is currently zoned A Agricultural. Applicants/Owners are requesting the property to be rezoned as R-2 Residential. If the zoning map amendment is approved, applicants are building a single family home.

STAFF RECOMMENDATIONS:

1. Planning Commission can make a recommendation to Village Council. A second public hearing will be held before Village Council on Tuesday, August 6, 2019, at 6:00 pm. Council will then make a final determination as to the request for a zoning map amendment.

\$100.00



**PETITION**

Before the Planning Commission and  
Village Council

**REQUEST FOR A ZONING AMENDMENT /  
SPECIAL USE PERMIT**

Docket No. \_\_\_\_\_

**DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY**

Date Filed: 6-10-19 Time: 2:50

Date set for Hearing: Aug 5 Time: 7:00

Published Notice Made 6/20/19 in the Anthony Wayne Mirror

Date adjacent property owners notified: 7-3-19

Fee Paid on: 6-10-19 Amount: \$100.00

Comments: \_\_\_\_\_

**NOTICE TO APPLICANTS**

You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district.

No Special Use Permit or Zoning Map Amendment may be granted which would adversely affect surrounding property or the general neighborhood. All Special Use Permits and Zoning Map Amendments must be in harmony with the intent and purposes of the Zoning Ordinance.

You must file this Petition along with the following: The filing fee established by the Village of Whitehouse; a list of property owners which lie within 150 feet of the subject property; an 11 x 17 inch Site Plan and a 24 x 30 inch Site Plan giving dimensions and scale; a Legal Plat of Survey; and proof of ownership. You may also be required to submit additional information.

The Village Staff will prepare the required Legal Notice for publication in the Anthony Wayne Mirror Newspaper. The Applicant shall provide the names of the owners of property, which are within 150 feet of the property in question.

You must complete the following questions (if additional space is needed, attach extra pages to this Application).

1) Name of owner(s): JOHN & KATHRYN FALKE

2) If Land Trust, name(s) of all beneficial owners: \_\_\_\_\_

3) Name of Applicant(s): JOHN & KATHRYN FALKE

4) Address of Applicant(s): 6405 JAMES BROOK LN  
WHITEHOUSE OH 43571

5) Applicant(s) phone number: Home 567 246 Office \_\_\_\_\_  
Home 5016 Office \_\_\_\_\_

6) Property interest of Applicant:

- Owner
- Contract purchaser
- Attorney of owner
- Other (describe) \_\_\_\_\_

7) Address of property in question: 7211 BERKEY SOUTHERN

8) Size of parcel: .8724 ACRE

9) Zoning category requested:

- |                               |                                 |                              |
|-------------------------------|---------------------------------|------------------------------|
| <input type="checkbox"/> A    | <input type="checkbox"/> R-5    | <input type="checkbox"/> C-3 |
| <input type="checkbox"/> S-1  | <input type="checkbox"/> R.P.D. | <input type="checkbox"/> C-4 |
| <input type="checkbox"/> R-1  | <input type="checkbox"/> B.P.D. | <input type="checkbox"/> M-1 |
| <input type="checkbox"/> R-2* | <input type="checkbox"/> C.P.D. | <input type="checkbox"/> M-2 |
| <input type="checkbox"/> R-3  | <input type="checkbox"/> C-1    | <input type="checkbox"/> B-P |
| <input type="checkbox"/> R-4  | <input type="checkbox"/> C-2    |                              |

10) Adjacent Zoning:

To the North: S-1  
To the South: Township  
To the East: Township  
To the West: Township

11) How is the property in question presently improved? \_\_\_\_\_  
\_\_\_\_\_

12) Present Use:

- Commercial
  - Industrial
  - Residential
  - Other
- (Describe) \_\_\_\_\_

13) Adjacent Uses:

To the North: Residential  
To the South: Ag  
To the East: Ag  
To the West: Residential

14) A SPECIAL USE PERMIT/ZONING AMENDMENT is requested in conformity with the powers vested in the Commission and Board to permit the \_\_\_\_\_  
\_\_\_\_\_

(Proposed Use)

15) ATTACH LEGAL DESCRIPTION AS IT APPEARS ON THE DEED.

16) Is the property in question currently in violation of the Zoning Ordinance?

- Yes
  - No
  - If yes, how? Just Annexed into Village
- \_\_\_\_\_  
\_\_\_\_\_

17) Is the property in question presently subject to a special-use?

Yes

No

If yes, list each date and ordinance granting the special-use(s). \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18) From what section of the Zoning Ordinance are you requesting a Special Use/Zoning Amendment? N/A

\_\_\_\_\_

19) Explain why, in your opinion, the grant of this request will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance

THIS PROPERTY IS ADJACENT TO THE PROPERTY TO THE NORTH THAT IS A RESIDENCE. THIS ALSO APPLIES TO A RESIDENCE ACROSS THE STREET. (WEST)

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Whitehouse for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.

Kathryn N. Gade 6/10/19  
(Signature) Applicant Date

\_\_\_\_\_  
(Signature) Owner Date



