

# City of Defiance Planning Commission

November 17, 2014, Meeting Minutes

**ATTENDANCE:**

| Name            | Title   | Yes | No |
|-----------------|---|-----|----|
| Steve Graf*     | Defiance City Planning Commission Chairperson   | X   |    |
| Mark Hall*      | Defiance City Planning Commission Vice-Chairperson <i>[Representative from Parks Board]</i> | X   |    |
| Paul Sulpizio*  | Defiance City Planning Commission Member  | X   |    |
| Drew Schindler* | Defiance City Planning Commission Member  | X   |    |
| Dan Bohn*       | Defiance City Planning Commission Member <i>(Representative to Zoning Board of Appeals)</i> |     | X  |
| Bob Armstrong*  | Defiance City Mayor   | X   |    |
| Jeff Leonard*   | Defiance City Administrator   | X   |    |
| J. Roger Engel  | Defiance City Zoning Board of Appeals   | X   |    |
| Lee Rausch      | Defiance City Engineer/Planning Commission Clerk  | X   |    |
| Connie Seimet   | Defiance City Planning Commission Secretary   | X   |    |

\* Voting Members of Committee

**OTHERS PRESENT:**

| Name                    | Company          | Address                       | Phone No. |
|-------------------------|------------------|-------------------------------|-----------|
| Jason & Jessica Fortman |                  | 1068 Madison Avenue, Defiance |           |
| Rex Robison             | City of Defiance |                               |           |
|                         |                  |                               |           |
|                         |                  |                               |           |

Chairperson Mr. Graf called the meeting to order at 4:30 p.m. with a quorum present.

**ADMINISTRATIVE ITEMS:**

**Approval of the Planning Commission Meeting minutes from September 15, 2014:**

- Mayor Armstrong made a motion to approve the September 15, 2014, Planning Commission Meeting Minutes. Mr. Schindler seconded the motion. The motion carried unanimously.
- Mr. Graf has excused Mr. Bohn from the meeting tonight.

**Clerk's Report:**

- Mr. Rausch said the Menards project will be removed from the agenda and will probably be brought back in December. They need to review some engineering design information pertaining to the detention pond. They will submit revised drawings.
- Mr. Rausch said the Zoning Code has been passed by Council and will be effective 12/11/14. The representative from McBride Dale will be present on January 26, 2015, to have a training session with Planning Commission, ZBA, City Council and others who will want to hear an overall review of the new code. The meeting will take approximately 2 hours.
- Mr. Rausch mentioned there is a potential alley vacation application for First Federal Bank for next month. The cost for the alley vacation is approximately \$11,000; they will need to pay that amount as a deposit then receive the balance back, after the survey fees are taken out. First Federal is debating whether to apply for the alley vacation, as they don't want to have

\$11,000 hanging out for approximately three months. They will keep Mr. Rausch posted of their decision.

## **PLANNING ITEMS:**

### **Planning Item 1 – PROPOSED ZONING REVIEW AND RULE**

Annexation Plat to the City of Defiance is as follows:

Petitioner, property owners, for annexation of 0.636 acres of land located in Richland Twp. to the City of Defiance. Subject property is known as West 37.67 feet of Lot 57, all of Lot 58 and the east 8.33 feet of Lot 59 in Saunders-Snyder Addition located in the NW ¼ of Section 30, Richland Township, Defiance County, Ohio. Subject property parcel numbers are: J090030A06800, J090030A06700 & J090030A06600. **Proposed Zoning to be B-3.** Received on August 11, 2014.

Mr. Graf read the item to all. This property is located on Spruce Street. The proposed B-3 zoning will be contiguous with the current zoning.

Mayor Armstrong would like to make the motion to approve the annexation and recommend the B-3 Zoning to Council, seconded by Mr. Schindler. All members voting aye, the motion was approved.

### **Planning Item 2 – MENARD'S STORAGE EXPANSION**

To review and comment on a proposed addition to the south side of the Menard's Store at 8845 N. Clinton Street. This addition is to enlarge the outdoor storage area.

ITEM WAS REMOVED FROM AGENDA – WILL BE DISCUSSED AT A LATER MEETING (REVISED PLANS TO BE SUBMITTED FROM MENARDS).

### **Planning Item 3 – WHITTAKER FAMILY DENTAL**

To review and comment on a proposed new dental office to be located at 205 Stadium Drive. This site is the old All American Homes site east of the Napoleon Wash-N-Fill.

Mr. Graf read the item to all. This item was discussed in length in Project Review on 11/11/14.

Mr. Rausch said the Dental Center is anticipating using the shared drive with the Weaner Center at Defiance College. If they do not obtain the agreement with the College they will put an access drive off Webster, which would line up with their parking lot on the south side of the building. Their other entrance will be shared with the Car Wash on Stadium Drive. The builder (McDonald Design & Build) will submit Engineering plans to the City.

Mr. Engel commented they will need to follow all College Overlay requirements.

Mr. Sulpizio inquired about landscaping plans. Mr. Rausch said they will be working with Jen English, MS4 Coordinator, to discuss drainage requirements and landscaping. Mr. Rausch said the detention area will be moved, closer to Webster Street (it will still include the detention for the Car Wash).

Mayor Armstrong would like to make the motion to accept the proposed Whittaker Family Dental project, seconded by Mr. Hall. All members voting aye, the motion was approved.

### **Planning Item 4 – REVIEW & RECOMMENDATION TO COUNCIL OF ALLEY VACATION:**

Review and recommendation of alley vacation requested by Gene Homan:

Property owner's representative has requested for City Council the vacation of the alley between properties known as Lots 217 & 232 and Lots 218 & 231 in the South Defiance Addition. Said alley vacation is further described as follows: Being the entire 14.00 feet of the east – west alley adjacent to Lots 217 & 232 and Lots 218

& 231 in the South Defiance Addition to the City of Defiance, Ohio. Said request is by Gene Homan of 1133 Schultz Street. Received on September 29, 2014.

Mr. Graf read the item to all. This alley runs between Grove and Schultz Streets.

Mr. Rausch mentioned there will be an easement maintained for the sanitary sewer for Schultz for the east/west alley.

Mr. Leonard asked if the property owners will close off the alley, once this is approved. Mr. Rausch said the property owners will put up some type of blockage for public access.

Mr. Rausch will recommend to the owners to get some type of agreement in place for the shared access to their garages.

Mr. Leonard would like to make the motion to approve and recommend the Alley Vacation request to City Council, seconded by Mr. Hall. All members voting aye, the motion was approved.

**Planning Item 5 – REVIEW & RECOMMENDATION TO COUNCIL OF ALLEY VACATION:**

Review and recommendation of alley vacation requested by Jason R. & Jessica A. Fortman: Property owner's representative has requested for City Council the vacation of the alley between properties known as Lots 12, 13 & 14 in the Hay's Addition to East Defiance and Lot 29 in the Auditor's Plat East of the Auglaize. Said alley vacation is further described as follows: Being the entire 10.00 feet of the north – south alley adjacent to Lots 12, 13 & 14 in the Hay's Addition to East Defiance and Lot 29 in the Auditor's Plat East of the Auglaize to the City of Defiance, Ohio. Said request is by Jason R. & Jessica A. Fortman of 1068 Madison Avenue. Received on September 30, 2014.

Mr. Graf read the item to all. This paper alley is on Madison Street.

Mr. Rausch said there are water and sewer easements already in the area.

Mayor Armstrong mentioned the Fortmans want to put a fence up in the alley. Mr. Fortman mentioned they have been having disputes with the neighbors regarding the property. Mrs. Fortman mentioned the neighbors would say the property belongs to the City and they can do whatever they want and put up stakes. Mr. Leonard wanted to know if the stakes were on City property. Mrs. Fortman said the stakes have been put on the property owned by the Fortmans and the City. Mr. Graf mentioned they will have to have a survey done to make sure they know exactly where the property pins are located.

Mr. Engel said the fence can only be 6' high from the front of the house to the rear property line and 3' from the front of the house to the property line in front.

Mr. Rausch mentioned the property next to the Fortmans is a rental owned by Okie Davis. Okie Davis has signed off on the alley vacation and the Fortmans paid for the entire alley vacation deposit amount that was due to the City.

Mr. Graf wanted to let the Fortmans know that the recommendation from the Planning Commission would go to City Council; City Council would give the final approval of the alley vacation.

Mayor Armstrong would like to make the motion to approve and recommend the Alley Vacation request to City Council, seconded by Mr. Hall. All members voting aye, the motion was approved.

**OPPORTUNITY FOR PUBLIC INPUT AND DISCUSSION OF TOPICS:**

- None at this time.

**ADJOURNMENT OF MEETING:**

A motion was made by Mr. Hall, seconded by Mayor Armstrong to adjourn the meeting at 4:53 p.m. All members voting aye, the motion passed and the meeting was adjourned.

Minutes respectfully submitted by,

*Connie M. Seimet*

Planning Commission Secretary

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**Lee P. Rausch**  
Planning Commission Clerk

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**Steve Graf**  
Planning Commission Chairperson