



Please note, this month's  
Zoning & Subdivision  
Committee Meeting is at the  
City of Marysville Decker 271  
Fire Station, 16300 County  
Home Road, Marysville.

## Logan-Union-Champaign regional planning commission

Director: Jenny R. Snapp

### Zoning & Subdivision Committee Thursday, March 14, 2013 12:30 pm

Start Time: \_\_\_\_\_

Parking at the Decker 271 Fire  
Station is tight. You may want  
to consider carpooling if  
possible. In addition, please  
do **NOT** block the Fire Bays!!

- Minutes from last meeting of February 14, 2013

1st: \_\_\_\_\_ 2nd: \_\_\_\_\_

- Review of Adams Township (Champaign County) Zoning Text Amendment  
language for group homes. - Staff Report by Wes Dodds

- Adjourn End Time: \_\_\_\_\_

1st: \_\_\_\_\_ 2nd: \_\_\_\_\_

#### Members:

Scott Coleman – Logan County Engineer  
Greg DeLong – Marysville Planning  
Charles Hall – Union County Commissioner  
Jeff Stauch – Union County Engineer  
Paul Hammersmith – Dublin Engineer  
Steve McCall – Champaign County Engineer  
Brad Bodenmiller – Urbana Zoning  
Robert A. Yoder – North Lewisburg Administrator  
Joel Kranenburg- Village of Russells Point  
Jenny Snapp – LUC  
Wes Dodds – LUC  
Heather Martin – LUC

#### Guests:



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## STAFF REPORT

FOR CONSIDERATION BY LUC REGIONAL PLANNING COMMISSION EXECUTIVE  
COMMITTEE  
March 14, 2013

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### ADAMS TOWNSHIP – ADDITION OF SECTION 1070 RESIDENTIAL CARE FACILITIES

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**APPLICANT:** Adams Township Zoning Commission  
P.O. Box 208  
Rosewood, Ohio 43070  
Phone 937-726-3299

**REQUEST:** Request to review the addition of Section *1070 Residential Care Facilities* to the Adams Township Zoning Resolution.

**STAFF ANALYSIS:** Adams Township wishes to add language to their zoning resolution regulating the use and location of Residential Care Facilities in the Township.

It appears that the language is somewhat based on the LUC model text for Residential Care Facilities.

#### DEFINITIONS

There is a gap in the number of persons covered by the definitions provided. The definition for Family Care Home provides for a facility not housing more than 5 unrelated persons, while the definition for Group Home provides for a facility housing more than nine but less than sixteen persons. How would a facility be treated that houses 6 to 8 persons?

- Staff recommends that the township adjust the numbers in these definitions to cover this gap.



# Logan-Union-Champaign regional planning commission

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## BUILDING, FIRE, HEALTH, AND SAFETY STANDARDS

Staff has no issues regarding this section.

## LICENSING

Staff has no issues regarding this section.

## MINIMUM BEDROOM SIZE

Staff has no issues regarding this section

## PARKING

This section states that “adequate” parking must be provided for each resident supervisor and/or resident who is permitted to own or operate a vehicle.

- Staff recommends putting a definitive number on the parking spaces required. Such as “....one parking space must be provided for each resident supervisor and/or resident who is permitted to own or operate a vehicle.”

## COMPATIBILITY WITH NEIGHBORHOOD

Staff has no issues with this section.

## PLAN REQUIRED

Staff has no issues with this section.

## PERIOD OF CONDITIONAL USE PERMIT

While staff has no issues in principle with this section, the township should consult with the Champaign County Prosecutor’s Office as to the legality of requiring a yearly review of conditional use permit. Staff is unsure of the legality of requiring this, and questions how a conditional use permit could be revoked at this review if the operator was meeting all of the requirements set forth. Conversely, it’s reasonable to assume that if an operator is not meeting the requirements set forth by the Zoning Resolution and/or the Conditional Use Permit Issued, the permit would be revoked anyway, making the yearly review unnecessary. LUC Staff has also contacted the Champaign County Prosecutor’s Office regarding this issue.

## **STAFF RECOMMENDATIONS:**

Staff recommends **APPROVAL** of the proposed addition of *Section 1070 Residential Care Facilities* with the incorporation of staff comments above and any additional comments received from the Champaign County Prosecutor’s Office.

9676 E. Foundry St, PO Box 219  
East Liberty, Ohio 43319

• Phone: 937-666-3431 • Fax: 937-666-6203  
• Email: [luc-rpc@lucplanning.com](mailto:luc-rpc@lucplanning.com) • Web: [www.lucplanning.com](http://www.lucplanning.com)



# Logan-Union-Champaign regional planning commission

Director: Jenny R. Snapp

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## ZONING & SUBDIVISION COMMITTEE RECOMMENDATIONS:

Adams Township  
Champaign County  
P.O. Box 208  
Rosewood, Ohio 43070  
937-726-3299

To: Jenny Snapp

Date: Feb. 27, 2013

From: Mary Jo Kies

Pages: 5

Subject: Zoning Text Addition

Fax: 937-666-6203

Enclosed please find the cover letter, Checklist and addition to our Zoning Regulations for L.U.C. Regional Planning Commission to review and give their recommendation.

Thank you

Mary Jo Kies

**BOARD OF ADAMS TOWNSHIP TRUSTEES  
CHAMPAIGN COUNTY  
P.O. BOX 208  
ROSEWOOD, OHIO 43070  
937-726-3299**

February 26, 2013

Jenny R. Snapp, Director  
L.U.C. Regional Planning Commission  
9676 E. Foundry St.  
P.O. Box 219  
East Liberty, OH 43319

Dear Ms. Snapp:

Adams Township Zoning Commission Board would like to add a section to the Adams Township Zoning Regulations. Enclosed you will find the Section 1070 Residential Care Facilities Text for your review.

On October 23, 2012 a resident of Adams Township, Sherry Key, approached the Adams Township Trustees about adopting a residential care facilities text. The Trustees in turn contacted the Zoning Commission Board to come up with a residential care facilities text. The Zoning Commission Board met in public hearing on December 13, 2012 on January 17, 2013 and on February 21, 2013. On February 21, 2013 they finally voted on a text to add to the Zoning Regulations. The new text would fit in between page 61 and 62 of our zoning regulations.

You may contact Jon Helman, Chairman of the Zoning Commission Board at 937-362-3871 or you can contact Mary Jo Kies, Secretary at 937-726-3299 if you have any questions regarding this addition to the zoning regulations.

Thank you for your cooperation in this matter.

Sincerely,

Mary Jo Kies, Secretary

Enclosures





# Logan-Union-Champaign regional planning commission

Director: Jenny R. Snapp

## Zoning Text Amendment Checklist

Date: 2-26-13 Township: Adams Township

Amendment Title: Residential CARE Facilities

**Notice:** Incomplete Amendment requests will not be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

Revision: Initial, 8/2009

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## SECTION 1070 RESIDENTIAL CARE FACILITIES

### GENERAL.

Family Care Homes, Group Homes and Residential Treatment Facilities are permitted as a conditional use in all districts when approved by the Board of Zoning Appeals, but only after having complied with the approval procedures relating to conditional uses specified in this zoning ordinance and the following conditions.

### DEFINITIONS.

(a) Family Care Home means a residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for not more than five unrelated persons.

(b) Group Home means a residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine but no more than sixteen persons with developmental disabilities.

(c) A Residential Treatment Facility is a residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for not more than five unrelated persons who have been removed from their own homes and assigned to a Residential Treatment Facility by order of a court.

### BUILDING, FIRE, HEALTH, AND SAFETY STANDARDS.

Family Care Homes, Group Homes and Residential Treatment Facilities shall not maintain lower than the minimum building, fire, health, and safety standards set by state and local laws and regulations applicable to such a home. No Family Care Home, Group Home or Residential Treatment Facility shall be occupied until a certificate of occupancy has been obtained from the Champaign County Building Regulations Department and the Zoning Inspector.

### LICENSING.

A Family Care Home, Group Home or Residential Treatment Facility shall not be permitted to be constructed or operated until the agency, organization, or institution supervising such a home satisfies the Board of Zoning Appeals that the home and its operation comply or will, within a reasonable time, comply with all licensing requirements of the appropriate federal, state or local agency.

### MINIMUM BEDROOM SIZE.

Every room occupied for sleeping purposes within the home or facility shall contain a minimum of eighty (80) square feet of habitable Floor Area for each occupant.



#### PARKING.

The home or facility shall provide adequate off-street parking area for each resident supervisor and/or resident who is permitted to own or operate an automobile.

#### COMPATIBILITY WITH NEIGHBORHOOD.

The proposed use of the site as a home or facility shall be compatible with the present character of the neighborhood, considering noise, traffic, lights, exterior alterations of the structure, or other potentially offensive characteristics.

#### PLAN REQUIRED.

The operator or agency applying for a Conditional Use Permit to operate such a home or facility shall provide the Board of Zoning Appeals with a plan that documents the following:

- 1) The need for the home or facility in relation to the specific clientele served;
- 2) A description of program objectives and the nature of other community-based residential social service facilities operated by such operator or agency; and
- 3) A list of the licensing agencies' standards and the sponsoring agency's standards for the operation of the desired home or facility.

#### PERIOD OF CONDITIONAL USE PERMIT.

The Board of Zoning Appeals may issue a Conditional Use Permit for a period of one (1) year. At the completion of the one (1) year period, the Residential Care Facility operation shall be reviewed by the Board of Zoning Appeals. The Board of Zoning Appeals may extend the Conditional Use or deny the Condition Use. The Permit shall be limited to the operator to whom it is originally issued and is not transferable to any subsequent operator.



# Logan-Union-Champaign regional planning commission

Director: Jenny R. Snapp

## Zoning & Subdivision Committee Thursday, March 14, 2013

The Zoning and Subdivision Committee met in regular session on Thursday, March 14, 2013, at 12:37 pm at the Decker 271 Fire Station in Marysville. Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Scott Coleman, Greg DeLong, Wes Dodds, Charles Hall, Paul Hammersmith, Joel Kranenburg, Steve McCall, Heather Martin, Jenny Snapp, and Andy Yoder. Absent Member included: Jeff Stauch.

Guests included: David Faulkner, Champaign County Commissioner.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Minutes of the February 14, 2013, meeting were approved as written with Charles Hall making the first motion to approve, and Brad Bodenmiller making the second motion to approve. All in favor.

1. Review of Adams Township (Champaign County) Zoning Text Amendment language for group homes. - Staff Report by Wes Dodds
  - Greg – Who determines the compatibility with the neighborhood?
    - Wes – I would assume the BZA
  - Andy Yoder made the first motion to recommend approval of the Adams Township Zoning Text Amendment language for group homes and Steve McCall made the second motion to recommend approval of the Adams Township Zoning Text Amendment language for group homes. All in favor.

The Zoning and Subdivision Committee adjourned at 12:41 pm with Paul Hammersmith making the first motion to adjourn, and Andy Yoder making the second motion to adjourn. All in favor.