



**Staff Report – Allen Township (U) Zoning Amendment**

<b>Applicant:</b>	<p><b>Allen Township Zoning Commission</b>  c/o Charlotte Blumenschein  16945 Allen Center Road  Marysville, OH 43040  (937) 644-4111  <a href="mailto:dudley@centurylink.net">dudley@centurylink.net</a></p>
<b>Request:</b>	<p>The Allen Township Zoning Commission initiated an amendment to the text of the Zoning Resolution. The proposal impacts Article II – Establishment of Districts, Section 523 – Private Swimming Pools, Article V – Supplementary District Regulations, Article XII – Definitions, and The Official Schedule of District Regulations.</p>
<b>Location:</b>	<p>Allen Township is in western Union County between East Liberty and Marysville.</p>

<b>Staff Analysis:</b>	<p>Allen Township submitted this zoning text amendment. LUC staff reviewed its contents. Then, LUC Staff reached out to the Township to discuss the amendment.</p> <p><b><u>Amending Article II – Establishment of Districts</u></b></p> <p>This Article states the purpose and intent of each zoning District. Over time, the Township has expanded each district description to include individual/conditional/objectionable/prohibited uses. This proposal:</p> <ul style="list-style-type: none"> <li>• Adds “Sign/Advertising Structures” to the B-1, B-2, and B-3 Districts as a conditional use.</li> <li>• Adds “Storage Facilities” to B-3 District as a conditional use.</li> <li>• Adds wedding venue, vocational school, and conference/event center to B-3 District as a permitted use.</li> <li>• Adds “Truck Driving School” as a permitted use in the M-1 District and as a conditional use in the M-2 District.</li> </ul> <p>Article II is intended to briefly state the purpose of each district. Each permitted/conditional use should be listed in the Official Schedule mentioned in Article IV District Regulations. While LUC Staff does not see an issue with listing individual uses in Article II, Staff recommend including those in the Official Schedule too.</p> <p><b><u>Amending Section 523 – Private Swimming Pool</u></b></p> <p>Strikes regulations from Section 523 for Private Swimming Pools. Conditions struck include front/side/rear setbacks and fencing (pool barrier) requirements.</p>
------------------------	---



**Staff Report – Allen Township (U) Zoning Amendment**

- The Township explained it does not wish to issue zoning permits for private swimming pools, instead relying solely on the building permit process.

If the Township does not intend to require fencing or another barrier around swimming pools and does not wish to require a zoning permit, it should add language to this Section specifying swimming pools do not require a zoning permit. (The definition of structure and Section 1001 Zoning Certificates Required indicate a zoning permit is required.)

LUC Staff does not recommend removing fencing (pool barrier) requirements, in order to prevent drowning. This recommendation is made understanding the Township may decide not to follow this recommendation.

**Amending Article V – Supplementary District Regulations**

- Adds Section 563 – Yard Sales, Porch Sales, Garage Sales, Etc. Creates a limit on the number and quantity of yard sales, porch sales, garage sales, etc. allowed in the Township for a full calendar year. The limit is one (1) sale every ninety (90) days with no sale to exceed 3 consecutive days in length.

The proposed language is similar to Leesburg Township (U), which LUC and the Prosecutors office have reviewed recently. (No modifications recommended.)

**Amending Article XII - Definitions**

- Creates a definition for Garage Sales or Yard Sales. Clarifies what is considered a garage sale.
- Definitions are **not** included for:
  - Conference/Event Center
  - Storage Facilities
  - Truck Driving School
  - Vocational School
  - Wedding Venue

Because individual uses are being created, LUC Staff recommends creating definitions for each of these uses. LUC Staff provided sample definitions to the Township for each of these uses, including both a definition for Storage Facility and for Personal Storage Facility.

**Amending The Official Schedule of District Regulations (list as Zoning Map changes)**

- Increase accessory building maximum height to 30' in districts U-1 through M-2.



**Staff Report – Allen Township (U) Zoning Amendment**

	<ul style="list-style-type: none"> <li>• Adds “Sign/Advertising Structures” to the B-1, B-2, and B-3 Districts as a conditional use.</li> <li>• Adds “Truck Driving School” as a permitted use in the M-1 District and as a conditional use in the M-2 District.</li> <li>• Adds wedding venue, vocational school, and conference/event center to B-3 District as a permitted use.</li> <li>• Adds “Storage Facilities” to B-3 District as a conditional use.</li> </ul> <p>Most LUC Townships calculate building height the same way, based on the LUC Model Text. Allen Twp has modified their definition, and it is unclear to LUC Staff how building height is calculated for some roof types. Staff recommends that the Township review its definition for “Building, Height of” to verify that it reflects the Township’s preferred method and is clear. The Township should also verify that the existing and proposed maximum building heights match the calculation method.</p> <p>LUC Staff notes listing Signs/Advertising Structures in Article II Establishment of Districts and in the Official Schedule of District Regulations means signs/advertising structures can be applied for as a conditional use. This is consistent with Ohio Revised Code 519.20.</p> <p>LUC Staff recommends listing wedding venue, vocational schools, and conference/event center as conditional uses. The scale and scope of these uses can vary widely.</p> <p>LUC Staff found several storage type uses defined in the Zoning Resolution—wholesale, warehousing, wholesale and warehousing, enclosed storage, etc. LUC Staff recommends making a clear distinction in this definition. For example, if the Township is intending to allow for personal storage facilities, it would be a good idea to make both the term and the definition distinct from the other definitions.</p> <p><b><u>Prosecutor’s Office</u></b></p> <ul style="list-style-type: none"> <li>• A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. The comments from that Office should be reviewed and included in any recommendation</li> </ul>
--	---

<p><b>Staff Recommendations:</b></p>	<p>Staff recommends <b><i>APPROVAL WITH MODIFICATIONS</i></b> of the proposed zoning amendment. Those modifications are listed below:</p> <ul style="list-style-type: none"> <li>• While LUC Staff does not see an issue with listing individual uses in Article II, Staff recommend including those in the Official Schedule too.</li> </ul>
--------------------------------------	---



**Staff Report – Allen Township (U) Zoning Amendment**

	<ul style="list-style-type: none"><li>• Section 523: If the Township does not intend to require fencing or another barrier around swimming pools and does not wish to require a zoning permit, it should add language to this Section specifying swimming pools do not require a zoning permit.</li><li>• Section 523: LUC Staff does not recommend removing fencing (pool barrier) requirements, in order to prevent drowning. This recommendation is made understanding the Township may decide not to follow this recommendation.</li><li>• Because individual uses are being created, LUC Staff recommends creating definitions for each of these uses— Conference/Event Center, Storage Facilities, Truck Driving School, Vocational School, and Wedding Venue. LUC Staff provided sample definitions to the Township for each of these uses, including both a definition for Storage Facility and for Personal Storage Facility.</li><li>• LUC Staff recommends that the Township review its definition for “Building, Height of” to verify that it reflects the Township’s preferred method and is clear. The Township should also verify that the existing and proposed maximum building heights match the calculation method.</li><li>• LUC Staff recommends listing wedding venue, vocational schools, and conference/event center as conditional uses. The scale and scope of these uses can vary widely.</li><li>• LUC Staff found several storage type uses defined in the Zoning Resolution—wholesale, warehousing, wholesale and warehousing, enclosed storage, etc. LUC Staff recommends making a clear distinction in this definition. For example, if the Township is intending to allow for personal storage facilities, it would be a good idea to make both the term and the definition distinct from the other definitions.</li></ul> <p>Additionally, the Township should consider the opinion the Prosecutor’s Office when it is available.</p>
--	---

<b>Z&amp;S Committee Recommendations:</b>	
---	--