



Planning Commission
App. No. 069-2013-TA

Zoning Text Amendment Guilford Township

Meeting: October 2, 2013
Applicant: Guilford Township Zoning Commission
Hearing: September 12, 2013 (Zoning Commission Public Hearing)
Amendments: Section 3, Definitions; Section 4, General Regulations & Section 9, Conditional Zoning Certificates
Reviewer: Susan Hirsch

Proposed Amendments: (New text is CAPITALIZED & UNDERLINED and Staff Comments are in *italics*). This amendment proposed by the Guilford Township Zoning Commission adds two new definitions (“in-law suite” and “group home”) under the term “dwelling”; amends the definition for “family”; amends the regulation of “junk cars” and provides the conditions for in-law suites. The proposed changes were approved by the Guilford Township Zoning Commission at their August 8, 2013 meeting.

SECTION 3 – DEFINITIONS

3.18 – DWELLING:

e. - IN-LAW SUITE. A LIVING AREA WITHIN A SINGLE-FAMILY DWELLING FOR THE EXPRESS PURPOSE OF ACCOMMODATING A FAMILY MEMBER NOT ALREADY IN RESIDENCE.

It is not clear whether a couple, (Mom & Dad), would be permitted?

f. - GROUP HOME: A RESIDENTIAL FACILITY COMPLYING WITH SECTION 5123.19 OF THE OHIO REVISED CODE THAT PROVIDES ROOM AND BOARD, PERSONAL CARE, HABITATION SERVICES, AND SUPERVISION IN A FAMILY SETTING FOR AT LEAST SIX BUT NO MORE THAN EIGHT PERSONS WITH MENTAL RETARDATION OR DEVELOPMENTAL DISABILITIES.

3.23 - ~~FAMILY: shall mean the head of household, his/her spouse, children, foster children, parents, grandparents, or legal dependents, and may include up to three (3) unrelated individuals.~~ SHALL MEAN ONE INDIVIDUAL OR ANY NUMBER OF INDIVIDUALS LIVING AS A SINGLE HOUSEKEEPING UNIT.

This definition is appropriate.

SECTION 4 – GENERAL REGULATIONS

4.13 – 5

JUNK CARS: ALL WRECKED, JUNKED, INOPERABLE VEHICLES WITHOUT A CURRENT LICENSE MUST BE STORED IN A BUILDING, GARAGE OR

ENCLOSED WITHIN A SOLID FENCE, MEETING ALL ZONING REQUIREMENTS, ON ALL SIDES SO THE VEHICLE CANNOT BE SEEN FROM EITHER SIDE YARD, BACKYARD OR THE ROADWAY.

1. *The proposed wording would require that a vehicle must be “wrecked, junked, and inoperable” and “without a current license” to be required to be “stored in a building, garage or enclosed within a solid fence...” This could make enforcement difficult.*
2. *The wording, “meeting all zoning requirements” is unnecessary since any fence must be meet zoning requirements, and its inclusion makes the regulation wording awkward.*
3. *Also, “wrecked, junked or inoperable vehicle” should be defined.*

SECTION 9 – CONDITIONAL ZONING CERTIFICATES

41 – IN-LAW SUITES SHALL MEET THE FOLLOWING CONDITIONS:

A. THE “IN-LAW SUITE” SHALL BE LOCATED WITHIN THE SINGLE FAMILY DWELLING.

B. THE “IN-LAW SUITE” SHALL HAVE THE PRIMARY MEANS OF ACCESS TO THE OUTSIDE OF THE DWELLING THROUGH THE MAIN EXTERIOR DOORWAY OF THE DWELLING.

C. THE “IN-LAW SUITE” MAY HAVE A BATHROOM, LIVING AREA AND BEDROOM.

D. THE OWNER OF THE DWELLING SHALL OBTAIN FROM THE MEDINA COUNTY HEALTH DEPARTMENT A STATEMENT INSURING THE ADDITION OF THE “IN-LAW SUITE” WILL NOT OVERLOAD THE PRESENT SEPTIC SYSTEM.

E. THE OWNER OF THE SINGLE FAMILY DWELLING SHALL PROVIDE A SIGNED AND NOTARIZED AFFIDAVIT STATING WHO WILL RESIDE IN THE “IN-LAW SUITE” AND ACKNOWLEDGING THAT THE “IN-LAW SUITE” IS PROHIBITED FROM USE AS A RENTAL APARTMENT.

F. THE “IN-LAW SUITE” SHALL NOT HAVE SEPARATE UTILITIES.

***Staff Comments:** Staff commends the Township for addressing the issue of alternative housing for older adults, returning children etc. However, Staff’s concern is that the proposed regulations for the “In-Law Suite” are too restrictive, not allowing desired privacy and independence. Condition E. above would be adequate to protect the Township from the possible creation of a duplex or any type of rental apartment. Staff questions the need to not permit a kitchen, and to require primary access to the “In-Law Suite” through the single family dwelling.*

STAFF RECOMMENDATION: Staff recommends **APPROVAL WITH MODIFICATIONS** subject to Staff Comments for the above proposed text amendments to the Guilford Township Zoning Resolution. Staff further recommends that Guilford Township request an opinion from the Medina County Prosecutor's Office on the final language.

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