

**ZONING REPORT**  
**November 23, 2021**  
**COMPLAINTS/PERMITS/QUESTIONS**

- Proposal from Zoning Commission for Zoning Code text amendment
  - Request for review as per *ORC 519.12 (A) (2)* forwarded to Athens County Regional Planning Commission 11-11-21
  - ACRPC recommends approval as presented 11-18-21
  - Zoning Commission public hearing scheduled for 12-8-21
- Request from Hopewell Health to rezone Open Space to B-1, Neighborhood Business
  - Request presented to Zoning Commission 11-9-21
  - Request for review as per *ORC 519.12 (A) (2)* forwarded to Athens County Regional Planning Commission 11-11-21
  - ACRPC recommends approval as presented 11-18-21 conditioned upon completion of the development proposed
  - Zoning Commission public hearing scheduled for 12-8-21
- Request for volunteers for BZA and Zoning Commission posted to web page 11-11-21
- 26 N. Clinton Street – commercial tractor parking in residential zone
  - NOV sent 11-15-21
  - Contact via phone with Nathan Dailey 11-22-21. Property is vacant, vehicle owner unknown
- Zoning Clearance request for Medical Marijuana Dispensary, Paradigm Ohio, LLC
  - The Plains Shopping Plaza, 70 N. Plains Road, Zone B-2
  - Clearance document approved 11-11-21
- Revised Conditional Use Permit signed and returned to HAPCAP for 30 Connett Road, Zone R-2
- 33 Roy Avenue – trailer parking
  - Clarification request sent to Zoning Commission 11-1-21
  - Zoning Commission approves text amendment to add definition of “trailer” as *ORC 4501.01 (M)*
- 40 W. 3<sup>rd</sup> Street – NOV issued 7-22-2021
  - Advice from Prosecutor solicited for recreational vehicle ROW parking 11-2-2021
- 51 E. First Street, legal, non-conforming use, mini-storage (see §6.02, *Prohibited Uses*)
  - Zoning Commission approves adding as a conditional use in B-1 and principally permitted in B-2, 11-10-21
- Vacant lots, N. Plains Road – proposed use as car wash (see §6.02, *Prohibited Uses*)
  - Zoning Commission approves adding as a conditional use in B-1 and principally permitted in B-2, 11-10-21
- 36 W. 2<sup>nd</sup> Street, zoning certificate and curb cut approved October 29, 2021
  - Athens County Land Reutilization Corporation sale to Bryan Lutz for owner occupied single-family home
  - Zoning certificate and curb cut approved 10-29-21
- 54 S. Plains Road, Tyler Hendrix, single-family home in B-1 zone, under construction
- 9 W. 3<sup>rd</sup>, Susan Westenbarger, catch basins and culverts in street right-of-way not complete
- 7 Cross Street – start of construction without permit – NOV sent 10-22-21
  - Discussion with Ms. Pedigo 10-29-21 to determine property lines and add carport (see §6.04 (a) (6)- Conditional use permit required in residential zoning districts)
  - Site visit conducted to determine property boundaries, 11-10-21
  - Site drawing completed 11-15-21 and forwarded to owner
- 30 Roy Avenue – multiple (4) campers, 2 occupied continuously
  - NOV sent 10-22-21
  - Information forwarded to ACCHD and ACSO, 10-26-21

- Cleanup started 10-29-21
- Call from owner Phillip Jones 11-22-21 requesting extension of time
- 5 Oak Street – occupied camper and trash
  - NOV sent 9-11-21, camper removed 10-24-2021
  - Information shared with Athens County Sheriff's Office on 9-15-21
  - Complaint regarding trash, 10-24-21, NOV sent 10-25-21
  - Met on-site with Mike Cooper, ACCHD and Jason Wickmann, ACSO, 10-26-21
  - Placarded by ACCHD and vacated 10-28-21, yard cleanup started 10-29-21
  - Exterior property clean/compliance 11-23-21
- 3 Elm Street – public/attractive nuisance
  - *ORC §505.87* and *ATZC §6.02 (4)* - OTC sent certified 10-5-21, certified received 10-7-21
  - Contact made also by ACLRC for possible property donation
  - Received phone call from owner, Barbara Parker, 10-26-21 – clean-up to start soon
  - Cleanup yet to start 11-23-21
- 18 W. 4<sup>th</sup> Street – Unlicensed vehicles and vehicles over 14,000 GVW
  - NOV sent 7-22-21, OTC sent 9-28-21
  - Letter received from owner October 31, 2021 indicating final compliance by mid-December 2021
- 24 Ohio Avenue – fence on platted public alley
  - Opinion requested of Athens County Prosecutor's Office for use of right-of-way on 9-22-21. Opinion received 9-26-21, Trustees without statutory authority to allow a fence on public land
  - Fence application with letter of explanation returned to owner, Jack Riley, 11-2-21
- 20 5<sup>th</sup> Street, mobile home placement without a zoning certificate
  - NOV sent 7-11-21 and OTC sent certified 7-29-21, returned unclaimed
  - Forwarded to Athens County Prosecutor 's Office for prosecution on 9-6-21
  - Notices hand delivered by ACSO Deputy Morris, 11-11-21
- 20 5<sup>th</sup> Street trash, upon complaint, reference *ATZC §6.02 (4)* and *ORC §505.87 (A)*
  - NOV sent 9-23-21, OTC sent 10-22-21
  - Information on trailer and trash forwarded to ACCHD and ACSO, 10-26-21
  - Notices hand delivered by ACSO Deputy Morris, 11-11-21
- 14 Broad St. and 10 Downing St.
  - NOV sent 6-27-21, OTC sent certified 8-9-21, claimed
  - Forwarded to Athens County Prosecutor for prosecution on 9-6-21
  - Owner to challenge zoning inspector's interpretation, *ATZC 9.02 (1)*, 9-23-21
- 1 EM Conant Lane, camper in front yard and parking in the right-of-way
  - NOV sent 6-28-21, OTC sent 10-5-21
  - Forwarded to Athens County Prosecutor's Office for ROW use clarification on 8-24-21
  - Opinion received 9-27-21, Trustees without statutory authority to allow and zoning code cannot address parking on street ROW
  - Conversation with owner on 10-5-21 with anticipation of camper removal from the property within thirty (30) days
  - OTC drafted 11-15-21 and first class and certified mailing on 11-18-21
- 16 W. 3<sup>rd</sup> Street – complaint regarding non-conforming use
  - Athens County Prosecutor opinion issued 9-13-21 referencing *ORC §519.19*, challenge denied
- 18 E. 1<sup>st</sup> Street - trash, garbage, debris
  - Forwarded to ACCHD on 7-15-21