

ZONING REPORT
December 28, 2021
COMPLAINTS/PERMITS/QUESTIONS

- Proposal from Zoning Commission to Athens Twp. Trustees 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 notice sent to Athens Messenger 11-24-21
 - Zoning Commission public hearing held 12-8-21
 - Zoning Commission recommends approval to Trustees 12-8-21
 - Trustees required public hearing no later than 1-6-22, scheduled for 1-4-22
 - Request for legal review forward to Asst. Prosecutor Kirk Shaw 11-19-21 and 12-12-21
- 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 as proposed
 - Zoning Commission public hearing notice sent to Athens Messenger 11-24-21
 - Zoning Commission public hearing held 12-8-21
 - Zoning Commission to act within thirty (30) days of public hearing. Special meeting scheduled for 1-5-22
- 20 5th 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
 - Notice from Kirk Shaw, Asst. Athens County Prosecutor, that the case will be prosecuted in Municipal Court by the City of Athens Law Director, 12-21-21
 - Contact made with Athens Law Director and City Prosecutor Lisa Eliason, 12-22-21
- 7 W. 3rd Street, Susan Westenbarger will be applying to move a manufactured home from 14 Beech Road to 7 W. 3rd Street
- 36 W. 2nd Street, zoning certificate and curb cut
 - Athens County Land Reutilization Corporation sale to Bryan Lutz for owner occupied single-family home
 - Zoning certificate and curb cut approved 10-29-21
 - Athens County Landbank approves reimbursement to township for previously filed special tax assessment demolition costs up to \$7,100.00, 12-15-21
- 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
 - BZA hearing for 12-16-21 for variance and conditional use, approved
 - Request sent for fee payment 12-26-21, \$200.00
- 7, 9, 11 N. Clinton Street
 - Email sent to new owner 11-26-21, Riley United Rentals, LLC, Danny Riley agent, regarding use and lot combinations required/allowed in R-1 zones
 - Interpretation challenge by owner 12-14-21
 - Country Prosecutor concurs with owner 12-16-21, no lot split needed for addition of vacant land

- Permits for culverts and construction of 3 homes approved 12-17-21
- Email to Kirk Shaw regarding *ORC 519.12 (H)* sent 12-25-21
 - Answer received 12-16-21, Trustees may modify without additional public hearing
 - Zoning Commission email from Ric Fernow questioning process received 12-28-21
- 10 E. 1st. Street – enlargement of accessory structure and use without permit and right-of-way use (driveway installation) without permit
 - NOV sent 12-12-21
 - Application received 12-15-21
- Fifth wheel camper stored at The Plains Community Park
- 5 N. Ohio Avenue – possible movement of non-conforming trailer
 - Informational letter sent 12-12-21
- 18 W. 4th Street – Unlicensed vehicles and vehicles over 14,000 GVW
 - NOV sent 7-22-21
 - OTC sent 9-28-21
 - Letter received from owner 10-31-21 indicating final compliance by mid-December 2021
 - Compliance complete/verified 12-12-21
- 20 and 22 Cross Street complaint forwarded from Athens County Auditor
 - Unsafe, unsecured, or structurally defective structure and junk motor vehicles
 - Investigated 12-12-21, complaint unfounded
- Request for volunteers for BZA and Zoning Commission posted to web page 11-11-21
 - Email of inquiry received from Dave Schleter 12-10-21
 - Response to Mr. Schleter sent 12-12-21
- 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 or prohibit parking 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
 - OTC certified returned unclaimed 12-7-21
 - Camper trailer removed early December 2021, now compliant
- 26 N. Clinton Street – commercial tractor parking in residential zone
 - Violation of *ATZC §6.02 (2), Prohibited Uses*, NOV sent 11-15-21
 - Owner Nathan Dailey called 11-22-21, house vacant, tractor owner unknown. Owner will post no parking and barricade driveway
 - Additional violation photo texted to owner 11-26-21
- 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 11-10-21 to add definition of “trailer” as per *ORC 4501.01 (M)*
- 40 W. 3rd Street
 - NOV issued 7-22-2021
 - Advice from Prosecutor solicited for recreational vehicle ROW parking 11-2-21
- 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
- 54 S. Plains Road, Tyler Hendrix, single-family home in B-1 zone, under construction
- 9 W. 3rd, Susan Westenbarger, catch basins and culverts in street right-of-way not complete
- 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 letters 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
- 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 5th 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
- 16 W. 3rd Street – complaint regarding non-conforming use
 - Athens County Prosecutor opinion issued 9-13-21 referencing *ORC §519.19*, challenge denied
- 18 E. 1st Street - trash, garbage, debris
 - Forwarded to ACCHD on 7-15-21