

Minutes

County Rural Zoning Commission

Regular Meeting ~ 9:00 am.
Thursday, September 14, 2023

Springview Government Center
3130 East Main Street
Springfield, Ohio 45503

Mr. Ken Brust, Chairperson of the Clark County Rural Zoning Commission, called the meeting to order at 9:00 am and asked for the Roll Call.

Present For Roll Call: Mr. Ken Brust, Mr. Pete Lane, Mr. Wayne Leis, Mr. Bob Jurick, Mr. Larry Spahr, and Mr. Matt Taylor

Absent For Roll Call: None

Also in Attendance: Mrs. Rachel Ricketts, Mr. Alex Dietz, Mr. Ethan Harris, and Ms. Anette Pequignot of Clark County Community & Economic Development.

Approval of the May 11, 2023 Minutes

Motion by Mr. Jurick, seconded by Mr. Lane, to **approve** the minutes as presented with the conditions made by Staff

VOTE: Yes: Mr. Jurick, Mr. Lane, Mr. Brust, Mr. Leis, and Mr. Spahr.

No: None.

Motion carried

Chairperson Brust explained how the meeting will be held to the audience members and then asked Staff to present the first case.

Case #Z-2023-05 ~ Property Owner: Denna L. Johnson ~ Applicant: New Housing Ohio ~ Location: 8518 E National Rd., PID# 130-08-00017-100-002.; Harmony Twp.; ~ Request: To rezone 3.13 acres from PD-M to R-4 for a future group home.

Mrs. Rachel Ricketts explains the subject property is located at 8518 and 8542 E National Rd. in Harmony Township, parcels #130-08-00017-100-002 & and consists of 3.13 acres in Harmony Township. The applicant is looking to rezone the combined 3.13 acres from PD-M to R-4 for a future group home. The group home will require a Conditional Use through the Clark County Board of Zoning Appeals.

Mrs. Ricketts presented the location map to the Board. There are structures on both parcels. She also presented a zoning map showing the zoning of the surrounding properties. It shows the surrounding properties to be a mix of A-1 (Agricultural District), R-1 (Rural Residence District) and R-3 (Medium Density Single- & Two-family residence).

Mrs. Ricketts stated that the main structure was constructed in 1836 and became the Buena Vista Tavern. In 1963 it became a motel and eventually the Johnson's Lamp Shop.

Mrs. Ricketts stated that on March 2, 2022, The Clark County Planning Commission voted to recommend approval of the rezoning of 8518 & 8542 E National Road from B-3 (General Business

District) to PD-M (Planned Development Mixed-Use). On March 10, 2022 the Rural Zoning Commission voted to approve the rezoning request from B-3 to PD-M for use as Retail and Residential. The intent was for residence with a small retail shop in the back. This request was approved.

Mrs. Ricketts presented the Applicant's site plan to the Board. She stated that the structure will stay the same and that she would let the applicant explain the plans in more detail.

Mrs. Ricketts stated that after the County Planning Commission meeting the applicants spoke with many of the residents and they came up with a list of conditions. Those 12 Conditions were presented to the Board.

Mrs. Ricketts also stated that according to the CONNECT Clark County Land Use Plan the area is Suburban Living, Low Intensity and some surrounding Rural Agriculture. This is identified as Single Family detached residential. She stated that South Buena Vista Road has a total of 60 feet of Right of Way and East National Road is a State Road.

Mrs. Ricketts presented a letter from the Engineer's office. They requested a Site Plan and Storm Water Management report for any impervious changes to the acreage and a Traffic Analysis Study. Ohio Department of Transportation (ODOT) also had a few comments. One was the possible relocation of the access along State Route 40 further from the intersection and another to eliminate one parking space right behind the existing sign to prevent traffic visibility issues. Any changes with access on Route 40 will have to go through ODOT's permitting process. The Clark County Combined Health District stated that they are able to use the same septic that is there until it fails.

Mrs. Ricketts stated that the request is to rezone to an R-4 for a group home. It is not looked at as a multi-family or four family dwelling and has its own set of regulations which Mrs. Ricketts presented. This district does not require public utilities but must have sign off by Clark County Health Department or Ohio Environmental Protection Agency (EPA) if it does not remain private. Once the applicant would apply for their conditional Use they would have to meet other regulations. One of those being in 727.03, no exterior alterations of the structure will be made which depart from the residential character of the building. All new structures shall be compatible in residential design with the surrounding neighborhood.

Mrs. Ricketts presented the definition of Group Care Home from the Clark County Zoning Regulations.

Mrs. Ricketts stated that Staff recommends the Applicants request to rezone the combined 3.13 acres from PD-M to R-4 be approved with a Specific use designation to only allow the specific uses stated in the applicants revised narrative; and with the following conditions: 1. Contingent upon BZA approval for a Conditional Use and any Variances needed. 2. Meeting Chapter 5, Section 501 Specific off street parking requirements. 3. Subject to review and approval from the Clark County Engineer and ODOT for access. 4. Subject to review and approval from the Clark County Combined Health District regarding well and septic.

Mrs. Ricketts stated that the County Planning Commission met on September 6, 2023 and recommends the Applicant's request to rezone 3,13 acres from PD-M to R-4 to allow a Group home facility be approved as R-4S Specific Use with the following conditions: 1. Specific Use to only allow the uses stated in the applicants revised narrative. 2. Compliance with Chapter 5, Off-Street Parking regulations. 3. Contingent upon BZA approval for the Conditional Use and Variances needed. 4. Combining of the two parcels. 5. Approval from the Clark County Combined Health Department for

on-site water and sanitary sewer, if required. 6. Approval from the County Engineer's office and ODOT for Access and Storm water.

Chairperson Brust asked if it would be rezoned to an R-4 does it not specifically state that public water and sewer would be required. He asked if a group home was an exception to that.

Mrs. Ricketts stated that it is not an exception, it states under Section 2 that it must have the Clark County Combined Health District approval, which it does.

Chairperson Brust stated that the ideal situation would require public utilities. Mrs. Ricketts stated that ideally, yes. Chairperson Brust asked if there was information on how old the current system is. Mrs. Ricketts stated that per the records, it was put in, in 1970. Chairperson Brust asked what the life expectancy of the system was. Mrs. Ricketts stated approximately 20-30 years, but she is not an expert on the subject. Chairperson Brust stated that they are probably looking at replacing the current system. Mrs. Ricketts stated that the applicant will be required to work with the Clark County Combined Health District when the system fails. Chairperson Brust asked what happens to the people living there if they have no septic system. Mrs. Ricketts stated that she is not the one to answer that question, it would be for the Health Department. She stated that if there are further questions concerning the septic system they should be directed to the Clark County Combined Health District.

Mr. Spahr asked to explain the last sentence in the definition of a Group Home in Chapter 10 that Mrs. Ricketts read to the Board. Mrs. Ricketts stated that it meant that the residents can exit the building without assistance.

Hearing no further questions for Staff, Chairperson Brust opened the public portion of the hearing at 9:20 am and asked if the Applicant would like to speak.

Mr. James H. Lagos, 5057 Troy Road, Springfield, Ohio, is representing the applicant, Ms. Denna L. Johnson. He stated that Ms. Johnson and her late husband owned the property since 1963. When the property was first purchased it was a hotel. He stated that there have been other contracts on the said property, the problem is that it takes a lot of money to not only buy the property but to maintain it. The property taxes and utilities alone are very expensive.

Mr. Lagos stated that they were present at the Regional Planning Commission meeting and that there were no public statements at that meeting, the request was approved. He also stated that he invited the public out into the parking lot after the meeting to voice their concerns on the proposed rezoning. After that gathering, a list of 12 conditions that Scott from New Housing Ohio has agreed upon was compiled. This list has been given to the Board, Staff and concerned residents present at the meeting.

Mr. Lagos stated that these specific conditions are of the rezoning request and can be added into the motion. A Conditional Use from the Board of Zoning Appeals also has to be approved if this request is approved by the County Commissioners. As part of both the Re-Zoning Application and the Board of Zoning Appeals approval New Housing Ohio, Inc. would agree to the following conditions:

- New Housing Ohio, Inc., hereinafter referred to as (NHO) will do a criminal background check on all the applicants. No one who has a felony conviction or any conviction for any misdemeanor offense of violence or drugs or any conviction concerning children or who is on any Sex Offender Registry would be considered.
- No applicant will be considered who is not a U.S. citizen.
- NHO staff or family members would provide all transportation for all residents.
- No applicant would be considered who does not pass a comprehensive drug screening.

- No drug or alcohol rehabilitation will ever be conducted.
- NHO will comply with the Ohio Basic Building Code for all renovations.
- NHO will conduct a tour of the facility for the general public when it is finished.
- NHO will have both septic systems inspected annually. If and when they fail NHO will promptly replace them or have all septic tanks cleaned out by a professional company as needed until public water and sewer becomes available.
- Special consideration will be given to disabled veterans.
- Special consideration will be given to eastern Clark County residents.
- No resident will be permitted to possess any firearms.
- No resident will be permitted to consume any alcohol on the premises.

Mr. Lagos commented that there have been many small old hotels along Route 40 from the Indiana border to the Pennsylvania border that have been converted to apartments. There could be residents living in these places on drugs, consuming alcohol or have guns etc. and there is no control of that. If those people have mental health conditions some very bad things could happen.

Mr. Lagos stated that NHO would have people there 24 hours a day looking after their residents. It will be a lot safer for the residents, community and first responders and they would have a whole lot of restrictions.

Mr. Lagos addressed the question do you want to live next to a group home. The address of 1101 E. High Street is McKinley Hall's Campus and there are several group homes there. Very rarely do you ever see any people outside. If New Housing Ohio was successful with the proposed home the outside appearance of the property would not change, also you would not see a difference. McKinley Hall is right next to the Greek Orthodox Church and there has never been an issue with the residents next door. They are usually very quiet.

Chairperson Brust stated that anyone can get ready for a drug screen.

Mr. Lagos stated that he could not answer that but there will be staff on location 24 hours to monitor the residents. The residents will not be chained to their rooms. There are people out there right now in Harmony Township, Pleasant Township and Madison Township that have drug problems.

Mr. Spahr asked Mr. Lagos who he was representing. The seller or the buyer? Mr. Lagos stated that Denna Johnson is the one that has retained him to be there.

Mr. Spahr stated that the twelve conditions will be in writing and asked Mr. Lagos who will sign off on them. Mr. Lagos stated that the Board can put the twelve conditions on the motion as a condition of approval. Mr. Spahr asked Mr. Lagos if these conditions were done in the parking lot. Mr. Lagos stated that the conversations with the residents took place in the parking lot, but the conditions took many drafts and were in response to the comments and questions that took place.

Mr. Spahr commented, you can't even keep firearms and alcohol out of the county jail how do you plan to keep them out of a group home. Mr. Lagos replied that there are no guns in the jail.

Chairperson Brust asked the crowd to hold comments, clapping, cheering etc. as it drowns out the recording for the minutes of the meeting.

Chairperson Brust asked about homelessness. He stated that it is a problem in the Country and most of it is due to drug issues or mental health problems. He asked what part of that population could be

weeded out to have as residents in the proposed home. Mr. Lagos stated that he would refer that question to Mr. Russell.

Mr. Luke Russell, National Alliance for the Mentally Ill of Ohio (NAMI OHIO), 29 James Court, South Charleston, Ohio stated that he is the Executive Director for NAMI OHIO and that they are partners with New Housing Ohio on the proposed development. Mr. Russell explained that Melissa's mother (Melissa's Project) provided NAMI Ohio with a donation to start a group home. NAMI Ohio has also provided funds to start this group home. Mr. Russell explained that he has lived in Clark County for 29 years and have served on the Southeastern Local School Board and I have 4 adult children, one with a disability that could be served by the one being proposed. Mr. Russell stated that, NAMI Ohio has a Management agreement to run the adult care facility association of Ohio and we represent over 300 group homes for those that are disabled due to mental illness. Mr. Russell stated that our mission is to improve the quality of life and ensure dignity and respect for all people especially those with mental illness and offer services and support to them and their families. Mr. Russell stated that there is no greater need than those with mental illness to have quality long term housing. Mr. Russell stated that the real life experience for residents of group homes is that they are loved in a family environment, it creates and enables them to live a fulfilled life. Mr. Russell stated that the Melissa's House Project is an investment of 500,000 dollars of NAMI Ohio's money, with plans of upwards of 1.5 million dollars in renovations. Mr. Russell explained, the Johnson's Lamp shop location and building is beyond ideal and we believe will be the gold standard for adult care facilities in Ohio moving forward. Mr. Russell explained that the project will provide disabled individuals with a group home living environment with 24 hour staffing, clinical services, prepare meals, activities, amenities, life skills, etc. Through the partnership of the Clark County Board of mental Health and local service providers, there will be a full range of social services being provided in the home. New Housing Ohio will provide the Staff that will be there 24/7 that do the meals, medications and transportation. The project is designed for adults who need more services for a quality life and independence in the Community and that provides for a combination of housing, services, case management, counseling, advocacy, assistance in finding and maintaining employment in Clark County. Mr. Russell explained, those with serious mental illness, only about 30% of them have a drug addiction. This home is for individuals that are disabled due to a diagnosed mental illness. The original donation of 500,000 dollars was provided by a family that desired for their daughter to have a group home and not live on the street. Mr. Russell states, the capital project is not using or asking local funds to be used. Funding for the operations comes through the social security Residential state supplement fund that supply room and board for individuals eligible for Social Security due to their disability. Mr. Russell explained, the rural location is not a hindrance to service but rather a plus. He mentioned 3 or 4 group homes on a 16 acre plot of land and thinks of it as the best in the state. Mr. Russell explained that it is not close to services or transportation. Mr. Russell states that people with disabilities thrive in rural quiet locations, and at times urban settings can hinder the quality care of living. With the level of investment from NAMI Ohio and New Housing Ohio being prepared to manage a property, it needs to be at a level that's appreciated by the families of the loved ones who live in this home and the neighborhood. Renovations will be done by locals in Clark County and Melissa's House will create 6-8 full time jobs that will be the 24 hour care staff. New Housing Ohio and NAMI Ohio are Community driven organization seeking to revitalize buildings by providing quality support services in the communities in which we live. NAMI is a nonprofit with 38 affiliates across the State with one here in Clark County. Our goal is to educate, support and advocate. If this project doesn't move forward, at least we were able to educate. Mr. Russell acknowledges the many concerns brought up by residents. He states that if New Housing Ohio and NAMI Ohio thought the property was not feasible or had issues, they would not invest 2 million dollars into the project. Mr. Russell states, the real concern are what kind of neighbors we will be because people living in this home have a disability called mental illness. He adds that he has visited over 300 group homes across the State and have never felt fear while being there. Mr. Russell asked the Board to make a decision based on facts not fears. Mr. Russell states,

as a resident of this County, and with over a 2 million dollar investment to help those in need, it's a win for the Community and the people need our voice so they can have the quality of life we all desire.

Mr. Lane asked how many staff members will be in the home overnight. Mr. Russel answered 6-8 Staff members. He adds that the Ohio Revised Code just states that with having over 6 residents it requires 24/7 Care. He states that if you have under 6 people it only requires 8 hours a day of care I believe. Mr. Lane asked, with the experience that your organization has had with quality facilities around the State, how often do you do you use local services, police or fire. Mr. Russell refers to Scott Boone for clarification.

Scott Boone, New Housing Ohio was sworn in. Mr. Boone answered, I do not have any data with me but the Communities were in we have never had any issues with fire, EMS and Police. No one has ever approached us and told us there has been a problem. Mr. Boone explained that Mr. Russel did a fine job representing the people we serve. He adds that we have been doing this since 1995. I got into this due to having a sister with a mental illness. I did not attend to be doing this this long but here I am. One in four families are dealing with a family member living with mental illness. That is why we are here developing group homes. Mr. Boone states, when we were in the parking lot after the last meeting residents had shown a document they received stating what the proposed project entailed. Mr. Boone stated that he did not submit that document, He stated that it was a draft sent prior to the Application. The actual document I wrote and submitted was not the one that got spread through the Community members. Mr. Boone adds that we believe this Community could use this type of assistance, and with 25 percent of families living with mental illness need this type of facility. We will run this facility very well and treat our neighbors with respect like we always do, and we always look at this like a partnership with the Community were in. We understand why the Community is upset, they do not want this in their backyard. But people are living in our Community without the support we are offering.

Mr. Lane asked how many of your properties are in unincorporated areas. Mr. Boone answers, several. We have about 50 properties and they are all in small communities about 20,000 residents or under with the exception of Middletown. (Communities like Tiffin, Eden, Wilmington, Lebanon, and Fostoria & Freemont) We have a farm in an unincorporated area for woman, a group home in Clinton Township in Northern Ohio and several right on the edge.

Mr. Jurick asked if all the group homes are nonprofit. Mr. Boone answered yes.

Chairperson Brust read the comments and reviews made by prior employees on Indeed.

Mr. Boone states that he will not comment on former disgruntled employees. We have had an upward of a thousand employees.

Mr. Spahr asked, the projected Staff of 6-8 people, can you break down the job positions, titles and pay. Mr. Boone answered, these are new front line positions. There will always be a minimum of one Staff person on site. The projected 6-8 Staff members will have a supervisor as well. There is also a team of support for the group home and addition to our New Housing Ohio staff, the providers will have people coming into the home as well that are not employed by us but have a responsibility to the resident. Mr. Boone adds, we have a standard minimum pay of \$15/HR for frontline staff. Supervisors are paid on a different scale. Mr. Spahr asked for further breakdown of job titles. Mr. Boone states it's not standard practice for group homes in Ohio to provide a cook. Most of the residents help in preparing their own meals. Mr. Spahr states that most of the nursing homes in Clark County has a sign up stating help needed. Mr. Spahr does not believe he will be able to Staff the facility for \$15/HR.

Mr. Leis asked if there will be female residents and Staff. Mr. Boone answered that they will have both male and female staff.

Mr. Russell states, on the question about the cook and meals. People in group homes can cook and clean. They won't be making multi course meals but the residents have an expectation to participate. What I have seen in other group homes, some of the high functioning individuals become big brothers and sisters to the other residents. The regulations in the State say that fresh fruit has to be made available to the residents 24/7. The workers are there to oversee and manage things.

Chairperson Brust asked if anyone from the audience wanted to speak in favor of this request. There were none. Chairperson Brust asked if anyone from the audience wanted to speak against this request.

Dr. Les Sprague 176 S Buena Vista Rd. was sworn in. Mr. Sprague states, we as a Community are sympathetic to the fight of the people that would be served by this facility. But zoning is about regulating the use of property in an orderly way to protect the community character, public safety, health and welfare of all residents not just the users of this facility. We feel that changing the zoning from PD-M to R-4 is inappropriate for this rural area. The current PD-M use would ensure a future owner continues generating a variable tax base in Clark County for both property tax and an income tax. Mr. Sprague states, passing a zoning change could also set a dangerous precedence for nearby properties currently zoned low density residential and agricultural to be rezoned as R-4 in the future. Applicant will point to this case. Clark County Zoning regulations as Staff pointed out are meant to be in districts with strategic locations served with public water and sewer systems. As a local community member I would like to point out there is a lack of general public infrastructure in this area as well as grocery stores and public transportation. Mr. Sprague states as a Community we feel this location is not suitable for R-4 Zoning. Mr. Sprague refers to objective number 7 of the CONNECT land use plan. Mr. Sprague states this proposal does not follow that objective. Harmony Township is a rural area with existing a future land use plan describe this area as agricultural, low density and single family. It does not plan for high density and multi-family. The proposal would be out of Character for the area. It would be equally inappropriate to approve or deny this rezoning request based on the disabilities of its users. Zoning regulates land use, not its users. My fellow residents and I would never ask this Board to discriminate against people with disabilities. We do ask you to uphold the zoning process and protect the Communities Character, Public Safety, Health, welfare and property rights of all Clark County citizens, not just a select few

Michelle Krempasky, 8465 E National Rd. was sworn in. Ms. Krempasky states that she lives directly across from Johnson's Lamp Shop. Ms. Krempasky states that she wants to talk about the Clark County Comprehensive plan. The goals of that are strengthening physical Character, advancing prosperity, enhancing quality of life and improving infrastructure. Is this group home in line with the values and aspirations of the Community? Does this group home support development of distinct and desirables places of which you want to work, live and play? Ms. Krempasky read to the Board Chapter 7 of the Comprehensive Land Use plan. Ms. Krempasky states, when I bought my home, I didn't live next to a group home. I chose not to live next to a group home, you are making that decision for us. If you pass this you are forcing my family to do so and we will sell.

William Sisler, 6100 Fletcher Chapel Rd. South Charleston Ohio was sworn in. Mr. Sisler explained, one gentleman mentioned the nurses. I have a sister and a son that has dementia. Some of those nurses are horrible. The area we are talking about is a beautiful area out here. These men and woman have worked years to achieve that and now the government wants to put in a group home. Anybody in this world can tell you what is happening to this Country. It isn't the Country I group up in. It's a democratic socialist run Country and it is horrible.

Chairperson Brust asked Mr. Sisler to stay on topic.

Mr. Sisler continues, there is property downtown where the old collier building is. I realize the County and the City. This shouldn't be used for a group home. Springfield and Clark County has become a sanctuary County. Is there going to be a deputy Sherriff 24/7 at the group home? Chairperson Brust stated no. Mr. Sisler asked how you would ensure the safety of residents. He asked if there will be quality doctors and nurses there 24/7, no. Move them downtown where they have police close, clinical close, and where this can be utilized. Leave the people of this beautiful area alone. Because if it happens out there, it can happen anywhere in Clark County. President Reagan once said the problem with this country is the government and it just got worse today. Thank you.

Dennis Paul, 8606 Wildlane Dr. South Charleston Ohio was sworn in. Mr. Paul explained, one reason I am up here is because I am speaking on behalf of Harmony Township. I was the Fire Chief at Harmony Township until a year ago or so because I stepped down. Anyone out here that lives in a rural area knows that fire and ems struggle being able to cover things. They pay employees to work 6 am to 6 pm and they have struggles for people picking up those shifts, then after 6 pm, it is all volunteer. You may get a squad, you may not get a squad. You may get a squad from Madison Township, or our squad is over in Madison Township to help them. It is not feasible for them, I don't think they would be able to provide this service that we used to be able to do. We do not have the volunteers that we used to have. One thing I would like to talk about is that road. Clark County 911 has made 281 calls to that residence since 2018. This is not just fire and ems, this is 911 that came from police, fire, and ems.

Mr. Paul handed the Board members the fact sheet he had.

Mr. Paul continues to explain, I do not have a problem with people that are in need and need help, but we are going to have a struggle providing services. Even with the number of people that live in the area currently, it is tough. It is tough to get people to volunteer. At one time, we had about 8 personnel that ran at night to cover every day. I am not saying all of the calls were bad, there are a few 911 hang-up calls but they did call 911.

Mr. Leis asked what group home these calls were at.

Mr. Paul answered Vienna Meadows in South Vienna. This is the one we have been to many times. Now we are adding about 16 people.

Chairperson Brust asked how many of those runs involved police

Mr. Paul answers there are many police, assaults on there. There were many fire calls down there. A lot of the time, it was nothing. I just wanted to pass that along about the 911.

Greta Sprague, 176 S. Buena Vista Rd. South Charleston Ohio was sworn in. Ms. Sprague explained, thank you for hearing this proposal. After living outside of Clark County, the last decade, my husband and I decided to be the fourth generation to own our family farm. My family are Aukemens. My great grandfather Mark Aukemen started Hollandia Gardens at the corner of 40 and Buena Vista. Over time, this area has seen a lot of change. Hollandia View was developed, many of my neighbors properties were built, so we are not opposed to change. Some of the things I think have been mentioned previously regarding out four is correct. It is inappropriate for our area. Something I did want to specifically mention though, I hope you follow the developmental land use plans that were provided by Clark County, in that it states, "Land use vision is implemented overtime, remained distinct public and private development distance. It will help planners in various jurisdictions throughout the county to make decisions about where and how development should take place. Finally, it provides property owners, residences, businesses, and developers a degree of predictability regarding where and how development might take place in the future." As I mentioned we previously purchased our property in 2022. When we made that decision to invest significant finances into purchasing it and renovating it we expected this area to stay rural/residential. I would also like to ask to submit a petition, these are copies, not originals because I want to submit that to the Commissioners. At this time we have 861 signatures.

Ms. Sprague asked if they are allowed to ask questions to the developers. Chairperson Brust answered after we end the opposition comments, then we will allow them to rebuttal.

Rebecca Lippencott, 135 E National Rd. South Vienna was sworn in. Ms. Lippencott explained, I am not really opposed to group homes, I am not really opposed to this one except being at this meeting I think that NHO, I listened to you talk and the residents are only going to have 500 sq. ft. and they are going to be there for their life time correct? That is not very many square feet. Then you sit here and say there is a problem with the sewage and going to wait until it falls apart. That just tells me you do not care about the residents. They are going to be in there, which is their home. Then they will probably get kicked out of there for months. It just tells me there is something else with your group. If you really thought about these residents and really thought about the community around you there would have been a lot more meetings like this before the last minute. That is just not fair, a silly situation should be taken care of before anyone moves in there. No one in this room would move in or buy a house and say the sewage is bad but we will fix it when it gives out.

Lisa Holmes, 6460 Davidson Rd. Mechanicsburg Ohio was sworn in. Ms. Holmes explains, I know this was going around the room on the letter head from NHO where someone said this was not supposed to be submitted with the zoning but is has the rezoning case on the top of their letter head. Ms. Holmes read from the applicant's narrative. The safety issues I have concerns with my children going to Northeastern Schools have really already been touched on so I won't bore you with that but that is huge. Thank you.

Rick Delaney, 3775 Dolly Varden Rd. South Charleston Ohio was sworn in. Mr. Delaney explains he is representing Harmony Township Trustees. I am going to be quick because I respect the fact of not saying things twice. I have had parents in nursing homes. I respect and need that. As a Township Trustee for 22 years, Denny is very correct. We have had great volunteers and everything. Now, as all townships do, running squads 24/7, paid 6 am to 6 pm but they still cannot fill all of those shifts. We share a shift with Harmony Township, we cover Saturday both townships, and they cover both townships on Sunday. Therefore, that is a major concern for us. The last thing Rachel read about ODOT, there is a catch face on the corner of Buena Vista and 40 basically in the gravel parking lot of Johnsons Lamp Shop. I called ODOT, they went out, and they ended up coming back and backing it and cleaning it. That catch face is not in their inventory anywhere. No one in Harmony Township that we know of knows who put it in and where it goes. ODOT when approximately 60 ft. and hit bottom. Is it working? We have not had much rain since one of the big ones had flood into the intersection but I think that needs to be known. That catch face is not hooked to anything as far as ODOT knows or Harmony Township. Thank you.

Jerry Summers 105 N Buena Vista Rd. South Charleston was sworn in. Mr. Summers explained, I do not hear too well I'm handicapped. That is basically in my front yard. I have lived there for 52 years. So what are you going to do to my property value? Surely, it will not increase.

Chairperson Brust mentions he does not know, he is not a realtor.

Mr. Summers continues to explain that the traffic on Buena Vista Rd. is bad. School buses of Northeastern School District travel that, a lot of people travel that. People are not locked down, getting out on the road or the highway. Being handicapped and not knowing what they are doing.

Chairperson Brust mentioned I don't think we will allow people to be locked down.

Mr. Summers replied I don't want people to be locked down

Chairperson Brust said that isn't an option so. To answer your question there is an article by the infectious substance abuse treatment center property value. The abstract states that a neighboring treatment center showed an 8% reduction in nearby prices.

Jeff Stridsberg 8525 Wildlane Dr. South Charleston Ohio was sworn in. Mr. Stridsberg explained, I had a conversation with Ms. Johnson earlier. I just wanted to let everyone in the room, try to be cordial. She said she was getting threats. She is 81 years old, we talked and I told her I am opposed but we are cordial. She has known my wife's family for 60-70 years. I realize she is looking out for her own good. I just wish and hope we can come up with an alternative plan. Everyone in this room knew somebody. She said why did you wait so long, well I don't know. I want to stay cordial to Ms. Johnson even though we oppose what is going on. That is all I have to say, thank you.

Dr. John Kronour 1305 Greenoak Ct. Springfield Ohio was sworn in. Dr. Kronour explained, I am not for or against this but I do have some questions as a safety standpoint as a school superintendent would. I think I have heard a lot of those things addressed and solved. I am also concerned what it may potentially do to our enrollment. I don't know if I know specifically what the population is that is going to be there and whether or not they would potentially be bringing in students in the district or not. Our enrollment has been steady. When we built new buildings, they were specifically built for that population. If it rises that becomes a concern for the district, especially if there is a special needs population. We have had difficulty-hiring teachers in that specific area. So again, I do not know if those residents would have children themselves. However, whether the district becomes responsible for educating or if there are younger folks 18-20 that can still enroll in school that could also become a concern for us.

Chairperson Brust asked if they could address Dr. Kronour's concerns.

Mr. Boone explains there will not be any in fact it will be all adults living there. There are no children living in the home. If they do have children, they might visit occasionally, but they will not be moving in or living there in anyway.

Mr. Kronour asked the zoning staff if this property is zoned R-4 even with the conditional use. If this property would ever sell, it would still maintain the R-4 with the same conditions, but would not potentially preclude that from becoming a youth group home. With a group home, it does not say that it has to be adults. It could be younger students that would have an impact on the district. That would be a real concern if it were to be changed in zoning and a future youth facility.

Chairperson Brust mentions if it is zoned R-4 it is R-4. It is not specific to the use, it is for the land.

Mr. Kronour mentions but with the conditions. That would be a concern for the school district. Thank you.

Lindsey Duncan, 5050 South Charleston Pk. Springfield Ohio. Mr. Duncan explained I am friends with Mr. Lagos. I have known him for two years. No disrespect to you sir. At the beginning of this meeting Mr. Lagos handed out a document that promises that came from a parking lot. Conversation with people in and out of this room in a parking lot. The parking lot conversations were about things people did and did not want. Don't want people with drug abuse, don't want people with alcohol abuse, and don't want immigrants, these kinds of statements. Mr. Lagos puts them on a piece of paper and states these will be sworn in as a promise. You cannot promise these types of things. Go to the internet and it says here, item number 2, no application will be considered if the applicant is not even a citizen, that is discrimination. No applicant will be considered who is a consuming drug or alcohol. If you look up Housing Assistance Department of Mental Health and Addiction Services, it says everyone deserves access to safe, decent, and affordable options regardless of mental illness or past substance use disorder. Then you type in can drug abdication be considered a disability. Answer; substance use disorders can be considered disabilities, in short, yes. Diagnosable drug and alcohol addiction addictions or substance use disorders SUDs, are considered disabilities under section 504 of the Rehabilitation Act of the Americans with Disabilities Act (ADA) and section 1557 of the Affordable Care Act, this was March 30th 2023. The federal agency that interprets employment law and enforces it is said that alcoholism is qualified as a disability under the ADA. Same thing with immigration. It is complete and absolute discrimination. I'm sorry Mr. Lagos this piece of paper was garbage and not worth the ink that is printed on it. It is no way enforceable and should not be put into the minutes

because of its inaccuracy. It will guarantee millions in lawsuits trying to prove that alcohol or any of these things habitable and then it becomes a delay and they are not even enforcing 15 people in one room of all people that are illegal. They are certainly not going to do it out here in this township.

John Miller, 8590 E National Rd. South Vienna Ohio was sworn in. Mr. Miller explains, they have covered everything we are concerned with. You brought up one of my biggest concerns here. When and if the sewer system will fail, I am below the property. Please think about that, my well, my basement will be flooded. Please think about that before you vote and ruin my property. It will fail. It is as old as mine is, I had to fix mine, and I only have two bathrooms. They are going to have 16+ people.

John Fitzsimmons, 820 N Buena Vista South Vienna Ohio was sworn in. Mr. Fitzsimmons explains, I purchased my own on Buena Vista in 1996, I have lived there ever since. I have taken care of my property, peaceful neighborhood, lot of friendly people live in this area. One thing, I am now retired. January 1, 2011, it is a date these gentlemen know. July 24, 2022 is a date they know. I know mental illness is a problem. People with mental issues killed both officers, Suzanne Hopper and Matthew Yates. I live in a peaceful neighborhood. You cannot call where and when or how this will happen. But both officers lost their lives.

Fred Maine, 660 N Buena Vista South Vienna Ohio was sworn in. Mr. Maine explained, I want to quickly say I have been in business for 50 years. This about drug screens means nothing. You can screen a guy, man or women you can go to Yellow Springs and several places in Springfield and buy whatever it is that they take and the next day it goes away and you can pass a drug test. Just because you screen somebody and we have been screening drivers for years, don't mean the next three weeks they won't be right back on them. This place is not locked down, there is no real security. These people can come and go. Many of these people are enabled by their family and friends that will come and visit. They will bring them whatever drugs they want or anything else. Since no security is there, let's talk about no firearms allowed. Are you going to have a metal detector where they can walk in with a firearm in their pocket? One last thing that I will say to you is what John Fitzsimmons mentioned. The two deputies were killed by people that had a mental problem and were off their meds. So a mental patient that has been taking medication they are good until they are not. I am a veteran and I can speak to PTSD. I will tell you most of the people that have PTSD problems, they go to the VA and the VA just gives them drugs. They are good as long as they take their drugs. I know people personally that live in this county. I am one of the lucky ones that came home. I have a wife that keeps me grounded, most people don't have that. There are a lot of people in this county that suffer from PTSD that take their meds every day and get along in life. Everyone talks about having PTSD makes you disabled, I don't know about that. I always try to hire a veteran when I can. The wrecks ems/fire/police see, being in the towing business will make a Billy-goat puke. Thank you for your time.

John Pickarski, 3650 Dolly Varden Rd. South Charleston Ohio was sworn in. Mr. Pickarski explained, I spent 15 years in the City of Springfield as a police officer and a street supervisor. There has been a lot of talk about the violence of a person that comes off their meds. I have seen it firsthand. We would get calls for an unmanageable person. We have been called out to many different patient care places to help control somebody. I am not a small guy. One person off their meds at the mental health unit picked me up off the ground and threw me against the wall. That's one person. I was about 6'3 and 230 lbs. when I was on the police division. We would not send a single unit to someone that is in distress. We always made sure we had two people. It is not for the safety of the officer, but the safety of the individual and the staff. He touches again on the low on duty ems/fire/police staff out in the county as compared to the very well-staffed city departments.

I am not against group homes but I think they need to be surrounded by available services and have the utilities that support that kind of organization. Thank you.

Gage Gano 101 Plattsburg Rd. South Charleston Ohio. Mr. Gano explains, the only concern he has, if someone comes in and says they need to put public water and sewer out there, is the community going to be on the hook, VR tax dollars, to bring that out there in the matter of how many years. Will the other people along the way be forced to tie into it? That was my biggest concern, thank you.

Brian Knouse, 4564 Old Springfield Rd. Springfield Ohio was sworn in. Mr. Knouse explained, I think there is a contradiction of use or function of this project that has created the community apprehension of the project. Is this kind of a first phase of the three-acre land? What is your 5, 10 year plan? Can we expect more units? As a retired veteran and an employee of the Dayton Geometric Center, we have a similar program with housing there. There is consent instances of contraband, failed screening, and drug deals on our campus. The campus police can't even keep the veterans in this program clean. I know veterans are very resourceful and adaptive. There is always someone out there looking for the opportunity to enable a prior offender. Thank you.

Chairperson Brust asked for a rebuttal from the applicant.

Mr. Boone mentioned the decision hasn't been made if they are going to replace the septic system. They would never put people in a facility without having an adequate septic system. When we develop a property we are looking at a 15 year threshold at a minimum. If we don't think that will last 15 years, it will get replaced. The lady from Mechanicsburg that lived 20 miles away from the facility is bringing up fake news. This document that was sent, was sent by a new staff member, it was never intended to be a part of our application. When I submitted the application it had the correct narrative. I am sorry that keeps getting pushed but it is fake news.

Mr. Russel states, on the internet, the only thing that has been posted is the original, the revised, for some reason is being shoved. So when we talk about these issues, like I said earlier, let's get to the facts. The fact is that when we heard from the gentleman from the VA, one of the issues he brought up was the drugs. Our group homes are for people with mental illness. There is a group in Ohio called Ohio Recovery Housing that have group homes in Springfield and around here that are for people with Substance Use Disorder not mental illness. Let us get back to what the proposal is and not that we are going to have Hattians and felons in there. When you have to have social security to be able to get into this facility. You cannot discriminate; illegal aliens cannot get a license in this country. The facts are being outweighed by other issues. The issue is the original vs. the revised for the proposal for this property that is exactly what is in your packet. I talked to two County Commissioners and they agreed that it should not be out there.

Mrs. Rachel Ricketts stated she wanted to clarify a few things. When the original application was submitted, the original narrative, a second application came in from the applicants, it was a new application, with a new narrative. We are public record. We have to keep everything. When somebody calls us and requests a document that was submitted as a public record, we are required to give it to them. The applicants supplied an updated narrative. If someone requests the original and we don't have it, that is on the county. I don't know why one is being circulated vs. the other but I have the surprop letter here that was sent out to every property within 200 ft. of the property line and it does not have either one of those on it.

Mr. Boone mentions the property value comment from treatment centers and recovery houses that bring down value. Yes, I agree with that. They do, but this is not that. We are taking a building that is at risk. This is not a great building, there are health concerns in that building. We are going to invest 2 million dollars to make that building beautiful, brand new, and that investment will bring up property

value. There are a lot of questions about medication, people not taking medication, and coming off their medications. The great thing about group homes is we monitor medications 24/7. We observe people taking their medicines. The very second they don't take their medication we contact the mental health care provider and work in conjunction and meet with them on a regular basis. That issue is addressed immediately. We do have a problem in this country. Where people don't take their medication, they are out wondering the streets. That is why this project is so important. There is no plan for any new units.

Brad Johnson, 7915 Plattsburg Rd. South Charleston Ohio was sworn in. Mr. Johnson asked if the petition public record? So we would be able to get a copy of that. Many of you signed a document that was talking about Melissa's house and that document that was handed out to many people was not from NHO, in fact it took me about 30 seconds to find out that was from another organization that is in Columbus. So if you took that document and said that is what NHO is doing about this project, you were misled. The second point is, I believe signs were in the middle of the street and at the booth about saving the Historic Johnsons Lamp Shop. Some of you may have been drawn to the booth to petition thinking the lamp shop was somehow in jeopardy, it's not. These people are spending more than they could ever afford to modernize it, the exterior will be changed and fix a lot of the systems. It is a very good project, if this one falls through, maybe the next people that are interested in it will be able to do something. It's the history of the building not the Historic Johnsons Lamp Shop.

Chairperson Brust mentioned normally at this point we would go into private session, render a decision, there seems to be some ambiguity about the document that was passed out at the Corn Festival.

Mr. Sprague mentions they have both versions of the submissions that were at the Corn Festival. Mr. Brad Johnson mentions that one is a print out that was posted on Facebook by an entirely different organization. It took me 30 seconds to find that out.

Mr. Russel mentions the money in their foundation, this is a foundation, and they gave the money to NAMI Ohio for the specific purpose to develop a group home. They are no longer in existence. They are a foundation made up by parents with kids, adult kids with mental illness who are looking for a home.

Chairperson Brust closed the public portion of the hearing at 11:10 am and asked the Board to deliberate.

Mr. Spahr asked Staff if all the information they received today would be forwarded onto the County Commissioners. Mrs. Ricketts answered yes.

Chairperson Brust asked for a motion.

Action on Case #Z-2023-05 ~ Property Owner: Denna L. Johnson ~ Applicant: New Housing Ohio ~ Location: 8518 E National Rd., PID# 130-08-00017-100-002.; Harmony Twp.; ~ Request: To rezone 3.13 acres from PD-M to R-4 for a future group home.

Motion by Mr. Lane, seconded by Mr. Jurick to **approve** as presented.

VOTE: Yes: none

No: Mr. Lane, Mr. Jurick, Mr. Leis, and Mr. Spahr

Motion denied.

Chairperson Brust asked Staff to present the next case.

Case #Z-2023-04~ Property Owner/Applicant: Ryan Harris ~ Agent: Harral & Stevenson; Jason Harral ~ Location: 0 Moorefield Rd., PID #220-03-00022-300-047.; Moorefield Twp.; ~ To amend 8.84 acres of an existing PD-M (Planned District-Mixed Use) to allow for Single Family Residence (R-2B) instead of Condominiums and to allow access onto Moorefield Rd.

Mrs. Rachel Ricketts explains the subject property is located at 0 Moorefield Rd. PID # 2200300022300047 and consists of 12.24 acres. The applicant is looking to rezone 8.84 acres of the parcel. The property is zoned PD-M (Planned Development District, Mixed Use). The Applicant would like a map amendment to allow for Single Family Residence (R-2B) instead of Condominiums and to allow access onto Moorefield Rd.

Mrs. Ricketts presented the location map of the property. She also presented the site plan and stated that it shows the access onto Moorefield Road and the front two parcels are proposed for commercial. At this time, nothing has been identified for the commercial lots. The applicant's narrative was also presented and had been submitted to the Board prior to the meeting for review.

Mrs. Ricketts stated that the CONNECT Clark County Land Use Plan identifies this area as Suburban Living, High Intensity: Uses for Suburban Living, High Intensity include multifamily-family residential and two-family residential.

Mrs. Ricketts stated that there is no floodplain in the immediate area of the subject property. She also stated that there are public utilities in place in the immediate area.

Mrs. Ricketts stated the Thoroughfare Plan Identifies Moorefield Road as a Secondary Arterial Road with a right-of-way of 80 feet.

Mrs. Ricketts discussed the comments from the Clark County Engineer's office. She stated that they would require a Traffic Impact Study (TIS) for the development. She also stated that Staff Recommendation has been updated based on the report submitted by the Engineer's office. Therefore, Staff recommends the Applicants request to amend the existing PD-M Plan from R-4 Condominiums to R-2B Single Family residential and allow access on to Moorefield Road be approved with the conditions made by the Clark County Engineer.

Mrs. Ricketts stated that the Clark County Planning Commission met on September 6, 2023 and recommends the Applicant's request to amend 8.84 acres of a PD-M District to allow single family homes and to follow R-2B zoning and setbacks be approved with the Clark County Engineer's Conditions on drainage, storm water and access.

Mrs. Ricketts stated that the applicants were present if there were any questions.

Chairperson Brust asked if the Board had any questions for Staff.

Mr. Jurick asked where duplexes would fit in zoning and would they work in this type plan.

Mrs. Ricketts stated that it would have to be at least R-3.

Mr. Jurick stated that it might be something that could be encouraged in a situation like this.

Mrs. Ricketts stated that the idea is to reduce the density and the developer was thinking more single-family. She will let the applicant speak on why they decided to change from condominium to single-family.

Mr. Jurick stated that duplexes seem to be a better use of land.

Hearing no further questions for Staff, Chairperson Brust opened the public portion of the hearing at 11:23 am and asked if the Applicant would like to speak.

Noah Cline, 20 S. Limestone Street, Springfield, Ohio, stated that they are the civil engineers for Mr. Stevenson for this project. The request is for single family extended to Moorefield Road and then also to Erika Drive. The stormwater will drain to the existing basin. The proposed commercial is still to be determined. The request at this time is for the 23 lots to be single family and not condominiums.

Mr. Cline stated that they are willing to work with the County Engineer and the requested traffic study.

Mr. Cline also stated that they have had conversations with Arbor Homes, they will not be for rent, the homes will be for sale.

Mr. Jurick asked if there would be an access road to Moorefield Road.

Mr. Cline stated that is proposed. The original plan was for a cul-de-sac. He also stated that there would be access to Moorefield Road and Erika Drive.

Mr. Scott Haerr, 1663 E. County Line Road, Springfield, Ohio, stated that he had some questions but was probably in favor of the request.

Mr. Haerr stated that he owns an adjoining property. He asked if the plan was amended as proposed did anything in the original plan change. He stated that the original plan did not connect to Moorefield Road.

Mr. Haerr stated that when the property splits were done, there is a house and a driveway and the driveway possibly is sitting on Mr. Ryan Harris' property and the house is sitting on my adjacent property. He asked at what point is the driveway lost and the access to the house.

Mr. Haerr also stated that he was in the process of vacating the house and cleaning it up. There are no plans to build at this time but the concern would be a driveway.

Mrs. Ricketts stated that he should reach out to the County Engineers to discuss access to the property. It is required that a property has proper access.

Mr. Harris stated that he believed that Mr. Haerr was going to tear the existing house down.

Mr. Haerr stated that they would like to tear the house down. There is a house and a building on the property and the person using the building would like to continue to do so but would still need a driveway.

Mr. Haerr asked what the timeline of the development was.

Minutes

County Rural Zoning Commission

Mrs. Ricketts stated that this case presented today is just the rezoning. The developer will still have to come back for the subdivision process before they can begin.

Chairperson Brust asked if anyone else from the audience wanted to speak in favor of this request. There were none.

Chairperson Brust asked if anyone from the audience wanted to speak in opposition of this request. Hearing none, Chairperson Brust closed the public portion of the hearing at 11:30 am and asked the Board to deliberate.

Chairperson Brust asked for a motion

Action on Case #Z-2023-04~ Property Owner/Applicant: Ryan Harris ~ Agent: Harral & Stevenson; Jason Harral ~ Location: 0 Moorefield Rd., PID #220-03-00022-300-047.; Moorefield Twp.; ~ To amend 8.84 acres of an existing PD-M (Planned District-Mixed Use) to allow for Single Family Residence (R-2B) instead of Condominiums and to allow access onto Moorefield Rd.

Motion by Mr. Leis, seconded by Mr. Spahr, to **approve** the rezoning request as presented.

VOTE: Yes: Mr. Leis, Mr. Spahr, Mr. Lane, and Mr. Jurick

No: None.

Motion carried.

Staff Comments

Next Scheduled RZC Meeting: October 12, 2023

Adjournment

Motion by Mr. Jurick, seconded by Mr. Lane, to **Adjourn.**

VOTE: Motion carried unanimously.

The meeting was adjourned at 11:33 am.

Mr. Ken Brust, Chairperson