



App. No. 127-2022-TA

Zoning Text Amendment

Homer Township

Meeting: March 1, 2023
Applicant: Homer Township
Hearing: TBD
Amendments: Article II - Definitions
Section 401-3 R-2 Residential District Conditionally Permitted Uses
Section 401-4 R-2 Residential District Area and Height Regulations
Reviewer: Rob Henwood
Recommendation: **APPROVE WITH MODIFICATIONS**

Proposal: Mary Cuchna, Homer Township Zoning Secretary, requested a review of proposed revisions in several sections in the Homer Township Zoning Resolution and indicated the proposed revisions have been reviewed by the Township legal counsel. The Department of Planning Services (DPS) completed many informal reviews and attended a Township Zoning Commission meeting in 2022.

Township revisions are shown in **red**, new text is underlined and deleted text is shown in **strikeout**. DPS staff comments are shown in black with *bold and italics*.

The purpose of this amendment is to clarify any modification made to an existing single residence for the purpose of converting it to a dual residence while at the same time preserving and protecting agricultural land and agricultural activities in Homer Township.

ARTICLE II – DEFINITIONS

~~**Dwelling, One Family** is a detached building designed for or converted or occupied exclusively by one family.~~

~~**Dwelling, Two Family** is a detached building designed for, or converted or occupied exclusively by two families, living independently of each other.~~

Residence, dual – a single detached structure converted to accommodate two separate, independent households, e.g., two families.

Residence, single – a single detached structure designed to accommodate a single, independent household, e.g., one family.

Under the current definitions for residences, newly constructed dual residences would not be permitted. Staff recommends adding a new definition for dual residences and updating the existing definition to dual residences, converted.

ARTICLE IV USE, AREA, HEIGHT REGULATIONS

Section 401-3 Conditionally Permitted Uses R-2 Residential District

Y. Single residence converted to a dual residence

Any modification made to a single residence for the purpose of converting the structure to a dual residence must be incorporated as an integral part of the original single structure, and must comply with the following:

1. Any additional structure shall have a common foundation wall or common exterior wall with the existing structure.
2. The main roof of the existing structure must be attached to the addition's roof or to the common structure or foundation wall.
3. The capacity of the sanitary system to accommodate all proposed additional square footage and usage, including added bedrooms, bathrooms, and kitchen areas must be approved by the Medina County Health Department prior to final approval by the Township. The entire structure must be connected to an existing sanitary system unless the Medina County Health Department, per their regulations, deems it necessary to enlarge the system to accommodate the additional space and usage.
4. Must be in compliance with Sec. 401-4 of this Resolution.

The existing "Y" and "Z" will be re-lettered as "Z" and "AA", respectively.

Section 401-4 AREA AND HEIGHT REGULATIONS R-2 Residential District

- ~~A. Minimum lot sizes. All lots shall have a minimum frontage of 350 feet and a minimum depth of 600 feet, and contain 10 acres.~~
- ~~B. Minimum living floor area per family. Every single family dwelling shall have a minimum living floor area of not less than twelve hundred (1200) square feet per family, exclusive of breezeways, garages, terraces, attics, basements, and porches.~~
- ~~C. No family dwelling shall exceed thirty five (35) feet in height. (Eff. 10/27/10)~~
- ~~D. Required yards:~~
- ~~1. Front yards shall be not less than eighty (80) feet in depth from the road right of way. If there is no established right of way sideline for any road or street, said line shall be deemed to be thirty (30) feet from the centerline of the road. (Rev. 6/28/01)~~
 - ~~2. Side yards shall be not less than fifty (50) feet on each side. (Rev. 5/26/10)~~
 - ~~3. Rear yard shall be not less than fifty (50) feet in depth. (Rev. 5/26/10)~~

A. Minimum lot sizes.

1. All lots shall have a minimum frontage of three hundred and fifty (350) feet and a minimum depth of six hundred (600) feet, and contain no less than ten (10) acres.
2. Any converted dual residence shall require a minimum of twenty (20) acres) of land with continuous frontage of seven hundred (700) feet.

The 20-acre minimum lot size and 700 feet of continuous frontage appear to be restrictive limiting the opportunity for the converted, dual residence land use on existing parcels with a single residence. For converted dual residences, it is recommended that the Township keep the minimum lot sizes shown in Item #1 and delete Item #2.

B. Minimum living floor area per family.

1. Every **single residence** shall have a minimum living floor area of not less than twelve hundred (1200) square feet, exclusive of breezeways, garages, terraces, attics, basements, and porches.
2. For every converted **dual residence**, **each of the two residences** shall have a minimum living floor area of not less than twelve hundred (1200) square feet, exclusive of breezeways, garages, terraces, attics, basements, and porches.

C. No **residence** shall exceed thirty-five (35) feet in height. (Eff. 10/27/10)

D. Required yards:

1. Front yards shall be not less than eighty (80) feet in depth from the road right-of-way. If there is no established right-of-way sideline for any road or street, said line shall be deemed to be thirty (30) feet from the centerline of the road. (Rev. 6/28/01)
2. Side yards shall be not less than fifty (50) feet on each side. (Rev. 5/26/10)
3. Rear yard shall be not less than fifty (50) feet in depth. (Rev. 5/26/10)

Department of Planning Services Recommendation: Staff recommends the Medina County Planning Commission **APPROVE WITH MODIFICATIONS** the proposed text amendments to the Homer Township Zoning Resolution.