

CENTERVILLE PLANNING COMMISSION

Workshop Session

8:00 p.m.

September 10, 1974

Those Present: Messrs Maxton, Myers, Baker, McCrabb and Gillingham and Mrs. Lake. Also Present: Mr. Karl Schab, City Engineer and Mr. Robert Winterhalter, City Planner. Absent: Mr. Tate

Mr. Maxton opened the meeting as a formal meeting. There was a discussion about this having been intended as a workshop only. It was also discussed that since this meeting was not publicized as a public meeting it should not be held as a public meeting. The formal meeting was adjourned and the workshop commenced. Mr. Baker moved for adjournment, seconded by Mr. Myers. Motion carried 5-1, Mr. Maxton being the opposing vote.

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It was determined that the/purpose of the workshop is to discuss the Group Housing Ordinance and Definitions. This was a directive of Council - to study this issue and make recommendations.

Mr. Winterhalter reviewed some items in the P. C. members 'packet', including Mr. Farquhar's written legal opinion on the issue, zoning ordinance and subdivision regulation synopsis and the public hearing scheduled for September 24, 1974.

Mr. Winterhalter's proposed definitions were revised as follows:

- 1 - Family - One, Two or more persons living in the same household who are related to each other by blood, marriage, or adoption.
- 2.- Housekeeping Unit - One, but not more than four persons, inclusive of live-in houseparents and employees, living together in a dwelling, who are not a family.
- 3 - Group (Residence) Home - A state-licensed or authorized home for foster children, the mentally retarded or aged which is established by the Ohio Revised Code or certified by the State of Ohio housing not more than eight persons inclusive of houseparents, supervisors, or other live-in employees.

Group Homes are recommended to be allowed in all residential districts.

The above proposed definitions were approved unanimously in concept, and are subject to further review by the P. C. members.

The next subject for discussion was P. C. meeting procedures and how to finish the meetings by 11:30 p.m.

Mr. Maxton suggested that times might be added to the agenda to help all concerned realize that each item should be limited in the time used, to allow

completion of the agenda.

Mr. McCrabb suggested that at times, when citizens are talking at length or in a disorderly manner, the Chairman should say that they are out of order and get the discussion back in line.

Mr. Myers said this is not right, to dis-allow the public their say. Mr. Winterhalter said that we are not required by the Ohio Revised Code to have any public hearings - that it not the function of this commission - Council is to have the public hearings.

It was discussed that all the members are guilty of not talking through the Chair and at times getting off the 'track'.

Mrs. Lake suggested that those who are in attendance for action and decisions should be heard first. Those who are there just to share ideas (i. e. the last subject ~~of~~ the July 27 meeting), should be last on the agenda. It was said that this might not always work out this way, as this is sometimes unfinished business and therefore scheduled earlier on the agenda.

Mr. Winterhalter pointed out that the main concern of Council the last time the meetings lasted beyond 11:30 was that decisions should (probably) not be made after 11 - 12 p. m.

It was discussed that at times the P. C. is urged to make decisions for developers so as not to cause a hardship. Mr. McCrabb said that as a builder, he does not consider 30 days a hardship.

Mrs. Lake said that she feels that the boards involved in any plans (i. e. the Park Board) should look at it before P. C. sees them and plans presented should be complete, inclusive of comments from these boards. She feels these boards should have a representative at the meetings. It was suggested that these, too, could always be scheduled for the last meeting of the month - as are the public hearings. Mr. McCrabb suggested that the (park) board could be contacted by the builders and perhaps staff could review this prior to the P. C. meeting.

Mr. Maxton feels that the City Planner can go from experience and past meetings and develop an agenda with time slots for each item. If, however, someone is talking about something important, they will not be cut off.

Mr. Winterhalter said that when a number of citizens are expected on an issue (i. e. Grants Trail extension) he had set the ground rules before hand and had suggested a spokesman for each side and had advised them that a minimum of time would be spent on that item. Mr. Maxton said that he prefers to have

open meetings and keep it under control.

Mr. McCrabb said that members can start making motions when the discussion gets repetitive and/or out-of-hand.

It was discussed that perhaps the applicant should be allowed to make his 'pitch' prior to the City Planner's comments. It was generally agreed that the City Planner should establish the area and continue to give a neutral presentation of the application, after which the applicant will have an opportunity to speak. The P. C. will then ask any questions of the applicant and hear the City Planners comments. It was established that the City Planner's recommendations as stated in the members 'packets' will be reviewed and questions asked as deemed necessary.

Mr. McCrabb feels that the members must discipline themselves at the meetings, so as not to unnecessarily prolong an issue. Mrs. Lake feels that the members comments should not, however, be limited to 'yes' or 'no', as this is very important for continued good relations with the citizenry. She feels they have a right to know our decisions and the reasons for them.

Meeting adjourned at 11:20 p. m.

Next meeting - September 24, 1974.

ADDITIONAL COMMENTS REGARDING THE GROUP HOUSING ORDINANCE,
which were made at the September 10, 1974 Workshop:

Mrs. Lake - I want input from the public on this issue. She also feels that a workshop should be held in a larger room than the Law Library.

Mr. Maxton said that there was no intention to exclude the public from this meeting - to open an input meeting would just put the meeting completely out-of-control. The idea here is to get something concrete out of our comments regarding the ordinance, and we can have a better meeting if this is done at a workshop-type meeting.

Mr. Muzechek's appeal regarding the establishment of a group home on Sheehan Road was brought up to the extent that someone asked if any decision made by the courts would negate any action which might be taken by the P. C. Mr. Winterhalter said that it would. He added that Mr. Muzechek will be asked if they have exhausted all local sources and, of course, they have not - this is scheduled to be heard by the Planning Commission, acting as a Board of Zoning Appeals and any decision made there could be appealed to Council.

A discussion was generated regarding the age definitions. It was ultimately determined that this was not necessary as 'children', 'adolescents' and 'adults' were not mentioned in the revised proposed definitions for 'family', 'housekeeping unit' and 'group home'.

It was discussed that the 'Housekeeping Unit' as described in the revised proposed definitions does not eliminate the possibility of communes, etc., but to exclude by word certain groups would not be recommended. The limitation of four should discourage this type of situation. Also, it was felt that to be too exclusive in the definition might exclude legitimate persons, such as several widows, etc., from living together. A unit of more than four can appear before the P. C. for a variance.

Several comments were made regarding the fact that the P. C. members (7) are trying to determine what 12,000 people want. Perhaps, someone suggested, it should be put to a public vote. If it were put to a vote, someone else said, it would not pass. However, most members in attendance agreed that in talking with other people they felt that it was generally agreed that group homes should be allowed but that they should definitely be regulated (State and local). It was also felt that although most people would agree that group homes should be allowed, each person must ask themselves if they would be in favor of such a home next door to them.

Add'l comments - 9/10/74 P.C. Workshop

There was some discussion regarding structural restrictions versus zoning restrictions.

Mr. Winterhalter was asked to comment on his definitions. He said that he was trying to stay current. He feels that having a wide open group housing ordinance will not be acceptable to this community.

Mrs. Lake commented that Council had been asked if they wanted a joint workshop with P.C. and they did not. They want P.C. to get something together - then Council will review it - then the public.

Mr. Maxton commented that the mentally retarded should be the only ones allowed at the onset of this group housing in Centerville. Mrs. Lake felt that the aged should also be allowed - they also meet State regulations. Mr. McCrabb feels that State regulated foster homes for children should be permitted, they are needed and regulated.

Regarding the aged - it was discussed that this was not a nursing home as some of the aged are in a 'nursing home' only because there is no place else for them to go - they do not all require 'nursing care'. They would like to live in a 'family-like' home and this could be the answer.

Mr. Maxton said that one reason to consider the mentally retarded only at first is to take these (groups) one at a time to avoid problems - let the residents of Centerville see that we can live with group homes.

Mr. Winterhalter said that standards could be developed as you go along.

The question of "what is your legal basis for allowing mentally retarded and elderly and disallowing others" was asked by Carol Pucci, of the C-B Times. It was answered that we must consider what is best for this community.

A discussion ensued about serving the people in the homes and/or the people of the community. It was suggested that in each case it could differ - some, for instance a home for ex-convicts could be looked upon as putting a label on the convicts and they would not be happy here; or, it could be just the thing the convict needs - an environment he may never have enjoyed before and he may greatly benefit from it. It was suggested that if these homes were allowed in all residential areas, they would not necessarily have a 'label' - whereas they might if they were limited to a certain area of the city.

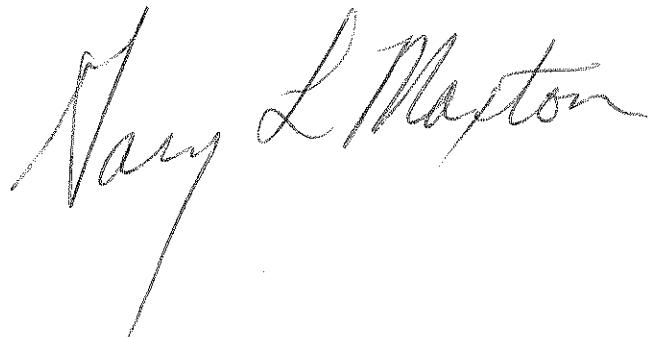
A City agency was suggested as a possible review board for applicants as they come up. This (definition) must be determined as a

guide for any such agency, however.

Mr. Winterhalter said that with regard to families - housekeeping unit - group homes - they are synonyms, each just goes into further definitions.

The number of persons in the revised proposed definitions was determined after a lengthy discussion. Considerable thought and discussion also went into the other changes that were made. Each point was generally agreed upon before any changes were made.

Note: These comments were typed as additions due to the fact that the formal minutes, perhaps, need not do more than state the final decision. However, those involved in this review may desire further information on actual comments and thoughts that went into the final proposed definitions as revised.

A handwritten signature in cursive script that reads "Mary L. Maxton". The signature is written in dark ink and is positioned in the lower right quadrant of the page.