

# **Administrative Variance Procedures for Residential ADA Accommodations**

ADOPTED by the Board of Trustees on November 22, 2011

1. Any residentially zoned property in Danbury Township may install one (1) temporary or permanent ADA Accommodation (e.g. handicap ramp, electrical lift, handrails) to the exterior of a principal structure on said property with the following requirements:
  - A. Such ADA accommodation shall require a zoning permit at a fee of \$10.00 and obtain an Ottawa County building permit prior to commencement of construction.
  - B. Such ADA accommodation for residential use shall refer to the commercial Ohio Basic Building Code for construction guidance to ensure safe assembly, heights, distances, entry access and slope.
  - C. Such ADA accommodation shall be permitted to encroach into any rear or side yard setback, up to the property line, provided it is not enclosed or covered so as to circumvent the zoning requirements for district setback requirements for structural additions.
  - D. ADA Accommodations may encroach into a front yard setback with the following conditions:
    - i. No such accommodation shall encroach or be located within a public right-of-way.
    - ii. The maximum encroachment shall be 25% of the linear setback distance and shall cover no more than 10% of the front yard setback area.
      - a. Any ramp type accommodation constructed of poured concrete which also serves as a sidewalk/ walkway to the main entrance of the principal structure shall be exempt from this requirement.
    - iii. Any ADA accommodation that is medically necessary, supported with a doctors medical verification and cannot satisfy these requirements may request additional review and approval by the Board of Trustees by filing a Reasonable Request for Accommodation form at no additional cost prior to a zoning permit being issued.
    - iv. Any ADA accommodation that is not medically supported and cannot satisfy these requirements shall be treated as an area variance for the district in which the property is located and may file an application with the Board of Zoning Appeals in accordance with the Danbury Township Zoning Resolution.
2. Any ADA Accommodation installed onto a structure containing a nonconforming use shall not require a use variance from the Board of Zoning Appeals if such ADA accommodation is in accordance with these requirements.
3. Any property owner who wishes to install an ADA accommodation shall make a good faith effort to install such accommodation that is reasonable in size and the least intrusive to a neighboring property for the sole purpose of assisting a person, who resides at the property or for visitors to the property, into the principal structure where the natural grade of the property is lower than the finished floor level of the principal structure.
4. Any ADA accommodations shall be maintained and keep in good repair. Upon notification from the Zoning Inspector, removal of such accommodation may be warranted if there is visible and/or structural deterioration or damage that jeopardizes a persons health, safety and welfare.

**DANBURY TOWNSHIP**  
**APPLICATION FOR REQUEST FOR**  
**RESIDENTIAL ADA ACCOMMODATION**

Name of applicant: (please print) \_\_\_\_\_

Telephone number: \_\_\_\_\_

Address of housing at which accommodation is requested: \_\_\_\_\_

\_\_\_\_\_

Describe the accommodation you are requesting: \_\_\_\_\_

\_\_\_\_\_

Give the reason the reasonable accommodation is needed. You do not need to tell us the name or extent of your disability or that of the individual(s) seeking the housing. Medical verification supporting this request is required. You may attach a doctor's note.

\_\_\_\_\_

\_\_\_\_\_

If we have questions about your request and you would like us to contact someone assisting you with this request, instead of you, please give us that person's name, address and phone number:

\_\_\_\_\_

\_\_\_\_\_

By signing this form I acknowledge the terms of the Administrative Variance Procedures for Residential ADA Accommodations as adopted by the Danbury Township Trustees, and any amendments thereto. I further acknowledge that the project will only be constructed on the property as presented

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Adopted: 9/06/2011  
Revised : 9/14/2011  
11/22/2011