

WILLIAM K. SHAW, JR.

June 13, 2006

Editor, Portsmouth Daily Times
637 Sixth Street
P.O. Box 581
Portsmouth, Ohio 45662

Re: Article titled School board dispels rumors,
Wednesday June 7

Dear Editor;

I take exception to representations made in the June 7 article "School board dispels rumors". Contrary to the article, a change from Residence A to Residence C is drastic!

The City Zoning Code provides for Residence Districts A, A-1, AA, B and C. The difference in Districts is the types of dwellings, the sizes of yards, set backs and population density. Residence A permits single family detached dwellings, the leasing of rooms, a club or nonprofit association, Church, educational use, municipal recreational use, garden, hospital or home occupations. Each lesser district permits fewer restrictions.

Residence A-1 permits "one, two and **Multi-family dwellings!**" What are "high end" condos or apartments, but multi family dwellings? Residence B, allows "**large scale neighborhood housing projects**", "if the Planning Commission approves." Residence C does not require any approval. What is a "large scale neighborhood housing project" if not a Wayne Hills or Farley Square? Why is a change to C needed if it is not to permit unlimited use?

I think the answers to the questions are obvious and warrant a rejection of the proposed change. It would create an island of Residence C use, in the sea of a Residence A District. Such spot zoning violates Ordinance §1131.07(d)(3) which provides that "Council shall give due consideration to the proper relationship of such amendments to the entire Zoning Code, it being the interest to retain the integrity and validity of the zoning districts herein described and **to avoid any isolated spot zoning changes.**"

I also take exception to the idea that the Board may limit a buyer's use of a property. The sale of such properties is regulated by O.R.C. §3313.41, which provides that schools, must sell property at public auction. It says nothing, permitting any condition on a sale.

Upon learning of the proposed zoning change, I made a request to the District for public records relevant to the sale and communications with developers. I will reserve judgment as to the nature of the transactions and honesty of school officials until I receive the documents. I however, oppose any zoning change which, is not tied to a specific development plan binding the developer to a specific project

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I would ask that the Daily Times investigate and join in my request for public records and that home owners near Roosevelt and McKinley Schools attend the June 20 hearing and object to any zoning change.

Very truly yours,

William K. Shaw Jr.