

VILLAGE OF SHERWOOD, OHIO
RESOLUTION NO. 26-07-01

**A RESOLUTION GRANTING A REASONABLE ACCOMMODATION UNDER THE
FAIR HOUSING ACT TO PERMIT THE PLACEMENT OF A MANUFACTURED
HOME TO HOUSE A LIVE-IN CARETAKER FOR A PERSON WITH A DISABILITY
ON PARCEL NO. C18-0018-0-014-01.**

WHEREAS, Steven Bergman, as Trustee of the Linda Ganger Irrevocable Trust dated September 30, 2025 (the “Applicant”), holds record title to real property in the Village of Sherwood located at 13647 State Route 18 and identified as Defiance County Auditor Parcel No. C18-0018-0-014-01, more particularly described in Exhibit A (the “Property”) and conveyed by General Warranty Deed recorded at Book 477, Page 108 of the Defiance County, Ohio, Official Records, which Property is zoned Residential (R); and

WHEREAS, the Applicant has submitted a written request for a reasonable accommodation under the federal Fair Housing Act, 42 U.S.C. § 3604(f)(3)(B), and the Ohio Civil Rights Act, R.C. 4112.02(H), seeking permission to place a manufactured home on the Property to be occupied by a live-in caretaker for Damien Ganger, the Applicant’s brother, who is a person with a disability and who resides in the principal dwelling on the Property; and

WHEREAS, the Fair Housing Act requires units of local government to make reasonable accommodations in their rules, policies, practices, and services when such accommodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling; and

WHEREAS, granting the request requires accommodation from Section 1006 of the Sherwood Zoning Code (one principal building per lot) and, to the extent applicable, Article Fourteen and Section 1400 governing the placement of manufactured and mobile homes; and

WHEREAS, the Property previously contained a second residence; and

WHEREAS, the Council of the Village of Sherwood, as the legislative authority of the Village and as the body responsible for acting upon requests for reasonable accommodation under the Fair Housing Act, has considered the request and the supporting documentation submitted by the Applicant;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Sherwood, State of Ohio, that:

SECTION 1. Findings.

Based upon the request and supporting documentation, Council finds that:

- (a) **Damien Ganger** is a person with a disability within the meaning of the Fair Housing Act, as confirmed by the documentation submitted with the request;
- (b) the requested accommodation is necessary to afford him an equal opportunity to use and enjoy a dwelling, in that his disability requires ongoing on-site care and support, and placement of the manufactured home on the same parcel to house a live-in caretaker is necessary to enable that care while he resides in the principal dwelling on the Property;
- (c) a direct nexus exists between the requested accommodation and his disability-related needs;
- (d) the requested accommodation is reasonable and will not impose an undue financial or administrative burden upon the Village or fundamentally alter the Village's zoning scheme, particularly in light of the conditions imposed in Section 3.

SECTION 2. Grant of Accommodation.

Based on the foregoing findings, Council grants the requested reasonable accommodation and authorizes the placement and use of one (1) manufactured home upon the Property as a second dwelling for occupancy by a live-in caretaker for Damien Ganger, notwithstanding Section 1006 and, to the extent applicable, Article Fourteen and Section 1400 of the Sherwood Zoning Code, subject to the conditions set forth in Section 3.

SECTION 3. Conditions.

The accommodation granted by this Resolution is subject to the following conditions:

- 1. Personal and occupancy-limited.** This accommodation is personal to **Damien** and authorizes the second dwelling only for so long as he resides in the principal dwelling on the Property and requires on-site care, and the manufactured home is occupied by a caretaker providing that care. The accommodation does not run with the land and is not transferable to any other person or use.
- 2. Permanent installation.** The home shall be installed and maintained in compliance with Section 1450 of the Zoning Code, including placement on a permanent foundation; removal of all wheels, axles, hitches, and conveyance mechanisms; surrender of title to the Defiance County Auditor so that the home is classified and taxed as real estate; proper skirting; orientation as required by the Code; and connection to all required utilities.
- 3. Dimensional compliance.** The home and its placement shall satisfy all yard, setback, and other dimensional requirements applicable in the Residential (R) district.
- 4. Sanitation and utilities.** The home shall be served by water and sewer/septic facilities meeting all applicable Health Department and Ohio EPA requirements.
- 5. Habitability and safety.** The home shall meet all applicable building, health, and safety standards and shall not constitute a nuisance or hazard.

6. Zoning permit. The Applicant shall obtain a zoning permit and any other approvals required by the Code prior to placement of the home.

7. Termination and removal. Upon cessation of Damien's residence on the Property or of his need for on-site care, the authorization for the second dwelling shall terminate, and the home shall be removed from the Property or brought into full conformity with the Zoning Code within six (6) months thereafter.

8. Compliance with other provisions. Except as expressly accommodated by this Resolution, all other provisions of the Sherwood Zoning Code remain in full force and effect as to the Property.

SECTION 4. Interactive Process.

If the Applicant is unable to satisfy any condition of this Resolution, the Applicant may request, and Council shall engage in, a good-faith interactive process to identify an alternative accommodation that meets Damien's disability-related needs while addressing the Village's legitimate concerns.

SECTION 5. Effective Date.

This Resolution shall take effect at the earliest time permitted by law.

Passed this 22nd day of July, 2026.

Vote: Yeas ☒

Nays ☐

Abstain ☐



David Weaner, Mayor

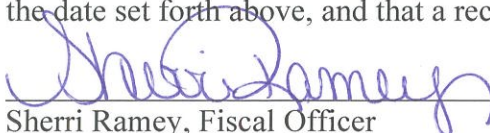
ATTEST:



Sherri Ramey, Fiscal Officer

CERTIFICATION

I certify that this Resolution was duly passed by the Council of the Village of Sherwood, Ohio, on the date set forth above, and that a record of its passage is on file in my office.



Sherri Ramey, Fiscal Officer

EXHIBIT A — LEGAL DESCRIPTION

PARCEL I

Tract One:

Situated in the Village of Sherwood, Township of Delaware, County of Defiance, State of Ohio, and known as: A parcel of land being situated in the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section 18, Town 4 North, Range 3 East, Delaware Township, Village of Sherwood, Defiance County, Ohio, and which is more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter (¼) of said Section 18; thence North 90° 00' East on the South line of the Southeast Quarter (¼) of said Section 18, a distance of 743.58 feet to a point and the place of beginning; thence North 0° 20' West a distance of 200.00 feet to an iron pin; thence North 90° 00' East a distance of 124.00 feet to an iron pin; thence South 0° 20' East a distance of 200 feet to a point on the said South line of the Southeast Quarter (¼) of Section 18; thence South 90° 00' West on the said South line of the Southeast Quarter (¼) of Section 18, a distance of 124.00 feet to the place of beginning.

Containing 0.569 acres of land, more or less, but subject to all legal highways and easements of record. Subject also to a utility easement 20 feet in width along the entire Northerly side of the above-described property.

Tract Two:

Situated in the Village of Sherwood, Township of Delaware, County of Defiance, State of Ohio, and known as: Being a part of the Southwest Quarter (¼) of the Southeast Quarter (¼) of Section 18, Town 4 North, Range 3 East, Delaware Township, Defiance County, Ohio, and which is more particularly described as follows:

Commencing at a P.K. nail and washer found at the Southwest corner of the Southeast Quarter (¼) of said Section 18; thence North 90° 00' 00" East (assumed bearing for the purpose of this description), on the South line of said Section 18 and the centerline of State Route 18, Six Hundred Sixty-three and Fifty-eight Hundredths (663.58) feet to a mag nail set and the point of beginning; thence North 0° 20' 00" West, Thirty and Zero Hundredths (30.00) feet to a 5/8" x 30" iron pin with reference cap set on the Northerly right-of-way line of State Route 18; thence continuing North 0° 20' 00" West, One Hundred Seventy and Zero Hundredths (170.00) feet to a 5/8" x 30" iron pin with reference cap set; thence North 90° 00' 00" East, Eighty and Zero Hundredths (80.00) feet to an iron pin found; thence South 0° 20' 00" East, One Hundred Seventy and Zero Hundredths (170.00) feet to an iron pin found on the Northerly right-of-way line of State Route 18; thence continuing South 0° 20' 00" East, Thirty and Zero Hundredths (30.00) feet to a mag nail set on the South line of the Southeast Quarter of said Section 18 and the centerline of State Route 18; thence South 90° 00' 00" West, on the South line of the Southeast Quarter (¼) of said Section 18 and the centerline of State Route 18, Eighty and Zero Hundredths (80.00) feet to the point of beginning.

Containing 0.367 acre of land, more or less. Subject to all legal highways, easements, zoning regulations or restrictions of record.

This description is based on a field survey by Douglas W. Eis, Registered Surveyor No. 7758. Tract 1 and Tract 2 have a total of 0.936 acres, more or less.

Property Address: 13647 State Route 18, Sherwood, Ohio 43556

Permanent Parcel No.: C18-0018-0-014-01

Prior Reference: Book 462, Page 1008

Being Parcel I of the premises conveyed to Steven Bergman, Trustee of the Linda Ganger Irrevocable Trust dated September 30, 2025, by General Warranty Deed recorded November 5, 2025, at Book 477, Page 108, Defiance County, Ohio, Official Records.