

\$20.00

# **Uniform Zoning Resolution**

**Scipio Township  
Seneca County, Ohio**

**Reprinted November 2018**

*Prepared by:  
Scipio Township Zoning Commission  
Established December 1990*



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## **ARTICLE 1**

### **TITLES, AUTHORIZATION, PURPOSE AND ENACTMENT CLAUSE**

#### **101 - LONG TITLE**

A resolution providing for the zoning of the unincorporated area of Scipio Township, Seneca County, Ohio by regulating the size, location, height, and use of buildings and structures, the area and dimensions of the unincorporated area of the Township into zones or districts of such number, size and shape as are deemed best suited to carry out said purposes and prescribing penalties and proceedings for the administration, and enforcement of this resolution.

WHEREAS the Board of Trustees of Scipio Township, Seneca County, Ohio deems it in the best interest of the public health, safety, morals, comfort and general welfare of said Township and its residents to establish this general plan of zoning for the unincorporated areas of said Township.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Scipio Township, Ohio:

#### **102 - SHORT TITLE**

This resolution shall be known as the Zoning Resolution of Scipio Township, Seneca County, Ohio.

#### **103 - AUTHORIZATION**

This resolution is authorized by Chapter 519 of the Revised Code of the State of Ohio.

#### **104 - PURPOSE**

For the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property values; to secure the most appropriate use of the land, and to facilitate adequate but economical provisions for public improvements, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, height, bulk, number of stories, and size of the buildings and other structures, including tents, cabins, trailer coaches and the use of land for trade, industry, residence, recreation or other purposes, and for such purposes have divided the unincorporated area of the Township into districts or zones as shown on the official Zoning Map of Scipio Township, Seneca County, Ohio.

#### **105 - EFFECTIVE DATE**

This resolution is effective beginning March, 2003.

**ARTICLE 2**  
**INTERPRETATION**

**201 – INTERPRETATION AND APPLICATION**

In interpretation and application, the provisions of the resolution shall be held to be the minimum requirements adopted for the promotion of public safety, morals, comfort, and general welfare.

Whenever the requirements of this resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standard shall govern.

**202 – VALIDITY AND SEPARABILITY**

It is hereby declared to be the legislative intent that, if any provisions of this resolution, or the application thereof to any zoning lot, building or other structure, or tract of land, are declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, or to be inapplicable to any person or situations the effect of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or ineffective to the zoning lot, building or other structure or tract of land immediately involved in the controversy. All other provisions of this resolution shall continue to be separate and fully effective, and the application of such provision to other persons or situations shall not be affected.

**ARTICLE 3**  
**GENERAL REGULATIONS**

**301 – PURPOSE**

General regulations apply to all districts. Where requirements of a general regulation and a district regulation differ, the more restrictive requirements shall prevail.

301.01 A Zoning Permit must be obtained before evacuation for foundation or basement, erection of any structure requiring space on ground or change of use of land or space as stated in any zoning district except as provided in Section 302.

**302 – PERMITTED USED**

Land in any district may be used for agricultural purposes. No zoning certificate shall be required for the construction of buildings incident to the use for agricultural purposes of the land on which buildings shall be located.

No buildings shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used, designed, or arranged for any purpose other than that specifically permitted in the district in which the building or land is located. The Board of Zoning Appeals may issue Conditional zoning certificates for any of the conditionally permitted uses listed under the conditionally permitted use section of any district.

**303 – PROHIBITED USES**

303.01 No inoperable, unlicensed automotive vehicle, with or without parts removed, shall be permitted to stand neglected and/or allowed to deteriorate on any premises, in any district except as provided in the Industrial District, provided that nothing herein shall prevent the parking or storage of such vehicles in a fully enclosed garage or similar permanent structure.

A vehicle shall be deemed junk or inoperable whenever any two or more of the following occur for a period of two weeks prior to the filing of a cease and desist order;

- a. The vehicle is without a valid, current registration and/or license plate;
- b. The vehicle is apparently inoperable;
- c. The vehicle is without fully inflated tires and/or has any type of support under it;
- d. The vehicle has a missing or shattered windshield; and/or,
- e. The vehicle has an extensively damaged or missing door, motor, transmission, or other similar major part.

303.02 The following uses shall not be allowed in any zoning district:

1. Coaches, bus bodies, vans, street cars, or rail road cars used for dwellings. Any of the aforementioned presently used for dwellings purposes shall be considered a nonconforming use. Should they become unoccupied or abandoned for a period of thirty (30) days or more, they must be torn down or otherwise removed from the premises.
2. Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, except as resultant from normal domestic use of the premises, unless such dumping is done at a place recommended by the Zoning Commission and provided by the Township Trustees or County Commissioners for such specific purpose.

**304 – GENERAL LOT AREA REGULATIONS**

No parcel of land shall hereafter be so reduced or divided so as to provide less than the minimum lot size required in the district in which such land is situated.

304.01 Lot Area Exception for Existing Certain Sub-Standard Lots

Any lot or parcel of land under one ownership and of record at the time of adoption of this resolution and where no adjoining land was under the same ownership on said date, may be used as a building site even when of less area or width than that required by the regulations for the district in which located. No building or addition to a building shall be constructed within five (5) feet of any side property line or original plot or within twenty (20) feet of the front property line.

**305 – GENERAL YARD REQUIREMENTS**

Except as herein provided, every required yard shall be open and unobstructed and shall not be reduced or diminished in area so as to be smaller than prescribed by this resolution.

305.01 Yard for Single Building

No required yard or other open space around one building shall be considered as a yard or open space for any other building. No required yard or other required open space on an adjoining lot shall be considered as providing the yard or open space on the lot whereon a building is to be erected or established.

305.02 Yard Measurements

- A. The minimum front yard depth shall be measured on the perpendicular from the street right-of-way line to the building setback line. Streets having no established right-of-way shall have such right-of-way established by classifying the streets according to classifications in the subdivision regulations, or if such subdivision regulations do not exist, by assuming the



street has a fifty (50) foot right-of-way, with the center of the traveled portion of the street being the center of the right-of-way. All front and side streets yards shall be measured from the right-of-way lines so established.

- B. The minimum side yard width and rear yard depth shall be measured on the perpendicular from the lot lines to the nearest point of any structure.
- C. Corner or double frontage lots shall comply with the minimum front yard depths on both streets.

**305.03 Clear View of Intersecting Streets**

In all zones which require a front yard, no obstruction in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines or the projected point of intersection of the street property lines and a line connecting points twenty-five (25) feet from the intersection of the street property lines or the projected point.

**305.04 Yard Exceptions - Fence, Hedges, and Walls**

In all districts, except industrial, fences and walls may be constructed to a maximum height of six (6) feet in any required side or rear yard, and to a height of three (3) feet in any required yard abutting a street. Fences or walls required to surround and enclose public utility installations are not limited as to height in any district.

**305.05 Yard Exceptions - One Story Garages and Accessory Buildings**

In the Agricultural District, Suburban Residential District, and Multifamily Residential District, one-story detached garages and other accessory buildings (with or without foundations) shall not be located in front of the principal building. Such detached garages or accessory buildings shall be located only in the side or rear yard and no closer than ten (10) feet from the side or rear property lines.

**305.06 Sale, Lease, or Use of Required Yard Space**

No space needed to meet the width, yard area, coverage, parking or other requirements of the resolution for a lot or building may be sold, leased, or used from such a lot or building unless other space is available to comply with said requirements.

**305.07 Driveway Location**

No driveway shall be constructed or used on any lot or parcel of land at a location that is closer at any point than 10 feet from the side or rear property line of the parcel of land on which it is located.

### **306 – HEIGHT EXCEPTIONS**

No structure shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit hereinafter established for the district in which the structure is located, except that: (1) roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, and fire or parapet walls, sky lights, towers, steeples, stage lofts, and screened chimneys, smoke stacks, water tanks, or similar structures may be erected to exceed by not more than fifteen (15) feet the height limits of the district in which it is located; provided that such structure shall not have a total area greater than twenty (20) percent of the roof area of the building and shall not be used for any residential purposes; (2) radio, television and wireless aerials, or masts and flagpoles may be erected to any heights.

### **307 – BUILDING REGULATIONS**

No building shall be erected, converted, enlarged, reconstructed, or structurally altered to: (1) exceed the maximum height; (2) accommodate a prohibited use or house a greater number of families; (3) occupy a greater percentage of lot area; and, (4) have narrower or smaller rear, front or side yards, that are specified herein for the district in which such building is located.

#### **307.01 Principal Building**

No more than one principal building shall be permitted on any one lot unless otherwise specifically stated in this resolution.

#### **307.02 Accessory Building**

An accessory building may be erected detached from the principal building, or it may be erected as an integral building, or it may be connected to the principal building by a breezeway or similar structure. Accessory buildings shall not occupy more than thirty-five (35) percent of a required yard. Accessory buildings shall be distant at least ten (10) feet from any dwelling structure, and at least ten (10) feet from all lot lines of adjoining lots or street right-of-way lines.

The front setback line of all accessory structures shall not be nearer the front lot line than is allowable for the primary structure.

#### **307.03 Building Under Construction Prior to the Resolution**

Nothing in this resolution shall be deemed to require any change in the plans, construction, or designated uses of any building upon which actual construction was lawfully begun prior to the adoption of the resolution and provided further that such building shall be completed within two (2) years from the date of passage of this resolution.

307.04 Town House, Multifamily, and Commercial Development

When more than one (1) town house, multifamily, commercial, or industrial building is located on one lot, the buildings shall be considered as one (1) building for the purpose of determining front, side, and rear yard requirements.

307.05 Building Permit or Zoning Certificate

No building permit or zoning certificate shall be issued without evidence that the Health Department has approved the proposed sanitary sewage disposal and water facilities for the use for which the building permit or zoning certificate has been requested.

307.06 Minimum Living Floor Area Per Family

In any rural or urban residential district, the minimum floor area for living purposes per family shall not be less than nine hundred sixty (960) square feet.

307.07 Street Width

No principal building shall be erected on a lot which does not abut on at least one street. All future streets, public or private, shall have a minimum right-of-way of sixty (60) feet.

**308 – USES NOT SPECIFICALLY CONTROLLED BY DISTRICT REGULATIONS**

308.01 Official Notices Exempt

This resolution shall not apply to signs established by any court of public body exclusively for legal or official notice, directional warning, or for public information.

308.02 Temporary Buildings

Temporary buildings or uses for purposes incidental to construction work shall be permitted provided such buildings or uses shall not be continued as permanent structures or uses. The period of continuance shall be six (6) months. An additional extension of six months may be granted upon application to the Zoning Commission. A zoning permit shall be required for temporary buildings. Temporary buildings do not have to meet the minimum square footage requirements as described in Section 307.06.

308.03 Surface of Parking Lots

Off-street parking shall be surfaced and maintained with a durable and dustless surface consisting of an EPA approved product, asphalt or concrete, and shall be so graded and drained as to dispose of all surface water. In no case shall drainage be permitted across sidewalks. Surfacing and drainage shall be subject to approval by the Zoning Inspector.

**308.04 Manufactured (Mobile) Homes**

Individual manufactured homes (mobile homes) are only permitted in mobile home parks providing the total square foot area exceeds 960 square feet. No living quarters shall be maintained or any business conducted within any manufactured (mobile) home located outside any mobile home park district.

- a. Permanent Slab Foundation - The minimum size of the slab shall be the same as the mobile home. The slab shall be concrete, six (6) inches thick, laid upon a base of two (2) inches of #67 crushed stone or the equivalent.
- b. Field Anchors - shall be a minimum of six (6) inches in diameter auger that is at least three (3) feet long with welded eyes. One-half of the eye is to protrude above the concrete slab. A minimum of eight (8) field anchors shall be used per mobile home.
- c. Drill 3/8" holes in mobile home frame above each field anchor eye. Use 3/8" turnbuckles with eyes welded shut and 3/8" log chain to attach mobile home to field anchors. All chain links, eyes, etc. must be welded shut.
- d. The same procedure as outlined above shall be used for strap tie-downs.
- e. In place of the before mentioned tie-down methods mobile homes may be anchored to concrete block foundations.
- f. All wheels, axles, springs, tongues and structural supports necessary to transport the manufactured (mobile) home to the site shall be removed.
- g. The mobile home shall be completely skirted with suitable material such as metal, plastic, etc.

**309 - ANNEXATION**

All property annexed by a municipality shall be regulated by the zoning regulations which govern the property prior to annexation, until the legislative authority of said municipal corporation shall officially adopt zoning regulations for such territory.

**310 - ESTABLISHMENT OF DISTRICTS**

For the purpose of promoting the public health, safety, morals, convenience, comfort, prosperity, and general welfare of the community, the following districts are hereby established: Agricultural District, Suburban Residential District, Multi-Family Residential District, Commercial District, Industrial District, and Commercial Recreation District.

**311 - ZONING DISTRICTS MAP**

The districts established in Section 310 are bounded and defined as shown on a map entitled "Zoning Districts Map of Scipio Township, Seneca County, Ohio", and said map

with all the notations, references, and other pertinent material shown thereon is hereby declared as part of this resolution.

### **312 - INTERPRETATION OF DISTRICT BOUNDARIES**

Where uncertainty exists with respect to the boundaries of any of the districts shown on the zoning map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately following the center lines or right-of-way lines of streets, the center lines or right-of-way of highways, such lines shall be construed to be such district boundaries.
- B. Where district boundaries are indicated as approximately following lot lines, these lot lines shall be construed to be said boundaries.
- C. Where district boundaries are indicated as approximately parallel to the center lines or right-of-way lines of streets, the center lines or right-of-way alley lines, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said Zoning Districts Map.

### **313 - DRAINAGE PLANS**

Plans for adequate drainage outlets will be a part of the development plans for mobile home parks, vacation trailer grounds, industrial, and commercial developments. The drainage plans shall be reviewed and approved by the Seneca County Soil and Water Conservation District prior to a zoning certificate being issued by the Township Zoning Inspector.

**ARTICLE 4**  
**DISTRICT REGULATIONS**

**401 – AGRICULTURAL DISTRICT**

401.01 Purpose

The purpose of this district is to accommodate single family and two-family residential development in areas not served by central sanitary sewer facilities and where the underground water supply or the soil conditions for septic tanks are inadequate to accommodate a higher density.

401.02 Uses

A. Permitted Uses

1. Single-Family Dwellings
2. Two-Family Dwellings
3. Accessory Buildings incidental to the principal use
4. The storage of automobiles, recreational vehicles, or boats may be permitted in farm buildings in an agricultural district provided no outside storage is made.

B. Conditionally Permitted Uses

1. Private or governmentally owned and/or operated park, playground, or golf course subject to Article 7, Section 703.02, Subsections 102, 103, 104, 105, 106, 107, and 115.
2. Cemetery subject to Article 7, Section 703.02, Subsections 102 and 104.
3. Churches and other buildings for the purpose of religious worship subject to Article 7, Section 703.02, Subsections 102 and 104.
4. Public utility (excluding landfills of any type) or governmentally owned and/or operated buildings or facilities subject to Article 7, Section 703.02, Subsections 102, 109, 110, and 112.
5. Strip mining, soil removal, and gravel extraction operations subject to Article 7, Section 703.02, Subsections 110, 111, 113, 114, and 115.

6. Oil and gas drilling and operations necessary for their extraction and skimming subject to Article 7, Section 703.02, Subsections 112, 113, 114, and 115.
7. Home occupations subject to Article 7, Subsection 703.02, Subsection 116.
8. Mobile home parks subject to Article 7, Section 703.02, Subsection 119.
9. Single family dwellings existing prior to the adoption of this resolution may be converted to two-family dwellings, which shall contain a minimum of 800 square feet of living space per family, without changing the existing foundation.
10. Businesses which are permitted uses under Section 404.02 A. 1. (c.-y.), and offices which are permitted uses under Section 404.02, A. 2., in the Commercial District provided the following conditions are met:
  - a. Minimum lot size (1) acre.
  - b. Maximum building size (35% of lot size).
  - c. Minimum lot width at right-of-way (100) feet.
  - d. Front yard setback (50) feet.
  - e. Side yard setback (50) feet.
  - f. Rear yard setback (50) feet.
  - g. Maximum building height (35) feet.
  - h. (1 or 2) signs not to exceed a combined total of (32) square feet and not exceeding (6) feet in height and set back off right-of-way.

The parking and loading requirements of Article 5 and the Standards and Requirements for Conditional Uses of Section 703 shall apply to these conditional uses.

401.03 Lot Requirements

- A. Minimum Lot Area -  $\frac{3}{4}$  acre for a single family dwelling. 65,000 square feet for a two-family dwelling.
- B. Minimum Lot Width at Front Yard Setback Line - (front of primary structure) - 100 feet.
- C. Minimum Lot Frontage at Street Right-of-Way line - 60 feet.

401.04 Yard Requirements

- A. Minimum Front Yard Depth - 50 feet from street right-of-way line.
- B. The minimum rear yard depth shall be 50 feet.
- C. The minimum side yard width on each side shall be 10 feet.

401.05 Building Height - 35 feet.

## 402 – SUBURBAN RESIDENTIAL DISTRICT

### 402.01 Purpose

The purpose of this district is to accommodate areas served by central sewage disposal facilities.

### 402.02 Uses

#### A. Permitted Uses

1. Single family dwellings
2. Two-family dwellings
3. Accessory buildings incidental to the principal use.

#### B. Conditionally Permitted Uses

1. Private or governmentally owned and/or operated park, playground, or golf course subject to Article 7, Section 703.02, Subsections 102, 103, 104, 105, 106, 107, and 115.
2. Churches and other buildings for the purpose of religious worship and cemeteries subject to Article 7, Section 703.02, Subsections 102 and 104.
3. Public utility, (excluding landfills of any type) parochial schools, or governmentally owned and/or operated buildings or facilities subject to Article 7, Section 703.02, Subsections 102, 109, 110 and 112.
4. Single family dwellings existing prior to the adoption of this resolution may be converted to two-family dwellings, which shall contain a minimum of 720 square feet of living space per family, without changing the existing foundation.
5. Home occupation subject to Article 7, Section 703.02, Subsection 116.

### 402.03 Requirements

#### Lot Requirements

#### Dwelling Unit

##### A. Minimum Lot Area

Twenty-two thousand  
(22,000) square feet

##### B. Minimum Lot Width at front Yard Setback Line

Sixty (60) feet

##### C. Minimum Lot Width at Street Right-of-Way Line

Sixty (60) feet



402.04 Yard Requirements

- |  |                 |
|--|-----------------|
| A. Minimum Front Yard Depth                | Fifty (50) feet |
| B. Minimum Rear Yard Depth                 | Forty (40) feet |
| C. Minimum Side Yard Width<br>on each side | Ten (10) feet   |

402.05 Maximum Building Height Thirty-five (35) ft.

**403 – MULTI-FAMILY RESIDENTIAL DISTRICT**

403.01 Purpose

The purpose of this district is to permit the development of multi-family dwellings, and planned neighborhoods having a variety of dwelling types. Public or community water supply and sewage disposal facilities are required in high density development of this type.

403.02 Uses

A. Permitted Uses

1. Multi-family dwellings of three (3) or more dwelling units. An open space recreation area shall be provided within the boundaries of the multi-family complex. The size of this recreation area shall be at least one half acre for the first three dwelling units, plus 1/20 of an acre for each additional dwelling unit in excess of three units.
2. Accessory building incidental to the principal use which do not include any activity conducted as a business.
3. Single family dwelling subject to Article 4, Subsection 402.03, 402.04 and 402.05.
4. Two-family dwellings subject to Article 4, Subsection 402.02, B-4.

B. Conditionally Permitted Uses

1. Private or governmentally owned and/or operated park, playground, or golf course subject to Article 7, Section 703.02, Subsections 102, 103, 104, 105, 106, 107, and 115.
2. Cemetery subject to Article 7, Section 703.02, Subsections 102 and 104.

3. Church and other buildings for the purpose of religious worship subject to Article 7, Sections 102 and 104.
4. Public utility, (excluding landfills of any type) parochial schools or governmentally owned and/or operated building or facility subject to Article 7, Section 703.02, Subsections 102, 109, 110 and 112.
5. Home occupation subject to Article 7, Section 703.02, Subsection 116.
6. Hospital, sanitarium, convalescent home, nursing home, child day care center, and home for the aged subject to Article 7, Section 703.02, Subsections 101, 102, 103, 104, 106, and 108.

403.03 Lot Requirements for Multi-Family Dwellings

- |   |  |
|---|--|
| A. Minimum Lot Area                       | One acre (43,560 sq.ft.) for the first time three dwelling units. Three thousand (3,000) sq.ft. additional area for each dwelling unit over three units. |
| B. Minimum Lot Width at the Front Setback | Two-hundred (200) feet   |
| C. Minimum Lot Frontage                   | Eighty (80) feet   |

403.04 Maximum Building Height                      Thirty-five (35) feet

**404 – COMMERCIAL DISTRICT**

404.01 Purpose

The purpose of this district is to encourage integrated groupings of retail stores and personal and professional services.

404.02 Uses

A. Permitted Uses

1. Establishment engaged in:
  - a. Single-family and two-family dwellings subject to Article 4, Subsections 402.03, 402.04 and 402.05.
  - b. Multi-family dwellings subject to Article 4, Subsections 403.03, 404.04 and 405.05.
  - c. Apparel
  - d. Office supply, art goods and books
  - e. Beverages

- f. Drugs
- g. Food
- h. Hardware
- i. Sporting goods, toys and similar specialty stores
- j. Appliances
- k. Variety and department stores
  - l. Drive-in restaurants
- m. Motels and other commercial overnight accommodations
- n. Clubs with or without entertainment
- o. Vehicle or implement sales
- p. Automobile gasoline or service station
- q. Mobile home or trailer sales and service
- r. Automobile wash
- s. Bowling lanes, skating rinks, miniature golf
- t. Theatres, drive-in and indoor
- u. Lumber, coal, builders, supply yards and stores
- v. Veterinary hospitals and/or kennels
- w. Hospitals, sanitariums, convalescent homes, nursing homes, daycare centers, homes for the aged.
- x. Landscaping, lawn, yard, garden and nursery supply stores.
- y. Accessory buildings provided they are located in the rear or side yard only and no closer than ten (10) feet to the rear or side lot lines.
- z. Similar main uses.

2. Office Uses Permitted:

- |                                   |   |
|-----------------------------------|---|
| a. Accountant offices             | q. Insurance offices                                |
| b. Advertising offices            | r. Loan companies                                   |
| c. Answering services             | s. Medical offices                                  |
| d. Architects                     | t. Non-profit corp. offices                         |
| e. Attorney offices               | u. Private investigators                            |
| f. Banks                          | v. Private security                                 |
| g. Cable T.V.                     | w. Psychologists, physical therapists               |
| h. Chiropractor offices           | x. Radio and T.V. stations                          |
| i. Computer offices               | y. Real estate sales offices                        |
| j. Credit agencies                | z. Savings and loans                                |
| k. Credit unions                  | aa. Stockbrokers                                    |
| l. Dental offices                 | bb. Title insurance companies                       |
| m. Employment agencies            | cc. Travel agencies                                 |
| n. Engineers                      | dd. Other office uses similar to those listed above |
| o. Financial planning consultants |   |
| p. Government offices             |   |

B. Conditionally Permitted Uses

- 1. Church and other buildings for the purpose of religious worship subject to Article 7, Section 703.02, Subsections 102 and 104.

2. Public utility, (excluding landfills of any type) parochial schools, or governmentally owned and/or operated building or facility subject to Article 7, Section 703.02, Subsections 110 and 112.
3. Gasoline station, subject to Article 7, Section 703.02, Subsection 117.
4. Mobile home park, subject to Article 7, Section 703.02, Subsection 119.

404.03 Lot Requirements

- |   |                       |
|---|-----------------------|
| A. Minimum lot area                                 | One acre              |
| B. Minimum lot width at front yard setback line     | Two hundred (200) ft. |
| C. Minimum lot frontage at street right-of-way line | One hundred (100) ft. |

404.04 Yard Requirements

- |   |   |
|---|---|
| A. Minimum front yard depth   | Fifty (50) feet from the street right-of-way line |
| B. Minimum rear yard depth  | Twenty (20) feet                                  |
| C. Minimum side yard width on each side   | Ten (10) feet                                     |
| D. Side yards and rear yards – adjacent to residential districts shall meet the side and rear yard requirements of the adjacent residential district. |   |

404.05 Maximum Building Height Thirty-five (35) feet

404.06 Supplementary Regulations

The grouping together of commercial uses into commercial centers is encouraged. In order to minimize traffic congestion, control driveway approaches to public streets, provide for fire protection, and to protect the surrounding residential areas from adverse activities, a site plan showing the site layout including the locations and dimensions of vehicular and pedestrian entrances, exits, driveways, walkways, and the vehicular circulation patterns to and from the site; store locations and dimensions, off-street parking spaces, landscaped yards, and the location, type and lighting of signs shall be submitted to, and approved by the Planning Commission, before a zoning certificate is issued.

The approval of the site plan shall be required whenever two or more commercial uses are to be placed upon a parcel of land under the same ownership, or where two or more commercial structures may be built to best advantage by using common wall construction.

## **405 – INDUSTRIAL DISTRICT**

### 405.01 Purpose

The purpose of the industrial district is to provide for: (1) certain non-retail commercial uses; (2) warehousing and storage; and (3) manufacturing, assembling, and fabricating activities.

### 405.02 Uses

#### A. Permitted Uses

1. Uses permitted in the commercial district.
2. Warehousing, wholesale establishments and trucking facility.
3. Administrative offices
4. Single-family and two-family
5. Multi-family

#### B. Conditionally Permitted Uses

1. All conditional uses permitted in the General Commercial District and subject to the same condition.
2. Manufacturing, processing, cleaning, servicing, testing, or repairs of materials, goods or products which will not materially injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust water pollution, or other particular matter, toxic and noxious materials, odors, fire or explosive hazards or glare or heat.

In the interests of the community and other industries within the Industrial District, the Board of Zoning Appeals may, in regard to an industrial operation whose effects on adjacent premises are not readily *known*, *seek* expert advice on what conditions should be imposed on the particular industrial operation to reasonable modify any injurious or offensive effects likely to result from such an operation. The cost of securing such expert assistance shall be borne by the applicant.

3. Sanitary landfill site subject to Article 7, Section 703.02, Subsection 118.
4. Junk yards subject to Article 7, Section 703.02, Subsections 109, 110 and 112.
5. Outdoor storage may be permitted, provided the area used for storage is located in the rear yard and is in an enclosed structure or fence six (6) feet in height.

405.03 Lot Requirements

- |  |                        |
|--|------------------------|
| A. Minimum Lot Area                                | One Acre               |
| B. Minimum lot width<br>at front yard setback line | Two hundred (200) feet |
| C. Minimum lot frontage                            | One hundred (100) feet |

405.04 Yard Requirements

- |                                |   |
|--------------------------------|---|
| A. Minimum front yard<br>depth | Fifty (50) feet from<br>the street right-of-way   |
| B. Minimum rear yard<br>depth  | Twenty (20) feet, except where<br>adjacent to residential districts<br>when they shall be one hundred<br>(100) feet and may be used for<br>parking. |

**406 – COMMERCIAL RECREATION AREAS**

406.01 Purpose

The purpose of this district is to provide for commercially operated outdoor recreation areas. Conditional use permits for commercial recreation facilities may be granted by the Board of Appeals in any zoning district. Tracks or competitive courses for motorized vehicles shall not be permitted.

406.02 Conditionally Permitted Uses

- Vacation Farms
- Ranches
- Archery courses
- Riding Stables and bridle paths
- Shooting preserves

Fishing Ponds  
Picnic Areas  
Golf Courses (excluding miniature)  
Golf Driving Ranges  
Swimming Areas  
Vacation Camp Grounds and Camping Trailer Parks  
Similar Uses and Accessory Uses

406.03 **Requirements**

All conditionally permitted uses shall be subject to Article 7, Sections 701, 702, 703, 703.1 and 703.2, Subsections 102, 103, 104, 105, 106, 108 and 109.  
Vacation Campgrounds and camping trailer parks shall also meet the conditions of Subsection 120.

## ARTICLE 5

### PARKING AND LOADING REGULATIONS

#### 501 – OFF-STREET PARKING AND LOADING REGULATIONS

In all zoning districts, off-street parking facilities for the storage of parking of self-propelled motor vehicles for use of occupants, employees and patrons of the buildings hereafter erected, altered, or extended after the effective date of this resolution shall be provided and maintained as herein prescribed.

- A. Whenever a use requiring off-street parking is increased in floor area, additional parking space shall be provided in the amounts hereafter specified for that use, if the total parking space does not meet the minimum area to serve the increased floor area.
- B. Off-street parking facilities for one and two-family dwellings shall be located on the same lot or plot of ground as the building served. Off-street parking for commercial or industrial uses shall be on the site or within three hundred feet of the site or building being served. An industry which employs one hundred or more employees may supply off-street parking at a distance greater than three hundred feet from such industry upon approval of the Township Board of Zoning Appeals.
- C. The off-street parking requirements for uses not specifically mentioned herein, shall be the same as those required for uses of a similar nature.
- D. Collective off-street parking facilities may be provided. However, such facilities shall contain as many spaces as would otherwise be individually required.
- E. The amount of off-street parking space required for uses, buildings or additions thereto shall be determined according to the following requirements, and shall be reserved for such use.
- F. Parking lots or areas adjacent to public streets, shall have driveways or openings not to exceed twenty five (25) feet in width at the curb line. All such lots or areas shall have a protective wall or bumper block at least five (5) feet from any sidewalk line and said lots shall be so designed that all vehicles leaving the facility will be traveling forward at a 90 degree angle to approaching traffic.
- G. Detailed plans shall be submitted for approval of all cuts or driveway openings in commercial and manufacturing districts before a building permit may be obtained therefore.



- H. Entrances, exits, or driveways or maneuvering areas shall not be computed as any part of a required parking lot or area.
- I. Off-street parking and loading regulations for commercial and industrial districts are as follows:
  - 1. Any vehicle parking space in a commercial or manufacturing district shall be used for parking only. Any other use of such space, including repair work or servicing of any kind other than in an emergency, or the requirement of any payment for the use of such space, shall be deemed to constitute a separate commercial use in violation of the provisions of this code.
  - 2. No building or structure of any kind shall be erected in any off-street parking space except a parking garage containing parking spaces equal to the requirements of this section or a booth for the parking lot attendant or guard.
  - 3. The vehicle parking space on any lot, as set forth and designated in this resolution may be deemed to be the required open space on such lot.
  - 4. All parking spaces, drives, and isles shall be surfaced with a bituminous or other dust-free surface and maintained in a condition conducive to public use.

501.01 Required Space

A. Dwelling Units

- 1. Single family and two-family dwelling units – Two (2) parking spaces for each unit.
- 2. Multi-family dwelling units – Two (2) parking spaces for each unit.

B. Rooming houses, lodging houses, boarding houses – one (1) parking space for each guest plus two (2) spaces for the permanent occupant.

C. Hotels, motels, tourist homes, or cabins – One (1) parking space for each sleeping room.

D. Mobile home court – Two (2) parking spaces adjacent to each mobile home site.

E. Business and professional offices and banks – One (1) parking space for each one hundred fifty (150) square feet of floor area, excluding basement and hallways.

F. Office buildings – One (1) parking space for each two hundred (200) square feet of floor area, excluding basement and hallways.

- G. Medical and dental offices and clinics – Five (5) parking spaces for each physician or dentist plus one (1) for each employee.
- H. Funeral homes and motruaries – Twenty five (25) parking spaces.
- I. Retail stores, super markets, etc. – One (1) parking space for each one hundred (100) square feet of floor area.
- J. Furniture and appliance stores, builders supply stores, showroom of plumbers, decorator, electricians, or similar trades, shoe repair, and other similar uses – One (1) parking space for each eight hundred (800) square feet of floor area.
- K. Motor vehicles sales and service – One (1) parking space for each four hundred (400) sq. feet of floor area of sales room and one (1) additional parking space for each auto service stall in the service room.
- L. Auto service station – Eight (8) parking spaces.
- M. Beauty parlors and barber shops – Two (2) parking spaces for each beauty or barber shop chairs.
- N. Laundromats – One (1) parking space for each two (2) washing machines.
- O. Restaurants – One (1) parking space per three (3) seats of seating capacity.
- P. Establishments for the Sale and Consumption on the premises of foods, beverages, or refreshments – one (1) parking space per two (2) seats of seating capacity.
- Q. Theatres – One parking space for each four seats.
- R. Dance halls, skating rinks, private clubs, and other assembly halls without fixed seats – One (1) parking space per one hundred (100) square feet of floor area.
- S. Bowling alleys – Four (4) parking spaces for each alley, plus one (1) for each two (2) employees.
- T. Wholesale establishments – One (1) parking space for each employee.
- U. Industrial establishments – One (1) parking space for each total number of employees on any two consecutive shifts having the largest number of employees.
- V. Auditorium, stadium, and similar uses – One (1) parking space for each four (4) seats based on maximum seating capacity.

- W. Churches – One (1) parking space for each four (4) seats in principal auditorium based on maximum seating capacity.
- X. Clubs, lodges, and fraternity houses – One (1) parking space per two hundred (200) square feet of floor space or one (1) parking space per four (4) seating spaces in the assembly room, whichever is greater.
- Y. Golf clubs, swimming clubs, and similar uses – One (1) parking space for each five (5) members.
- Z. Libraries and museums – One (1) parking space for each five hundred (500) square feet of floor area.
- AA. Hospitals – One (1) parking space for each two (2) beds.
- BB. Sanitariums, children’s homes, convalescent homes – One (1) parking space for each six (6) beds.
- CC. Elementary and junior high schools – One (1) parking space for each teacher, employee, or administrator.
- DD. Senior high schools – one (1) parking space for each teacher, employee, or administrator, and one (1) for each ten (10) students.
- EE. Colleges and universities, or technical training centers – One (1) parking space for each 1.5 students and one (1) for each teacher, employee or administrator present during daytime operation.
- FF. In all commercial districts a minimum area of two hundred (200) square feet per car shall be used in computing the area to be used for parking, excluding driveways.

**502 – REQUIRED OFF-STREET LOADING SPACE**

On the same premises with every building structure, or part thereof erected and occupied for manufacturing storage, warehouse goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly involving the receipt of distribution or vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of streets or alleys. Such space, unless otherwise adequately provided for, shall include ten (10) foot by twenty five (25) foot loading space, with fourteen (14) foot height clearance for every ten thousand (10,000) square feet or fraction thereof in excess of three thousand (3,000) square feet of building floor area or land for the above-mentioned purposes.

**ARTICLE 6**  
**SIGN REGULATIONS**

**601 – PURPOSE**

The purpose of sign regulations is to control the location and size of signs used in outdoor advertising within the limits established in the Ohio Revised Code, Section 519.20. This section of the Code states in part - “Outdoor advertising shall be classified as a business use and be permitted in all districts zoned for industry, business, or trade, or lands used for agricultural purposes.”

**602 – SIGNS ON LAND USED FOR AGRICULTURAL PURPOSES OR ON LANDS IN A COMMERCIAL OR INDUSTRIAL DISTRICT**

Signs on land used for agricultural purposes, in a Commercial District or Industrial District shall be considered a business or trade use and be required to maintain the same setback, side-yard, rear-yard, and height requirements as commercial uses and structures in a Commercial District. There requirements are set forth in Article 4, Section 404, Subsections 404.04 and 404.05, and Section 405, Subsection 405.04.

Exceptions to this are:

- A. One non-illuminated sign advertising the sale, rental or lease of the property or building, not exceeding eight (8) square feet in area on any lot.
- B. Signs incidental to the legal process and necessary to the public safety and welfare.
- C. One non-illuminated accessory sign with a surface area not exceeding two hundred eighty-eight (288) square inches which denotes the name of occupant or home occupation on each lot on which the dwelling unit is located.
- D. One sign with a surface area not exceeding twelve (12) square feet, which identifies the use of the premises for each of the following types of conditionally permitted uses in the Commercial and Residential Districts.
  - 1. Cemetery.
  - 2. Church or other place of religious worship.
  - 3. Private or governmentally owned and/or operated park, playground, and golf course, and riding academy.
  - 4. Institutions for medical care, hospital, clinic, convalescent home, sanitarium, home for the aged, nursing home, and philanthropic institution and child care center.

5. One non-illuminated temporary real estate advertising and the development of the premises upon which it stands or the opening of a new subdivision development where such sign is located at least twenty-five (25) feet from the street right-of-way line.
6. A directional sign which is not to exceed 12 square feet in area, which directs a person to a use or business, may be located on one or more different roads from upon which the business or use is located. This sign shall be located on private property.

**603 – LAND IN A RESIDENTIAL DISTRICT, AND NOT USED FOR AGRICULTURAL PURPOSES**

Only the following types, sizes and location of signs shall be permitted in Residential Districts not used for Agricultural purposes.

- A. One non-illuminated sign advertising the sale, rental, or lease of the property or building, not exceeding eight (8) square feet in any area on any lot.
- B. Signs incidental to the legal process and necessary to the public safety and welfare.
- C. One non-illuminated accessory sign with a surface area not exceeding two hundred eighty-eight (288) square inches which gives the name of the occupant or home occupation of the property upon which the sign is on.
- D. One sign with a surface area not exceeding twelve (12) square feet, which identifies the use of the premises for each of the following types of condition permitted uses in the Residential Districts:
  1. Cemetery.
  2. Church or other place of religious worship.
  3. Private or governmentally owned and/or operated park, playground, and golf course and riding academy.
  4. Institutions for medical care, hospital, clinic, convalescent home, sanitarium, home for the aged, nursing home, and philanthropic institution and child care center.
  5. Governmentally owned and/or operated building or facility.
- E. One non-illuminated temporary real estate sign advertising the development of the premises upon which it stands or the opening of a new subdivision development where such sign is located. Real estate signs shall have a surface area not exceeding fifty (50) square feet and such signs shall be located at least twenty five (25) feet from the street right-of-way line.

## **604 – INDUSTRIAL DISTRICTS**

Only the following types, sizes and location of signs shall be permitted in industrial Districts.

- A. Any sign permitted in a commercial district.

## **605 – SUPPLEMENTARY REGULATIONS**

All signs and billboard are subject to the following regulations:

- A. No sign or billboard shall be erected closer than fifty (50) feet to any intersection, with the exception of those signs incidental to the legal process and necessary to the public welfare of those business signs attached to a building or structure.
- B. All signs and billboards erected within two hundred (200) feet of any intersection must be erected so as not to obstruct traffic sight lines at street intersections or railroad grade crossings.
- C. No sign or billboard shall be located in or projecting, over a public right-of-way.
- D. Any sign or billboard illuminated with electric lights (including neon or other gaseous type tubes or incandescent lamps) shall not duplicate or be similar to traffic control signals.
- E. Signs or billboards visible from a street or highway shall not resemble highway traffic control or directional signs.
- F. A permit shall be required for any sign or combination that exceeds 32 square feet in any district.
  - 1. For every square foot by which such signs or outdoor advertising structure exceeds 32 square feet, the front setback shall be increased by one-half foot from the right-of-way.

**ARTICLE 7**  
**CONDITIONAL ZONING CERTIFICATES**

**701 – PURPOSE**

Until recent years the regulation of all uses of land and structures through zoning has been accomplished by assigning each use to one or more use districts. However, the functions and characteristics of an increasing number of new kinds of land uses combined with conclusive experience regarding some of the older, familiar kinds of uses calls for a more flexible and equitable procedure for properly accommodating these activities in the community. It should be recognized that the forces that influence decisions regarding the nature, magnitude, and location of such types of land use activities are many and varied, and are dependent upon the functional characteristics of the use, competitive situations, and the availability of land. Certain kinds of uses need to be reasonably controlled by specific requirements that provide practical latitude for the investor but at the same time, maintain adequate provision for the security of the health, safety, convenience, comfort, prosperity, or general welfare of the community's inhabitants.

In order to accomplish such a dual objective, provision is made in this resolution for a more detailed consideration of each conditionally permitted use as it relates to location, design, size, method of operation, and intensity of land use, which in turn, effects the volume of traffic generated and traffic movements, the concentration of population, and the kinds of public facilities and services it requires. Land and structures possessing these particularly unique characteristics are designated as Conditional uses with conditions and safeguards attached as may be deemed necessary for the protection of the public welfare.

**702 – PROCEDURES FOR MAKING APPLICATION FOR A CONDITIONAL USE CERTIFICATE**

A. Application Submitted to the Board of Zoning Appeals

An application shall be submitted to the Board of Zoning Appeals and it shall contain the following data:

1. The form supplied by the Board of Zoning Appeals completed by the applicant.
2. A site plan, plot plan, or development plan of the entire property being considered, drawn to a reasonable scale and showing the location of all abutting streets, the location of all existing and proposed structures, the types of buildings and the uses proposed.
3. The fee for a Conditional Zoning Certificate shall be as established by the Board of Trustees. The Board of Zoning Appeals may refer the application to a qualified consultant when it deems expert advice necessary and the applicant shall pay the cost of said expert advice.

702.01 Review by Board of Zoning Appeals

The Board of Zoning Appeals shall review the proposed development as presented on the submitted plans and specifications in terms of the standards established in this resolution. Such review shall be completed and made public within forty-five (45) days of the first regular monthly meeting of the Board of Zoning Appeals following the submission of such application. If the application is submitted at a regular monthly meeting of the Board of Zoning Appeals, the forty-five (45) day period shall begin with the date of submittal.

702.02 Hearing

After adequate review and study of any application, the Board of Zoning Appeals may hold a public hearing upon every application after at least one (1) publication in a newspaper of general circulation, at least ten (10) days prior to the date of the hearing. Such notices shall indicate the place, time, and subject of the hearing.

702.03 Re-application

An application for a Conditional Zoning Certificate which has been denied wholly or in part by the Board of Zoning Appeals shall not be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration by the Board of Zoning Appeals.

702.04 Issuance and Revocation of Conditional Zoning Certificate

Only upon conclusion of hearing procedures relative to a particular application may the Board of Zoning Appeals issue a Conditional Zoning Certificate. The breach of any safeguard, or requirement shall automatically constitute a violation of this Zoning Resolution. Such a violation shall be punishable as specified in Section 10.

**703 – STANDARDS AND REQUIREMENTS FOR CONDITIONAL USES**

The Board of Zoning Appeals shall establish beyond reasonable doubt that both the general standards and the specific requirements pertinent to each conditional use indicated herein shall be satisfied by the establishment and operation of the proposed conditional use. The Board of Zoning Appeals may also impose such additional conditions and safeguards as it deems necessary for the general welfare, for the protection of individual property rights, and for the insuring that the intent and objectives of this resolution will be observed.



**703.01     General Requirements**

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that such use of the proposed location:

- A. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan;
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
- C. Will not be hazardous or disturbing to existing or future neighboring uses;
- D. Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- E. Will be served adequately by essential public facilities and services;
- F. Will be in compliance with the subdivision regulations, the Board of Health standards, and the Building Code if there are such requirements;
- G. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

The Board of Zoning Appeals shall require as conditions of approval any other requirements, including guarantees that any conditions will be fulfilled, that it deems necessary to fulfill the purposes and intent of this resolution.

**703.02     Specific Requirements**

- A. Sanitariums, convalescent homes, nursing homes, and homes for the aged shall have a net residential density which shall not exceed three (3) times the number of single family dwellings to meeting the district lot sizes on the same size parcel of land.
- B. All structures, except minor structures such as utility poles and meters, and activity areas shall be located at least fifty (50) feet from all property lines.
- C. Loud speakers which cause a hazard or annoyance shall not be permitted.
- D. All points of entrance or exit shall be located no closer than one hundred (100) feet from the intersection of two streets.

- E. There shall be no more than one directional identifying sign oriented to each abutting road identifying the activity.
- F. No lighting shall constitute a nuisance and shall not impair safe movement of traffic on any street or highway.
- G. Temporary structures shall not be continued as permanent structures. The period of continuance shall be set by the Planning Commission.
- H. The use shall not require costly or uneconomic extensions of utility services at the expense of the community.
- I. Site locations that offer natural or man-made buffers that lessen the effect of the intrusion of the use should be selected.
- J. A fence eight (8) feet in height shall enclose the operation where there is a safety hazard.
- K. Plans shall be submitted indicating the proposed stages of operation and the future uses or rehabilitation to be carried out on the site. A bond or bonds may be required to be posted guaranteeing that the above plans will be carried out.
- L. All facilities and equipment such as derricks, pumps, tanks, etc., shall be enclosed or fenced off where their operation creates a potential safety hazard.
- M. All areas shall be rehabilitated progressively as they are worked out and left in a condition entirely lacking in hazards, inconspicuous, and blended with the general surrounding ground form so as to appear reasonably natural. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.
- N. Routes for truck movement shall be established and followed in such a way that traffic and other hazards and damage to other properties shall be minimized.
- O. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, individual, or to the community in general; a bond may be required to insure that this provision will be met.
- P. Subject to the following conditions:
  - 1. The use shall be secondary in importance to the use of the dwelling for dwelling purposes.
  - 2. The use shall be conducted by the occupants and/or one employee who does not reside on the premises.

3. The use shall be carried on entirely within the dwelling or in an accessory building which shall not exceed six hundred (600) square feet in area.
4. The home occupation shall not occupy more than thirty (30) percent of the floor area of the dwelling.
5. The use shall not constitute primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.
6. No activity, materials, goods, or equipment indicative of the proposed use shall be visible from any public way or adjacent property.
7. For purposes of identification of a home occupation, there shall be no more than one (1) non-illuminated sign not to exceed two (2) square feet in area.
8. The proposed use shall not generate noise, odor, dust, smoke, electromagnetic interference, or vehicular or pedestrian traffic in an amount which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.

**Q. The use shall be permitted under the following conditions:**

1. The use shall be for the purpose of servicing motor vehicles under one and one-half (1½) tons rated capacity including the dispensing of fuel and lubricants, cooling system and ignition service, sale and installation of batteries, lamps, fan belts, spark plugs, tires, and accessories not requiring a change in the chassis, body or engine of the vehicle.
2. All activities, except those required to be performed at the fuel pumps, and car washing shall be carried on inside a building; if work is performed on a vehicle such vehicle shall be entirely within a building.
3. No more than two (2) driveway approaches shall be permitted directly from any major thoroughfare nor more than two (2) driveway approaches from any minor street, each of which shall not exceed thirty (30) feet in width at the property line.
4. If the property fronts on two or more streets, the driveways shall be located as far from the street intersection as practicable.
5. At least a six (6) inch pedestrian safety curb shall be installed along all street lines except at driveway approaches.

R. The use shall be permitted under the following conditions:

1. All sanitary landfill sites shall be subject to approval by the County Health Department.
2. A topographic map showing the design of the sanitary landfill site at a scale of not over 200 feet to the inch and with five foot intervals shall be submitted with the application.
3. The applicant shall submit information describing the geological characteristics of the site.
4. The site shall be limited to areas where water pollution will not occur. The Board of Zoning Appeals may impose any conditions it deems necessary to prevent water pollution.
5. The site shall be accessible from at least two directions.
6. The site shall be so located as to minimize the effect of winds carrying objectionable odors to urbanized or urbanizing areas.
7. The sanitary landfill site shall be designated by a qualified expert and submitted to the County Health Department for approval.
8. Suitable shelter for landfill equipment shall be provided.
9. Suitable shelter and sanitary facilities shall be provided for personnel.
10. Suitable measures shall be taken to control fires.
11. An attendant shall be on duty, during the time the sanitary landfill is open, to supervise the unloading of refuse.
12. Blowing paper shall be controlled by providing a portable fence near the working area. The fence and areas shall be policed regularly.
13. Sewage solids or liquids and other hazardous materials shall not be disposed of on the site.
14. There shall be no open storage or burning of garbage.
15. No bulky items such as car bodies, refrigerators, and large tires shall be disposed on the site except by landfill.
16. Refuse shall be spread and compacted in shallow layers not exceeding a depth of two (2) feet of compacted materials.

17. A compacted layer of at least six (6) inches of suitable cover material shall be placed on all exposed refuse by the end of each working day.
18. In all but the final layer of a landfill, a layer of suitable cover material compacted to a minimum depth of one (1) foot shall be placed daily on all surfaced of the fill except those where operations will continue on the following work day.
19. A layer of suitable cover material compacted to a minimum thickness of two (2) feet shall be placed over the entire surface of each portion of the final lift not later than one (1) week following the placement of refuse within that portion.
20. Condition unfavorable for the production of insects and rodents shall be maintained by carrying out routine landfill operations promptly in a systematic manner.
21. Suitable measures shall be taken whenever dust is a problem.
22. The entire site, including the fill surface shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling on the fill, and to prevent the collection of standing water.
23. An inspection of the entire site shall be made by a representative of the County Health Department before the earth moving equipment is removed from the site. Any necessary corrective work shall be performed before the landfill project is accepted as completed. Arrangements shall be made for the repair of all cracked, eroded, and uneven areas in the final cover during the year following completion of the fill.

S. Conditions for Mobile Home Parks

1. In addition to the other requirements of this section, the application shall include any other data the Planning Commission may require.
2. Each boundary of the park must be at least 200 feet from any permanent residential building outside the park, unless separated therefrom by a natural or artificial barrier.
3. The park shall be graded to be well drained.
4. Trailer spaces shall be a minimum of 4,000 square feet for each space and at least fifty (50) feet wide and clearly defined.
5. There shall be at least a twenty (20) foot clearance between trailers. No trailer shall be closer than twenty (20) feet from any building within the park, or ten (10) feet from any property line bounding the park.

6. All trailer spaces shall abut upon a driveway of not less than thirty-four (34) feet in pavement width, which shall have unobstructed access to a public thoroughfare. All paving shall meet the requirements of County street standards and lighted at night with electric lamps of not less than two thousand (2,000) lumens each, placed at intervals of not more than one hundred twenty (120) feet. Lighting shall be shielded so as to direct light on to the roads.
7. All trailers shall have a minimum width of twelve (12) feet and a minimum floor space of seven hundred twenty (720) square feet, excluding porches, and other structures.
8. Each park may provide service buildings to house laundry, storage, facilities and offices. Walkways not less than three (3) feet wide and paved shall be provided from the trailer spaces to the service buildings. A central vehicle parking area shall be provided to supply off-street parking at a ratio of one space for each three (3) trailer spaces.
9. An electric outlet supplying at least 220 volts shall be provided for each trailer space.
10. Each trailer space shall be provided a water tap to supply pure and adequate water for drinking and domestic purposes.
11. Each trailer space shall be provided a trapped sewer at least four (4) inches in diameter which connects with a centralized disposal system.
12. Adequate garbage and rubbish cans shall be provided not further than three hundred (300) feet from any trailer space.
13. An open space recreation area shall be provided within the boundaries of the trailer park. The size of the area shall be one acre for the first ten (10) trailer spaces plus 1/20 of an acre for each additional trailer space in the park.
14. Each park shall be equipped at all times with adequate fire extinguishing equipment as determined by the fire prevention officer.
15. The permittee, or a duly authorized attendant or caretaker shall be in charge at all times to keep the trailer park, its facilities and equipment in a clean, orderly and sanitary condition and free from any condition that will menace the health of any occupant or the public or constitute a nuisance.

T. The use shall be permitted under the following conditions:

1. The minimum size of the area shall be forty (40) acres.

2. All State and Local Health Department regulations shall be complied with.
3. The maximum period of occupancy for any trailer or other camping facility shall not exceed ninety (90) days in any calendar year. There shall not be any permanent occupancy on the area other than for the owner, operator, and caretakers in the area.
4. No campsites shall be closer than two hundred (200) feet to any adjacent property.
5. A store will be permitted to sell supplies to the camp area occupants. The store shall not be closer than twenty (20) feet to any adjacent property or street right-of-way.
6. The number of campsites available shall not exceed three (3) campsites or camping trailers for each acre of ground contained in the area.
7. Sign Regulations - See Article 5, Section 602, D., 3.

## ARTICLE 8

### NON-CONFORMING USES

#### 801 – PURPOSE

The purpose of this section is to (1) define the legal status of buildings and land uses which do not conform to this resolution and (2) to provide either for the conversion of non-conforming uses into conforming uses as soon as reasonably possible or for the eventual and equitable elimination.

#### 802 – REGULATIONS

The lawful use of any building or land existing prior to the enactment of this resolution may be continued, although such use does not conform with the provisions of this resolution; however, to achieve the purposes of this section the following regulations shall apply:

##### 802.01 Alterations

A building or structure containing a non-conforming use may be altered, improved, or reconstructed provided such work is not to an extent exceeding in aggregate cost the assessed value of the building or structure, unless the building or structure unless the building or structure is changed to a conforming use.

##### 802.02 Extension

A non-conforming use shall not be extended, but the extension of a lawful use to any portion of a building or structure which existed prior to the enactment of this resolution shall not be deemed the extension of such non-conforming use.

##### 802.03 Restoration

Whenever a building, the use of which does not conform to the provisions of this resolution, is damaged by fire, explosion, or act of God to the extent of sixty (60) percent or more of its assessed value, it may be restored on its original site with no variance required if restoration is started within a period of one hundred eighty (180) days and the exterior structure is completed within eighteen months after which it must conform with the district regulation in which it is located.

##### 802.04 Displacement

No non-conforming use shall displace a conforming use.

##### 802.05 Change in Use

A non-conforming use may be changed to another nonconforming use provided



that the Board of Zoning Appeals determines that the proposes non-conforming use is in the same Zoning District Uses as the prior non-conforming use or in the uses listed as permitted in a more restricted Zoning District.

**802.06 Discontinuation and Abandonment**

Whenever a non-conforming use has been discontinued for a period of two (2) years or more, such discontinuation shall be considered legal abandonment of the non-conforming use. At the end of that two (2) year period, the non-conforming use shall not be reestablished, and any further use shall be in conformity with the provisions of this resolution.

**802.07 A Change of Zoning Districts**

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, the foregoing provisions shall also apply to any non-conforming use existing therein.

**802.08 Construction Approval Prior to Resolution**

Nothing in this resolution shall prohibit the completion of the construction and use of nonconforming buildings for which a zoning certificate has been issued prior to the effective date of this resolution, provided that construction is commenced within ninety (90) days after the issuance of such certificate; that construction is carried on diligently and without interruption; and that the entire building shall have been completed within two (2) years after the issuance of said zoning certificate.

**802.09 Non-Conforming Conditional Uses**

Uses existing prior to the enactment of this resolution which are listed as conditional uses in the district in which they are located shall be considered as non-conforming uses until a conditional zoning certificate has been applied for and issued for said use.

**802.10 Non-Conforming Use**

Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

**802.11 Expansion of Non-Conforming Dwelling Units**

Any single, two-family, or multifamily dwelling unit which does not meet the minimum front-yard setback requirements of this resolution, may be enlarged on the side or rear as long as the dwelling unit enlarged shall be in compliance with the side or rear-yard setback requirements of this resolution. No variance shall be required for this enlargement.

**ARTICLE 9**  
**AMENDMENTS**

**901 – PROCEDURE FOR AMENDMENTS**

Amendments or supplements to zoning resolution; procedure; referendum. Amendments or supplements to the zoning resolution may be initiated by motion of the township rural zoning commission, by the passage of a resolution therefore by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the township zoning commission. The Board of Township Trustees shall upon the passage of such resolution certify it to the township zoning commission.

Upon the adoption of such motion, or the certification of such resolution or the filing of such application the township zoning commission shall set a date for a public hearing thereon, which date shall not be less than twenty nor more than forty days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the Township Zoning Commission by one publication in on or more newspapers of general circulation in the township at least ten days before the date of such hearing.

If the proposed amendment or supplement intends to rezone or redistrict ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least twenty days before the date of the public hearing to all owners of property within and contiguous to and directly and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the County auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the board of county commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement and a statement that after the conclusion of such hearing the matter will be referred for further determination to the county or regional planning commission and to the board of township trustees as the case may be.

Within five days after the adoption of such motion or the certification of such resolution or the filing of such application the township zoning commission shall transmit a copy thereof together with text and map pertaining thereto to the county or regional planning commission, if there is such a commission.

The county or regional planning commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the township zoning commission. Such recommendation shall be considered at the public hearing held by the township zoning commission on such proposed amendment or supplement.

The township zoning commission shall, within thirty days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the board of township trustees.

The board of township trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty days from the date of the receipt of such recommendation from the township zoning commission. Notice of such public hearing shall be given by the Board of one publication in one or more newspapers of general circulation in the township, at least ten days before the date of the hearing.

The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment or supplement.

Within twenty days after such public hearing the board shall either adopt or deny the recommendation of the zoning commission or adopt some modification thereof. In the event the board denies or modifies the recommendation of the township zoning commission the unanimous vote of the board shall be required.

Such amendment or supplement adopted by the board shall become effective in thirty days after the date of such adoption of the amendment or supplement there is presented to the board of township trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part thereof included in the zoning plan equal to not less than eight percent of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected, requesting the board of township trustees to submit the amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.

No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the board of elections that the amendment has been approved by the voters it shall take immediate effect.

Hereafter, the governing procedures for Article 9 shall follow the current rules of the Ohio Revised Code.

**ARTICLE 10**  
**ENFORCEMENT**

**1001 – ADMINISTRATION**

The provisions of this resolution shall be administered by the Zoning Inspector.

1001.01 Zoning Inspector

A Zoning Inspector shall be employed to enforce this Zoning Resolution. The terms of employment rate of compensation, and other such conditions shall be set by the Township Trustees. For the purposes of effecting this resolution, the Zoning Inspector shall have the powers of a police officer.

1001.02 Submission of Application for Zoning Certificate

All applications for Zoning Certificates shall be submitted to the Zoning Inspector who may issue Zoning Certificates when all applicable provisions of this resolution have been met.

1001.03 Zoning Certificates Required

Before construction, changing the use of, or altering any building, including accessory buildings or changing the use of any premises, applications shall be made to the zoning inspector for a zoning permit. The construction of a deck or a patio shall be deemed the alteration of a building and a zoning permit shall be required provided, however, the construction of a stoop thirty-six square feet in area or less excluding any steps or the construction of a ramp or other structure necessary to make the premises handicapped accessible shall not be deemed an alteration and no zoning permit shall be required for this construction. The application shall include the following information:

- A. A plot plan drawn to scale showing the exact dimensions of the lot to be built upon.
- B. The location, dimensions, height and bulk of structures to be erected.
- C. The intended use.
- D. The proposed number of sleeping rooms, dwelling units, occupants, employees, and other uses.
- E. The yard, open area, and parking space dimensions.

F. Any other pertinent data as may be necessary to determine and provide for the enforcement of this resolution.

Within ten (10) days after the receipt of application, the Zoning Inspector shall issue a zoning certificate if the application complies with the requirements of this resolution and the application is accompanied by the proper fee as established by the Board of Trustees.

The Zoning Certificate shall become void at the expiration of one (1) year after date of issuance unless construction is started. If no construction is started or use changed within one (1) year of date of permit, a new application and permit are required.

If the application is for a conditional zoning certificate, the application procedure defined in Section 702-A will be followed in lieu of the above regulations.

1001.04 Schedule of Fees

The Board of Township Trustees shall establish a schedule of fees, charges and expenses and a collection procedure for permits, appeals, requests for zoning amendments, conditional use permits, and other matters pertaining to this resolution. The schedule of fees shall be posted in the office of the administrative official, and may be altered or amended only by the Board of Township Trustees.

Until all fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

**1002 – VIOLATIONS**

1002.01 Inspection and Correction of Violations

It shall be the duty of the Zoning Inspector to see that any building erected, altered, moved, razed, or converted or any use of land or premises carried on in violation of any provision of this resolution is inspected, and the Zoning Inspector shall declare each violation a nuisance and, in writing, order correction of all conditions which are found to be in violation of this resolution. Any building or land use considered possible violations of the provisions of this resolution which are observed by any official or citizen shall be reported to the Zoning Inspector.

1002.02 Correction Period

With the exception of the failure to obtain a zoning certificate as provided in 1001.03 (for which no corrective period is allowed or permitted), all violations shall be corrected within a period of thirty (30) days after the written order is issued or for a longer period of time as indicated by the zoning inspector in the

written order. Any violations not corrected within the specified period of time shall be prosecuted; and the correction of violation shall not constitute a bar to prosecution for the alleged violation continued existence until corrected.

**1002.03 Penalties**

Any person, firm, or corporation violating any provisions of this Zoning Resolution or supplements or amendments thereto shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined no more than one hundred (100) dollars. Each day's continuation of a violation of this resolution shall be deemed a separate offense.

**1002.04 Land or Buildings in Violation**

In case any buildings is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used or any land is or is proposed to be used in violation of Sections 519.01 to 519.99, inclusive, of the Revised Code, or of any regulation or provision adopted by the Board of Township Trustees under such sections, such board, the prosecuting attorney of the county, the township zoning inspector, or any adjacent or neighboring property owner who may be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent such unlawful location, erection, construction, enlargement or use. The Board of Township Trustees may employ special counsel to represent it in any proceeding or to prosecute any action brought under this section.

**ARTICLE 11**  
**BOARD OF ZONING APPEALS**

**1101 – AUTHORITY**

A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by law and this resolution. That hereafter, the governing procedures for Article 11 shall follow the current rules of the Ohio Revised Code.

**1102 – COMPOSITION, APPOINTMENT, AND ORGANIZATION**

The Board shall consist of five (5) members. Each member shall be appointed for a period of five (5) years and terms shall be so arranged that the terms of one (1) member shall expire each year. Each member shall serve until his successor is appointed and qualified. The Board of Zoning Appeals shall elect a chairman from its membership shall appoint a Recording Secretary, and shall prescribe rules for the conduct of its affairs. Members of the Board shall be removed for non-performance of duty, misconduct, in office or of her cause, after a public hearing has been held regarding such charges. A copy of the charges shall be served upon the members so charged at least ten (10) days prior to the hearing either personally or by registered mail or by leaving same at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. In the event a vacancy occurs such vacancy shall be filled by appointment for the balance of the unexpired term.

**1103 – QUORUM**

The Board of Zoning Appeals shall require a quorum of three members at all its meetings, and a concurring vote of three members shall be necessary to effect an order.

**1104 – MEETINGS**

The Board of Zoning Appeals shall meet at the call of its chairman or two (2) other members, and at such other regular times as it may, by resolution, determine. All meetings of the Board shall be open to the public.

**1105 – POWERS AND DUTIES**

- A. To hear and decide appeals where it is alleged there is error in any order requirement, decision, or determination made by the Zoning Inspector in the enforcement of this resolution.
- B. To authorize upon appeal, in specific cases, variances from the specific requirements of this resolution as will not be contrary to public interest, where owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardships, and so that the spirit of the resolution shall be observed and substantial

justice done.

- C. To grant conditional zoning certificates for the use of land, buildings, or other structures as specifically provided for elsewhere in this resolution.

## **1106 – APPEALS**

Appeals to the Board of Zoning Appeals may be taken by any person, firm, or corporation, or by any officer, board or department deeming himself or itself to be adversely affected by the decision of the Zoning Inspector. The applicant shall post security for the cost of all action required for the hearing of the appeal.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector, whose decision is being appealed, shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that by reason of facts stated in the Certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed by other than a restraining order granted by the Board of Zoning Appeals or by a court having lawful jurisdiction.

Within its powers, the Board of Zoning Appeals may reverse or affirm, wholly or in part or modify the order, requirement, decision, or determination as in its opinion ought to be done, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken, and it may issue or direct the issuance of a permit or certificate. The Board of Zoning Appeals shall decide all such appeals within a reasonable time.

### **1106.01 Procedure**

The Board of Zoning Appeals shall act in accordance with the procedure specified by law including this resolution. All appeals and applications made to the Board of Zoning Appeals shall be in writing and on prescribed forms. Every appeal or application shall refer to the specified provision of the resolution involved, and shall exactly set forth the interpretation that is claimed, the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted as the case may be. Every decision of the Board of Zoning Appeals, shall be by resolution, each of which shall contain a full record of the findings of the Board of Zoning Appeals by case number under the heading of interpretation of Variance, together with all documents pertaining thereto. In the event that the Board of Zoning Appeals will find it necessary to draw upon any planning, legal, engineering, or any other expert testimony, such fees may be charged to the applicant in order to cover all expenses of such expert testimony.

### **1106.02 Notice of Hearings**

When notice of appeal has been filed in proper form with the Board of Zoning Appeals, the Secretary shall immediately place the request appeal upon the calendar for hearing, and shall cause notices stating the time, place and object



of the hearing to be served personally or by mail, addressed to the parties making the request for appeal, and notice by one publication in one or more newspapers of general circulation in the Township, at least ten (10) days prior to the date of the scheduled hearing. All notices shall be sent to addresses given in the last assessment roll. The Board may recess such hearings from time to time, and, if the time and place of the continued hearing be publicly announced at the time of adjournment, no further notice shall be required.

1106.03 Fees

Any request for an interpretation, variance, or appeal to the Board of Zoning Appeals shall be accompanied by a fee as established by the Board of Trustees. If the appeal is made to correct an administrative error, and if an error was found to exist by the Board of Appeals the fee shall be returned to the applicant.

**ARTICLE 12**  
**DEFINITIONS**

Accessory Building or Use – is a building or use, customarily incidental and subordinate to the principal use of building, located on the same lot or premises as the principal use of building.

Agriculture – is the use of land for agricultural purposes including farming, dairying pasturage, agriculture, horticulture, floriculture, viculture and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing of produce; provided that the operation of such accessory use shall be secondary to that of the normal agriculture activities, and providing that the above uses shall not include commercial feeding of garbage or offal to swine or other animals. A use shall be classified as agriculture only if it is the principal or main use of the land.

Alley – is any public space of thoroughfare which has been dedicated or deeded to the public travel and which affords a secondary means of access to abutting property.

Alteration – as applied to a building or structure, is a change or rearrangement in the structural parts or in exit facilities, or the enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Apartment House – is a multi-family dwelling for three or more families, living independently of each other, with cooking and toilet facilities in each dwelling unit.

Auto Graveyard – Synonymous to Junk Yard.

Automobile Wrecking – is the dismantling or disassembling of used motor vehicles, or the storage, sale or dumping or dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Basement – A story, suitable for business or habitation, partially below the level of the adjoining street or ground and below the first tier of floor beams or joints. When a basement's floor is less than two feet below the average grade, it will be rated as the first story or ground floor.

Boarding House – is a building where meals are provided for compensation to more than two boarders, other than members of the proprietor's family.

Building – See Structure.

Building Line – is a line defining the minimum front, side and rear yard requirements.

Building, Height of – is the vertical dimension measured from the average elevation of the finished lot grade at the front of the building, to the highest point of roof of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the average height between the plate and ridge of a gambrel roof.

Building, Principal – is the building housing the principal activity performed on any lot.

Car Port – is a covered automobile parking space not completely enclosed by walls or doors. For the

purposes or this resolution, a car port shall be subject to all regulations prescribed in this resolution for a private garage.

Centralized Sewer System – is where individual lots are connected to a common distribution system whether publicly or privately owned and operated.

Centralized Water System – is where individual lots are connected to a common distribution system whether publicly or privately owned and operated.

Clinic or Medical Center – is a place used for the diagnosis and treatment of sick, ailing, infirm and injured persons and those who are in need of medical or surgical attention, but limited to outpatients only.

Club – is an association of persons for some common non-profit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

Convalescent, Nursing, or Rest Home – is any dwelling with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire.

Court – is an occupied space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

Density of Population – is the ratio of population expressed as persons or as families, to a unit of land they occupy expressed acres or other areal measure.

Driveway – a paved, stone, or gravel part of a lot or parcel of land extended to be used by motor vehicles to travel over the lot or parcel of land to or from a public road.

Dwelling – is a building or portion of a building designed for residential purposes, including one-family, two-family, and multi-family dwelling, but not including hotels, motels, boarding houses and lodging houses.

Dwelling, Two-Family – is a building converted or occupied exclusively by, or for two families, living independently of each other.

Dwelling, Multi-Family – See Apartment House.

Dwelling Unit – is one or more rooms in a dwelling designed for occupancy by one family for living or sleeping purposes; and having toilet facilities and one kitchen.

Easement – is a right to some profit, benefit, or use out of, or over the land of another, created by grant or prescription.

Essential Service – is the erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, or underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal system, including poles, wires, mains, drains, sewers, pipes, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including

building reasonable necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

Family – is one or more persons occupying a premise and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, nursing home, lodging house, or hotel as herein defined..

Garage, Private – is a building or part thereof accessory to a main building and providing for the storage of automobiles and in which no occupation or business for profit is carried on other than that permitted as a home occupation.

Garage, Public or Storage – is a building or part thereof other than a private garage for the storage of motor vehicles and in which service station activities may be carried on.

Gasoline Service Station – is any area of land, including any structure or structures thereon, that is or are used or designed for the supply of gasoline or oil or other fuel for the propulsion of vehicles. For the purpose of this resolution there shall also be deemed to be included within this term any area or structure used or designed to be used for polishing, greasing, washing, spraying, dry cleaning, or otherwise cleaning or servicing such motor vehicles.

Grade, Finished – is the completed surface of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Group Housing Development – are those types of residential structures customarily known as garden apartments, terrace apartments, row housing units and those types of housing structures similar in character and density to such group housing.

Home Occupation – is any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

Hospital or Sanitarium – is an establishment which provides accommodations, facilities and services over a continuous period of twenty four hours or more, for observation, diagnosis and care of, two or more individuals suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical, or surgical services.

Hotel – is a building in which lodging is provided and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house or lodging house.

Industrial Park – is a tract of land subdivided and developed according to a comprehensive plan for the use of a community of industries and containing at least one street, designed solely to provide access to industrial establishments located upon it.

Industrialized Unit – means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as a part of a greater structure and that requires transportation to the site of intended use. An industrialized unit includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. An industrialized unit does not include a manufactured

or mobile home as defined herein.

**Kenel** – is a place where more than three dogs, four months of age or older are kept.

**Kitchen** – is any room and/or other space used or intended or designed to be used for cooking or for preparation of food for one family.

**Junk Yard** – is any land or building used for abandonment, storage, keeping, selling, exchanging, packing, collecting, or baling of paper, rags, scrap metals, other scrap or discarded materials, or for abandonment, demolition, dismantling, storage, or salvaging of automobiles or other vehicles not in running condition, machinery, or parts thereof.

**Living Space** – is that area within a structure intended, designed, erected, or used for human occupancy, but excluding any cellar or basement areas or accessory use areas.

**Loading Space** – is an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

**Lodging or Rooming House** – is a building where lodging only is provided for compensation to more than two lodgers other than members of the proprietor's family.

**Lot** – is a parcel of land in single or undivided ownership used or intended to be used as the site for a main building or structure and accessory buildings and structures, or for some other purpose.

**Lot, Coverage** – is the area of a lot occupied by the principal and accessory buildings.

**Lot, Depth of** – is the main distance from the right-of-way line of the street at the front of the lot to its opposite rear line measured in the general direction of the side lines of the lot. Where the right-of-way is not established, it shall be assumed to be sixty feet.

**Lot, Interior** – is a lot other than a corner lot.

**Lot Lines** – are the lines defining the limits of a lot.

**Lot, Corner** – is a lot at the point of intersection of and abutting on two or more intersecting streets, the angle of intersection being not more than one hundred thirty-five degrees. It is the land occupied or to be occupied by the corner building.

**Lot, Width of** – is the width measured along the minimum setback line.

**Lot, of Record** – is a lot which is part of a subdivision, the plot, or map of which has been recorded in the Office of the Recorder of Seneca County or a lot described by metes and bounds, the deed to which has been recorded in the office of the Recorder of Seneca County.

**Major Thoroughfare** – is a thoroughfare designed as a major thoroughfare on the land use and/or thoroughfare plan duly adopted by the Board of Seneca County Commissioners or a Municipal Planning Commission.

**Manufactured Home** – a non-self-propelled building unit or assembly of closed construction fabricated in an off-site facility, and which conforms with the federal construction and safety standards established by the Secretary of housing and Urban development (HUD) pursuant to the “Manufactured Housing Construction and Safety Standards Act of 1974,” and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. A manufactured home is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, designed to be used as a dwelling with or without permanent foundation when connected to required utilities. Calculations used to determine the number of square feet in a structure’s exterior dimensions are measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. For the purposes of this section, chassis means a steel frame specifically designed and constructed with wheels or running gear and towing tongue installed for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks, or other foundation, connection to utilities and the like.

**Minimum Building Setback Line** – is a line back of and parallel to, the street right-of-way line as required by the minimum front yard depth in the district in which it is located. Where the right-of-way line is not established it shall be assumed to be sixty feet.

**Mobile Home** – a non-self-propelled building unit or assembly of closed construction that is fabricated in an off-site facility, built on a permanent movable chassis which is 8 feet or more in width and more than 35 feet in length, which when erected on site is 320 or more square feet, that is transportable in one or more sections and which does not qualify as a manufactured home or industrialized unit.

**Mobile Home Lot** – A parcel of land for the placement of single ownership which has been planned and improved for the placement of mobile homes for non-transient use. Sometimes termed as mobile home court.

**Mobile Home Park - Trailer Court** – A parcel of land under a single ownership which has been planned and improved for the placement of mobile homes for non-transient use. Sometimes termed as a mobile home court.

**Motel** – is any building or group of buildings containing sleeping rooms, with or without cooking facilities, designed for temporary use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motels, motor lodges, and tourist cabins.

**Non-Conforming Use** – is a building, structure, or use of land lawfully existing at the time of enactment of this resolution, or any amendment or supplement thereto, and which does not conform to the regulation other than height, area, and yard requirements for the district in which it is situated.

**Open Space** – is an area of land which is in its natural state, or is developed only for the raising of agricultural crops, or for public outdoor recreation.

**Parking** – is the temporary holding of a vehicle for a period longer than required to load or unload persons or goods.

**Place** – is an open occupied space other than a street or alley permanently reserved as a principal means of access to abutting property.

**Porch** – is a roofed or un-roofed open structure projecting from the front, side or rear wall of a building, and having no enclosed feature of glass, wood, or other material more than thirty-six inches above the floor thereof, except wire screening and the necessary columns to support the roof.

**Public Utility** – is any person, firm, corporation, governmental agency or board fully authorized to furnish and furnishing under municipal regulation, to the public, electricity, gas steam, telephone, telegraph transportation, or water, or any other similar public utilities.

**Right-of-Way** – is a street, alley, or other thoroughfare or easement permanently established for passage of persons or vehicles.

**Sign** – shall mean any word or words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, by which anything is known; and which is affixed to, or painted, or represented directly or indirectly upon a building, structure or place of land and directs attention to an object, place, activity, person, institution, organization or business. The word sign shall include also billboard, signboard and display sign.

**Stable** – is any building, structure or portion thereof which is used for the shelter or care of horses, or other similar animals, either permanently or transiently.

**Stand** – is a structure for the display and sale of products with no space for customers within the structure itself.

**Story, Half** – is a space under a sloping roof which has the line of intersection of a roof decking and wall face not more than three feet above the top floor level and in which space not more than two-thirds of the floor area is finished for the use. A half-story containing independent apartment or living quarters as a full story.

**Story, Height of** – the vertical distance from the top surface of one floor to the top surface of the next above. The height of the topmost floor is the distance from the top surface of the floor to the top surface of the ceiling joists.

**Street or Road Line** – is a lot line separating a lot from an adjacent street.

**Street, Public** – is a public thoroughfare which has been dedicated or deeded to the public for public use and accepted by the County Commission or Township Trustees, and which affords principal means of access to abutting property.

**Street, Private** – is a thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public.

Structure – is anything constructed or erected which requires location on the ground, including signs and billboards, but not including fences or walls used as fences.

Structural Alterations – is any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

Tanks, Storage – is in reference to petroleum or chemical products, a closed vessel for the storage of liquid hydrocarbon substances at atmospheric pressure.

Tourist Camp – is any lot, piece or parcel of ground where two or more camp cottages, tents, camping or travel trailers, house trailers or mobile homes used as living or sleeping quarters are or may be located, said camp being operated for or without compensation.

Use – is the purpose, or activity, for which land or a building or structure is arranged, designed or intended, or for which it is occupied or may be occupied or maintained.

Use, Accessory – see Accessory Building or Use.

Use, Conditional – is a use which is permitted in a district, or zone, only if a certificate thereof is expressly authorized by the Board of Zoning Official in accordance with the provisions of this resolution.

Use, Principal Permitted – is a use which is permitted outright in a district for which a zoning certificate may be issued by the Zoning Official in accordance with the provisions of this resolution.

Use, Seasonal – is the occupation of any building, or structure, or activity for a period not to exceed more than six months of any one calendar year.

Variance – a license to perform an activity on - or make use of - a property, which differs from the usual rule.

Width, Side Yard – The perpendicular distance between the established side lot line and any portion of any structure existing or to be constructed on said lot.

Yard – is an open area other than a court, on a lot, unoccupied and unobstructed from the ground upward.

Yard, Depth, Front – is the perpendicular distance between the street right-of-way line and the nearest portion of any structure existing or to be constructed. Where the right-of-way is not established it shall be assumed to be fifty feet.

Yard, Depth, Rear – is an open unoccupied space on the same lot with any structure between the rear line of the building and the rear line of the lot and extending the full width of the lot.

Zones or Districts – refers to a section of this resolution for which uniform regulations governing the use, height, area, size, and intensity of use of buildings and land, and open spaces about buildings, are herein established.