

ARTICLE 24

SUPPLEMENTARY DISTRICT REGULATIONS

24.0 General

The purpose of supplementary district regulations is to set specific conditions for various uses, classifications of uses, or areas wherein problems may occur, in order to alleviate or preclude such problems, and to promote the harmonious exercise of property rights without conflict.

24.1 Conversions of Dwellings to More Than One Unit

A residence may not be converted to accommodate an increased number of dwelling units unless all of the following conditions are met:

1. The conversion is in compliance with all other local codes and resolutions and any applicable State or Federal regulations;
2. The district within which the residence is located is so regulated as to allow such an increase in dwelling units;
3. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district;
4. The lot area per family equals the lot area requirements for new structures in that district;
5. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district;
6. The conversion is in compliance with all other relevant codes and ordinances.

24.2 Principal Building Per Lot

No more than one principal building or structure may be constructed upon any one lot for the purposes of this Ordinance in the following districts; Ag, R-R, R-1, & R-2. Rear dwellings shall be prohibited and shall be considered non-conforming uses subject to the requirements of Article 6 of this Ordinance.

24.3 Reduction of Area or Space

No lot, yard, parking area or other space shall be reduced in area or dimension if such reduction has the effect of

making the lot, yard, parking area or other space less than the minimum required by this Ordinance. Furthermore, any lot, yard, parking area or other space which is already less than the required minimum shall not be reduced further. However, nothing in this section shall be interpreted to limit the power of the Board of Zoning Appeals in the granting of variances under this Ordinance. †

24.4 Construction in Easements

Easements for installation, operation and maintenance of utilities and drainage facilities are reserved as shown on each plat when recorded or otherwise established. Within these easements, no permanent building or structure shall be placed or permitted which may damage or which may interfere with the installation, operation and maintenance of such utilities or which may change the normal direction of flow of drainage channels within the easement. The easement area of each lot and any improvements within it, shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or a utility is responsible.

24.5 Parking and Storage of Vehicles and Trailers

No commercial vehicles, to include commercial tractors, automobiles, trucks, buses, house trailers, semi-trailers, shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during the actual time of parking. No automotive vehicles or trailers of any type without current license plates shall be parked or stored on any residential property other than in a completely enclosed building. A maximum of one boat or one unoccupied recreational vehicle may be stored in the rear yard or any residentially zoned property if it has a current license, meets the requirements of this Ordinance for accessory structures, and is screened according to the requirements of this Ordinance.

24.6 Required Refuse Collection Areas

The refuse collection areas provided by all commercial, industrial and multi-family residential uses for the collection of trash, garbage and other refuse shall be enclosed on three sides by a solid wall or fence of at least four (4) feet in height, unless within an enclosed building or structure. Provisions shall be made for regular and adequate vehicular access to such areas for collection purposes, as determined necessary by the Zoning Inspector. In addition, the following requirements shall be met:

1. The storage of hazardous or toxic materials or wastes shall not be permitted without documented approval of the Ohio Environmental Protection Agency.
2. Materials or wastes which might cause fumes or dust or otherwise constitute a fire hazard, or which may attract rodents or insects, shall be stored only in closed containers constructed of impervious materials.
3. Storage areas in residential districts shall utilize such additional screening as required in this Resolution.

24.7 Junk

The accumulation or storage of junk, junk vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags or any other discarded objects or debris defined as junk in the Ohio Revised Code shall be prohibited, outside of an approved junk yard, in order to protect residents from conditions conducive to the infestation and breeding of vermin, insects and rodents.

24.8 Supplemental Yard and Height Regulations

In addition to the regulations specified in other sections of this Ordinance, Sections 29.9 to 29.14 inclusive shall be used for clarification and interpretation.

24.9 Setback Requirements for Buildings on Corner Lots

The minimum required width of a side yard abutting a street shall be one-half (1/2) the minimum required front yard depth for the district. Parking within this side yard is prohibited.

24.10 Fence and Wall Restrictions in Front Yards

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of two and a half (2-1/2) feet, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of two and a half (2-1/2) feet and ten (10) feet.

24.11 Yard Requirements for Multi-Family Dwellings

Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard

requirements for the appropriate district as though it were on an individual lot.

24.12 Exceptions to Height Regulations

The height limitations contained in the District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

24.13 Architectural Projections

Open structures such as porches, canopies, balconies, platforms, carports, covered patios and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side or rear yard.

24.14 Visibility at Intersections

On a corner lot at the intersection of two streets in any district, nothing shall be installed, erected, placed, planted or allowed to grow in such manner as to impede vision materially between a height of two and one half (2-1/2) feet and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lot and a line joining along said street lines fifty (50) feet from the point of intersection. On a corner lot at the intersection of two alleys, or at the intersection of an alley and a street, within any district, nothing shall be installed, erected, placed, planted or allowed to grow in such manner as to impede vision materially between a height of two and one half (2-1/2) feet and ten (10) feet above the centerline grades of the intersecting alleys, or of the intersecting alley and street, in the area bounded by the right-of-way lines of such corner lot and a line joining points along said alley lines, or alley and street lines, twenty-five (25) feet from the point of intersection.

24.15 Objectionable, Noxious or Dangerous Uses, Practices or Conditions

No land or building in any district shall be occupied or used in any manner which creates or contributed to the existence of conditions which are dangerous, injurious, harmful, noxious or objectionable or which may otherwise adversely affect surrounding areas of adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable con-

ditions to acceptable limits, as established in this Section, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions is found to exist at any time:

1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities;
2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved;
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;
5. Objectionable noise as determined by the Zoning Inspector due to volume, frequency or beat is present;
6. Vibration discernible by the Zoning Inspector without instruments is present on an adjoining lot or property;
7. Direct or reflected glare is present which is visible from any street or from any property not within a manufacturing district;
8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot or property;
9. Water pollution or contamination is present in violation of the regulation of the Ohio Environmental Protection Agency.

24.16 **Enforcement Provisions**

Any occupancy, use, conditions or circumstances existing in violation of Section 29.15 of this Ordinance shall constitute a violation of this Ordinance and be subject to the enforcement procedures contained in Article 5.

24.17 **Temporary Uses**

The following regulations are necessary to govern certain uses which are of a non-permanent nature. For such uses requiring temporary zoning permits, at least seven (7) days before the instigation of such use an application for a zoning permit shall be made to the Zoning Inspector, which

shall contain a graphic description of the proposed use and a site plan, with sufficient information to determine the yard, setback, parking and sanitary facility requirements for the proposed temporary use.

The following uses are deemed to be temporary uses and shall be subject to the specified regulations and time limits which follow, as well as the regulations of any district in which they are located:

1. Real estate sales offices, which shall contain no living accommodations, shall be permitted within any district for any new subdivision for a period of one year, except that two (2) six-month extensions may be granted if conditions warrant. Such offices shall be removed upon the completion of the sales of the lots therein, or upon the expiration of the zoning permit, whichever occurs first.
2. Temporary buildings, offices and equipment and storage facilities required in conjunction with construction activity may be permitted within any district for a period of one year, except that six-month extensions may be granted if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction, or upon expiration of the zoning permit, whichever occurs first.
3. Temporary sales and services may be permitted within parking areas within any commercial district. A zoning permit valid for a period not to exceed four (4) consecutive days shall only be issued three (3) times within any twelve-month period to any individual or organization. The application for the temporary zoning permit shall be accompanied by written permission of the property owners, and shall be prominently displayed at the site. The Zoning Inspector shall not issue a permit for such temporary use if he determines that it encroaches upon more than twenty-five (25) percent of the required parking area and minimum of twenty-five spaces for car washes.
4. Garage sales, which for the purposes of this section shall include yard sales, barn sales and similar activities, may be permitted within any district in which dwellings are permitted. Any individual or family may conduct one (1) such sale within any twelve-month period upon the property at which he or they reside for a period not to exceed two (2) consecutive days without obtaining a zoning permit, so long as the provisions of this Resolution pertaining to signs and parking are observed. Garage sale permits shall only be issued to groups of families, neighborhood organizations and community organizations two (2) times within any twelve-

month period and shall not exceed a period of three (3) consecutive days, so long as the provisions of this Ordinance pertaining to signs and parking are observed.

5. Temporary Park Camp permit

24.18 **Screening/Buffering**

A landscaped area may be required to screen and protect neighboring properties and passing motorists from the view of facilities, buildings and parking areas of the site development, as warranted. Landscaped areas are subject to the following:

1. Screening shall be provided for one or more of the following purposes:
 - a. A visual barrier to partially or completely obstruct the view of structures or activities.
 - b. An acoustic screen to aid in absorbing or deflecting noise.
 - c. A physical barrier to contain debris and litter.
2. Screening may consist of one of the following, or a combination of two or more, as determined by the Zoning Inspector or Board of Zoning Appeals, in the event of an appeal, variance or conditional use:
 - a. A solid masonry wall;
 - b. A solidly constructed decorative fence;
 - c. A louvered fence;
 - d. A dense vegetative planting;
 - e. A landscaped mounding.
3. Height of screening shall be in accordance with the following:
 - a. Visual screening walls, fences, plantings or mounds shall be a minimum of 5 1/2 feet high in order to accomplish the desired screening effect, except in required front yards where maximum height shall be not greater than 2 1/2 feet. Plantings shall be a minimum of 4 feet in height at the time of planting.
 - b. A dense vegetative planting with a minimum height of 4 feet at planting and a mature height of at least 5 1/2 feet or greater, or a solidly constructed decorative fence, shall be permanently maintained

along the mutual boundary of an accessory parking area and adjacent land zoned for residential uses, except for the portion of such boundary located within a required front yard.

4. Screening for purposes of absorbing or deflecting noise shall have a depth of at least 25 feet of dense planting or a solid masonry wall in combination with decorative plantings. The height shall be adequate to absorb noise as determined by the applicant in relation to the nature of the use. Additional screening shall be required if the initial screening is found to be inadequate.
5. Whenever required screening is adjacent to parking area or driveways, such screening shall be protected by bumper blocks, posts or curbing to avoid damage by vehicles.
6. All screening shall be trimmed, maintained in good condition and free of advertising or other signs, except for directional signs and other signs for the efficient flow of vehicles.

24.19 Site Plan Review

A. Purpose

It is the intent of this section to protect the health, safety, convenience and general welfare of the inhabitants of the Village. The Site Plan Review regulates the development of structures and sites in a manner which considers the following concerns and, where necessary, requires modification of development proposals to eliminate or minimize potential problems and nuisances. The principal areas of concern are:

- a. the balancing of landowners' rights to use their land, with the corresponding rights of abutting and neighboring landowners to live without undue disturbances (e.g. noise, smoke, fumes, dust, odor, glare, stormwater runoff, etc.);
- b. the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;
- c. the adequacy of waste disposal methods and protection from pollution of surface or groundwater; and
- d. the protection of historic and natural environmental features on the site under review and in adjacent areas.

B. Projects Requiring Site Plan Review

No permit for the construction, exterior alteration, occupancy or change in use of any building shall be given and no existing use shall be established or expanded in floor area except in conformity with a

site plan approved by the Village Planning Commission. Site Plan Review shall also be required for the resumption of any use discontinued for more than two (2) years or for the expansion of any existing use. Required approval includes proposals for commercial, industrial, office, multiple dwelling residential developments, municipal, institutional, utility, fraternal or recreational purposes.

C. Exemptions from Site Plan Review

Site Plan Review shall not be required for:

- a. the construction or enlargement of any single family or two-family dwelling, or building accessory to such dwelling;
- b. the construction or alteration of any building used exclusively for agriculture, horticulture or floriculture;
- c. construction or alteration providing for not more than two hundred (200) square feet total floor area after construction;
- d. customary home occupations, as defined by the zoning by-laws;

D. Procedure

1. An applicant for Site Plan Review under this section shall be filed with the Zoning Board of Appeals ten days (10) prior to a scheduled meeting, seven (7) copies each of the site plan documents. A copy of the site plan shall be submitted to the Clerk to be kept on file.
2. The Board of Appeals shall deliver its decision in writing to the Zoning Inspector within thirty (30) days after determining that the application is complete, to allow the issuance of a zoning permit.
 - a. approval of the site plan based upon a determination that the proposed plan will constitute a suitable development and is in compliance with the standards set forth in this Resolution;
 - b. disapproval of the site plan based upon a determination that the proposed project does not meet the standards for review set forth in this Resolution or;
 - c. approval of the site plan subject to any conditions, modifications and restrictions as required by the Board which will ensure that the project meets the Standards for Review.

E. Submission Requirements

The site plan shall include the following data, details

and supporting plans. The number of pages submitted will depend on the proposal's size and complexity. All of the requirements must be met in each plan with notations explaining the reasons for any omissions.

The Planning Commission may, based on the size and complexity of the development, require site plans prepared by a registered professional engineer, architect or landscape architect at a scale of 1 inch equals 20 feet, on standard 24" X 36" sheets, with continuation on 8 1/2" X 11" sheets as necessary for written information.

Items Required for submission include:

1. Survey plan of the development area.
2. Name of the project, boundaries and location map showing site's location, north arrow and scale of the plan.
3. Name and address of the owner of record, developer and seal of the engineer, architect or landscape architect.
4. Names and addresses of all owners of record of abutting parcels and those within three hundred (300) feet of the property line.
5. All existing lot lines, easements and rights-of-way. Include area in acres or square feet, abutting land uses and the location and use of structures within three hundred (300) feet of the site.
6. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area.
7. The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs, fences, paths, landscaping, walls and fences. Location, type and screening details for all waste disposal containers shall also be shown.
8. The location, height, intensity and bulk type (e.g. fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
9. The location, height, size, materials and design of all proposed signage.
10. The location of all present and proposed utility systems including:
 - sewage or septic system;
 - water supply system;
 - telephone, cable and electrical systems; and
 - storm drainage system including existing and proposed drain lines, culverts, catch basins,

headwalls, endwalls, hydrants, manholes and drainage swales.

The Planning Commission may also request the submission to the County Engineer storm run-off calculations for large or environmentally-sensitive developments.

11. Plans to prevent the pollution of surface or ground-water, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table and flooding of other properties, as applicable.
12. A landscape plan showing all existing natural land features, trees, forest cover and water sources and all proposed changes to these features including size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, floodplains and drainage retention areas.
13. Zoning district boundaries of adjacent properties shall be drawn and identified on the plan.
14. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within one hundred feet of the site.

The Planning Commission may require a detailed traffic study for large developments or for those in heavy traffic areas to include:

- a. the projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
 - b. the projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site;
 - c. the impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be given.
15. For new construction or alterations to any existing building, a table containing the following information must be included:
 - a. area of building to be used for a particular use such as retail operation, office, storage, etc.;
 - b. maximum number of employees;
 - c. maximum seating capacity, where applicable; and
 - d. number of parking spaces existing and required for the intended use.
 16. Elevation plans when required by the Planning Commission:

F. Standards for Review

The Planning Commission shall review the site plan and supporting documents, taking into consideration the reasonable fulfillment of the objectives listed below. Detailed design guidelines and performance standards shall be adopted by the Planning Commission to guide decisions with respect to these objectives, and to help ensure consistency in the review of all applications.

1. Legal

Conformance with the provisions of the regulations of the Township and all applicable rules and regulations of state and federal agencies.

2. Traffic

Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.

3. Parking

Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate parking, adequate lighting, and internal traffic control.

4. Pollution Control

Adequacy of methods for sewage and refuse disposal and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.

5. Nuisances

Protection of abutting properties and Township amenities from any undue disturbance cause by excessive or unreasonable noise, smoke, vapors, dust, odors, glare, stormwater runoff, hazardous materials, etc.

6. Existing Vegetation

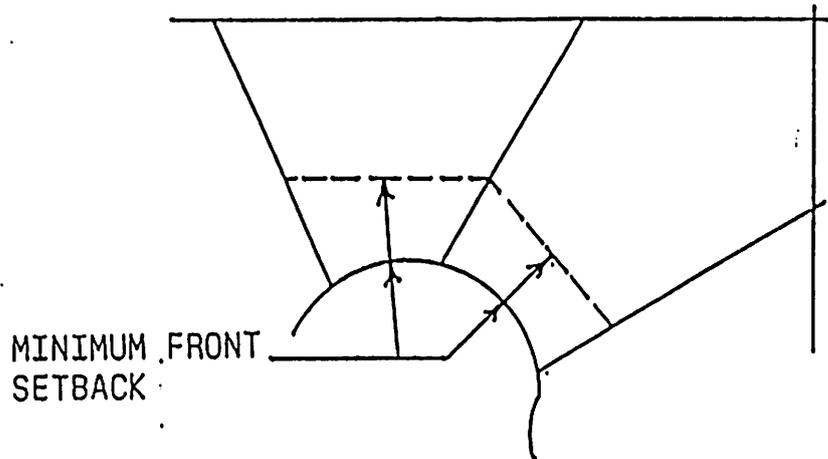
Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.

7. Amenities

The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings and the retention of open space and agricultural land.

29.20 Setback on Cul-de-sacs

Each lot or parcel on a cul-de-sac, curved street or dead-end street shall meet the minimum lot width requirement at the required front setback of the zone.



29.21 Access

No person shall erect any building or structure on a lot or use any lot in any zone unless such lot has frontage on a public street. Nothing in this Section shall prevent the use of an existing dwelling on a lot having access to a public road via a private road subject to the provisions of the existing district in which the lot is located.

ARTICLE 25

SPECIAL REGULATIONS

25.0 General

It is the purpose of these special regulations to promote the public health, safety and welfare and to establish regulations affecting uses and practices which, were they to be established and maintained without any guidance or restrictions or control, tend to result in dangerous situations threatening the safety of citizens, to contribute to circumstances undermining the morals of the youth of the community, or to generate conflicts in uses or practices upsetting the harmony of the community and impinging upon the property rights of others.

25.1 Regulation of Satellite Dish Antennas

Sections 25.2 to 25.7 inclusive shall apply to the location and construction of dish-type satellite signal receiving antennas as herein defined.

25.2 Purpose

It is the purpose of Sections 25.05 to 25.35 inclusive to regulate the location and construction of dish-type satellite signal-receiving antennas within the village in order to protect the public health, safety and welfare of the residents, particularly with respect to the maintenance of utility easements and fire safety accesses, the prevention of the accumulation of noxious weeds and debris, the safety considerations associated with windloads and the reasonable accommodation of the aesthetic concerns of neighboring property owners.

25.3 Definitions

The following definitions shall apply in the interpretation of this Ordinance:

"Dish" shall mean that part of a satellite signal-receiving antenna which is shaped like a saucer or dish, whether it is spherical, parabolical or similar in shape.

"Dish'type satellite signal-receiving antennas", to include earth stations or ground stations, whether functioning as part of a basic service system, direct broadcast satellite system, or multi-point distribution service system, shall mean one, or a combination of two or more of the following:

- a. A signal-receiving device such as a dish antenna whose purpose is to receive communications or signals from

- earth-orbiting satellites or similar sources.
- b. A low-noise amplified (LNA) whose purpose is to boost, magnify, store, transfer or transmit signals.
 - c. A coaxial cable, whose purpose is to convey or transmit signals to a receiver.

"Receiver" shall mean the apparatus whose purpose is to obtain a signal from a cable or like source and transform it to a television signal.

25.4 Zoning Permit Required

No person, firm or corporation shall undertake the construction, erection or installation of any satellite dish without a zoning permit issued in accordance with the provisions of this Ordinance. In addition to the requirements of this Ordinance, the application for such permit shall include the following:

1. a description of the type of earth station proposed;
2. a plot plan of the lot, premises or parcel of land showing the location of the proposed earth station and all other buildings thereon;
3. plans depicting the specifications and elevations of the proposed location, to include satisfactory screening and landscaping for ground-mounted structures;
4. details of the method of assembly and construction of the proposed earth station;
5. a fee as required for the review of plans and specifications and the inspection of construction.

25.5 Ground-Mounted Satellite Dish Antennas

Ground-mounted satellite dish antennas are considered as accessory structures and are permitted as accessory uses in all districts. In addition to the provisions of this Ordinance pertaining to accessory structures, the following provisions shall apply to ground-mounted satellite dishes:

1. The maximum diameter of any ground-mounted satellite dish shall not exceed twelve (12) feet;
2. The maximum height of any ground-mounted satellite dish shall not exceed fifteen (15) feet above the finished grade;
3. The satellite dish apparatus shall be painted a color which complements its environment, and shall bear no advertisement, lettering, picture or visual image;
4. The apparatus shall not be located in a side yard or a front yard;

5. The site of the apparatus shall be screened with shrubbery and/or landscaped as proposed in the zoning permit application;
6. The apparatus shall be mounted upon a solid concrete slab and shall be constructed in such manner that it will withstand wind forces of up to 75 miles per hour;
7. Only metal supports of galvanized construction shall be used;
8. Any guy wires attached to a satellite dish apparatus shall be enclosed by an approved fence.
9. Any driving motor shall be limited to 110 volt maximum power and shall be encased in a protective guard;
10. All wiring between the apparatus and any other structure shall be placed underground in approved conduit;
11. The apparatus shall be bonded to an approved eight (8) foot grounding rod.

25.6 **Roof-Mounted Satellite Dish Antennas**

Roof-mounted satellite dish antennas are considered as accessory structures and are permitted as accessory uses in all districts. In addition to the provisions of this Ordinance pertaining to accessory structures, the following provisions shall apply to roof-mounted satellite dishes:

1. The maximum diameter of any roof-mounted satellite dish shall not exceed three (3) feet;
2. The height of any roof-mounted satellite dish shall not exceed the roof height of the building upon which it is mounted by more than four (4) feet;
3. The apparatus shall be painted a color which complements the environment and shall bear no advertisement, picture, lettering or visual image;
4. All wiring and grounding of the apparatus shall be in accordance with the electrical code;
5. The apparatus, its mounting and all supporting devices shall be constructed and erected in accordance with the building code directly upon the roof of the principal building and shall not be mounted upon a spire, tower, turret, chimney, pole or any appurtenances thereto attached;
6. The satellite dish apparatus shall be so designed and

installed as to withstand wind forces up to 75 miles per hour.

25.7 Variances on Locational Characteristics

An applicant may request a variance from the accessory building requirements and the required height restrictions in compliance with the procedures of Article 7 of this Ordinance. In addition to all requirements of these sections, the applicant shall submit clear and convincing evidence that the requested variance is necessary in order for the satellite dish antenna to have a direct line of sight or unobstructed view of the satellite. In any case where the provision applies, the variance granted by the Board of Zoning Appeals shall be the minimum variance required to achieve the necessary direct line of sight to assure that the antenna can properly function.

25.8 Drug Paraphernalia Establishments as Prohibited Uses

Drug Paraphernalia Establishments as herein defined are and shall be prohibited uses within all districts within the Village. Any person who establishes, operates or maintains a drug paraphernalia establishment, or instigates or participates in such action, shall be in violation of this Section and shall be guilty of a misdemeanor of the first degree, in addition to any other penalties specified in this Ordinance.

25.9 Regulations of Swimming Pools as Accessory Uses

Purpose

It is the purpose of Section 10 to promote the public health, safety and welfare through the regulation of swimming pool facilities which are constructed, operated or maintained as an accessory use.

25.10 Private Swimming Pools

No private swimming pool, exclusive of portable swimming pools with a diameter of less than twelve (12) feet or with an area of less than one hundred (100) square feet, or of a farm pond, shall be allowed in any residential district or commercial district except as an accessory use, and shall comply with the following requirements:

1. The pool is intended to be used and is used solely for the enjoyment of the occupants of the property on which it is located and their guests.
2. The pool must be located in the rear yard and shall not be located closer than twelve (12) feet to any property line or easement;
3. The swimming pool, or the entire property upon which it

is located, shall be walled or fenced in such a manner as to prevent uncontrolled access by children from the street and from adjacent properties. No such fence shall be less than six (6) feet in height and it shall be maintained in good condition with a gate and lock.

25.11 Community or Club Swimming Pools

A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club or association, for use and enjoyment by members and their families. Such swimming pools shall comply with the following requirements:

1. The pool is intended solely for and is used solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
2. The pool and accessory structures thereto, including the area used by the bathers, shall not be located closer than seventy-five (75) feet to any property line or easement.
3. The swimming pool, its accessory facilities and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than 8 feet in height and maintained in good condition with a gate and lock and screened from adjacent properties. The area surrounding the enclosure, shall be suitably landscaped with grass, hardy shrubs and trees and maintained in good condition.
4. Exterior lighting shall be so shaded or directed that it does not cast light directly upon adjacent properties.
5. Such pool facilities shall not be operated prior to 8:00 A.M. in the morning or after 10:00 P.M. in the evening.

25.12 Regulation of Long-Term Parking Facilities as Accessory Uses

This section shall apply to the location and operation of any long-term parking facility as an accessory use.

Purpose

It is the purpose of Section 30.12 to regulate long-term parking facilities constructed, operated or maintained as accessory uses in order to promote the public health, safety and welfare.

25.13 Conditional Use Permit Required

No person shall establish, operate or maintain on any premises as an accessory use a parking facility where any vehicles, to include tractors, trailers, boats, campers, recreational vehicles, buses, trucks or automobiles, are to be parked for a continuous period exceeding six (6) days without obtaining a conditional use permit for such accessory use.

25.14 Permit Requirements

In addition to complying with all other provisions of this Ordinance, particularly the requirements of Article 9, the applicant for the conditional use permit shall give evidence that the premises proposed for such use complies with the following conditions:

1. That no boundary of the proposed outside parking area is within fifty (50) feet of a residential district boundary.
2. That the proposed parking area will not prevent access to adjacent properties by fire safety equipment.
3. That the proposed parking area will be screened in such a manner that the vehicles thereon parked will not be visible from the ground level of any adjacent residential properties.
4. That fencing and lighting of the facility will be sufficient to provide for its reasonable security.
5. That no service work, maintenance work, repair work, painting work, or other vehicular work shall take place on the premises.

25.15 Regulation of Home Occupations

Purpose

It is the purpose of this section of this Ordinance to promote the public health, safety and welfare through the regulation of home occupations. It is further the intent of this Section to allow limited non-residential uses in residential structures which are compatible with the residential character of their surroundings.

25.16 Definition

"Home Occupation" means an accessory use which is an activity, profession, occupation, service, craft, or revenue enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, and is conducted entirely within the dwelling unit without any significant adverse effect upon the surrounding neighborhood. Activities such as teaching, tutoring, tax consulting and the like involve not more than three receivers of such

services at any one time, with the exception of certified or uncertified Type B Family Day-Care Homes, which constitute a residential use and not an accessory use.

25.17 Regulation of Group Residential Facilities

Purpose

It is the purpose of this section to regulate the location, operation and maintenance of group residential facilities in order to promote the public health, safety and welfare. It is the intent of this Section to provide for the assimilation of these facilities in stable and suitable neighborhoods so that the living environments of their residents are conducive to their rehabilitation.

25.18 Definition

"Group Residential Facility" shall mean any community residential facility, licensed and/or approved and regulated by the State of Ohio, which provides rehabilitative or habilitative services. There are two classes of Group Residential Facilities:

Class I: Any state, federal or locally approved dwelling or place used as a foster home for children or adults (not including nursing homes) or as a home for the care or rehabilitation of dependent or predelinquent children, the physically handicapped or disabled, or those with development disabilities or mental illnesses. A Class I Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class I Type B group residential facility contains five (5) or less residents, exclusive of staff.

Class II: Any state, federal or locally approved dwelling or place used as a home for juvenile offenders; a halfway house providing residential care or rehabilitation for adult offenders in lieu of institutional sentencing; a halfway house providing residence for persons leaving correctional institutions; and residential rehabilitation centers for alcohol and drug users, provided detoxification is expressly prohibited on such premises. A Class II Type A group residential facility contains six (6) or more residents, exclusive of staff. A Class II Type B group residential facility contains five (5) or less residents, exclusive of staff.

25.19 Conditional Use Permit Required

A Class I Type B group residential facility is permitted by right in any residential district. No other group residential facility shall be established, operated or maintained on any premises unless authorized by the issuance

of a conditional use permit in accordance with the provisions of Article 9 of this Ordinance. In addition to said provisions, such group residential facilities shall comply with the following conditional use criteria:

1. Evidence is presented that the proposed facility meets the certification, licensing or approval requirements of the appropriate state agency.
2. Evidence is presented that the proposed facility meets local fire safety requirements for the proposed use and level of occupancy.
3. Evidence is presented that the proposed facility will not generate an unreasonable increase in traffic volume or require special off-street parking.
4. Such facilities shall comply with the district regulations applicable to other properties in the zoning district in which they are located.
5. No such facility may be located within 600 feet of another such facility.
6. No signs shall be erected by such facility for purposes of identification except a permitted street address sign.
7. The exterior of all such facilities shall not be altered in character but shall be compatible with other residential dwellings. However, any improvement required by code or necessitated by licensing requirements shall not be deemed incompatible.
8. Such facility shall be reasonably accessible, by virtue of its location or transportation provided by the applicant, to medical, recreational and retail services required by its residents and to employment opportunities, if applicable, and shall be in a relatively safe and stable neighborhood.
9. The applicant shall provide a plan indicating the manner in which the facility will maintain contact with neighborhood residents, to include a structured procedure whereby their grievances may be filed and resolved.
10. The applicant shall provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.

25.20 Zoning of Group Residential Facilities

Group residential facilities shall be conditionally permitted uses as follows:

Class I Type A	R-3
Class I Type B	Permitted by right in all residential districts
Class II Type A	R-3
Class II Type B	R-3

25.21 Variance to Distancing Requirement

The Board of Zoning Appeals may grant a variance with respect to the distancing requirement contained in Article 7 if the applicant clearly demonstrates that the proposed location has unique advantages with respect to proximity to employment opportunities, social services, public transportation or similar amenities.

25.22 Uniformity with Respect to Granting of Conditional Use Permits

The granting of conditional use permits for the establishment of Group Residential Facilities shall be uniformly and equitable done, irrespective of considerations beyond the scope of these regulations.

25.23 Regulation of Factory-Built Housing; Design and Appearance Standards

This section shall apply to the construction and maintenance of factory-built housing in all districts other than the manufactured home park district (R-MH).

25.24 Purpose

It is the purpose of Section 30.23 inclusive of this Ordinance to promote the health, safety and welfare of the community by establishing regulations governing the siting, construction and maintenance of factory-built housing. It is further the intent of these Sections to permit a wider range of housing opportunities while assuring the compatibility of a variety of housing types within certain residential districts.

25.25 Definitions

"Factory-build Housing" means a factory-built structure designed for long-term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Resolution, "factory-built housing" shall include the following manufactured home and mobile home.

25.26 Siting Requirements

Any factory-built housing proposed to be located in any district shall comply with the following requirements:

1. The structure shall be installed upon and properly attached to a foundation system that provides adequate support of the structure's vertical and horizontal loads and transfers these and other imposed forces, without failure, from the structure to the undisturbed ground below the frost line.

2. All hitches, axles, wheels and conveyance mechanisms shall be removed from the structure.
3. The structure shall be so oriented on the site that its long axis is parallel with the street and it shall have an entranceway facing the street, except where diagonal placement and the addition of a garage, carport or other accessory structure may be permitted by subdivision regulation and yard requirement.
4. The site shall be suitably landscaped with adequate screening devices as elsewhere required.
5. The siting of the structure shall comply with all yard and setback requirements in effect for the district for which it is proposed.
6. The siting of the structure shall comply with all parking requirements in effect for the district for which it is proposed.
7. The site shall be serviced by utilities in such manner as required by Resolution.

25.27 Zoning of Factory-Built Housing

Mobile homes shall be permitted only in approved mobile home parks. Manufactured homes and modular homes which meet the design and appearance standards contained in Section 31.28 shall be permitted accordingly.

25.28 Single-Family Design and Appearance Standards

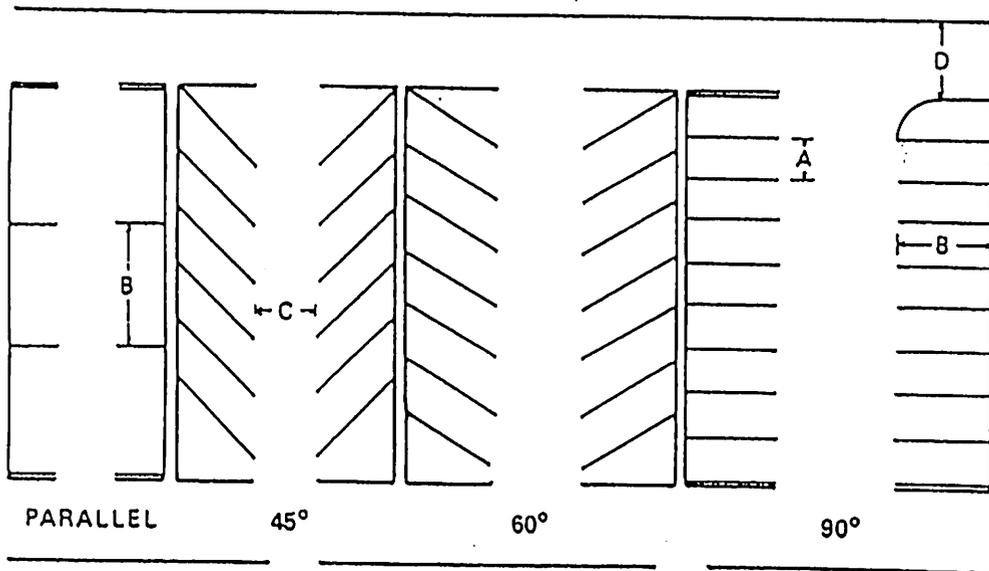
Single-family residential homes, whether of modular, manufactured or site-built construction, shall comply with the following design and appearance standards:

1. The structure shall be in conformance with the siting requirements contained in Section 30.26.
2. The structure and any accessory structures or uses will conform to all other regulations in effect for the district in which it is located.

25.29 Uniformity with Respect to Granting of Variances

The granting of variances from the requirements of this Ordinance with respect to the siting of single-family home structures, their design or appearance, shall be uniformly and equitable done.

OFF-STREET PARKING AND LOADING FACILITIES



OFFSTREET PARKING

OFF-STREET PARKING DIMENSIONAL TABLE

		45°	60°	90°	Parallel
A	Width of Parking Space	12'	10'	9'	9'
B	Length of Parking Space	19'	19'	19'	23'
C	Width of Driveway Aisle	13'	17'6"	25'	12'
D	Width of Access Driveway	17'	14'	14'	14'