

**WOODVILLE TOWNSHIP
SANDUSKY COUNTY, OHIO
ZONING RESOLUTION**

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**WOODVILLE TOWNSHIP
SANDUSKY COUNTY, OHIO
ZONING RESOLUTION**

Be it resolved by the Board of Trustees of Woodville Township, Sandusky County, Ohio, in order to promote the public health, safety, morals, comfort, and/or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and/or to facilitate adequate, but economical provision of public improvements, all in accordance with a comprehensive plan, that:

SECTION 1 – DISTRICT CLASSIFICATIONS

1.1 Woodville Township is hereby divided into **ELEVEN (11)** classifications as follows:

| <u>SYMBOL</u> | <u>NAME</u> |
|----------------------|---|
| A | Agricultural District |
| R-A | Rural Residential District |
| R-2 | Medium Density Residential District |
| R-3 | High Density Residential District |
| C | Commercial District |
| C-2 | Highway Commercial District |
| M-1 | Limited Industrial District |
| M-2 | Heavy Industrial District |
| Q-1 | Quarry District |
| S-1 | Special District |
| LIPUD | Limited Industrial Planned Unit Development (See Section 11) |

1.2 The location and boundaries of the District shall be as shown on the map entitled “Woodville Township Zoning Plan, District Map.” A certified copy of this map is on file in the fiscal office of the Woodville Township Trustees and said map and all notations, dimensions, and designations shown thereon are hereby declared to be part of this Resolution.

1.3 Where there is uncertainty as to the boundaries of any of the districts shown on the aforesaid map, the following shall apply:

1.3-1 The district boundary lines are intended to follow street, alley, lot, or property lines as they exist at the time of the passage of this Resolution unless otherwise indicated by dimension on the zoning map. In case of the vacation of a street, alley, watercourse, or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the center line of said vacated street, alley, water course, or right-of-way.

1.3-2 Where boundaries appear to approximately follow such aforesaid lines and are not more than ten (10) feet distant there from such lines shall be construed to be the boundary unless specifically shown otherwise.

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SECTION 2 - GENERAL REGULATIONS

- 2.1 No building or structure shall be erected, converted, enlarged, reconstructed, moved, or structurally altered, nor shall any building or land be used, except for a purpose permitted in the district in which the building or land is located.
- 2.2 No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height and bulk limit herein established for the district in which the building is located, except that communication towers, parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, stacks, stage towers, or scenery lofts and necessary mechanical appurtenances shall be permitted to exceed the maximum height provision when erected in accordance with all other laws of the Township and County.
- 2.3 No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered except in conformity with the yard and lot area regulations of the district in which the building is located.
- 2.4 No building shall be erected, or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of the district in which such building is located.
- 2.5 The minimum yard, parking space, and other open spaces, including lot area per family, required by this Resolution for any building hereafter erected or structurally altered shall not be encroached upon or considered as parking, yard, open space, or lot area requirement for any other building nor shall any lot area be reduced beyond the district requirements of this Resolution.
- 2.6 Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one (1) main building on one (1) lot except as specifically provided hereinafter.
- 2.7 Two or more parcels, lots of record or plotted lots, when contiguous and when held in common ownership may be treated together as a single lot for purposes of this Resolution provided such lots are located in the same district.
- 2.8 Communication towers may be located in the Agricultural District, but must be set back from roads and buildings by the height of the tower plus ten (10) feet.
- 2.9 Driveway ditch culverts are specified by the State, County, or Township road authority for the road accessed by the driveway.
- 2.10 Flag lots are only permitted as defined in the Supplemental Regulations (see Section 7.9).
- 2.11 A permit for a new residence will not be issued until a sewage system is approved by the county health department, or a letter of approval from the Sandusky County Health Department is provided.
- 2.12 Any building proposed in or near a flood plain must have a letter of approval from the County Regional Planning Commission before a zoning permit will be issued by the township.
- 2.13 Inoperable, unlicensed, and motorized vehicles as well as recreational vehicles (including all classes of campers, boats and water recreational vehicles), nonfunctioning and junk agricultural equipment, appliances and other trash and debris are not allowed to be stored outside of a building on any property except as permitted in other sections, (including section 10.1-2) and the O.R.C.
- 2.14 All uses not identified in the zoning rules and regulations are not allowed in any district.**

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SECTION 3 - DEFINITIONS

- 3.1 For the purpose of this Resolution certain terms and words are described as follows:
The words "used for" include "designed for" and vice versa. Words used in the present tense include the future; words in the singular number include the plural number and vice versa. The word "building" includes the word "structure," the word "dwelling" includes the word "residence," the word "lot" includes the word "plot," and the word "shall" is mandatory and not directory.
- 3.2 **Accessory Building:** A subordinate building which is customarily incidental to and located on the same lot as the main or principal building, such as a detached garage or utility building. An accessory building built for and designated to be used as Agriculture must be used primarily for Agriculture use. At any time in the future when the building is no longer used for Agricultural use, a paid zoning permit must be acquired and all current zoning regulations met.
- 3.3 **Adult Entertainment Establishment:** Means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, nude or seminude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to Section 4731.15 of the Ohio Revised Code, is not an "adult entertainment establishment."
- 3.4 **Agriculture:** The use of land which includes farming, dairying, pasturage, apiculture, horticulture, viticulture, animal and poultry husbandry, and only the sale of such products as are raised on the premises.
- 3.5 **Alley:** A public thoroughfare less than thirty (30) feet wide.
- 3.6 **Alteration:** As applied to a building or structure means any change or rearrangement in the structural parts or existing facilities of such building or structure, or any enlargement thereof, whether by extension on any side, or by an increase in height, or the moving of such building or structure from one location or position to another.
- 3.7 **Automobile Service Station:** A place where gasoline, kerosene, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles. Such station may include greasing and oiling on the premises and replacement or installation of minor parts and motor replacement, body and fender repair, spray painting, upholstery work, auto glasswork, welding, tire recapping, auto dismantling, or major mechanical repair.
- 3.8 **Automobile Wrecking Yard:** Any place where two (2) or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building, or structure used for wrecking or storing of such motor vehicles or parts thereof, and including any used farm vehicles or farm machinery, or parts thereof stored in the open and not being restored to operating condition.

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- 3.9 **Berm M2 & Q1:** Must be seeded in accordance with the Ohio Department of Natural Resources (ODNR) regulations. A minimum of fifty (50) feet from another property line; height of twenty (20) feet; base of ninety (90) feet wide; top ten (10) feet wide plus saturated with tree seedlings, planted, and maintained with at least seven (7) large trees (three (3) feet minimum in height) for every one hundred (100) feet on the side of the berm away from the quarry.
- 3.10 **Billboard:** Any sign used as an outdoor display for the purpose of making anything known, the origin of point of sale of which is remote from said display.
- 3.11 **Board:** Shall mean the Board of Zoning Appeals of Woodville Township.
- 3.12 **Boarding House:** A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual room.
- 3.13 **Building:** Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels, or property. A mobile home or manufactured home is a building, for the purpose of this Resolution, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title has been surrendered and inactivated by the clerk of common pleas court that issued it so that the home may be taxed as real property.
- 3.14 **Building, Main:** A building in which is conducted the principal use of the lot on which it is situated.
- 3.15 **Building Height:** The vertical distance measured from the adjoining curb grade to the highest point of the roof surface of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridges for a gable, hip or gambrel roof provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.
- 3.16 **Business:** The purchase, sale, or exchange of goods, merchandise or services, and the maintenance or operation of offices and recreational and amusement enterprises.
- 3.17 **Campground:** Any tract of land upon which two (2) or more portable camping units are placed, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such camp. A tract of land, which is subdivided for lease or other contract of the individual lots is a campground if two (2) or more portable camping units are placed thereon for temporary habitation. "Campground" does not include any tract of land used solely for the storage or display for sale of portable camping units.
- 3.18 **Commission:** Shall mean the Zoning Commission of Woodville Township.

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- 3.19 **Condominium:** A property in which two (2) or more individual owned dwelling units are contained within a single building, and the units are offered together with undivided interest in the common areas and facilities of the property. For purposes of determining lot and building requirements and the approval process for the building containing dwelling units, refer to Section 4.4. The condominium shall also comply with the declaration and other requirements of Ohio Revised Code Chapter 5311.
- 3.20 **Curb Grade:** The elevation of the established curb in front of a building measured at the center of such front. Where no curb grade has been established, the County Engineer shall establish such curb grade for the purpose of this Resolution.
- 3.21 **Dump:** A lot or land or part thereof used primarily for the licensed disposal by abandonment, dumping, burial or burning or any other means and for whatever purposes of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste materials of any kind.
- 3.22 **Dwelling:** A building or portion thereof designed exclusively for residential occupancy, including one-family and multiple-family dwellings, but not including hotels, boarding, and rooming houses.
- 3.23 **Dwelling Units:** One (1) or more rooms in a dwelling or apartment hotel designed for occupancy by one (1) family for living purposes and having cooking facilities.
- 3.24 **Dwelling, One-Family:** A detached building designed for occupancy by one (1) family.
- 3.25 **Dwelling, Two-Family:** A building designed for and occupied exclusively by two (2) families. The term "duplex" is interchangeable with "two-family dwelling."
- 3.26 **Dwelling, Multiple-Family:** A building or portion thereof, designed for occupancy by two (2) or more families living independently of each other.
- 3.27 **Family:** An individual, or two (2) or more persons related by blood or marriage, or a group of not more than five (5) persons not related by blood or marriage living together as a single housekeeping unit in a dwelling unit.
- 3.28 **Farm:** One (1) or more contiguous parcels of real property under one ownership used primarily for agricultural purposes meeting Current Agricultural Use Value (CAUV) requirements.
- 3.29 **Farm Dwelling:** A dwelling situated on a farm and occupied by a family whose basic and primary income is from farming giving due, but not exclusive consideration of the time and energy expended in farming in proportion to any other occupation.
- 3.30 **Fence:** An enclosure, barrier, or screen whose purpose is to physically or visually contain certain uses and activities.

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- 3.31 **Frontage:** All the property fronting on one (1) side of a street between the two (2) nearest intersecting streets or other natural barriers.
- 3.32 **Garage, Private:** An accessory building designed or used for the storage of not more than three (3) motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle which vehicle shall not exceed a five-ton (5) capacity. Garage area may be counted in the computation of the off-street parking area.
- 3.33 **Garage, Public:** A building other than a private garage used for the care, repair, or equipment of automobiles, or where such vehicles are parked or stored for remuneration, hire, or sale.
- 3.34 **Garage Sale:** A sale of household equipment, utensils, appliances, personal clothing or effects, or other similar personal property. "Garage Sales" include yard sales, porch sales, or other commonly used terms. A "Garage Sale" is permitted for not more than three (3) days, once per three (3) months on any property. The materials offered for sale shall be removed or located within an enclosed structure before and after the sale.
- 3.35 **Home Office/Business:** Classified as either a home office or a home-based business:
- a. Home Office. A secondary use of a residential or agricultural dwelling for professional office activities. Typically the office use would be ancillary to business activity conducted elsewhere. Home offices are permitted uses in residential & agricultural areas of the Township as defined in Section 3. Residences of accountants, architects, artists, authors, clergy, landscape architects, lawyers, professional engineers, professional land surveyors, real estate agents, teachers, or similar professions are examples of such use where the office would not involve use of special equipment or vehicles. A zoning permit is not required for this property use.
 - b. Home-based Business. A secondary use of a residential or agricultural dwelling for business activities that does not meet the definition of a home office. A home-based business is typically more intense than a home office and consists of a service-oriented commercial use that is still secondary to the residential or agricultural use but may involve special equipment or vehicles. A conditional use permit is required for this property use. The conditional use permit procedure is discussed in Section 12.
 - c. Businesses in the Agricultural District exceeding these parameters may apply for a Light Commercial conditional use permit.
- 3.36 **Hotel:** A building in which lodging or boarding are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. A "hotel" is open to the public in contradistinction to a boarding house or an apartment which are separately defined herein.
- 3.37 **Industrial Use:** Any use involving manufacturing, processing, testing and similar uses and which may generate some objectionable characteristics, such as noise, smoke, dust, or pollution.

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- 3.38 **Industrialized Unit:** A building or assembly of closed construction fabricated in an off-site facility that is substantially self-sufficient as a unit or as part of a greater structure and that requires transportation to the sites intended use. “Industrialized unit” includes units installed on the site as independent units. As part of a group of units, or incorporated with standard construction needs to form a completed structural entity. “Industrialized unit” does not include a manufactured or mobile home as defined herein.⁷
- 3.39 **Institution:** A building occupied by a non-profit corporation or a non-profit establishment for public use.
- 3.40 **Junkyard:** Any place where two (2) or more motor vehicles not in running condition, or parts thereof, are stored in the open, in a fenced area or in a partially enclosed building and are not being restored to operation; or any land used for wrecking and not restoration to operating condition and including an open area where waste, scrap metal, used building materials, paper, rags or similar materials are brought, sold, exchanged, stored, baled, packed, disassembled or handled, but excluding such uses taking place entirely within a completely enclosed building.
- 3.41 **Kennel:** Any lot or premises on which four (4) or more dogs more than four (4) months of age are kept, or any lot or premises on which two (2) or more dogs not owned by the owner are boarded.
- 3.42 **Loading Berth:** An off-street space 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 or other appropriate means of access.
- 3.43 **Lodging House:** A building where room and/or board for five (5) or more persons are provided for compensation.
- 3.44 **Lot:** Land occupied or to be occupied by a building or unit group of buildings and accessory buildings together with required yards and lot area and having principal frontage upon a road or street.
- 3.45 **Lot Area:** The total horizontal area within the lot lines of a lot.
- 3.46 **Lot Corner:** A lot adjacent to two (2) or more streets at their intersection.
- 3.47 **Lot Depth:** The distance from a street line of the lot to its opposite rear line measured in the general direction of the sidelines of the lot.
- 3.48 **Lot Width:** The horizontal distance between the side lot lines measured at right angles to the lot depth at the legally established building set back line.
- 3.49 **Manufacturing:** The making of anything by any agency or process.

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- 3.50 **Manufactured Home:** A building unit or assembly of closed construction fabricated in an off-site facility that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development 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.
- 3.51 **Manufactured/Mobile Home Park:** A parcel of land under single ownership or control which has been improved for the placement of two (2) or more manufactured homes regardless of whether or not a charge is made for the accommodation.
- 3.52 **Motel:** A building or group of buildings having units containing sleeping accommodations, which are available for temporary occupancy by automobile transients.
- 3.53 **Nursery School:** A school conducted for profit that provides day care for pre-school children. Nursery school and day care centers are considered the same for purposes of this Zoning Resolution.
- 3.54 **Nursing Home:** A home for the aged or chronically ill persons in which three (3) or more persons not of the immediate family are received, kept, and provided with food or shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick.
- 3.55 **Permanent Foundation:** A permanent masonry, concrete, or other commonly accepted footer or foundation to which a residential home may be affixed.
- 3.56 **Permanently Sited Manufactured Home:** A manufactured home that meets all of the following criteria:
- a. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
 - b. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point and total living area of at least 1,200 square feet, excluding garages, porches, or attachments;
 - c. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six (6) inch minimum eave overhang including appropriate guttering;
 - d. The structure was manufactured after January 1, 1995;
 - e. The structure is not located in a manufactured home park.
- 3.57 **Pond, Farm:** Farm ponds are bodies of water dug for the purpose of providing water for livestock and normal farming operations. Farm ponds may be used for recreational purposes if they comply with Section 7.4-2.

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- 3.58 **Private Club:** An association organized and operated not-for-profit for persons who are bona-fide members paying annual dues which hires or leases premises, the use of which is restricted to such members and their guests. The affairs and management of such association are conducted by a board of directors, executive committee, or similar body chosen by members at their annual meeting. Food, meals, and beverages may be served on the premises provided adequate dining room space and kitchen facilities are available. Alcoholic beverages may be sold or served to members and their guests provided such service is secondary and incidental to the promotion of some other common objective of the organization and such sale or service is in compliance with all applicable federal, state, county, and local laws.
- 3.59 **Professional Office:** Any building or structure, the use of which is limited to providing professional services such as doctors, lawyers, accountants, architects, engineers, and similar professions.
- 3.60 **Proper Drainage:** No pooling of water or surface water runoff affecting the adjoining property. Ground surface elevation, field tile, and ditches must provide proper water flow.
- 3.61 **Public Facility:** The erection, construction, alteration, operation, or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electric, gas, transportation, communication, public water, and sewerage services.
- 3.62 **Quarrying Operation:** The removal of top soil to get to the base source for extraction of materials from the earth by blasting it from its natural state for the purpose of transporting it to a site for milling or storage.
- 3.63 **Recreation Vehicles:** The following are considered recreational vehicles:
- a. **“Boats”** and **“boat trailers”** mean boats, floats, and rafts plus the normal equipment to transport the same on the street or highway.
 - b. **“Fold-tent trailer”** means a canvas folding structure mounted on wheels and designed for travel and vacation use.
 - c. Constructed as an integral part of a self-propelled vehicle.
 - d. **“Pick-up camper”** means a structure designed primarily to be mounted on a pick-up truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational, and vacation use.
 - e. **“Travel trailer”** means a vehicle or other portable structure forty (40) feet or less in length that is designed or used as a temporary dwelling and also to move on the street or highway.
 - f. **“Motorized RV”**
- 3.64 **Regional Transportation Facility:** A transportation business requiring access to major state or federal highways. Typical uses include freight terminals, mail service terminals, and their normal accessory uses.

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- 3.65 **Restaurant:** An establishment providing for the sale of prepared food products to the general public. Alcoholic beverages may be sold on the premises.
- a. "Carry-out restaurant" means an establishment whose primary function is the offering of food and beverages which are sold only inside the building and are usually packaged to be carried and consumed off of the premises, but may be consumed within the restaurant building or on the premises.
 - b. "Drive-in restaurant" means an establishment offering food and beverages, which are sold within the building or to persons while in motor vehicles in an area designated for drive-in service, and may be consumed on or off the premises.
 - c. "Sit down restaurant" means an establishment whose primary function is the offering of food and beverages which are sold and normally consumed within the restaurant building. Entertainment may be provided on the premises.
- 3.66 **Retail Sales and Service:** An establishment which not only sells merchandise, but provides service for the repair or replacement of that or other merchandise purchased or previously owned by consumers.
- 3.67 **Satellite Dish:** A structure erected for the purpose of receiving satellite television signals.
- 3.68 **School for Profit:** A school conducted for profit including, but not limited to music, dance, martial arts, and driving.
- 3.69 **Shooting Range:** A facility operated for the purpose of shooting with firearms or archery equipment whether publicly or privately owned and whether operated for profit or not including, but not limited to commercial bird shooting preserve or wild animal hunting preserve established pursuant to O.R.C. 1533.83.
- 3.70 **Sign:** Any works, numerals, figures, devices, designs, or trade marks by which anything is made known such as are used to designate an individual, firm, profession, business, or a commodity and which are visible from any public street.
- 3.71 **Sign Area:** The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign."Sign area" includes decorative trim and any structural elements outside the limits of such sign surface and which forms an integral part of the display.
- 3.72 **Single-Family Dwelling:** A permanent structure entirely detached and independent from any other principal structure placed on a permanent foundation having one (1) or more rooms with provisions for living, sanitary, and sleeping facilities specifically designed and arranged exclusively for the use of one (1) or more individuals of the same family. These dwellings include site built homes, industrialized homes, manufactured homes, and mobile homes, but not barns, sheds, or other structures designed for uses other than single family housing.
- 3.73 **Solar Energy System:** A mechanical or electronic system that converts solar energy to heat or electrical energy.
- 3.74 **Story:** A story is that portion of a building included between the upper surface of any floor and

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the upper surface of the next floor above, or if there is no floor above, the portion of a building between the floor and the ceiling above and also any portion of a building used for human occupancy between the top most floor and the roof. A basement shall not be counted as a story unless more than one half of the basement is above grade level at the front of the building.

- 3.75 **Street:** A street, road, or highway within Woodville Township duly dedicated to public usage and having a right-of-way of thirty (30) feet or more in width.
- 3.76 **Structure:** A combination of materials forming a construction that is safe and stable and includes, among other things, stadiums, gospel and circus tents, reviewing stands, platforms, staging, observation towers, trestles, piers, wharves, sheds, storage bins, walls, fences, and display signs. The word "structure" shall be construed as if followed by the words "or part thereof."
- 3.77 **Swimming Pool:** A pool, pond, or open tank not located within a completely enclosed building and contains at least one and one-half (1.5) feet of water at any point.
- 3.78 **Travel Trailer:** A non-self-propelled recreational vehicle that does not exceed an overall length of forty (40) feet exclusive of bumper and tongue or coupling. A "Travel Trailer" includes tent-type and fold-out camping trailers.
- 3.79 **Travel Trailer Park:** A parcel of land under single ownership or control which has been planned and improved for the placement or storage of two (2) or more travel or camping trailers.
- 3.80 **Wind Energy System, Large:** A wind energy conversion system consisting of a wind turbine or multiple wind turbines and associated control or conversion electronics, which has a rated capacity that exceeds the size limitations of a Small Wind Energy System, but is not subject to the jurisdiction of the Ohio Power Siting Board. The power generated by a Large Wind Energy System must be intended primarily to reduce the on-site consumption of utility power by the property owner.
- 3.81 **Wind Energy System, Small:** A wind energy conversion system consisting of a wind turbine and associated control or conversion electronics which has a rated capacity of not more than 100 KW per tower, or 1 MW per group or field of towers. The generated power is intended primarily to reduce on-site consumption of utility power by the property owner.
- 3.82 **Yard:** An open space at grade between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein.
- 3.83 **Yard, Front:** A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.
- 3.84 **Yard, Rear:** A yard extending across the full width of the lot between the nearest rear main building and one (1) rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line, or to the center of an alley if one is present.

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- 3.85 **Yard, Side:** A yard between the principal building and/or accessory buildings and the side line of the lot and extending from the required front yard to the required rear yard being the minimum horizontal distance between a side lot line and the side of the principal building and/or accessory building.
- 3.86 **Zoning Certificate (Permit):** The document issued by the Zoning Inspector authorizing buildings, structures, or uses consistent with the terms of this Zoning Resolution and for the purpose of carrying out and enforcing its provisions.

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SECTION 4 - DISTRICTS

4.1 "A" AGRICULTURE DISTRICT

4.1-1 Uses Permitted:

- a. Agriculture.
- b. One-family dwellings.
- c. Roadside stands for sale of agricultural and plants nursery products raised on the premises only.
- d. Public utilities in nature of electric, telephone lines, pipe lines and like devices, and railroad tracks.
- e. Church or other place of worship.
- f. Public schools, elementary, high, and private schools having a curriculum similar to a public school.
- g. Parks, playgrounds, and community buildings owned or operated by public agencies.
- h. Country club or golf courses, except a miniature course or practice-driving tee operated for commercial purposes.
- i. Riding stables.
- j. Home offices as defined in Section 3.35.
- k. Accessory buildings.
- l. Public parking area on a lot butting a "C" or "M" District when located and developed as required in Section 5.1 and provided that the parking area does not extend more than two hundred feet (200) feet from the boundary of the "C" or "M" District.
- m. Greenhouses and nurseries.
- n. Seed sales operations.

4.1-2 Conditional Use: The following uses and any other uses which are especially noxious because of the emission of noise, odor, dust, etc. may be permitted if their location and development are first approved by the Board of Appeals according to the procedure outlined in Section 13.

- a. Shooting Range as defined in Section 3.70.
- b. Home-based Business as defined in Section 3.35.
- c. Light Commercial Use as defined in Section 3.42.

4.1-3 Off-Street Parking: Shall be provided as required by Section 5.

4.1-4 Height Limit: No building except those for agricultural purposes shall be erected or enlarged to exceed thirty-five (35) feet in height.

4.1-5 Lot Area and Width: Every lot shall have a width of one hundred fifty (150) feet measured at the building set back line and minimum area of one (1) acre. In addition every lot shall have a minimum road frontage of fifty (50) feet. A lot of less area or width, which was so recorded at the time of the adoption of this Resolution, and the owner thereof owns no adjoining land may be occupied by a one-family dwelling if yard and other requirements of this Resolution are met. Acreage parcels may be measured to the center of the street right-of-way provided the property description tends to the center of the street right-of-way.

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- 4.1-6 **Front Yard:** There shall be a front yard of not less than fifty (50) feet, except as provided in Section 7.1-1.
- 4.1-7 **Side Yard:**
- a. On lots one (1) acre or less, the principal dwellings shall be located nearly equal distance from the side lot lines unless the topography of the lot shall prevent such placement. In no event shall the side yard setback be less than fifteen (15) feet.
 - b. On lots in excess of one (1) acre, to be a side yard of not less than twenty five (25) feet.
- 4.1-8 **Rear Yard:** There shall be a rear yard of not less than thirty five (35) feet.
- 4.1-9 **Dwelling Bulk:** Every dwelling unit hereafter erected shall have a minimum floor area of not less than 1,200 square feet exclusive of floor area devoted to basements, attached garage, open or enclosed porches, etc.
- 4.1-10 **Migrant Labor Housing:** Must meet the county health department requirements and shall conform to front yard requirements of the district in which they are located. The length of residence shall not exceed six (6) months or extend more than thirty (30) days beyond harvest season.

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4.2 "R-A" RURAL RESIDENTIAL DISTRICT

- 4.2-1 **Uses Permitted:** Any use permitted in the "A" District except riding stables or permanent roadside stand.
- 4.2-2 **Conditional Use:** The following uses and any other uses which are especially noxious because of the emission of noise, odor, dust, etc. may be permitted if their location and development are first approved by the Board of Appeals according to the procedure outlined in Section 13.
- a. Home-based Business as defined in Section 3.35.
- 4.2-3 **Off-Street Parking:** Shall be provided as required by Section 5.
- 4.2-4 **Height Limit:** Same as specified for the "A" District.
- 4.2-5 **Lot Area and Width:** Every lot shall have a minimum width of one hundred (100) feet and a minimum area of twenty thousand (20,000) square feet. A lot of less area or width, which was so recorded at the time of the adoption of this Resolution and the owner thereof owns no adjoining land may be occupied by a one-family dwelling if yard and other requirements of this Resolution are met. Measurements of lot area shall be made to the street right-of-way line even though the legal description for the parcel is measured to the center of the street right-of-way.
- 4.2-6 **Front Yard:** Same as specified for the "A" District except not less than fifty (50) feet.
- 4.2-7 **Side Yard:** Same as specified for the "A" District.
- 4.2-8 **Rear Yard:** Same as specified for the "A" District.
- 4.2-9 **Dwelling Bulk:** Same as specified for the "A" District.

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4.3 "R-2" MEDIUM DENSITY RESIDENTIAL DISTRICT

4.3-1 **Uses Permitted:**

- a. Any use permitted in the "A" District except riding stables or permanent roadside stands.
- b. Two-family dwelling units.
- c. Individual manufactured home on its own lot.

4.3-2 **Conditional Use:** The following uses and any other uses which are especially noxious because of the emission of noise, odor, dust, etc. may be permitted if their location and development are first approved by the Board of Appeals according to the procedure outlined in Section 13.

- a. Home-based Business as defined in Section 3.35.

4.3-3 **Off-Street Parking:** Shall be provided as required by Section 5.

4.3-4 **Height Limit:** Same as specified for the "A" District.

4.3-5 **Lot Area and Width:** Same as specified for the "R-A" district with the exception that two-family dwellings and individual manufactured homes are required to have one hundred twenty five (125) feet of lot frontage.

4.3-6 **Front Yard:** Same as specified for the "A" District except not less than fifty (50) feet.

4.3-7 **Side Yard:** Same as specified for the "A" District.

4.3-8 **Rear Yard:** Same as specified for the "A" District.

4.3-9 **Dwelling Bulk:** Same as for the "A" District except that for two-family dwellings, six hundred (600) square feet of floor area is required for each dwelling unit exclusive of floor area devoted to basements, attached garages, open or enclosed porches, etc.

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4.4 "R-3" HIGH DENSITY RESIDENTIAL DISTRICT

4.4-1 Uses-Permitted:

- a. Any use permitted in the "A" District except riding stables or permanent roadside stands.
- b. Two-family dwelling units.
- c. Multiple family dwelling units.
- d. Condominiums.
- e. Manufactured home parks.

4.4-2 Off-Street Parking: Shall be provided as required by Section 5.

4.4-3 Height Limit: Same as specified for the "A" District.

4.4-4 Lot Area and Width: Same as specified for the "R-A" district with the exception that two-family dwellings and individual manufactured homes are required to have a frontage of one hundred twenty five (125) feet and multiple family dwellings and condominiums are required to have a frontage of one hundred fifty (150) feet.

4.4-5 Front Yard: Same as specified for the "A" District except not less than fifty (50) feet.

4.4-6 Side Yard: Same as specified for the "A" District except that twenty (20) feet is required on both sides for buildings containing more than two (2) dwelling units.

4.4-7 Rear Yard: Same as specified for the "A" District.

4.4-8 Dwelling Bulk: Same as specified for the "R-2" district except that six hundred (600) square feet of floor area is also required for each dwelling unit in a multiple family dwelling unit and condominium unit.

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4.5 "C" GENERAL COMMERCIAL DISTRICT

4.5-1 Uses Permitted

- a. Accessory Buildings and uses.
- b. Agriculture.
- c. Automobile Service Station.
- d. Automobile/Trailer sales and service.
- e. Bakery, retail only.
- f. Bank.
- g. Barber or Beauty Shop.
- h. Building Materials Sales, if within an enclosed building.
- i. Business, retail.
- j. Carpenter or Cabinet Shop, if located wholly within an enclosed building.
- k. Commercial Recreation.
- l. Funeral Home or Mortuary.
- m. Kennel.
- n. Laundry or Dry Cleaning Shop.
- o. Lodge or Fraternal Organization.
- p. Nursery School.
- q. Office, business or professional, including clinics, labs, and hospitals.
- r. Parking areas.
- s. Private club.
- t. Public facilities.
- u. Residential Apartments above commercial offices only.
- v. Restaurants, including taverns.
- w. Retail sales and service.
- x. Theaters, including Drive-Ins.
- y. Trade Schools or schools for profit.
- z. Wholesale businesses where there is no processing, fabrication, or assembly.

4.5-2 **Off-street Parking:** Shall be provided as required in Section 5.

4.5-3 **Height Limit:** No building shall be erected or enlarged to exceed thirty five (35) feet in height.

4.5-4 **Lot Area and Width:** Every lot shall have a minimum width of one hundred (100) feet and a minimum area of twenty thousand (20,000) square feet. A lot of less area or width which was so recorded at the time of the adoption of this Resolution and the owner thereof owns no adjoining land may be used for commercial use and/or structures if yard and other requirements of this Resolution are met. Measurements of lot area shall be made at the street right-of-way line even if the legal description for the parcel is measured to the center of the street right-of-way.

4.5-5 **Front Yard:** There shall be a front yard of not less than fifty (50) feet except as provided in Section 7.1-1.

4.5-6 **Side Yard:** No side yard is required except that a fifteen (15) foot side yard shall be required on the side of a lot adjoining an "A" or "R" District.

4.5-7 **Rear Yard:** There shall be a rear yard of not less than twenty-five (25) feet.

4.5-8 **Dwelling Bulk:** Any residential apartment unit above a commercial office must have a minimum of one thousand two hundred (1,200) square feet of floor area.

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4.6 “C-2” HIGHWAY COMMERCIAL DISTRICT

4.6-1 **Permitted Uses Are:**

- a. Accessory Use
- b. Agriculture
- c. Auto Repair
- d. Commercial Billboards
- e. Commercial Recreation
- f. Essential Services
- g. Drive-in Commercial
- h. Planned Unit Development
- i. Public Service Facility
- j. Public Uses
- k. Satellite Dishes
- l. Parks
- m. Gas Stations
- n. Hotels/Motels
- o. Regional Transportation Facility
- p. Restaurant

4.6-2 **Off-Street Parking:** Shall be provided as required by Section 5.

4.6-3 **Height Limit:** No building shall be erected or enlarged to exceed thirty-five (35) feet in height.

4.6-4 **Front Yard:** There shall be a front yard of not less than sixty (60) feet except as provided in Section 7.1-1.

4.6-5 **Lot Area and Width:** Every lot shall have a minimum width of one hundred (100) feet and a minimum area of twenty thousand (20,000) square feet. A lot of less area or width which was so recorded at the time of the adoption of this Resolution and the owner thereof owns no adjoining land may be used for highway commercial uses and/or structures if yard and other requirements of this Resolution are met. Measurements of lot area shall be made at the street right-of-way line even if the legal description for the parcel is measured to the center of the street right-of-way.

4.6-6 **Side Yard:** A side yard of twenty (20) feet is required for each side.

4.6-7 **Rear Yard:** A rear yard of forty (40) feet is required.

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4.7 “M-1” LIMITED INDUSTRIAL DISTRICT

4.7-1 **Uses Permitted:** Uses permitted in this district may, in some cases, be in close proximity to the residential districts and all manufacturing, processing, or assembly of materials and other products must be carried on in a manner not injurious or offensive to the occupants of adjacent premises by reason of the emission of odors, fumes or gases, dust, smoke, noise, or vibrations.

Permitted uses are:

- a. Any use permitted in the “C” District, but with no limitation on the number of employees except that no building or portion thereof shall be hereafter erected or structurally altered, converted, or used for permanent dwelling purposes other than farm dwelling.
- b. Nursery and greenhouse.
- c. Contractor’s establishments and construction equipment dealers provided that material or equipment is not stored in required yards.
- d. Carting, express or hauling establishments.
- e. Coal, coke, and building material storage and wholesaling provided that materials are not stored in required yards.
- f. Bulk storage of petroleum products.
- g. Printing plants, shops, or publishers.
- h. Bottling works.
- i. Radio or television broadcasting stations and towers.
- j. Research laboratories.
- k. Warehouses.
- l. Industrial plants manufacturing or assembling the following: boats; small metal products such as bolts, nuts, screws, washers, rivets, nails, etc.; clothing; drugs and medicines; electrical equipment; glass products from previously manufactured glass; furniture and wood products; and plastic products for production of finished equipment.
- m. Other manufacturing plants and uses having performance characteristics similar to those listed in this section.
- n. Accessory buildings and uses.

4.7-2 **Off-Street Parking:** Shall be provided as required in Section 5.

4.7-3 **Height Limit:** No building shall be erected or enlarged to exceed three (3) stories or thirty-five (35) feet in height.

4.7-4 **Front Yard:** There shall be a front yard of not less than fifty (50) feet, but where such front yard is opposite an “A” or “R” District it shall be a minimum of fifty (50) feet in depth and shall be used for landscape purposes only.

4.7-5 **Lot Area:** Shall be a minimum lot size shall be one (1) acre.

4.7-6 **Side Yard:** There shall be a side yard of not less than twenty (20) feet.

4.7-7 **Rear Yard:** There shall be a rear yard of not less than twenty-five (25) feet and where such rear yard abuts an “A” or “R” District, it shall be used for landscape purposes only.

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4.8 “M-2” HEAVY INDUSTRIAL DISTRICT

4.8-1 **Uses Permitted:** Uses permitted in this District generally cannot be operated economically without creating some conditions which may be objectionable to the residents of adjoining properties. For this reason these uses must be grouped in areas where similar industrial uses are now located, or in areas separate from residential and commercial activities.

Permitted uses are:

- a. Any use permitted in the “M-1” District provided that no building or portion thereof shall be hereafter erected or structurally altered, converted, or used for permanent dwelling purposes other than farm dwellings.
- b. Asphalt mixing plant.
- c. Boiler works.
- d. Cement or cinder block manufacture.
- e. Glass manufacture.
- f. Grain Elevators.
- g. Fat rendering or lard refining.
- h. Glucose, dextrin, or starch manufacture.
- i. Metal Stamping.
- j. Paint, oil, shellac, varnish, or turpentine manufacture.
- k. Paper manufacture.
- l. Sauerkraut or pickle, etc. manufacture.
- m. Stone mill.
- n. Other manufacturing plants and uses having performance characteristics similar to those listed in this section.
- o. Quarrying operations. (If any property is zoned "M-2" after July 1, 2004 see Section 4.9 “Q-1” Quarry District for requirements.)

4.8-2 **Conditional Use:** The following uses and any other uses which are especially noxious because of the emission of noise, odor, dust, etc. may be permitted if their location and development are first approved by the Board of Appeals according to the procedure outlined in Section 13.3.

- a. Acid manufacture.
- b. Adult Entertainment Establishments.
- c. Ammonia, bleaching powder, or chlorine manufacturing.
- d. Asphalt manufacturing or refining.
- e. Automobile wrecking yards or junk yard.
- f. Cement, lime, gypsum, plaster, or plaster of paris manufacture.
- g. Creosote treatment or manufacture.
- h. Fertilizer manufacture from organic materials or bone distillation.
- i. Gelatin or glue processing involving recovery from fish or animal product.
- j. Incineration, reduction, or dumping of offal, dead animals, garbage, or refuse on a commercial basis and including loading and transfer platforms.
- k. Stockyards.

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- 4.8-3 **Off-street Parking:** Shall be provided as required by Section 5.
- 4.8-4 **Height Limit:** There shall be no height limit in this District.
- 4.8-5 **Lot Area:** Shall be a minimum lot size of one (1) acre.
- 4.8-6 **Front Yard:** There shall be a front yard of not less than fifty (50) feet, but where such front yard is opposite an "A" or "R" District, it shall be a minimum of seventy-five (75) feet deep and shall be used for landscape purposes only.
- 4.8-7 **Side Yard:** Same as specified for the "M-1" District.
- 4.8-8 **Rear Yard:** Same as specified for the "M-1" District.

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4.9 “Q-1” QUARRY DISTRICT

4.9-1 **Permitted Uses Are:**

- a. Quarrying Operations.
- b. Agriculture.

4.9-2 Quarrying operations permitted in this District generally cannot be operated economically without creating some conditions which may be objectionable to the residents of adjoining properties. For this reason special guidelines are required.

- a. Prior to dirt removal in "Q-1," an **“Industrial Permit”** application must be filled out with each tax parcel and fee paid with the following requirements:
 1. A “Berm Plan” showing the tax parcel numbers, berm design, and fifty (50) feet design of trees, service roads, etc. A berm may be excluded to allow for future growth with the consent of the Board of Trustees.
 2. The date of the permit issued will be the starting date to determine the two-year (2) period to construct the berm.
 3. Proper drainage plan to cause no adjoining property damage. This will be governed by the County Soil and Water District and the Board of Trustees.
 4. If the berm is not completed as noted on the Industrial Permit, a penalty will be assessed (Section 14.2-4).
 5. A letter of berm completion by the property owner to the Zoning Commission is required so an inspection of the berm can be conducted by the Zoning Commission and the Township Trustees.
- b. Quarrying operations (edge of quarry wall) cannot come within 140 feet of the right-of-way of a dedicated street or 800 feet to any building legally inhabited at the time of application (unless owned by applicant). This may cause the quarry wall to be not a straight line since houses are not built in a straight line on other property. It is recommended that the house closest to the planned quarry wall be the point for determining the straight line of the quarry edge and berm.
- c. Strip bank (berm) may be placed not nearer than fifty (50) feet from the right-of-way of a dedicated street or the property line of another owner.
- d. Proper drainage is required if a berm is erected.
- e. **Berm:** Must be seeded in accordance with regulations: Minimum of 50 feet from another property line; height of 20 feet; base of 90 feet wide; top 10 feet wide, plus saturated with tree seedlings, planted and maintained with at least 7 large trees (3 ft min in height) for every 100 feet on the side of the berm away from quarry.

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4.10 “S-1” SPECIAL DISTRICTS

4.10-1 **Uses Permitted:** The location, nature of the terrain, and topography of these Districts does not lend themselves to the ready usage of residential, commercial, or manufacturing sites.

Permitted uses are:

- a. Parks.
- b. Cemeteries.
- c. Land and structures owned by the public.

4.10-2 **Off-Street Parking:** Shall be provided as required by Section 5.

4.10-3 **Height Limit:** No building shall be erected or enlarged to exceed thirty-five (35) feet in height.

4.10-4 **Lot Area:** Every lot shall have minimum area of two (2) acres. Acreage parcels may be measured to the center of the street.

4.10-5 **Front Yard, Side Yard, Rear Yard, and Dwelling Bulk:** An applicant for a permit to erect, or alter a structure in a special district shall first submit a scale drawing showing lot outline and location of structure thereon together with the specifications as to bulk and yard provisions. Said application shall be made to the Board of Zoning Appeals which shall act thereon as in the cases of appeals or variances as outlined in Section 13.

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SECTION 5 - PARKING & LOADING REQUIREMENTS

5.1 Automobile Parking Requirements

5.1-1 **Quantity:** There shall be provided at the time of the erection or enlargement of any main building or structure the following off-street parking spaces with a minimum area of two hundred (200) square feet per parking space exclusive of driveways and with adequate provision made for ingress and egress to the parking spaces.

5.1-2 **Parking Spaces Required**

a. **Residential Uses**

1. Manufactured homes: two (2) spaces per dwelling unit.
2. Rooming houses: one (1) space for each two (2) roomers or boarders based upon the design capacity of the building, plus two (2) spaces for a resident owner or resident manager.
3. One, two, and multiple family dwellings: two (2) spaces per dwelling unit.
4. Housing for the elderly: one (1) space per dwelling unit.
5. Hotels and Motels: one and one fifth (1.2) spaces for each sleeping room plus spaces as required for restaurants, assembly room, and related facilities and employees.

b. **Business and Commercial Uses**

1. Agricultural implement sales and service: one (1) space for every one thousand (1,000) square feet of enclosed floor area and one (1) space for every three thousand (3,000) square feet of open lot area.
2. Air conditioning, heating, plumbing, or roofing services: one (1) space for every three hundred (300) square feet of floor area and one (1) space for each employee.
3. Automobile repair: one (1) space for every three hundred (300) square feet of floor area and one (1) space for each employee.
4. Automobile sales and service: one (1) space for every one thousand (1,000) square feet of sales and display area, one (1) space for each auto service stall, and one (1) space for each employee.
5. Bakery shops, furniture and appliance stores, groceries and supermarkets, hardware stores, ice cream stores, indoor retail businesses, pet shops, repair shops and variety stores: one (1) space for every two hundred (200) square feet for establishments having less than two thousand (2,000) square feet of floor area, and one (1) space for establishments having greater than two thousand (2,000) square feet of floor area.
6. Banks and savings and loans associations: one (1) space for every fifty (50) square feet of public area plus one (1) space for each employee.
7. Barber shop or beauty shop: one (1) space for each chair plus one space for each full-time equivalent employee.
8. Funeral Home: one space for every fifty (50) square feet of public area plus one (1) space for each employee and business vehicle with a minimum of twenty-five (25) spaces.
9. Home occupation: three (3) spaces.
10. Laundromat: one (1) space for each two (2) washing or cleaning machines.
11. Restaurant: one (1) space for every fifty (50) square feet of floor area.
12. Service station: one (1) space for each employee or full-time equivalent plus two (2) spaces for each service stall, with a minimum of six (6) spaces.

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c. **Office Uses**

Administrative, professional, or business office: one (1) space for every two hundred fifty (250) feet of office space, but not less than two (2) spaces for every office.

d. **Medical and Health Uses**

1. Hospitals, nursing homes, shelter care homes, rest homes and convalescent homes: one space for each two beds, plus one space for each two employees and staff on the combined major work shifts.
2. Dental clinics and offices: two spaces for each examination or treatment room, plus one space for each dentist and employee.
3. Medical clinics and offices: three spaces for each examination or treatment room, plus one space for each doctor and employee.

e. **Education Uses**

1. Elementary and Junior High: one space for every twenty-five (25) classroom seats, or one space for every three and one-half seats in the main auditorium, whichever is greater.
2. High schools: one space for every five students based upon maximum design capacity of the building, or one space for every five seats in the auditorium, whichever is greater.
3. Kindergarten: three spaces for every ten children
4. Nursery schools and day care centers: two spaces for every ten children.

f. **Recreation, Civic, and Religious Uses**

1. Bowling alley: four spaces for each bowling alley lane plus additional space as may be required for affiliated uses.
2. Private club, lodge or assembly hall without fixed seats, veterans business, civic or fraternal organization: one space for every fifty square feet of floor area in the auditorium, assembly or meeting room plus one space for every 200 feet of other floor area.
3. Auditorium, assembly hall or sports arena with fixed seats: one space for every three and one-half seats.
4. Library, museum, and art gallery: one space for every 300 square feet of floor area.
5. Place of public assembly, including a church, synagogue: one space for every five seats maximum design capacity.
6. Recreation and amusement facility: one space for every five customers (maximum capacity) and one space for every two employees.
7. Theater: one space for every three and one-half seats.

g. **Industrial and Warehousing Uses**

1. Industrial and manufacturing plants and wholesale establishments: one space for every 300 square feet of floor area, or one space for every one and one-half employee on the maximum shift, whichever is greater.
2. Warehouse establishment: one space for every 10,000 square feet of floor area, plus one space for every two employees on the maximum combined shift.

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5.1-3 Rules

- a. In the case of mixed uses, the parking spaces shall equal the sum of the requirements of the various uses computed separately.
- b. No building shall be enlarged, rebuilt, or structurally altered to the extent of more than a fifty percent (50%) addition in floor area unless there shall be provided the total number of off-street parking spaces required for the original use and its enlargement.
- c. All of the parking spaces required herein shall be located on the same lot with the building or use served except that spaces may be located within the 300 feet of the lot on which the main building is located, or within 600 feet in the case of required spaces for the use of employees.

5.2 Off-Street Truck Loading Berths

5.2-1 Quantity: Every building of the type described below which is hereafter built, relocated, or expanded more than fifty percent (50%) in floor area shall provide an off-street loading berth or berths in accordance with the following schedule:

A building whose dominant use is handling and selling goods at retail shall provide berths in relation to the floor area used for retail purposes as follows:

| <u>AREA</u> | <u>BERTHS REQUIRED</u> |
|-------------------------|-------------------------------|
| 5,000 - 10,000 sq. ft. | One (1) |
| 10,000 - 20,000 sq. ft. | Two (2) |
| Over 20,000 sq. ft. | Three (3) |

5.2-2 Rules

- a. Each space shall be easily accessible from a street or alley without substantial interference with traffic.
- b. All required loading berths shall be on the same lot as the use served and if such berths abut an "R" District, they shall be suitably screened or fenced from view.
- c. No loading berth shall be located in a required front or side yard. If located in a required rear yard, the berth shall be open to the sky.

5.3 Improvements to Parking and Loading Areas

- 5.3-1 All parking and loading areas shall be surface with gravel or crushed stone with adequate dust treatment or with permanent surfacing.
- 5.3-2 Where the parking area adjoins lots in an "R" District, such lots shall be protected by the erection and maintenance of a permanent fence, screen, and/or planting approved by the Zoning Commission. Such protection shall not extend into the front yard requirements on the lot on which the parking area is located.
- 5.3-3 Any lights used to illuminate parking areas shall be arranged to reflect the light away from adjoining premises in an "A" or "R" District.

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- 5.3-4 Bumper guards shall be provided for proper operation of the parking area and to protect any fence, screen, or planting from damage.
- 5.3-5 When a parking area is located wholly or partly in an "A" or "R" District, the following regulations shall apply in addition to the above:
- a. No commercial enterprise of any kind shall be established on the area.
 - b. No fee shall be charged for parking thereon.
 - c. No signs of any kind shall be erected except that are necessary for the orderly parking thereon.

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SECTION 6 - SPECIAL USES

- 6.1 Purposes:** In addition to uses specifically classified and permitted in each District in this Resolution, there are certain additional uses which it may be necessary to allow because of their unusual characteristics, or the service they provide to the public. Their “special uses” require particular consideration as to their proper location in relation to adjacent established or intended uses, or the planned development of the community. The “special uses” fall into categories as follows:
- 6.1-1 Uses either “municipally operated” or “traditionally affected” by public interest.
- 6.1-2 Uses entirely “private” in character which because of their peculiar location needs or the nature of the service they offer to the public may have to be established in a district or districts in which they cannot reasonably be allowed as a permitted use under the zoning regulations.
- 6.2 Special Uses and Procedures:** The Board of Township Trustees may permit by Resolution the following uses of land or structures in any District except as specifically provided otherwise after report thereon by the Zoning Commission and subject to the conditions and procedures set forth herein. “Special uses” existing at the time of adoption of this Resolution may be continued and shall be considered as uses conforming to the Resolution. Additions to existing “special uses” shall go through the special use procedure as defined in Section 6.2-2.
- 6.2-1 **Special Uses**
- a. Airport or landing field.
 - b. Amusement park, but not within three hundred (300) feet of any “R” District.
 - c. Cemetery or Mausoleum.
 - d. Commercial, recreational, or amusement development for temporary or seasonal periods only.
 - e. Hospital or Institution provided that any hospital or institution authorized in any “A” District shall be located on a site of not less than five (5) acres, shall not occupy more than twenty percent (20%) of the total lot area, and shall be set back from all lot lines at least two (2) feet for each foot of building height.
 - f. Nursing home in any "A" or "R" District.
 - g. Privately operated community building or recreational field, swimming pools, and community facilities owned and operated by neighboring organizations.
 - h. Any public or government building.
 - i. Commercial broadcasting tower or station (including, but not limited to radio, cellular, or television) in any “A” District.
 - j. Sanitary landfill operations.
 - k. Nurseries and greenhouses in any “A” District.
 - l. Planned developments as provided for in Section 11.1.
- 6.2-2 **Procedures for Special Uses:** The procedure for notices, public hearing, passage, etc., shall be the same for "special uses" as for an amendment to the Zoning Resolution as provided in Section 15.

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SECTION 7 - SUPPLEMENTAL REGULATIONS

7.1 Yards

7.1-1 **Front Yard:** The following shall apply to front yards in all Districts.

- a. Interior lots having a frontage on two (2) streets shall provide front yards on both streets.
- b. Where front yards have been established or may be required on each of two (2) intersecting streets there shall be a front yard of 50 feet on each street side of a corner lot. A side yard requirement of 25 feet shall apply to the street-less side of the lot.
- c. Where 40 percent or more of the frontage on the same side of the street between two (2) intersecting streets is developed with buildings that have a front yard greater or lesser depth than otherwise required by this Resolution, new buildings shall be erected no closer to the street than the average front yard so established by the existing buildings. In "C" and "M" Districts, the front yard need not exceed the specified front for the District.

7.1-2 **Building Projections into Required Yards**

- a. Every part of a required yard shall be open to the sky, unobstructed by a building except for accessory buildings in a side or rear yard and except for the ordinary projection of sills, belt courses, cornices, eaves and ornamental features not to exceed twelve (12) inches.
- b. Terraces, uncovered porches, and ornamental features which do not end more than three feet above the ground may project into a required yard, provided these projections shall be at least two (2) feet from the adjacent lot line.
- c. An enclosed balcony, fire escape, unenclosed porch, or metal awning may project into a required front yard or rear yard for a distance not exceeding ten (10) feet, or into a side yard for a distance not to exceed three (3) feet provided, however, that a porch which has jalousies or windows shall be considered an "enclosed porch." An enclosed vestibule containing not more than forty (40) square feet may project into a front yard for a distance not to exceed four (4) feet.

7.1-3 **Parking in Required Yards:** Parking shall be permitted in all required yards except as follows:

- a. Within an "A" or "R" District, off-street parking shall not be permitted in a required front yard except on driveways.
- b. Whenever any "C" or "M" District adjoins an "R" District, the off-street parking for the commercial or industrial development shall not be located within the required front yard for a distance of not less than fifty (50) feet from the boundary of the "R" District, nor shall the off-street parking be located within the seven (7) feet of the boundary of the side yard of the "R" District.

7.2 Accessory Buildings and Uses

7.2-1 An accessory building not exceeding thirty-five (35) feet in height may occupy not to exceed thirty percent (30%) of a required side or rear yard, but no accessory building shall be closer than sixty (60) feet to the front lot line, closer than five (5) feet to the main building, or closer than ten (10) feet to any side or rear lot line. An accessory building shall be no closer than twenty-five (25) feet to any creek or ditch to allow space for cleaning the waterway.

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7.2-2 In an "R" District, no required yard except the side or rear yard shall be used for the location of a private swimming pool or the storage of a pleasure boat or camper and no pool, boat, or camper shall be within ten feet of any lot line. No swimming pool shall be constructed without conforming to Section 7.4 of this Zoning Resolution.

7.2-3 The following non-traditional accessory structures are not permitted for use as accessory structures or for storage in any district: manufactured /mobile homes or van/truck boxes. Semi-truck trailers and cargo containers used by the air, rail, shipping, and land transportation industries for storage use are permitted in the "M-2" Heavy Industrial District only.

7.3 Satellite Dishes: Satellite dishes greater than twenty-four (24) inches are permitted in all districts provided that they are located in the rear yard and all setback (yard) requirements are met. Satellite dishes less than twenty-four (24) inches in diameter are permitted in any yard.

7.4 Private Swimming Pools and Farm Ponds

7.4-1 No private swimming pool, except for portable swimming pools with a diameter less than twelve (12) feet, a water surface of less than 150 square feet and a depth less than one and one-half (1.5) feet shall be allowed in any District except as an accessory use and unless it complies with all of the following conditions and requirements:

- a. The pool is to be used solely for the enjoyment of the occupants and their guests of the principal use of the property on which it was located.
- b. The pool may not be located in the front yard area or closer than ten (10) feet to a rear or side lot line.
- c. The pool or entire yard in which the pool is located shall be walled or fenced to prevent uncontrolled access by children from the street or adjoining properties. The fence or wall shall be **not less than four (4) feet** in height, structurally sound, and maintained in good condition as determined by the Zoning Inspector with a gate to lock. Rails are not permitted in place of a wall or fence.
- d. In the case of an above-ground pool, it must have a **four (4) feet high** access barrier as part of its construction with a removable ladder, locking gate, or both. If not, a four (4) foot high fence is required as in Section 7.4-1c.

7.4-2 Ponds - General

- a. Ponds shall be permitted in Agricultural Districts. Ponds are conditionally permitted as a "Special Use" in the "R-1" - "R-2" and "R-3" Districts as a part of the overall design of the subdivision containing at least five (5) acres of land. The Sandusky County Soil and Water Conservation must review proposed ponds.
- b. Ponds shall be conditionally permitted in a commercial or manufacturing district as part of the overall design of a plant or park containing at least three (3) acres of land.
- c. Minimum surface for ponds shall be one-half (1/2) acre. Maximum surface area shall not exceed twenty-five percent (25%) of the net acreage of the parcel.
- d. The side slope of a pond shall be horizontal to vertical at a maximum ratio of 2:1. The ratio shall be maintained to a depth of seventeen (17) feet. Ponds are required to have a minimum **depth of ten (10) feet**. Ponds that do not meet this ratio are required to be enclosed with a **six (6) foot fence** unless they are for agricultural purposes in an Agricultural District.

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Ponds - General Continued

- e. To prevent adverse affects of drainage to adjoining properties, ponds in “R”, “C”, or “M” Districts shall have drainage installed to accommodate overflows and surface drainage from pond development then diverted to a suitable outlet.
- f. Refilling: The refilling of an area which has been excavated for the development of a pond shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for solid waste disposal under O.R.C. Section 3734.05.
- g. Any nonagricultural pond that has a structure extending from the shore to the interior of the pond is required to have a **four (4) feet lockable barrier** located at the edge of the water to control access to the deeper parts of the pond.

SETBACK: A pond shall have a one hundred (100) foot setback from any street right-of-way. Ponds on a parcel of five (5) acres or less shall have a side yard setback of not less than ten percent (10%) of the width of the parcel with a minimum setback of twenty-five (25) feet. A pond shall be located no closer to a septic tank or leach field than allowed by the Sandusky County Health Department.

7.4-3 Retention Basins - General

- a. Retention basins shall be conditionally permitted as a "special use" in all Districts.
- b. All retention basins shall have a minimum interior side slope horizontal to vertical at a ratio of 4:1 or greater. Exterior side slopes shall be constructed at no less than a 4:1 ratio.
- c. All retention basins shall meet all minimum setback requirements for the district in which they are located. For the purposes of this section, the exterior slope must meet all setbacks.
- d. All retention basins shall be constructed in accordance with the design requirements of a professional engineer.
- e. All retention basins shall either be seeded or provide some other approved planting or paving.
- f. Refilling: The refilling of an area which has been excavated for the development of a retention basin shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for solid waste disposal under O.R.C. Section 3734.05.

SETBACK: A retention basin shall have a one hundred (100) foot minimum setback from any street right-of-way. Retention basins on a parcel of five (5) acres or less shall have a side yard setback of not less than ten percent (10%) of the width of the parcel with a minimum setback of twenty-five (25) feet. A retention basin shall be located no closer to a septic tank or leach field than allowed by the Sandusky County Health Department.

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- 7.5 Wind Energy Systems, Small:** A wind energy conversion system consisting of a wind turbine and associated control or conversion electronics which has a rated capacity of not more than 100 KW per tower or 1 MW per group or field of towers. The generated power is intended primarily to reduce on site consumption of utility power by the property owner. Additional criteria:
1. Rotors 23 inches to 21 feet in diameter mounted on a 65 to 140-foot tower.
 2. Suitable for use by rural farms and/or residences in an Agricultural District.
 3. Able to operate in areas with Class 2 to 3 wind resources.
 4. Any wind turbine of 500 watts or less does not need a zoning permit, however, if installed on a tower, the tower must meet all setback, height, noise, safety, and aesthetic requirements of a permitted wind turbine.

- 7.5-1 Tower Height.** Tower heights of not more than one hundred forty (140) feet shall be allowed on parcels of less than five (5) acres. For property sizes of five (5) acres or more there is no limitation on tower height, except as imposed by the Federal Aviation Administration (FAA) regulations, provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. The system shall comply with all applicable FAA requirements, including but not limited to, Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports.

SETBACK. No part of the small wind system structure, including guy wire anchors, may extend closer than ten (10) feet to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of six (6) feet above the guy wire anchors. The setback for the tower and wind turbine shall be the combined height of the tower and wind turbine plus ten (10) feet.

- 7.5-2 Notice.** Notice of an application for installation of a small wind energy system shall be provided **by the applicant by certified mail** to the property owners within three hundred (300) feet of the property on which the system is to be located. Said notice shall be made within five (5) days of the submission of the zoning permit application and copies of the same shall be submitted to the Zoning Inspector, or the permit application will be deemed to be incomplete.

7.5-3 Code Compliance

a. Compliance with National Electric Code. All zoning permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

b. Compliance with the Ohio Building Code or Uniform Building Code. All zoning applications for small wind energy systems shall include standard drawings and an engineering analysis of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the Ohio Building Code or Uniform Building Code and certified by a licensed professional engineer shall also be submitted. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the most stringent wind requirements.

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7.5-4 Noise, Utility Company, and Aesthetics

- a. **Noise.** Decibel levels for the system shall not exceed 60 dB(A) or in excess of 5 dB(A) above the background noise, whichever is greater, as measured at the property line except during short-term events such as utility outages and severe windstorms.
- b. **Utility Notification.** No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the property owner's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt of this requirement.
- c. **Aesthetics.** Wind turbines and towers shall be painted white, off-white, or light gray to minimize visual impact upon the surrounding property owners. Neither the wind turbine nor the tower shall be used as a billboard or as an advertising device. In addition, access to the wind turbine tower shall be restricted by a barrier to prevent anyone from coming into contact with moving parts or electricity, and there shall be posted a "no trespassing" sign. All applications shall show a site plan for the wind turbine tower illustrating the barrier, signage, and color of the tower and wind turbine.

7.6 Wind Energy Systems, Large

1. **Large Wind Energy System Requirements:** A Large Wind Energy System shall meet the requirements in the definition for a Large Wind Energy System. In addition, it shall meet the requirements in Section 7.6.

- a. The generated power is intended primarily to reduce on-site consumption of utility power by the property owner.
- b. The wind turbine tower(s) must be monopoles with no guy wires.
- c. The wind turbine(s) must be three-blade horizontal axis wind turbine(s).
- d. Large Wind Energy Systems may be constructed and operated, as a permitted use, in the M-2 district only.

2. **Tower Height.** Tower heights with blades fully extended shall not exceed the maximum height of 450 feet (450') in the zoning district the Large Wind Energy System is located in. The system shall comply with all applicable FAA requirements, including but not limited to, Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports. The tower access door will be located 180 degrees from an S-1 district (cemetery).

3. **SETBACK.** No part of the Large Wind Energy System may extend closer than 10 feet (10') to the property boundaries of the installation site. The wind turbines shall be set back 1,500 feet (1,500') from the property line from any parcel zoned as agricultural, residential or commercial property. The wind turbines must be setback 250 feet (250') from the property lines of any parcels zoned in any other manner. All wind turbine setbacks in this section are measured from the center of the wind turbine.

4. **Notice.** Notice of an application for installation of a Large Wind Energy System shall be provided by the applicant by certified mail to the property owners within 2,000 feet (2,000') of any of the wind turbine(s). Said notice shall be mailed within five (5) days of the submission of the zoning permit application and copies of the same shall be submitted to the Zoning Inspector, or the permit application will be deemed to be incomplete.

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5. Code Compliance

- a. The Large Wind Energy System shall comply with all applicable sections of the Ohio Revised Code relating to the building code and the electrical code.
- b. The applicant shall demonstrate the building and design of the foundation and tower have been performed under the supervision of a Professional Engineer licensed in Ohio.

6. Noise, Utility Company, Aesthetics and Safety Equipment

- a. **Noise.** Decibel levels for the system shall not exceed 60 dB(A) or in excess of 5 dB(A) above the background noise, whichever is greater, as measured at the property line except during short term events such as utility outages and severe windstorms.
- b. **Utility Notification.** No Large Wind Energy System shall be installed until evidence has been given that the utility company has been informed of the property owner's intent to install a Large Wind Energy System.
- c. **Aesthetics.** Wind turbines and towers shall be painted white, off-white, or light gray to minimize visual impact upon the surrounding property owners. Neither the wind turbine nor the tower shall be used as a billboard or as an advertising device. The wind turbine nacelle(s) may contain a logo of the turbine manufacturer or the turbine owner. In addition, access to the wind turbine tower shall be restricted by a barrier to prevent anyone from coming into contact with moving parts or electricity, and there shall be posted a "no trespassing" sign. All applications shall show a site plan for the wind turbine tower(s) illustrating the barrier, signage, and color of the tower and wind turbine. A locked solid door on a fully enclosed, climb-proof tower shall be considered sufficient restricted access.
- d. **Safety Equipment.** The financial burden for safety equipment will not be the township's responsibility. Any required safety devices or hardware required by the Woodville Township EMS system or Fire Department will be provided by the property owners or lessee.

7.7 Solar Energy

- a. **Small Solar Energy System** – a solar energy system that is attached to a building.
- b. **Medium Solar Energy System** – a solar energy system that is an independent structure, under one (1) acre in size.
- c. **Large Solar Energy System** - a solar energy system that is an independent structure, and is at least one (1) acre in size, but less than the threshold where the Public Utilities Commission of Ohio would control siting of the facility.
- d. Medium and Large Solar Energy Systems require a conditional use permit. A Small Solar System does not require a permit unless it changes the footprint of the supporting structure.

7.8 Adult Entertainment Establishments. Additional regulations include the following:

- e. No adult entertainment establishment shall be located within five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a church, school, library, public playground, any building, park, or other facility owned by the State of Ohio or a political subdivision thereof, tavern, bar, or other adult entertainment establishment.
- f. No adult entertainment establishment shall be located within five hundred (500) feet from the boundaries of any residential zoning district as set forth in this Resolution as shown on the Zoning Map of Woodville Township.

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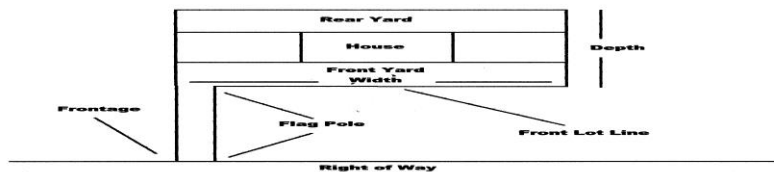
7.9 Prohibited Uses: The following uses are prohibited in the Township:

- a. Manufacture of explosives, fireworks, gunpowder, and ammunition.
- b. Storage or disposal of slaughterhouse refuses, rancid fats, and/or garbage.
- c. Dumps.
- d. Chemical waste disposal.
- e. Petroleum waste disposal.
- f. Hazard waste disposal, incineration, or storage.
- g. Junk yards or salvage operations that utilize incineration.

7.10 Marijuana Activities: The growing, cultivation, processing, selling, or any other activity associated with marijuana is not permitted in any district in Woodville Township. Transportation through the township on public roads shall be permitted as allowed by the Ohio Revised Code or other State of Ohio laws.

7.11 Flag Lots: The development of flag lots will be allowed as a Conditional Use provided all the following criteria are met:

- a. Flag lots will only be allowed in the Agricultural District.
- b. No flag lot frontage will be allowed within one thousand feet (1000') of another flag lot frontage on the same side of the road.
- c. No flag lot will be adjacent to another flag lot.
- d. For purposes of the determination of the lot area and setbacks, the flag pole will not be considered.
- e. The front line will be established where the lot width increases to the minimum required by the zoning resolution for that use in the district.
- f. The lot will comply with the standard width, depth, yard, and setback requirements at the front, rear, and side lines of the building.
- g. The flag pole will be no narrower than fifty (50') feet at any point.
- h. It is recommended that driveways be built and maintained in a manner sufficient for safe access by a public safety vehicle.
- i. Flag lots may not be used to circumvent the Sandusky County Subdivision Regulations or any similar regulations.



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SECTION 8 - SIGNS & FENCES

8.1 Signs

8.1-1 **Signs situated along interstate and primary highway systems:** All signs situated along interstate and primary highway systems shall meet all the requirements of the Department of Highways regulations governing advertising as adopted pursuant to the provisions of “Ohio Revised Code Chapter 5516: Advertising on Interstate Highways.”

8.1-2 **Agriculture Districts:** In “A” Districts signs may be erected as follows:

- a. Each residence or business within an agricultural area may erect one (1) sign not to exceed thirty (30) square feet in area providing the sign relates to the premises or activities carried on within the premises.
- b. All signs shall be outside of the right-of-way of any state, federal, county, or township road and not less than fifteen feet (15’) from the pavement.
- c. Temporary signs not exceeding in the aggregate fifty (50) square feet announcing the erection of a building, the architect, the builder, contractors, etc., may be erected for a period not to exceed one (1) year. No permit is required.
- d. Public notices, traffic control signs, and small signs bearing only property numbers or the names of the occupants of the premises may be erected in addition to the foregoing provisions.
- e. Advertising signs may be erected provided they do not exceed eight feet two inches (8’ 2”) with a maximum length of any side not to exceed 64 inches and shall meet all State and Federal requirements. If any permit is required by a State or Federal agency, such permit shall be obtained and maintained while said sign is in place. No such sign shall be placed any nearer than 500 linear feet from another advertising sign authorized under this Section.
- f. Signs shall not exceed ten feet (10’) in height from the street grade line.
- g. Advertising signs shall not be illuminated and shall not have any moving parts nor simulate motion.

8.1-3 **Residential Districts:** In “R” Districts, signs may be erected as follows:

- a. For one family dwellings, one (1) name plate not to exceed one and one-half (1.5) square feet in area, indicating the name and address of the occupant of a permitted home occupation, but not to be located in a required front yard.
- b. For multiple-family dwellings and for buildings other than dwellings, a single identification sign not exceeding twelve (12) square feet in area and indicating only the name and address of the building and the name of the management thereof, but not to be located in a required front yard.
- c. For churches, one (1) church bulletin board not exceeding eighteen (18) square feet in area.
- d. Directional signs, not exceeding one and one-half (1.5) square feet in area.
- e. One (1) sign not exceeding twelve (12) square feet in area pertaining to the sale or rent of the property on which the sign is located.

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SECTION 8 - SIGNS & FENCES

8.1-4 Commercial and Manufacturing Districts:

The following shall apply in “C” and “M” Districts:

- a. Any sign permitted in “R” Districts shall be permitted.
- b. Advertising signs may be erected provided they do not exceed two (2) square feet in area for each lineal foot of frontage occupied by a business or industry and provided they do not exceed one hundred (100) square feet in total area.
- c. Signs suspended from any building shall not project more than forty-two (42) inches from the building and the bottom of the sign shall not be less than nine (9) feet above the finished grade.
- d. Billboard or poster panels may be erected provided they are fifty (50) feet in distance from the street right-of-way lines and do not exceed fifteen (15) feet in height from the street grade line.
- e. Freestanding signs on any premise in a “C-2” district shall not be over eighty (80) feet in height and no larger than three hundred fifty (350) square feet in area.
- f. Signs in the “C-2” districts shall meet the compliance requirements of the Ohio Turnpike Commission and the State of Ohio if greater than the provisions of this section.

8.2 Fences

- 8.2-1 In any district, no fence, structure, or planting which obstructs visibility shall be maintained within twenty-five (25) feet of any street intersection.
- 8.2-2 In any “R” District, fences or hedges may not exceed four (4) feet in height in the required front yard and may not exceed seven (7) feet in height in any other location on the lot.

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SECTION 9 - NON-CONFORMING USES

9.1 Non-Conforming Buildings and Uses:

- 9.1-1 **Continuance of Use:** Any lawfully established use of a building or land established prior to the effective date of this Resolution, or of amendments hereto that does not conform to the use regulations for the District in which it is located shall be deemed to be a "legal non-conforming use" and may be continued except as otherwise provided therein.
- 9.1-2 **Repairs and Alterations:** Normal maintenance of a building or other structure continuing a non-conforming use is permitted, including necessary repairs of a building or structure. Incidental alterations are permitted which do not intensify the non-conforming use. Two (2) enclosed outside walls and the roof, or four (4) enclosed outside walls with no roof, must be standing at all times.
- 9.1-3 **Buildings under Construction:** Any non-conforming structure that is under construction whenever this Resolution is adopted or amended may be completed and occupied.
- 9.1-4 **Change of Use:** If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or more restrictive classification, but shall not thereafter be changed back to a less restrictive one.
- 9.1-5 **Vacancy:** In the event that a non-conforming use of any building, structure, or land is voluntarily discontinued for a period of two (2) years, the use of the same shall thereafter conform to the uses permitted in the district in which it is located.
- 9.1-6 **Enlargement of Buildings:** The addition to or enlargement of a non-conforming building may be permitted provided such addition or enlargement complies with the height and area regulations of the district in which it is located and that the total aggregate floor area included in all such separate enlargements does not exceed 20 percent (20%) of the floor area contained in said building on the effective date of this Resolution. An addition or enlargement of up to 20 percent (20%) is allowed one (1) time.
- 9.1-7 **Restoration of Damaged Buildings:** A non-conforming building or structure which is damaged by explosion, fire, act of God, or the public enemy to the extent of not more than 75 percent (75%) of its value at the time of the damage may be restored and the same use of occupancy continued provided that such restoration is started within a period of one (1) year. In the event that such damage exceeds 75 percent (75%) of the value at the time of damage, no repairs or construction shall be made unless every portion of the new building is made to conform to all regulations for new buildings in the district in which it is located.
- 9.1-8 **Use of Land:** A non-conforming use of land where no permanent main building is involved shall not be expanded or extended into any other portion of the lot or adjoining property nor shall the use be changed except to a conforming use.

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- 9.1-9 **Discontinuation of Non-Conforming Use**: In the event that a non-conforming use of any building, structure, or land is voluntarily discontinued for a period of two (2) years, the use of the same shall thereafter conform to the regular uses permitted in the district in which it is located.

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SECTION 10 - MANUFACTURED HOMES

10.1 Manufactured Homes, Manufactured Home Parks, Travel Trailers, and Travel Trailer Parks: The storage, use, and occupancy of manufactured homes and travel trailers shall not be permitted except as provided hereinafter.

10.1-1 Permanently Sited Manufactured Homes and Industrialized Units:

The following standards for the placement of permanently sited manufactured homes and industrialized units are:

- a. All permanently sited-family dwellings and permanently sited manufactured homes shall meet the minimum lot area, minimum setbacks, and maximum height limitations for the particular district in which it will be located.
- b. Off-street parking shall be as provided by Section 5.1.
- c. The dwellings shall have all towing apparatus, wheels and exposed chassis, if any, removed before occupancy of any kind is permitted.
- d. The dwelling must be approved for and permanently connected to all required utilities.
- e. All dwellings shall be installed with properly engineered foundation systems that meet the manufacturer's installation requirements and/or applicable state and local building codes for residential dwellings. A properly engineered foundation system is one that provides adequate support of the dwelling vertical and horizontal loads and transfers these and other imposed forces, without failure, from the dwelling to the undisturbed ground below the frost line.
- f. All single-family dwellings and permanently sited manufactured homes shall be taxed as real property.

**Manufactured housing not meeting the criteria established for permanently sited manufactured homes as defined in Section 3 shall be permitted in a manufactured home park.

10.1-2 Storage of Recreational Vehicles:

- a. Each Recreational Vehicle owner is encouraged to store his/her recreational vehicle in a building. If the owner has no suitable building for this purpose, one (1) recreational vehicle may be stored in the rear or side yard of the owner's residence so long as it is currently licensed. See Section 7.2-2 for setback requirements.
- b. Storage of recreational vehicles in a recreational vehicle park must be in a manner approved at the time a zoning change permitting the recreational vehicle park is granted.

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10.1-3 **Manufactured Home Parks:** Manufactured homes may be utilized and occupied within manufactured home parks.

A “manufactured home park” may be permitted only in an “R-3” District and must meet the following conditions:

- a. The applicant presents the completed application and plans and specifications for the proposed park in a form suitable for making determinations required herein, including plans and specification for off-street parking, roadways of suitable width to allow movement of safety vehicles, and a circulation of traffic plan suitable to the proposed site. The plans and specifications shall also include a proper plan for adequate street lighting to be erected and maintained by the applicant.
- b. The same park may not be used as a “manufactured home park” and as a “travel trailer park.”
- c. The proposed site contains not less than fifty (50) manufactured home spaces available at first occupancy and no more than one hundred fifty (150) home spaces at completion.
- d. Each manufactured home space must contain no less than one-third (1/3) of one (1) acre.
- e. Require each manufactured home space in such a park to have at least one hundred twenty five (125) feet street frontage and the same parking, height limit, yard requirements as current “R-3” District.
- f. Each manufactured dwelling unit shall have a minimum floor area of not less than one thousand two hundred (1,200) square feet exclusive of floor area devoted to basements, attached garage, open or enclosed porches, etc.
- g. Access to the site must be from a state or county highway or other major street determined sufficient for traffic purposes.
- h. No commercial activity may take place in a residentially zoned part of a manufactured home park.
- i. No structure designed for year-round living purposes may be added to a manufactured home in a manufactured home park.
- j. The land occupied by the park is maintained in single ownership or control and no individual lot or site is transferred to other ownership.
- k. Each manufactured home park and all manufactured homes within must comply with appropriate general Resolutions and health and sanitary regulations.
- l. The park is suitably located for community facilities, including water supply, sewage disposal, schools, shopping facilities and services, police and fire protection, etc.
- m. The site is suitable for the purpose intended so far as soil, ground water level, drainage, topography, etc. are concerned.
- n. The location of the park will not be detrimental to adjacent properties, fencing, and/or screening provided as determined by the Board of Township Trustees.
- o. Any permit issued is conditional upon the applicants obtaining any required license and continuing to be properly licensed by the State of Ohio, if necessary.
- p. Any permit issued shall only apply to the application then being considered and if a permit is granted shall in no way require or cause a permit to be issued for a subsequently developed section.
- q. No manufactured homes shall be brought upon the property for which zoning permit is granted until after all of the improvements set forth herein have been completed, and inspected and accepted by proper governmental authorities and/or duly appointed zoning inspector of this township.

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10.1-4 Travel Trailer Parks:

A “travel trailer park” may be permitted only in a “C” or “C-2” District and must meet the following conditions:

- a. The applicant presents the completed application, plans, and specifications for the proposed park in a form suitable for making determinations required herein, including plans and specification for off-street parking, roadways of suitable width to allow movement of safety vehicles, and a circulation of traffic plan suitable to the proposed site. The plans and specifications shall also include a proper plan for adequate street lighting to be erected and maintained by the applicant.
- b. The same park may not be used as a manufactured home park and as a travel trailer park.
- c. Procedures and facilities to be utilized for the winter storage of travel trailers in a travel trailer park must be set forth in the zoning application and subsequent deviation there from shall void any zoning permit issued.
- d. The proposed site contains not less than twenty (20) travel trailer spaces available at first occupancy and no more than sixty (60) home spaces at completion.
- e. Each travel trailer park shall be located on a site of not less than ten (10) acres.
- f. Access to the site must be from a state or county highway, or other major street determined sufficient for traffic purposes.
- g. No commercial activity may take place in a travel trailer park except a convenience store or RV service center.
- h. No structure designed for year round living purposes may be added to a travel trailer in a travel trailer park, and no travel trailer in a travel trailer park may be used for year round living purposes (maximum of 120 days).
- i. The land occupied by the park is maintained in single ownership or control and no individual lot or site is transferred to other ownership.
- j. Each travel trailer park within must comply with appropriate general Resolutions and health and sanitary regulations.
- k. The park is suitably located for community facilities, including water supply, sewage disposal, schools, shopping facilities and services, police and fire protection, etc.
- l. The site is suitable for the purpose intended so far as soil ground water level, drainage, topography, etc. are concerned.
- m. The location of the park will not be detrimental to adjacent properties and fencing and/or screening are provided as determined by the Board of Township Trustees.
- n. Any permit issued is conditional upon the applicants obtaining any required license and continuing to be properly licensed by the State of Ohio, if necessary.
- o. Any permit issued shall only apply to the application then being considered and if a permit is granted shall in no way require or cause a permit to be issued for a subsequently developed section.
- p. No travel trailer shall be brought upon the property for which a zoning permit is granted until after all of the improvements set forth herein have been completed, inspected, and accepted by the proper governmental authorities and/or the duly appointed zoning inspector of Woodville Township.

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SECTION 11 - PLANNED DEVELOPMENTS

11.1 Planned Developments

- 11.1-1 Because of the trend toward group houses, planned neighborhoods, and other planned developments intended for greater convenience or utility to the public which may necessitate variations from the Zoning Regulations, such variations may be permitted provided that a development plan showing the location of buildings and yards and other necessary information is approved by the Zoning Commission and the Board of Township Trustees as a “Special Use” under the special use procedures and conditions as provided in Section 6.2 and provided that the following additional conditions are met:
- a. The property adjacent to the area included in the plan will not be adversely affected.
 - b. The buildings shall be used only for single and multiple-family dwellings including row houses, the usual accessory uses, and for community activities.
 - c. The average lot area per family contained in the site, exclusive of the area occupied by road or street will not be less than the lot area per family required in the District in which the development is located.
 - d. The planned development is located on at least ten (10) acres of land.

11.2 Limited Industrial Planned Unit Development District (LIPUD)

- 11.2-1 **Description:** The Limited Industrial Planned Unit Development (LIPUD) is a planned unit development **District** adopted pursuant to Ohio Revised Code Section 519.021(c). It is intended to achieve the following:
1. A more useful pattern of open space areas and, as part of the project, more convenience in the location of desirable industrial uses and services.
 2. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and conserves and protects the groundwater supplies.
 3. A more efficient use of land than is generally achieved through conventional development which may result in substantial savings through shorter lengths of utilities and streets.
 4. A development pattern in harmony with land use density, transportation facilities, connecting open space, and community facilities.
 5. A development that, in the opinion of the Board of Township Trustees, is advantageous to the community at large.

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LIPUD Description Continued

The Limited Industrial Planned Unit Development District (LIPUD) is designated to overlay those zoning districts that are currently in place in the Township. The LIPUD District is designated on the official zoning map of Woodville Township, which is hereby adopted as the Official Zoning District Map as part of this amendment. The benefits and regulations of this District are available to any landowner in the District, but only after the submission by the landowner and approval by the Board of Trustees of Woodville Township of a Development Plan in accordance with this Zoning Resolution.

The zoning districts and regulations that existed at the time of the adoption of the original Limited Planned Unit Development District (LIPUD) or later adopted remain and lay underneath the area designated LIPUD. Such current zoning districts and regulations shall continue to apply unless and until the Woodville Township Board of Trustees approves an application, called a **Development Plan**, of an owner of property to subject the owner's property to the provision of the LIPUD District.

If the Township Trustees determine that the Development Plan complies with the provisions of Section 11.2 of the Woodville Township Zoning Resolution and approves the Development Plan, the Township Trustees shall cause the Official Township Zoning Map to be changed so that the underlying zoning no longer applies to such property with the property being thenceforth located in the LIPUD District and subject to the regulations thereunder.

The approval of a Development Plan and the removal of the prior zoning district within the designated LIPUD District from the Township Zoning Map is a ministerial act and shall not be considered to be an amendment to the Woodville Township Zoning Resolution.

11.2-2 Approval Process of a Limited Industrial Planned Unit Development District (LIPUD)

The rezoning process is considered to be an Amendment to the Zoning Resolution. The Amendment Process is outlined in Section 15 of this Zoning Resolution. During the rezoning process, the developer shall provide a preliminary proposal to the Township Zoning Commission and the Township Trustees for the parcel of land proposed to be rezoned to the Limited Industrial Planned Unit Development District (LIPUD). This preliminary proposal shall be sufficient in detail to assist the zoning officials and the general public in understanding the conceptual layout of the LIPUD, including prescribed lot coverage, open space calculations, clustering of buildings, setbacks, and types of possible uses.

Suggestions offered concerning the preliminary proposal by the Township Zoning Officials and the general public should be given strong consideration by the developer when the final development plan is prepared.

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11.2-3 Types of Uses Permitted

The following types of uses are permitted. Each use shall be a part of an overall Development Plan with common parking areas, common points of ingress and egress, landscaping, and buffering requirements from adjoining lots, and the proposed LIPUD shall not adversely affect adjacent property values and/or the public's health, safety, and general welfare.

Land and buildings in the LIPUD District shall be limited to one or more of the following uses:

1. Professional offices.
2. Medical uses such as occupational and industrial health facilities and clinics.
3. Industrial uses conducted entirely within an enclosed, substantially constructed building or buildings involving the use of only light machinery and equipment with no outside storage of materials or equipment permitted or required around the buildings other than for the unloading and loading operations at the rear of the building or within an enclosure that abuts the building.
4. Warehousing for the storage of goods, wares, food, beverage, or merchandise.
5. Wholesaling activities with no direct sales to the general public.
6. Transportation facilities including motor freight and distribution centers.
7. Accessory buildings and uses in association with a permitted use as provided herein.

Only uses designated in the approved LIPUD District as a permitted use shall be allowed as a matter of right at each location in a LIPUD, and any use not so designated will be prohibited unless specifically authorized during the approval process.

11.2-4 Development Standards

I. Lot Area, Width, and Depth

- a. The gross lot area of the tract to be developed under the LIPUD approach shall contain a minimum of fifteen (15) contiguous acres of land. The area of a LIPUD must be an integral tract. It cannot be a collection of isolated pieces of land, except that roads, streets, or waterway may lie between portions of the tract.
- b. The minimum lot width of a LIPUD shall be two hundred (200) feet.
- c. Each lot to be sold within a LIPUD shall have a minimum width of one hundred (100) feet and a minimum lot area of one (1) acre of land.

II. Density

- a. The density of a LIPUD shall be limited to not more than sixty percent (60%) lot coverage of the total acreage included within the development.
- b. Each phase submitted for approval shall not exceed the lot coverage requirements for the acreage included in that phase. If a phase is approved with less than the maximum lot coverage allowed for that phase, a subsequent phase of the LIPUD may be permitted to include the allowed lot coverage not incorporated in that previous phase.
- c. Aggregating or clustering of buildings is permitted, but there shall be no more than ten (10) units permitted per aggregation or cluster.
- d. For purposes of calculating the maximum density, the acreage of the tract of land included as part of the LIPUD, or phase thereof, shall be multiplied by the permitted sixty percent (60%) lot coverage.

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III. Common Open Space

- a. Common open space is land within the development not dedicated for a specific use like roads or easements, that is designed and intended for the common use or enjoyment of the owners and their employees within the development and may include complementary structures and improvements as are necessary and appropriate.
- b. At least fifteen percent (15%) of the total area included in each phase shall be set aside as common open space in a LIPUD. At least two-thirds (2/3) of the required fifteen percent (15%) of the common open space for each phase must be dry land not located within areas subject to flooding.
- c. Such common open space land reserved under a LIPUD shall be held in corporate ownership by the owners of the project area for the use of each owner who buys property within the development.
- d. The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan and shall be included in deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development, and maintenance of the land and the improvements thereon, including those areas which are to be commonly owned and maintained.
- e. Common open space shall be of a size, shape, topography, and location to be usable and accessible to the employees of the LIPUD.

- IV. Building Height:** The maximum height for all buildings and structures in the LIPUD shall be sixty (60) feet, unless approved at a greater height by the Township Trustees during the review process.

V. Building Yards

- a. All principal buildings shall have a minimum front yard setback of sixty (60) feet. Corner lots shall have the front yard setback on both streets. For internal lots, there will be no minimum side or rear yard setback.
- b. The required front yard shall consist entirely of landscaping except for access ways and signage.
- c. For lots where at least one (1) lot line also serves as the outer perimeter of the LIPUD, a minimum eighty (80) foot setback shall be maintained on that lot line.
- d. No accessory building/structure of any type may be located within twenty-five (25) feet of any side or rear lot line and may not be located in the front yard.
- e. Units with a common wall or that are contiguous because of an authorized zero (0) setback are considered one (1) building. There shall be a minimum twenty (20) foot separation between buildings of this type.
- f. In areas where aggregation or clustering is proposed, the Township Trustees shall have the flexibility to reduce these setbacks when appropriate.

VI. Off-Street Parking and Loading Berth Requirements

- a. Approved uses shall provide one (1) parking space for each employee at maximum employment on a single working shift.
- b. All other requirements of Section 5 of this Resolution shall apply.

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VII. Traffic Circulation: The LIPUD shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding areas.

VIII. Signs Permitted

- a. One (1) sign shall be permitted at the entrance(s) of the LIPUD that identifies the name of the development and its address. Each entrance sign shall not exceed one hundred (100) square feet and the cumulative total of all entrance signs shall not exceed two hundred (200) square feet. The entrance sign shall not be located in a location that will cause a traffic hazard or obstruction to visibility. The location of the sign shall be shown on the plans submitted to the Township.
- b. Each business occupying a lot within the LIPUD shall be entitled to a total of one hundred (100) square feet of signage. If attached to the building, the sign shall not project more than forty-two (42) inches from the building and the bottom of the sign shall be not less than nine (9) feet above the finished grade.
- c. All other requirements of Section 8 of this Resolution shall apply.

IX. Fences

- a. Fences or hedges must be approved as part of the LIPUD. Fences may not exceed four (4) feet in height in the front yard and seven (7) feet in all other locations. No barbed wire fence shall be constructed except in areas where such fencing is necessary for public health and/or safety.
- b. At street and/or highway intersections, no wall, fence, hedge, shrubbery, or other structure or planting which obstructs the view of motorists and thereby creates a traffic hazard shall be erected, placed, planted, or maintained within the triangular area formed by connecting with a straight line, two (2) points located at the respective right-of-way lines, twenty-five (25) feet distance from their point of intersection.

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X. Additional Development Standards

- a. All community facilities (water and sanitary sewer) proposed for public dedication shall be installed according to the community's standards and the size, shape, location, and construction shall be coordinated with the appropriate community representative.
- b. All other utilities (electrical, telephone, etc.) shall be underground unless the Township determines that underground installation is not feasible.
- c. Each building within the LIPUD shall provide space for the loading and unloading of vehicles off the right-of-way of any street or alley. Such space shall be arranged so that no vehicle is required to back onto a street in order to access or leave the premises.
- d. Plantings shall be provided around all buildings, structures, loading areas, etc. within eight (8) months of the building being occupied. Diseased or dead plants shall be removed and replaced in a timely manner.
- e. No building or other structure of a temporary nature shall be allowed on any lot at any time except that of an owner's contractor or subcontractor during the period of construction or repair to structures.
- f. No use of the lots shall be permitted which emits dust, sweepings, dirt, or cinders into the atmosphere or discharges liquid, solid wastes, or other harmful matter into any stream, river, pond, lake, or other body of water.
- g. All roads and driveways shall be surfaced with bituminous paving or concrete paving at an adequate thickness for their use.
- h. All lights for purposes of illuminating parking lots shall not exceed thirty (30) feet in height. Lighting shall not adversely impact adjoining lots outside of the boundaries of the LIPUD and should be directed inwards.
- i. Facilities that generate vibrations that can be detected without the use of instruments at or beyond the property lines of the LIPUD shall be prohibited.
- j. All oversized/overhead doors shall be located on the side of the building opposite any adjacent residential structure.
- k. The maximum coverage of all buildings including accessory buildings, and all impervious areas such as parking and loading areas, shall not exceed seventy percent (70%) of the gross lot area.
- l. No old buildings or structures shall be moved onto or upon any lot or premises within the LIPUD. Pole type buildings are not acceptable building design.
- m. No used or salvage material shall be used on the exterior of the building.
- n. Buildings shall be of an earth tone color scheme. Brick or stone accents on the front facade of the building are preferred.
- o. Outside garbage/rubbish disposal containers shall be screened from view and their locations designated on the plans.

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11.3 Approval Process of a Development Plan within a LIPUD

- I. Application to the Board of Township Trustees:** Application for a Development Plan within a LIPUD shall be submitted to the Township Trustees. The Development Plan shall be executed by or on behalf of all of the owners of all of the land to be included in the LIPUD. A filing fee, as determined by the Township Trustees, shall be submitted with the Development Plan.
- II. Data Required in the Development Plan:** The application for approval of a development within a LIPUD shall include three (3) copies of the “Development Plan” drawn at a scale of 1” = 100’ (one inch = one hundred feet) and shall include the following information:
1. The location and the size of the area involved and the nature of the landowner's interest in the land proposed to be developed should be identified. A legal description of the area involved in the LIPUD phase is required.
 2. The lot coverage percentage of land use to be developed, the proposed uses, and the location of the required open space shall be presented in tabular form and also clearly shown on the plans.
 3. The location, function, ownership, and manner of maintenance of common open space areas shall be shown.
 4. The use, general outline, location, and maximum height of all buildings and other structures shall be identified. The plan shall list and show, if possible, the exact use, height, floor area, and the proposed outline and location of all buildings and structures, including any accessory buildings.
 5. The land to be dedicated to each use and the areas of common open space shall be listed and displayed and the exact areas of common open space used to justify the lot coverage proposed.
 6. Conceptual plans for drainage, landscaping, preservation of vistas, natural features, groundwater supply, and aquifer shall be included.
 7. Conceptual plans for the disposal of sanitary wastewater and stormwater, and for the supply of all other utilities, including water shall be submitted.
 8. The proposed schedule of site development, construction of structures, and associated facilities including sketches showing the design principles and concepts to be followed shall be identified. Required buffering and other activities intended to protect adjoining property owners shall be undertaken as early in the construction process as possible.
 9. The provisions for parking of vehicles and the location and width of proposed streets and existing streets abutting the property shall be shown. Proposed intersection improvements shall be shown. The Township Trustees may dictate such improvements as part of their review.
 10. The location and size of walkways, plazas, public areas, fences, signs, landscaping, and planting shall be identified.
 11. The substance of covenants, deed restrictions, grants, easements, or other restrictions to be imposed upon the use of land, buildings and structures, including proposed easements for public utilities, and for maintenance of common open space, common facilities, private streets, drives, and other infrastructure of the LIPUD shall be filed.
 12. A plan for landscaping/buffering features and the plan for maintenance of all areas not immediately developed must be identified.
 13. An overall plan of the entire LIPUD delineating each phase so that the Township can understand the interrelationships between the various phases.

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- III. Performance Guarantee:** To guarantee that the construction of the required improvements continues on the schedule identified above, the developer may be required to provide a performance guarantee in one (1) or a combination of the following arrangements: performance bond or escrow agreement. The performance guarantee will be in an amount as determined by the Township Trustees and the developer. Portions of the performance guarantee may be released as activities are completed.
- IV. Additional Information:** Upon initial review any additional information, as may be required by the Township Trustees in order to determine compliance with this Resolution shall be provided.
- V. Basis of Approval:** The Board of Township Trustees shall review the Development Plan and base its review on the following considerations:
1. The proposed development shall be initiated within two (2) years from the date of approval.
 2. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability and that adequate assurance is provided that such objectives will be attained.
 3. The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect.
 4. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic in such amounts as not to overload the street network outside the LIPUD. Studies required for intersection improvements shall be completed and preliminary approvals obtained in advance of the submission of the proposed development. All required street improvements shall be made prior to any construction occurring, unless otherwise negotiated with the Township.
 5. The appropriateness of the Development Plan at the locations proposed shall be reviewed.
 6. Any exception from standard district requirements is warranted by the design and other amenities to be incorporated in the LIPUD and is in accordance with the adopted policy of the Board of Township Trustees.
 7. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
 8. The Development Plan is compatible with the overall land use plan of the Township and can be reasonably integrated into the long-range plan.
 9. The existing and proposed utility services are adequate for the proposed density and the nonresidential uses being proposed. Any required utility improvements or upgrades shall be negotiated with the appropriate utility agency with the necessary authorizations and/or permits obtained prior to any on-site construction occurring.
 10. The benefits, improved arrangements, and the design of the proposed Development Plan justifies the deviation from the standard development requirements included in this Resolution.

The Township Trustees may require such changes or modifications of the Development Plan as are needed to achieve conformity to the standards as herein specified.

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VI. Township Trustees Approval

- a. A public hearing by the Board of Township Trustees with notification to the contiguous property owners shall be held within thirty (30) days after receipt of the Development Plan. Notice of the public hearing shall be given by publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.
- b. Within twenty (20) days after such hearing is concluded, the Board of Township Trustees shall either adopt or deny the Development Plan, or adopt some modification thereof.

VII. Other Approvals

- a. For such parts of the LIPUD that are proposed to be subdivisions, the Sandusky County requirements must also be met, including specifications and performance bonds or escrow funds for construction of water, sewer, streets, roads, and drainage.
- b. The approval of the Development Plan by the Township Trustees does not imply approval by any other agency with jurisdiction over the development of the property. Approvals by county, state, and federal agencies must be obtained before proceeding with development in the LIPUD.

VIII. Construction Phase

- a. An approved Development Plan is a binding plan, not subject to change by the owner or developer after its approval and acceptance, except for minor deviations permitted herein.
- b. Unless a deviation from a regulation in the Township's Zoning Resolution, otherwise applicable to the property is shown in the approved Development Plan such regulation shall not be assumed to be waived.
- c. The Township may establish a schedule of meeting dates with the developer to monitor the progress and activities associated with the construction of the development. The first meeting will occur just prior to the initial groundbreaking activities and subsequent meetings will be scheduled, but should occur at least quarterly.

IX. Minor Deviations

- a. Minor changes in the location or citing of buildings, structures, streets, or parking areas, or in the areas of open space, after approval of a Development Plan, shall not be made without approval by the Board of Township Trustees.
- b. The Board of Township Trustees may hear and may approve by majority vote such change at any public meeting if such change is made necessary by engineering or other circumstances not foreseen at the time the Development Plan was approved. No change approved by the Board of Township Trustees or cumulative change resulting from a series of changes may cause any of the following:
 1. An increase in percentage of lot coverage.
 2. A reduction in common open space or in visual open space.
 3. An increase in problems of vehicular or pedestrian traffic circulation or safety, nor of utilities.
 4. A reduction of off-street parking or loading space.
 5. A reduction in approved pavement widths.
 6. A reduction of more than five percent (5%) in structural setbacks from the LIPUD's boundary.

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Minor Deviations continued

- c. All other changes or cumulative changes not meeting the above standards shall require a public hearing with notification to the adjoining property owners as stated in Section 13.3 of this Resolution. The changes must be requested through the submission of a formal written request identifying the area affected.

X. Default

- a. If no significant construction has begun within two (2) years after approval of a Development Plan, it shall be void, unless an extension of the time limit of the approved Development Plan is approved by the Board of Township Trustees after submission of a written request identifying the basis for the time extension, and a finding by the Board of Township Trustees that such extension is not in conflict with the public interest.
- b. If construction is started but amenities, roads and drives, sewer, water, drainage, utilities, and landscaping are not done in accordance with the approved Development Plan, the Board of Township Trustees may require of the owner that it be done forthwith.

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SECTION 12 – HOME-BASED BUSINESS

12.1 Purpose

The purpose of this section is to permit some commercial uses as a home-based business in residential or agriculture zoned areas provided that the uses are compatible with the character of the neighborhood.

12.2 General Standards

- a. Home occupations are classified as either home offices or home-based businesses.
- b. Home offices are permitted uses in residential and agriculture areas of the Township as defined in Section 3.
- c. A **home-based business** is a **conditionally permitted use** in a residential or agriculture zoned area of the Township and must be approved by the Board of Zoning Appeals in accordance with the requirements and procedures of this Section.
- d. A Home-based business shall meet the following requirements:
 1. A home-based business shall be confined to the dwelling, or an accessory building.
 2. No more than one additional (non-resident) person, other than persons residing in the dwelling, shall be engaged in the business.
 3. The use of the dwelling unit for the home-based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor area of the dwelling shall be used in the conduct of the home-based business.
 4. There shall be no change to the outside appearance of the dwelling or premises, no outside storage of materials incidental to the home-based business, nor other visible evidence of the conduct of such home-based business, other than one (1) sign of which the size is to comply with Section 8.1 – Signs of the Township Zoning Resolution.
 5. No traffic shall be generated by such home-based business in greater volume than would be expected in a residential or agriculture neighborhood and any need for parking generated by conduct of such home-based business shall meet off-street parking requirements as specified in the parking requirements Section of the Zoning Resolution. (Section 5.1-2(b)9)
 6. No equipment or process shall be used in such home-based business which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or which causes fluctuations in line voltage off the premises.
 7. A home-based business may be evaluated periodically by the Township Zoning Inspector to make sure the business is still an appropriate home-based business and has not become a more intensive commercial venture that has developed in a residential or agriculture district.

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12.3 Home-based Business Approval Process

- a. The home-based business approval process shall consist of the following steps:
 1. Submission of a completed **conditional use permit** application, supporting materials, and fee to the Zoning Inspector;
 2. Approval by the Board of Zoning Appeals with any required conditions;
 3. Issuance of the conditional use permit by the Zoning Inspector in accordance with the specified conditions required by the Board of Zoning Appeals.
- b. Applications for the home-based business shall be obtained from the Zoning Inspector and when completed shall be returned the Zoning Inspector. The application shall consist of the completed conditional use permit form, other required materials as specified by the Zoning Inspector, and the required fee.
- c. The Zoning Inspector upon receipt of the application shall transmit the completed application form to the Board of Zoning Appeals within seven (7) working days.
- d. The Board of Zoning Appeals shall hold a public hearing to consider the application.
- e. The Board of Zoning Appeals shall approve, approve with modification, or deny the application within sixty (60) days after transmittal by the Zoning Inspector.
- f. Approval shall not be granted unless all requirements of the district in which the proposed home-based business is to be located are met; and no new nonconformities would be created by the approval of the home-based business.
- g. Any change in the home-based business shall require prior approval of the Board of Zoning Appeals in accordance with the process described in this section if requested by the owner or the Zoning Inspector.
- h. The Board of Zoning Appeals may prescribe appropriate conditions and safeguards with respect to the location, maintenance, and operation, in addition to those described in this Zoning Resolution so long as they are necessary for the protection of the adjacent property owners and the character of the neighborhood.
- i. The Zoning Inspector shall issue a conditional use permit only in compliance with the specified requirements of the Board of Zoning Appeals.

12.4 Expiration of the Home-based Business Approval

The approval of the home-based business shall expire if within twelve (12) months after approval of the operation of the home-based business has not begun, or if the home-based business is discontinued for a period of twelve (12) consecutive months.

12.5 Disagreements with Decisions Made by the Board of Zoning Appeals

Decisions made by the Township's Board of Zoning Appeals are final and may only be contested by a civil case through the court of law.

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SECTION 13 – BOARD OF ZONING APPEALS

13.1 Membership

The Board of Zoning Appeals, hereinafter called the “Board,” shall consist of five (5) members who reside in the unincorporated area of the Township who are appointed by the Board of Township Trustees to serve a five (5) year term. The terms of all members shall be of such length and so arranged that the term of one (1) member will expire each year. The Board shall appoint one member to serve as Chairman. The Board shall organize, hold meetings, act on administrative appeals, applications for a requested variance, and applications for a conditional use, and keep records as provided by law.

13.2 Jurisdiction: The Board shall have the following powers:

13.2-1 **Administrative Appeal:** To hear and decide appeals from any property owner in the Township where it is alleged there is error in any interpretation, order, requirement, decision, or determination by the Zoning Inspector in the administration and enforcement of the provisions of this Resolution.

13.2-2 **Variance:** To authorize upon appeal whereby reason of exceptional narrowness, shallowness, or shape or exceptional topographic conditions or other extraordinary situation or condition of a lot, the strict application of the terms of this Zoning Resolution would result in peculiar and exceptional practical difficulties or undue hardship upon the owner thereof to authorize a variance from such strict application to relieve such difficulties or hardship provided said relief may be granted without substantial detriment to the public good and without substantially impairing the intent of the Resolution and provided further that no variance shall be granted unless the Board of Zoning Appeals finds that all of the following conditions exist:

- a. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.
- b. The granting of the application is necessary for the preservation and enjoyment of substantial property rights and not merely to serve as a convenience to the applicant.
- c. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property; nor unreasonably increase the congestion in public streets; nor increase the danger of fire or imperil the public safety; nor unreasonably diminish or impair established property values within the surrounding areas; nor in any way impair the health, safety, convenience, or general welfare of the inhabitants of the Township.

13.2-3 **Conditional Use:** Review and rule on any proposed property use identified as conditional in this Zoning Resolution and specify conditions of use if it is approved.

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13.3 Procedures

13.3-1 **Meetings:** Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman and at such other times as the Board determines. The Chairman, or in his absence, the acting Chairman, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board shall be open to the public.

The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be on file in the Fiscal Office of the Township and is a public record.

13.3-2 **Administrative Appeal:** Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the township affected by any decision of the zoning inspector.

- a. Such appeal shall be taken within twenty (20) days after the decision by the zoning inspector by filing a notice of an administrative appeal with the Board of Township Trustees specifying the grounds for appeal.
- b. The person from whom the administrative appeal is taken shall forthwith transmit to the Board of Township Trustees all the papers constituting the record upon which the action appealed from was taken.
- c. The person aggrieved and the Zoning Inspector will be notified by telephone or regular mail of the date, time, and location of the hearing.
- d. Publication of an administrative appeal in a newspaper of general circulation in the Township is not required.

13.3-3 **Public Hearing and Decision - Variance**

- a. The Board of Zoning Appeals shall fix a reasonable time for the public hearing of a request for variance to a requirement of the Township Zoning Resolution and give at least ten (10) days notice in writing to the parties in interest including the applicant and contiguous property owners.
- b. The Board of Zoning Appeals shall also give notice of the public hearing for a requested variance by publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.
- c. The Board of Zoning Appeals shall decide their finding on any request for variance within sixty (60) days after it is submitted for review.
- d. Upon the hearing, any person may appear in person or by attorney.
- e. Every decision of the Board of Zoning Appeals shall be based upon a finding of fact which shall be defined in writing and preserved among its records.

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13.3-4 **Public Hearing and Decision – Conditional Use**

- a. The Board of Zoning Appeals shall fix a reasonable time for the public hearing of a request for a conditional use permit, give at least ten (10) days notice in writing to the parties in interest including the applicant and contiguous property owners, and decide the requested conditional use within sixty (60) days after it is submitted for review.
- b. Publication in a newspaper of notice of the hearing is not required.**
- c. Upon the hearing, any person may appear in person or by attorney.
- d. Every decision of the Board of Zoning Appeals shall be based upon a finding of fact which shall be defined in writing and preserved among its records.

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SECTION 14 – ZONING ADMINISTRATION

14.1 Zoning Permits

14.1-1 Requirements

- a. **No person shall locate, erect, construct, enlarge, or structurally alter any nonfarm buildings or structures within the Township without first obtaining a zoning permit.**
- b. No zoning permit shall be issued unless the plans for the proposed building or structure fully comply with the zoning regulations.
- c. No zoning permit shall be issued until such time as a copy of the applicant's deed or land contract is provided to the Board of Trustees of Woodville Township, or their authorized agents. The applicant's deed or land contract must have been previously properly recorded at the Sandusky County Recorder's Office unless the sale of the property to the applicant is conditional upon the zoning permit. Such information shall be provided to the Trustees at the time the application is made.
- d. A zoning permit requires that construction be initiated within one (1) year of issuance of the permit and completed within two (2) years. A one (1) year extension may be allowed with a permit extension application at the discretion of the zoning inspector. The extension will be the same fee as the original permit. Non-compliance will result in revocation of the issued zoning certificate.

14.1-2 **Applications:** Written applications for a zoning permit shall be made to the Board of Township Trustees, or the Township Zoning Inspector. Accurate information shall be supplied by the applicant if requested by the agent with regard to the size and location of the lot, the size and location of the buildings and structures proposed and existing on the lot, the dimensions of all yards and open spaces, and other information necessary for the enforcement of this Resolution.

14.1-3 **Fees:** The Board of Township Trustees shall establish the fees for the zoning permits for residential, agriculture, commercial, and industrial districts, conditional and special use, variance, and other related administrative actions.

14.1-4 **Agricultural Buildings:** Zoning permits shall not be required for agricultural buildings except farmhouses and temporary housing for seasonal agriculture workers. However, the Board of Township Trustees requests a zoning permit application for agricultural buildings and zoning permits may be issued with the fee waived in the agricultural district at the discretion of the Zoning Inspector.

Any building that is no longer used primarily for agricultural purposes and was never issued a zoning permit, or was issued a zoning permit for agricultural use must have a zoning permit issued and all current zoning regulations and codes must be met.

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14.2 Enforcement and Penalties

14.2-1 **Enforcement:** This Resolution shall be enforced by the Board of Township Trustees or such enforcement officer as may be designated by said Board.

14.2-2 **Revocation of Zoning Permits:** Any zoning permit issued upon a false statement shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the zoning permit shall be revoked by notice in writing to be delivered to the holder of the void certificate upon the premises concerned, or if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new zoning permit in accordance with this Resolution shall be deemed guilty of a violation thereof.

14.2-3 **Violation:** In case any building is, or is proposed to be located, erected, constructed, enlarged, changed, maintained, or used, or any land is, or is proposed to be used in violation of this Resolution, the Board of Township Trustees, the County Prosecuting Attorney, the Township Zoning Inspector, or any neighboring property owner who would be damaged by such violation in addition to other remedies provided by law may institute injunction, mandamus, abatement, or any other appropriate actions or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, enlargement, change, maintenance, or use.

14.2-4 **Fine:** Any person, firm, or corporation violating any provision of this Resolution shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one hundred dollars (\$100.00) each and every day during which such illegal location, erection, construction, enlargement, change, maintenance, or use continues may be deemed a separate offense.

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SECTION 15 – ZONING COMMISSION & AMENDMENTS

15.1 Zoning Commission

15.1-1 **Membership:** The Zoning Commission, hereinafter called the “Commission,” shall consist of five (5) members who reside in the unincorporated area of the Township who are appointed by the Board of Township Trustees to serve a five (5) year term. The terms of all members shall be of such length and so arranged that the term of one (1) member will expire each year. The Commission shall appoint one member to serve as Chairman and another member to serve as Secretary. The Commission shall organize, hold meetings, keep records as provided by law, and make recommendations to the Board of Township Trustees on zoning matters.

15.1-2 **Meetings:** Meetings of the Zoning Commission shall be held on a bi-monthly basis during the odd months of the year and at such other times as the Commission determines. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its meetings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be on file with the Secretary of the Commission, and in the Fiscal Office of the Township and is a public record.

15.2 Amendments or Supplements to the Zoning Resolution

15.2-1 **Authority:** Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the Board of Trustees may, by Resolution, after report thereon by the Commission and subject to the procedure provided in this section, amend, supplement, or change the regulations, district boundaries, or classifications of property now or hereafter established by this Resolution.

15.2-2 **Initiation:** Amendments or supplements to the Zoning Resolution may be initiated as follows:

- a. By motion of the Zoning Commission.
- b. By passage of a Resolution by the Board of Township Trustees and certification of it to the Commission.
- c. By one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement.

15.2-3 **Applications:** Applications initiated by private owners or lessees **for any change of District boundaries or reclassifications of Districts** as shown on the zoning map shall be filed with the Zoning Commission and accompanied by such data and information prescribed for that purpose by the Commission.

15.2-4 **Fee:** A fee, as set by the Board of Township Trustees, shall be paid to the Township Fiscal Officer upon the filing of each application for the change of District classification or an amendment requested by any property owner of the Township. No fee shall be charged for such actions initiated by the Board of Trustees or the Zoning Commission.

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15.2-5 **Transmittal to County Regional Planning Commission:** Within five (5) days after the adoption of such motion, or the certification of such Resolution, or the filing of such application, the Zoning Commission shall transmit a copy thereof together with text and map to the Sandusky County Regional Planning Commission. The Sandusky County 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 Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

15.2-6 **Hearing and Notice by Zoning Commission:** Upon the adoption of such motion, or the certification of such Resolution, or the filing of such application, the Zoning Commission shall hold a public hearing thereon. The Commission shall set a date for the public hearing not less than twenty (20) or more than forty (40) days from the date of the certification of such Resolution or the date of such application.

Notice of such hearing shall be given as follows:

- a. Notice shall be published in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.
- b. If the proposed amendment or supplement intends to rezone or redistrict ten (10) or less parcels of land as listed on the County Auditor's current tax list written notice of the hearing shall be mailed by the Commission by regular mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to 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. The failure of delivery of such notice shall not invalidate any such amendment.
- c. The published and mailed notices shall include information provided in O.R.C. 519.12.
- d. If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten (10) parcels of land see O.R.C. 519.12 for notification requirements.

15.2-7 **Records:** The Commission shall keep minutes of the proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official actions all of which shall be on file with the secretary of the Commission and shall be a public record.

15.2-8 **Decision by Commission and Submittal to Board of Trustees:** The Commission shall study the proposed change in the terms of public necessity, convenience, general welfare, and good zoning practice. The Commission shall within thirty (30) days after such hearing recommend the approval or denial of the proposed amendment or supplement on this basis, or the approval of some modification thereof, and submit to the Board of Township Trustees such recommendation together with the application, the text and map pertaining thereto, and the recommendation of the Sandusky County Regional Planning Commission.

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15.3 Board of Trustees Procedures

- 15.3-1 **Receipt of Recommendations:** The Board of Township Trustees shall upon receipt of a recommendation from the Township Zoning Board set a time for a public hearing on such proposed amendment which date shall be not more than thirty (30) days from the date of the receipt of such recommendation from the Zoning Commission.

Notice of such public hearing shall be given by the Board of Trustees by publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing. See O.R.C. 519.12 for notification requirements.

- 15.3-2 **Action Requirements:** Within twenty (20) days after such public hearing, the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof.

In the event the Board of Trustees denies or modifies the recommendation of the Township Zoning Commission, the unanimous vote of the Board of Township Trustees shall be required.

- 15.3-3 **Adoption:** Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Board of Township Trustees a petition signed by a number of registered electors as specified in O.R.C. Section 519.12.