

CHAPTER 1261

Zoning

1261.01 Zoning regulations.

1261.01 ZONING REGULATIONS.

(EDITOR'S NOTE: The Greenwich Zoning Ordinance, originally passed as Ordinance 909, passed on March 16, 1999, is codified in Appendix A to this section.)

APPENDIX A

VILLAGE OF GREENWICH ZONING ORDINANCE

TABLE OF CONTENTS

	SECTION 100
	INTRODUCTION
	SECTION 101
	ADOPTION
101.01	Ordinance
	SECTION 201
	INTERPRETATION
201.01	Minimum Requirement
201.02	Applicability
201.03	Other Agreements
201.04	Dates
201.05	Definitions
	SECTION 203
	VALIDITY
	SECTION 204
	ZONING COMMISSION
204.01	Organization
204.02	Meeting Requirements
204.03	Duties
	SECTION 205
	AMENDMENTS
	SECTION 206
	ZONING INSPECTOR
206.01	Appointment
206.02	Duties
	SECTION 207
	ZONING CERTIFICATE
207.01	Application
207.02	Compliance

- 207.03 Expiration
- 207.04 Display of Certificate
- 207.05 Fees
- 207.06 Violation

SECTION 208

OCCUPANCY PERMITS

- 208.01 Application
- 208.02 Compliance
- 208.03 Violation
- 208.04 Temporary Certificate
- 208.05 Fees

SECTION 209

BOARD OF ZONING APPEALS

- 209.01 Members
- 209.02 Powers
- 209.03 Meetings
- 209.04 Appeals
- 209.05 Hearings
- 209.06 Standards for Variances

SECTION 210

ENFORCEMENT

- 210.01 Violations
- 210.02 Remedies

SECTION 211

COMPENSATION

SECTION 212

PROHIBITED USES

- 212.01 Junk and Rubbish
- 212.02 Manufactured Housing
- 212.03 Penal Institutions
- 212.04 Building Material
- 212.05 Tents
- 212.06 Inoperative Vehicle
- 212.07 Rendering
- 212.08 Stockyards and Slaughterhouses
- 212.09 Vehicle Racing
- 212.10 Overcrowding
- 212.11 Concerts
- 212.12 Radioactive Waste
- 212.13 Commercial Incinerators

SECTION 213

CONDITIONAL USES

- 213.01 Junkyards
- 213.02 Mobile Homes and Offices
- 213.03 Recreational Camp
- 213.04 Business and Commercial - B District
- 213.05 Light Industry - I District
- 213.06 Rubble
- 213.07 Application
- 213.08 Standards

SECTION 214

PUBLIC UTILITIES & RAILROADS

SECTION 216

SITE PLANS

- 216.01 Purpose and Intent
- 216.02 Site Plan Required
- 216.03 Preparation
- 216.04 Information Required
- 216.05 Design Standards
- 216.06 Submittal
- 216.07 Review and Fees

SECTION 300

DISTRICT

- 300.01 Zoning Map
- 300.02 District Boundaries

SECTION 301

RESIDENTIAL (R)

- 301.01 Permitted Uses
- 301.02 Minimum Lot Size
- 301.03 Minimum Frontage
- 301.04 Side Yard
- 301.05 Rear Yard
- 301.06 Setback from Street or Road Centerline
- 301.07 Safety Separation
- 301.08 Subdivision/Development Lot Regulations
- 301.09 Minimum Floor Area
- 301.10 Accessory Buildings and Structures
- 301.11 Maximum Height
- 301.12 Street Tree Plan for New Development
- 301.13 Permits Required
- 301.14 Abuse and mutilation of Public Trees

SECTION 305

MOBILE HOMES (MH)

- 305.01 Purpose
- 305.02 Establishment of District
- 305.03 Required Development
- 305.04 Mobile Home Park Plan Approval
- 305.05 Application for Mobile Home Park Plan Approval
- 305.06 Referral of Application
- 305.07 Action on Application
- 305.08 Approved Plans Pending
- 305.09 Periodic Inspection
- 305.10 Enlargement of Pre-Existing Mobile Home Parks
- 305.11 Size of Park
- 305.12 Frontage of Public Street
- 305.13 Density
- 305.14 Permitted Uses
- 305.15 Prohibited Uses
- 305.16 Height Limitation
- 305.17 Mobile Home Park Yards
- 305.18 Common Recreation Areas
- 305.19 Storage Facilities
- 305.20 Roadways
- 305.21 Access to Mobile Home Park
- 305.22 Sidewalks
- 305.23 Street Lights
- 305.24 Utility Meters
- 305.25 Storm Drainage
- 305.26 Water
- 305.27 Fire Protection
- 305.28 Sanitary Waste Disposal
- 305.29 Preservation of Natural Scenic Features
- 305.30 Site Access and Area
- 305.31 Side Yard
- 305.32 Patios
- 305.33 Mobile Home Piers
- 305.34 Automobile Parking
- 305.35 Removal of Running gears Prohibited
- 305.36 Enclosures Around Bottom of Mobile Home
- 305.37 Prohibited Parking
- 305.38 U.L. Approval

SECTION 310

BUSINESS AND COMMERCIAL (BC)

- 310.01 Permitted Uses
 - 310.010 Supplement
 - 310.011 Minimum Lot Size (Conditional Use Permit)
 - 310.012 Minimum Frontage
 - 310.013 Side Yard
 - 310.014 Rear Yard
 - 310.015 Setback
 - 310.016 Conformance
 - 310.017 Separation
 - 310.018 Maximum Height
- 310.02 Multifamily Projects
 - 310.021 Intent
 - 310.022 Conditional Use Permit Required
 - 310.023 Definition and Dwelling Area
 - 310.024 Area, Yard and Height
 - 310.025 Accessory Buildings and Use
 - 310.026 Drainage
 - 310.027 Streets
 - 310.028 Parking
 - 310.029 Fire Protection
 - 310.030 Open Space and Landscaping
 - 310.031 Application Procedure
 - 310.032 Plan Review and Inspection
 - 310.033 Security for Improvements
 - 310.034 Maintenance
 - 310.035 Design Guidelines
- 310.04 Health Care Facilities
 - 310.041 Introduction
 - 310.042 Conditional Use
 - 310.043 Plan
 - 310.044 Board of Zoning Appeals
 - 310.045 Supplementary

SECTION 315

LIGHT INDUSTRIES (I)

- 315.01 Permitted Uses
- 315.02 Minimum Frontage
- 315.03 Minimum Area
- 315.04 Area Exclusivity
- 315.05 Side Yards
- 315.06 Rear Yards
- 315.07 Setback
- 315.08 Corner Lots

- 315.09 Accessory Structures
- 315.10 Separation
- 315.11 Maximum Height
- 315.12 Conformance

SECTION 320

PARK LAND (P)

- 320.01 Permitted Uses

SECTION 400

ENVIRONMENTAL PERFORMANCE STANDARDS

- 400.01 Air Pollution
- 400.02 Erosion
- 400.03 Water Pollution
- 400.04 Electrical Disturbance
- 400.05 Noise
- 400.06 Vibration
- 400.07 Toxic or Noxious Matter
- 400.08 Radiation Hazards
- 400.09 Fire and Explosive Hazards
- 400.10 Glare
- 400.11 Measurement Procedures
- 400.12 Enforcement

SECTION 401

AGRICULTURE

SECTION 402

NON-CONFORMING USES

- 402.01 Continuance
- 402.02 Completion
- 402.03 Reconstruction
- 402.04 Alteration
- 402.05 Conformance

SECTION 403

CABLE TELEVISION PERMIT

SECTION 404

FENCES AND HEDGES

- 404.01 Where Permitted
- 404.02 Snow Fences

SECTION 408

PARKING REQUIREMENTS

- 408.01 Off Street Parking Required
- 408.02 Parking Space Dimensions
- 408.03 Parking Spaces Required

408.04 Location of Parking Areas

408.05 Design of Parking Areas

SECTION 409

OUTDOOR ADVERTISING AND OTHER SIGNS

409.01 Intent

409.02 Governmental Signs Excluded

409.03 General Requirements for All Signs and Districts

409.04 Measurement of Sign Area

409.05 Placement of Sign on a Building

409.06 Projecting Signs

409.07 Free-Standing Signs

409.08 Signs Not Requiring a Permit

409.09 Signs Permitted in Any District

409.10 Temporary Signs

409.11 Off-Premises Sign or Billboard

409.12 Zoning Permit

409.13 Violations

SECTION 410

SAND, GRAVEL AND EARTH REMOVAL

410.01 Site Size

410.02 Exemptions

410.03 Minerals

410.04 Operator

410.05 Structures

410.06 Extraction Limits - Highway

410.07 Extraction Units - Residence

410.08 Green Strip

410.09 Processing

410.10 Restoration

410.11 Plans and Maps

410.12 Bond

410.13 Slope

410.14 Notice

410.15 Annual Report

410.16 Bond Release

410.17 Bond Forfeit

410.18 Water Improvement

410.19 Conditions

SECTION 411

SIGNAL RECEIVING & TRANSMITTING DEVICES

411.01 Permit Required

- 411.02 Application for Permit - Plans
- 411.03 Location and Height of Earth Stations
- 411.04 Earth Station Support Structures
- 411.05 Size

SECTION 412

SWIMMING POOLS

- 412.01 Location
- 412.02 Fences
- 412.03 Permit
- 412.04 Swimming Pools

SECTION 413

CONVEYANCE

SECTION 414

WIND ENERGY SYSTEMS

- 414.01 Purpose
- 414.02 Definitions
- 414.03 Standards
- 414.04 Permit Requirements
- 414.05 Abandonment
- 414.06 Zoning Permit Procedure
- 414.07 Violations
- 414.08 Administration and Enforcement
- 414.09 Penalties

SECTION 415

SOLAR POWER SYSTEMS

- 415.01 Purpose
- 415.02 Definitions
- 415.03 Standards
- 415.04 Violations
- 415.05 Administration and enforcement
- 415.06 Penalties

APPENDIX

LOT TABLES AND CHARTS

- Table A1 Residential Lot Sizes
- Chart A301.0 Supplemental Illustration of Minimum Building Setback
- Chart A301.1 "R" - Residential, Single Family
- Chart A301.2 "R" - Residential, Two Family
- Chart A310.1 "BC" - Commercial
- Chart A320.1 "P" - Park Lands

SECTION 100 INTRODUCTION

Village of Greenwich was originally zoned in 1960 for the protection of the health, safety, and welfare of its constituents. As

time has moved on it has been necessary to amend some of the original zoning, and the future will no doubt necessitate future changes to keep our growing community developing in an orderly, well planned manner. A Place You Will Be Proud To Live In!

Any changes to the zoning Ordinance or map made after the printing date may be incorporated in this book. Copies of any changes may be obtained on request from the Zoning Inspector during his office hours. We encourage you to keep your book up to date by procuring such data.

(Ord. 909. Passed 3-16-99.)

SECTION 101 ADOPTION

101.01 Ordinance

ORDINANCE NO. 909 - March 16, 1999

An Ordinance to regulate and restrict the location of buildings and other structures and the premises to be used for trade, industry, residence or other specified uses; regulating the bulk and location of buildings and structures, the percentage of lot occupancy, set back building lines and the area of yards, courts and other open spaces, the density of population, and for said purpose to divide the village into districts and prescribe penalties for the violation of its provisions and to provide for its enforcement.

WHEREAS, the Council of the Village of Greenwich, Ohio, deems it necessary in the interest of the promotion of the public health, safety, convenience, comfort, prosperity and general welfare, now therefore:

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO:

That from and after the approval of this ordinance, there shall be in effect a Zoning Code establishing the rules and regulations for the zoning of the Village of Greenwich, County of Huron, State of Ohio. The Zoning Code shall establish land use and occupancy districts and the Zoning Code regulations shall apply in such districts, for the purpose of regulating and restricting the location of buildings and other structures and of premises to be used for trade, industry, residence, or other specified uses; and regulating the bulk and location of buildings and other structures, the percentage of lot occupancy, the density of population, set back building lines and the area of yards, courts and other open spaces.

Further, such regulations are deemed necessary in order to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air, and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate but economical provisions for community utilities and facilities such as water, transportation, sewerage, schools, parks and other public requirements; and to promote public health, safety, morals, comfort and the general welfare of the community.

This law shall be known as the "Zoning Code", and the map which accompanies this Ordinance and is hereby incorporated herein and made a part hereof, shall be referred to as the "Zoning Plan".

Application of Zoning Code

Hereafter no land shall be used or occupied and no building or structure shall be erected, altered, used or occupied except in conformity with the regulations herein established for the district in which such land, building or structure is located.

(Ord. 909. Passed 3-16-99.)

SECTION 201 INTERPRETATION

201.01 Minimum Requirement

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

(Ord. 909. Passed 3-16-99.)

201.02 Applicability

Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or regulations other than zoning code regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.

(Ord. 909. Passed 3-16-99.)

201.03 Other Agreements

Where this Zoning Code imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of this Zoning Code shall control, but nothing herein shall interfere with, abrogate or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Zoning Code.

(Ord. 909. Passed 3-16-99.)

201.04 Dates

Dates of adoption of amendments set forth in this Zoning Code are for information purposes only and do not form a part of this Zoning Code. Not all dates of amendments are set forth and dates of amendments involving minor revisions or corrections are seldom listed.

(Ord. 909. Passed 3-16-99.)

201.05 Definitions

For the purpose of this ordinance, certain terms and words are herewith defined as follows:

1. Words in the present tense include the future tense, the singular number includes the plural and the plural number includes the singular.
2. The word "shall" indicates a mandatory requirement, "may" is a permissive requirement, and "should" is a preferred requirement.
3. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."
4. The words "individual" or "person" includes a corporation or partnership as well as an individual.
5. The word "lot" includes the word "plot" or "parcel"; the word "Building" includes the word "structure."
6. Any words not herein defined shall be construed as defined in the Greenwich Building Code.

For the purpose of this resolution, certain terms or words used herein shall be interpreted as follows:

ABANDON: Means a failure to use or occupy a building, use, structure or motor vehicle for a period of time.

ACCESS DRIVE: Means a private roadway used to permit access to and use of an otherwise inaccessible parcel after crossing another parcel by means of an easement. Access drives do not constitute legal frontage.

ACCESSORY BUILDING, STRUCTURE OR USE: Means a use or building which is located on the same lot on which the main building or use is situated and which is subordinate to, incidental to and reasonably necessary to the principal building or use.

ADMINISTRATOR: Shall mean the "Zoning Inspector."

AGRICULTURAL USE: Any single piece of property which is more than five (5) acres in size, and from which enough income is derived from agriculture as defined above, to be the major support of the family owning or living upon it.

AGRICULTURE: Includes farming, dairying, pasturage, agriculture, floriculture, horticulture, viticulture, greenhouses, animal and poultry husbandry, and only the sale of such products as are raised on the premises, but excluding kennels, stockyards and slaughter houses.

ALLEY: A public thoroughfare less than twenty-one (21) feet wide which provides access to abutting property.

ALTERATION, STRUCTURAL: Any change or replacement which would tend to prolong the life of the supporting members of any building or structure, such as bearing walls, columns, joists, beams, girders, etc.

APARTMENT: Means a room, suite of rooms or structure intended, designed, or used as a residence by a single family, which may be rented or leased.

APARTMENT BUILDING: Means a building containing no less than three (3) and no more than eight (8) dwelling units, with each unit attached by a party wall, serviced by common utilities, and owned by a common owner.

APARTMENT HOTEL: A building or portion thereof designed for or containing both individual guest rooms or suites of rooms and dwelling units.

APPLICANT: Means the owner of the land proposed for application of a zoning permit or to be subdivided, or his representative. The authority of the representative shall be established to the satisfaction of the Zoning Commission. Consent to subdivide shall be required from the legal owner of the premises.

AREA, BUILDING: The total of areas taken on a horizontal plane at the main grade level of the principal building and all of its accessory buildings exclusive of unenclosed porches, terraces and steps.

AREA, LOT: The total area within the property lines of any parcel of land excluding streets, alleys or other public ways.

AREA, RENTABLE: The floor area in a building, exclusive of corridors, stairs, elevator shafts, lavatories, flues, and janitor's closets.

ATTIC: Means that part of a building next below the roof, but above the ceiling of the uppermost story, not used as living area.

AUTO COURT: Same as "Motel."

AUTOMOBILE AND TRAILER SALES AREA: An open area, other than a street or alley, used for the display or sale of new or used automobiles or trailers, and where no repair work is done except minor incidental repair of automobiles or trailers to be sold on the premises.

AUTOMOBILE, WRECKING: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts. (See "Junk.")

AUTOMOTIVE FILLING STATION, SERVICE STATION: Means any building, structure or land used for dispensing sale or offering for sale at retail direct to the customer of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or such as motor replacement, body and fender repair or spray painting.

AUTOMOTIVE REPAIR: Means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.

AUTOMOTIVE SALES: Means the sale or rental of new or used vehicles or trailers.

BARN: Means an accessory building for the storage or shelter of farm animals, poultry, agricultural products, machinery and vehicles used in farming.

BASEMENT OR CELLAR: Means that portion of a building between floor and ceiling which is wholly or partly below grade and having more than one-half (1/2) of its height below grade and not used as a living area.

BED AND BREAKFAST: Means a single-family dwelling which is a principal residence occupied by the owner where room and one (1) meal are provided for compensation but not exceeding three (3) rooms let.

BELVEDERE: Means a covered outside structure such as a gazebo or covered dock intended for use as an outdoor relaxation, entertainment, or recreation area for the family.

BILLBOARD OR SIGNBOARD: Means any sign with an area of twenty-five (25) square feet or more per side on which there is written or pictorial information.

BLOCK: An area bounded by at least three (3) or more legal streets and in which the area has been subdivided into lots.

BOARD: Shall mean the Administrative Board of Zoning Appeals.

BOARDING HOUSE: A building other than a hotel, where lodging and meals for five (5) or more persons, are served for compensation.

BOND: Means any form of security including a cash deposit, surety-bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Village Council.

BUILDING: Any structure having a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals or chattels.

BUILDING, ACCESSORY: A supplemental building or a portion of the main building, the use of which is incidental to the use of a main or principal building and located on the same lot.

BUILDING, APARTMENT: A building consisting of three (3) or more Dwelling Units.

BUILDING, COMMUNITY: A building for social, educational, and recreational activities of a neighborhood or community, provided any such use is not operated for commercial gain.

BUILDING, FRONT LINE OF: Means the line of that face or front of the building nearest the front line of the lot. This face includes sun parlors, bay windows and covered porches and projections thereof, whether enclosed or unenclosed, but does not include steps or roof overhangs.

BUILDING, GROUP: Means two (2) or more buildings (other than dwellings) grouped upon a lot and held under one (1) ownership, such as Universities, Hospitals, Institutions and Industrial Plants.

BUILDING HEIGHT: Means the vertical distance from the established grade to the highest point of any structure.

BUILDING LINE: A theoretical line, parallel to a public way or another building, established in this ordinance for the purpose defining the limits within which a structure may be built.

BUILDING, MAIN: A building in which is conducted the principal use of the lot on which it is situated.

BUILDING, MULTI-LEVEL: Means any building which has more than one (1) level separated by a complete story for family occupancy above grade level.

BUILDING, ONE LEVEL: Means any building which has only one (1) level for family occupancy above grade level.

BUILDING PERMIT: A written approval by the Zoning Inspector or his agent authorizing the construction, alteration or repair of some building or structure at a specific location and under definite regulations which the owner of the property, building or structure and/or the contractor or builder of the same agrees to follow exactly.

BUILDING, PRINCIPAL: Means a building in which is conducted the main or principal use of the lot on which aid building is

situated.

BUILDING, SPLIT-LEVEL, BI-LEVEL, OR TRI-LEVEL: Means any building which uses levels for family occupancy not separated by a complete story in vertical elevation.

BUILDING, TYPE: Means the designation of a building as a one-level, multi-level, split-level, bi-level or tri-level structure.

BUILDING, UNIT: Same as "Dwelling Unit."

BUSINESS SERVICES (BUSINESS ACTIVITY): Means any activity conducted for gain which renders services primarily to other commercial or industrial enterprises or which services and repairs appliances and machines used in homes or businesses.

CABINS: Same as "Motel."

CABINS, TOURIST: Same as "Motel."

CAMP: Any area or tract of land used or designed to accommodate an automobile house trailer, or two (2) or more camping parties, including cabins, tents, or other camping outfits.

CAMP, GROUNDS: Same as "Camp."

CAMP, PUBLIC: Same as "Camp."

CAMP, TOURIST: Same as "Camp."

CEMETERY: Land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such area.

CERTIFICATE OF OCCUPANCY: A statement, signed by the Zoning Inspector, setting forth either that a building or structure complies with the Zoning Code or that a building, building structure, or parcel of land may lawfully be employed for specified uses, or both.

CLINIC: Means an establishment where patients who are not lodged overnight are admitted for examination and treatment.

CLUB: Means a building or portion thereof or premises owned or operated by a corporation, association, person, or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

COMMISSION: Shall mean the Greenwich Village Zoning Commission.

CONDITIONAL USE: Means an uncommon, unique or infrequent use which shall not be permitted by right but may be permitted in certain districts under specific conditions or prohibited by the Zoning Board of Appeals after making a determination for conformance with the procedures and standards established in this Zoning Code.

CONDITIONAL USE PERMIT: Means a permit granted by the Board of Zoning Appeals and thereafter issued by the Zoning Inspector for the use of land, buildings and other structures not otherwise permitted in any zoning district under conditions and stipulations set forth in this Zoning Code.

CONDOMINIUM: Means any dwelling units which are a part of condominium property as defined by Ohio R.C. Chapter 5311. Any building or other structure containing condominium units shall contain no more than four (4) dwelling units.

CONGREGATE LIVING FACILITY: Means a facility designed to give personal or intermediate credit to the elderly. This facility is not necessarily a state licensed facility but provides the following: living quarters, meals, limited health care, housekeeping, laundry service, recreation and limited supervision.

CONSTRUCTION DRAWINGS: Means an engineered drawing to scale showing general exterior and interior design and dimensions and architectural features of a structure, including below-ground foundations and support members.

CONSTRUCTION PLANS: Means the maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision.

CONVEYANCE: Means a warranty deed, quit-claim deed or any other legal document intended to transfer title of a parcel of real property from one (1) person, corporation or legal entity to another.

CORNER LOT: Means a lot located at the intersection of two (2) or more streets, or a lot located on distinct curve in a road which has at least forty-five (45) degrees of curvature.

COTTAGE: Same as "Tourist Cabin."

COUNCIL: Means the Council of the Village of Greenwich.

COURT: An open, unoccupied, unobstructed space, other than a yard, on the same lot as the building.

COURT, APARTMENT: One, two, or three multiple dwellings arranged around two (2) or three (3) sides of an area or court which opens onto a street or a place approved by the Commission.

COURT, INNER: A court surrounded on all sides by walls, or by walls and a lot line.

COURT, MOTOR: Same as "Motel."

COURT, OPEN: A court extending to an opening upon a street, alley or yard.

COURT, OUTER: Same as "Court, Open."

COURT, OUTER LENGTH OF: The mean horizontal distance between the open and closed ends of the court.

COURT, TOURIST: Same as "Motel."

CUL-DE-SAC: (See Street)

CURB: A vertical member along the edge of a pavement to form part of a gutter.

CURB, GRADE: The relative elevation above the sea-level of a specific point on the top of the curb.

CURB LEVEL: The level of the curb in front of the center of the building or portion thereof under consideration. Where no curb level has been established, the level of the ground at the center portion of the street shall be considered equivalent of the curb level, and where the structure does not adjoin the street, the average level of the proposed grade line of the ground immediately adjacent to such structure as shown on the building plans shall be considered as the curb level.

DISTRICT: Means any portion of the Village for which zoning regulations govern the use of buildings and premises and the height and size of buildings or structures located thereon.

DUPLEX: A building containing or designed for two (2) independent dwelling units.

DWELLING: Means any building or portion thereof, excepting basements or cellars which is designed for or used for residential purposes. A basement or cellar of an incomplete building shall not be a dwelling. Any building or structure (excepting mobile homes and coach or house trailer) wholly or partly used or intended to be used for human habitation.

DWELLING, GROUP: One (1) or more buildings, not more than two and one half (2-1/2) stories in height, containing dwelling units and arranged around two (2) or three (3) sides of a court which opens onto a street, or a place approved by the Commission, including one-family, two-family, row or multiple dwellings and court apartments.

DWELLING, MULTIPLE: A building or portion thereof containing no less than three (3) and no more than eight (8) dwelling units, with each unit attached by a party wall, served by individual heating and plumbing systems, and owned by a common owner, including tenement houses, apartment houses, apartment hotels.

DWELLING, ONE-FAMILY: A detached building designed for and occupied exclusively by one (1) family, and having a front yard, two (2) side yards, and a rear yard.

DWELLING, ROW: A row of three (3) to six (6) attached one-family dwellings, not more than two and one-half (2-1/2) stories in height, nor more than two (2) rooms deep.

DWELLING, SEMI-DETACHED: A building designed exclusively for the occupancy of two (2) families living independently of each other on the ground level.

DWELLING, TWO-FAMILY: A building designed exclusively for the occupancy of two (2) families living independently of each other. See "Dwelling, Semi-detached."

DWELLING UNIT: One (1) or more rooms providing complete living facilities for one (1) family, including equipment exclusive for cooking or provisions for the same, exclusive sanitary facilities, and a room or rooms for living, sleeping, and eating.

EDUCATIONAL INSTITUTIONS: A college or university giving general academic instruction equivalent to the standards prescribed by the State Board of Education.

ELEEMOSYNARY: Appropriated to supply the poor. Supported by charity.

EMERGENCY CARE CENTER: An institution which provides diagnostic, minor surgical, therapeutic, or other medical care and treatment on an out-patient basis.

FAMILY: One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage or adoption, no such family shall contain more than five (5) persons.

FARM MACHINERY SALES AREA: An open area, other than a street or alley, used for the display or sale of new or used farm machinery, where no repair work is done except minor incidental repair of machinery to be sold on the premises.

FLOOR AREA: The sum of the gross horizontal area of the several floors of a building normally used for occupancy, excluding basements, utility rooms, garages, terraces, breezeways and porches.

FRONTAGE: All the property fronting on one (1) side of a street between the two (2) nearest intersecting streets, or other natural barriers.

FRONTAGE LOT: A lot with sufficient frontage on a dedicated roadway to meet the minimum lot width requirements of the zoning district measured at the normal setback line.

GARAGE: A building, structure or any portion thereof used for housing or repairing motor vehicles. This does not include

rooms for storing, exhibiting or showing new cars for sale.

GARAGE, COMMUNITY: A group of private garages, one (1) story in height, arranged in a row or surrounding a common means of access and erected for the use of adjacent property owners who have no private garage on their individual lots.

GARAGE, PRIVATE: A garage designed to house one (1) or more motor vehicles; but a private garage may house more than two (2) motor vehicles if the area of the lot on which the garage is located contains three thousand (3,000) square feet or more per each motor vehicle to be stored there.

GARAGE, PUBLIC: Any garage used for sale of cars, equipment, gasoline, and the storage or repair of any motor vehicle.

GARAGE, STORAGE: A garage for housing or storage of motor vehicles by the hour, day, month, or any other rate method desired. No sales, repairing or storage of wrecks shall be allowed in this type of a garage.

GASOLINE STATION: A place or building where automobiles are greased and washed, and where gasoline, oil, and minor automobile accessories are sold at retail.

GRADE: Same as "Curb Grade" or the rate of ascent or descent of a road, etc., or a level portion of a road, etc.

GRADE, ESTABLISHED: A grade, legally created, on a road to which is tied all public or private construction.

GRADE, NATURAL: The normal slope of the ground before any construction is started in the area under consideration.

HOME, CONVALESCENT HOMES FOR AGED, CHILDREN'S NURSERIES: A building used for the care of the semi-sick, aged, pensioners, babies and children, except those for correctional or mental cases.

HOME, INSTITUTIONAL: The same as "Convalescent Home" except the public funds are available for all or a portion of its operation.

HOME OCCUPATION: A trade, profession or business conducted in a dwelling unit as accessory to the principal residential use in connection with which there is no smell or audible sound beyond said dwelling, no person employed, no display, no advertising, and no selling of a commodity upon the premises.

HOME, TOURIST: Private homes where rooms are rented for overnight use only.

HOTEL: A building in which temporary lodging or boarding and lodging are provided with no provision made for cooking in any individual room or apartment and offered to the general public for compensation as distinct from a boarding house, rooming house, or dormitory.

HOTEL, APARTMENT: A building or portion thereof designed for or containing both individual guest rooms or suites of rooms and dwelling units.

HOTEL, COMMERCIAL: Same as "Hotel."

HOSPICE CENTER: A residence or building equipped and staffed to provide care for the terminally ill.

HOSPITAL: A full service health facility equipped and staffed to provide a wide range of services, including diagnosis, surgery, treatment, therapy and rehabilitation on both outpatient and in-residence basis.

HOTEL, RESIDENTIAL: A dwelling occupied by permanent guests and not by transients. It may include restaurants, newsstands and other accessory services primarily for serving its occupants and only incidentally the public.

HOUSE: A residential building designed and used for one (1) or two (2) families on an individual plot of ground.

HOUSE, APARTMENT: A building or portion thereof designed for and occupied as the home of three (3) or more families or households living independently of each other, including tenement houses and apartment hotels.

HOUSE, BOARDING: A building other than a hotel, where lodging and meals, for five (5) or more persons, are served for compensation.

HOUSE, DOUBLE: Same as "Dwelling, Semi-detached."

HOUSE, GUEST: Living quarters, within a detached accessory building located on the same premises with the main building for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

HOUSE, LODGING: A building with not more than five (5) guest rooms where lodging is provided from compensation.

HOUSE, ROOMING: Same as "Lodging House."

IMPROVEMENT LOCATION PERMIT: A written approval of the exact location and size of the building or structure, issued out of the office of the Zoning Inspector and permitting the erection, construction, remodeling or extension thereof for which a building permit is issued.

INSPECTOR: The Zoning Inspector for the Zoning Board of Appeals. (See Section 206).

INSPECTOR, ZONING: Same as "Inspector."

JUNK: Junk as used in this ordinance shall be deemed to be any personal property which is or maybe salvaged for re-use,

re-sale, reduction or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled or assorted for the aforesaid purposes.

JUNK, BUILDINGS - JUNK SHOPS - JUNK YARDS: Any land, property, structure, building, or combination of the same, on which junk is stored or processed.

KENNEL: Any lot or premises on which four (4) or more domesticated animals more than (4) months of age are housed, groomed, bred, boarded, trained, or sold and which may offer provisions for minor medical treatment. Farm and tamed wild animals are excluded.

LIVING QUARTERS: Same as "Dwelling Unit."

LIVING QUARTERS, ACCESSORY: Same as "Guest House."

LOADING SPACE: An off-street space or berth on the same lot or property 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.

LOT: A parcel of land of sufficient size to meet minimum zoning requirements for use. Such lot shall have sufficient frontage on a dedicated and accepted public right-of-way or approved private street to meet minimum frontage requirements and usually, shall be recorded under one (1) ownership.

LOT, AREA: The total horizontal area within the lot lines of a lot.

LOT, CORNER: A lot situated at the junction of two (2) or more streets.

LOT, DEPTH OF: The mean horizontal distance between the front and rear lot line.

LOT, INTERIOR: A lot other than a corner lot.

LOT, KEY: The first interior lot to the rear of a reversed corner lot and not separated by an alley.

LOT LINE ADJUSTMENT: Means the movement or relocation of one (1) property line.

LOT LINES: Means the boundary created between two (2) lots by the straight or curved connecting line between the legally defined end points of one (1) side of a lot.

LOT OF RECORD: Means any lot which individually or as part of a subdivision has been recorded in the Office of the Recorder of Huron County or a parcel described by metes and bounds, the description of which has been so recorded.

LOT PINS, BOUNDARY MARKERS: Means points identified and set in place by a registered surveyor to define a written description of property boundaries.

LOT, REVERSED CORNER: A corner lot, the side street line of which is substantially a continuation of the front line of the lot to its rear.

LOT SPLIT: Means the creation of lot lines for not more than four (4) parcels or lots from an existing parcel or lot.

LOT, THROUGH: An interior lot having frontage on two (2) streets.

LOT, WIDTH OF: The horizontal distance between the side lot lines of a lot measured along the minimum building setback line.

MAP: The official Zoning Map. (see Zoning Map)

MEDICAL CENTER: A principal building used by one (1) or more physicians, surgeons or dentists as offices, clinics, laboratories and operating rooms for the diagnosis and treatment of human ailments and the care of patients before and after minor operations.

MOBILE HOME: Means any vehicle manufactured as a single-family dwelling and/or multi-family comprised of one (1) or more units excluding recreational vehicles, which has been designed and manufactured for transportation on the public streets and highways on its own wheels and which arrives at the site ready for occupancy as a dwelling except for normal unpacking, assembly operations and connections to utilities. This definition shall not include a modular home or an industrialized unit as defined in Ohio R.C. 3781.10.

MOBILE HOME PAD: Means that portion of a mobile home that is designed, constructed and improved in such a manner as to provide a base upon which a mobile home shall rest and which also serves as a base upon which blocks or other materials are placed to assist in leveling the floor of the mobile home and provide a temporary type of foundation.

MOBILE HOME PARK: Means one (1) or more contiguous parcels of land under single management which have been designed and developed in such a manner as to provide individual mobile home sites for one (1) or more mobile homes. The term "mobile home park" means the same as a "trailer park", or "trailer court" or "trailer camp".

MOBILE HOME SITE: Means an area of land within a mobile home park that is designed and developed in such a manner as to provide a location for one (1) mobile home.

MODULAR MANUFACTURED HOMES AND OFFICES: Modular manufactured homes and offices shall be understood to be permanent housing and office units composed of modules designed and manufactured off site for assembly into permanent

housing or office units resting on a permanent foundation.

MODEL HOME: Means a structure designed and constructed as a dwelling unit but used for display as a sample to denote type of dwelling which can be duplicated.

MOTEL: A group of attached or detached dwellings containing less than four hundred (400) square feet of floor area for each sleeping or living unit and which are provided primarily for transient guests; including auto courts, motels, and motor lodges.

MOTOR LODGES: See "Tourist Court."

MOTOR HOME: Any self-propelled vehicle so designed and constructed for mobility and maintained in an unoccupied mobile state ready for use and occupancy for human habitation whether stand-alone or connected to utilities and intended to rest normally on wheels. A motor home being occupied as living, office or related use or immobilized by removal wheels, placement on blocks, jacks or temporary foundation is to be considered a mobile home; see "Mobile home".

MULTI-FAMILY DWELLING, PROJECT: Means any project or development containing one (1) or more multifamily dwellings, condominiums, or apartment buildings, each being designed or intended for habitation by two (2) or more separate family groups living independently of one another.

NON-CONFORMING BUILDING: A building, structure or portion thereof, lawfully existing at the time that this ordinance became effective and which does not comply with the provisions of this ordinance.

NON-CONFORMING BUILDING, LOT, OR USE: Any building, lot or use of land existing prior to the effective date of a current zoning provision which does not conform to that zoning provision.

NON-COMMERCIAL RECREATIONAL FACILITY: Means private and semi-public recreational facilities which are not operated for profit.

NON-CONFORMING USE: A nonconforming use under this ordinance is a use which existed lawfully at the date of the adoption of this ordinance but does not conform with the use regulations of the zone in which it is located in this ordinance.

OCCUPANCY, CERTIFICATE OF: A statement, signed by the Zoning Inspector, setting forth that the use of the land, building or structure at a specific location complies with the Zoning Code, is a nonconforming use and why, or approves the use of the land, structure of building for a specified use.

OCCUPANCY, MIXED: A single piece of property or building on which two (2) different classification uses as described in this ordinance is contemplated or in existence.

OFF-STREET PARKING SPACE: Means any parking space located wholly off any street, alley or sidewalk, either in an enclosed building or on an open lot and where each parking space has an area of not less than two hundred (200) square feet exclusive of access drives or aisles.

OPEN SPACE: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts, and other recreational facilities.

PARKING AREA, PRIVATE: An open area, other than a street or alley, used for the parking of the automobiles of occupants of a dwelling.

PARKING AREA, PUBLIC: An open area, other than a private parking area, street, or alley, used for the parking of automobiles and available for the public or quasi-public use.

PARKING SPACE: Space within a building or a private or public parking area for the parking of one (1) automobile.

PERFORMANCE BOND: An agreement, approved as to form and substance by the Village, to construct improvements or perform other tasks required by this resolution within a specified time period and providing a guarantee by means of a third party surety, cashier's check, or escrow account in favor of the Greenwich Village Council.

PERSON: Means an individual or an individual firm, partnership, corporation, company, organization, trust or association.

PERSONAL SERVICES: Means any enterprise conducted for gain which primarily offers services to the general public such as show repair, valet service, watch repair, barber shops, beauty parlors and related activities.

PLACE: An open unoccupied space permanently reserved for purposes of access for abutting property.

PLAN: Means a map of a tract or parcel of land.

PLAY AREA: Means an area dedicated for equipment such as swings, sand boxes, climbing bars, etc. for use by children.

PLOT PLAN: A scale drawing showing the boundaries of the lot, existing and proposed right-of-way and easements, the location and dimensions of all existing and proposed structures, and such other data as may be required by the Zoning Inspector.

POND: Means a body of water artificially formed behind a dam with a surface area of one (1) acre or less.

PORCH, OPEN: A roofed, open structure projecting from the front, side, or rear wall of the building without any enclosed features of glass, wood or other material, except screens, more than thirty (30) inches above the floor thereof, except the necessary columns to support the roof.

REAR LOT: A lot or parcel located to the rear of an existing lot which meets all other zoning requirements, including lot width requirements, except that the frontage of said lot is less than the minimum for the district in which it is located. No such rear lot shall have less than sixty (60) feet of frontage.

REST HOME: A residence or building equipped and staffed to provide care for the disabled, the aged, the infirm, or the chronically ill.

ROADSIDE SALES TABLE: Means a temporary table or display used for the sale of agriculture or related items produced on the premises. The table display area shall eight (8) square feet in total area.

ROADSIDE STAND: Means a temporary building or structure designed or used for display or sale of agricultural or related items produced on the premises.

ROOMING HOUSE: Means a building other than a hotel where rooms are provided to guests for compensation but not exceeding four (4) persons at any one time, and where no meals are provided.

SANITARIUM: An institution equipped and staffed to provide care for invalids or convalescents.

SATELLITE EARTH STATION: Shall include "Satellite Dish Antenna" or "Ground Station" and shall mean a signal receiving device (antenna, dish antenna, or dish-type antenna) of any size, shape or description, the purpose of which is to receive communication or other signals from satellites in earth orbit and other extraterrestrial sources.

SCHOOL, ELEMENTARY AND HIGH: An institution which offers instructions in the several branches of learning and study required to be taught in the public schools by the Ohio School Code. High Schools are both Junior and Senior.

SCHOOL, PRIVATE: A school primarily financed by means of tuition and individual or private monies.

SCHOOL, PUBLIC: A school primarily financed by means of tuition and public tax monies.

SERVICE BUILDING: Means a building housing manager's office, laundry facilities, maintenance equipment toilet facilities for employees.

SERVICE STATION: See "Automotive filling station, service station."

SETBACK: The minimum horizontal distance between the established center line of the street and the building or any projection thereof, excepting:

1. Steps, terraces, unenclosed and uncovered porches and open iron fire escapes.
2. Balconies, canopies or cornices projecting not more than three (3) feet beyond the main building wall and when not less than a story height above the foundation.
3. Offset or overhanging portions of the second floor of the building that do not extend more than three (3) feet beyond the main wall of the building, and when returned along the front face of the building at least the dimension of the overhang.

SEWERS, SANITARY: Means an approved sewage disposal system which provides a collection network and a centralized treatment facility.

SEWERS, STORM: Means a system of culverts and pipes designed to remove storm water from the land and channel it to natural or manmade drainage courses.

SIGN: Means any outdoor announcement declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, activity, service or any interests.

(a) "Billboard or off-premises sign" means a display of words, figures or pictures which identifies, describes, or directs attention to a business, person, product, activity or service manufactured, sold or offered at some other location or lot.

(b) "Business sign" means a display of words, figures or pictures which identifies a building, describes or directs attention to a business, product, activity or service manufactured, sold or offered upon the premises as the primary use(s) where such sign is located.

(c) "Incidental sign" means a name plate or display of words, figures or pictures relative to the lot or use thereof and designating accessory uses, direction, identification or information.

(d) "Political sign" means for the purpose of this Ordinance, "political sign" will mean any temporary display of words, figures or pictures representing or promoting a candidate, issue, political party, levy, referendum, or other matter whatsoever eligible to be voted upon in any election.

(e) "Attached sign" means a sign attached to, painted on or mounted against a wall or flat against a building.

(f) "Projecting sign" means a sign suspended from or supported by a building, structure or column and projecting out from there more than eighteen (18) inches.

(g) "Sign facing" means the surface of this sign upon, against or through which the message of the sign is exhibited. Double facing would have a printed message exhibited on two (2) sides.

(h) "Sign surface" means the entire area within a single continuous perimeter enclosing all elements of the sign which form an integral part of the display. Single-or double-facing signs shall be considered to have the same sign surface.

(i) "Sign structure" means the supports, uprights and bracing.

(j) "Directional sign" means a device intended to instruct persons entering or leaving a premises for traffic flow or to aid in locating a particular building or service.

SIGN-BOARD: Any structure or part thereof on which lettered or pictorial matter is displayed for advertising or notice purposes.

SIGN OR POSTER PANEL: Any sign or advertisement with an area smaller than twenty- five (25) square feet per side used as an outdoor display for the purpose of making anything known, the origin or place of sale of which is remote from said display.

SIDE YARD: (See "Yard, side")

SINGLE-FAMILY DWELLING: Means a building designed or intended for habitation by family group.

SITE PLAN, ENGINEERED: Means an area drawing to scale by a registered surveyor or engineer showing all pertinent dimensions and information defining the changes to be made.

SITE-PLAN, SKETCH: Means an area drawing by an individual showing all pertinent dimensions and information defining the changes to be made.

SKETCH (REVIEW PLANS): Means a preliminary layout and working drawing to an approximate scale which provides all the information necessary for the representation of all proposed and affected structures, boundaries, easements, utilities and waterways.

SOLICITOR: Means the legal advisor to the Village.

SPLIT ZONING: An area between two (2) streets, portions of which have been placed in two (2) different district classifications by this ordinance.

STORY: That portion of a building included between the surface of any floor and the surface of the next floor above it; or if there be no floor above it, then the space between such floor and the ceiling next above it, or the roof.

STORY-HALF: A story under a gabled, hipped or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the finished floor of such story.

STREET, LINE: The legal dividing line between a street or alley and the private lot in question.

STREET, ROAD OR THOROUGHFARE: Means the full width between property lines bounding every public way (including right-of-way) of whatever nature with a part thereof to be used for vehicular traffic and designated as follows:

(a) "Street alley" means a way which provides a secondary means of access for vehicular traffic to the back or side of properties abutting on another street.

(b) "Street, arterial major highway" means a general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.

(c) "Street, collector" means a thoroughfare whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.

(d) "Street, cul-de-sac, collector" means a street connecting one (1) or more local cul- de-sac streets to another collector or through street.

(e) "Street, cul-de-sac, local" means a street having only one (1) outlet of relative short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround for safe and convenient reversal of traffic movement.

(f) "Street, dead-end (or temporary cul-de-sac)" means a street temporarily having only one (1) outlet for vehicular traffic and a temporary vehicular turnaround intended to be extended or continued in the future.

(g) "Street, local" means a street primarily for providing access to residential or other abutting property.

STRUCTURAL ALTERATION: Any change or replacement which would tend to prolong the life of the supporting members of any building or structure, such as bearing walls, columns, joists, beams, girders, etc.

STRUCTURE: Anything constructed or erected, the use of which requires a more or less permanent location on the land; or attached to something having a permanent location on the land.

TRAILER: Same as "Camp."

TAVERN: A business which requires an Ohio State alcoholic beverage license and whose trade is primarily the sale of alcoholic beverages, or the sale of alcoholic beverages and meals which are to be consumed upon the premises.

TERRACE: A natural or artificial embankment between a building and its lot lines. The "height of terrace" shall be the difference in elevation between the curb level and the top of the terrace at the center of the building wall.

TOURIST CABIN: A detached dwelling containing less than four hundred (400) square feet of floor area as a sleeping or

living unit and used primarily for transient guests.

TOURIST CAMP: Same as “Camp.”

TOURIST COURT: A group of attached or detached dwellings containing less than four hundred (400) square feet of floor area for each sleeping or living unit, and which is provided primarily for transient guests including auto courts, motels, and motor lodges.

TOURIST HOME: A private home where rooms are rented for overnight use only.

TRAILER: A vehicle or residence on wheels, skids, rollers or blocks, without motive power, designed to be used for human habitation or for carrying persons and property from place to place, including a trailer coach or house trailer.

TRAILER, AUTOMOBILE: A vehicle without motive power, designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property, including a trailer coach or house trailer.

TRAILER CAMP: A tourist camp in which spaces are rented on which trailers with which attached can park in the camp for a period not to exceed two (2) weeks.

TRAILER SALES, AREA: Same as “Automobile and Trailer Sales Areas.”

USE: The specific purpose for which either land or building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

VEHICLE: Unless otherwise indicated includes motor vehicles.

WINDOW: An opening to the outside other than a door which provides all or a part of the required natural light, natural ventilation or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window.

YARD, HEIGHT: The vertical distance from the ground level of such yard to the highest point of any bounding wall.

ZONING DISTRICT: Same as “District.”

ZONING INSPECTOR: Same as “Inspector, Zoning.”

ZONING MAP: The map that is a part of the Zoning Code and that shows the boundaries of the zoning districts.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

SECTION 203 VALIDITY

Each section, sub-section, provision, requirement, regulation or restriction established by this Zoning Code or any amendment thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not affect nor render invalid the Zoning Code or amendments thereto as a whole or any other part thereof except the particular part so declared to be invalid.

(Ord. 909. Passed 3-16-99.)

SECTION 204 ZONING COMMISSION

204.01 Organization

The Village Zoning Commission shall consist of five (5) members as follows: the Mayor, one member of Council to be elected by Council for the remainder of his or her term as such member of Council, and three citizens of the Village to be appointed by the Mayor for terms of three years each. The three citizen members shall be staggered so that each year a term shall expire for one member. All such members shall serve without compensation. Such Commission shall have all the powers and duties provided by law.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

204.02 Meeting Requirements

The Village Zoning Commission shall meet monthly or as often as may be deemed necessary.

(Ord. 909. Passed 3-16-99.)

204.03 Duties

The duties of the Zoning Commission shall be to consider zoning matters and amendments based on the health, safety, welfare, and conditions current within the community.

(Ord. 909. Passed 3-16-99.)

SECTION 205 AMENDMENTS

The Zoning Commission may initiate amendments to this Zoning Code from time to time. Amendments may also be initiated by the Council or by petition. The procedure for amending this Zoning Code shall be as set forth in Ohio R.C. 519.12, as the

same may be amended from time to time.

(Ord. 909. Passed 3-16-99.)

SECTION 206 ZONING INSPECTOR

206.01 Appointment

The position of Zoning Inspector is hereby created. He shall be appointed by and serve at the pleasure of the Village and shall receive such compensation as the Village may provide.

(Ord. 909. Passed 3-16-99.)

206.02 Duties

The Zoning Inspector shall review all applications for zoning permits. If the application is in conformance with the Zoning Code in force, the Zoning Inspector shall issue a zoning permit.

The Zoning Inspector shall keep all pertinent records relating to zoning permit applications, zoning permits approved and denied, inspections and violations.

The Zoning Inspector shall conduct on-site inspections as required to assure conformance to zoning standards. He shall also inspect to insure representations made by permit holders in documents accompanying permit applications are being carried out. He shall have the ability to call in expert and other resources to help him make this determination if necessary. He shall notify in writing any person determined in violation of this Zoning Code and ask for correction within a reasonable, specified time. Should he determine that notice of zoning violation is being ignored, he shall notify the Village's legal advisor and institute legal proceedings. He shall maintain adequate records of all violation determinations and Ordinances authorizing zone code changes or amendments.

The Zoning Inspector shall tour the Village periodically to see if any violations are taking place or land use changes are occurring without approved zoning permits.

The Zoning Inspector shall keep all such other records as necessary as follows:

1. Records of non-conforming and conditional uses.
2. Up-to-date zoning maps and zoning code text.
3. Records of complaints concerning zoning violations and what disposition was made.

The Village may assign the Zoning Inspector such additional duties as they may deem necessary.

(Ord. 909. Passed 3-16-99.)

SECTION 207 ZONING CERTIFICATE

207.01 Application

Before starting construction, changing the use of, or altering any building or structure, including accessory buildings, or changing the use of any premises, application shall be made to the Zoning Inspector for a zoning certificate. As a minimum, the application shall indicate the following:

1. The exact location of the proposed construction, alteration or change of use.
2. A plot plan.
3. The proposed location and dimensions.
4. The height of the building and the proposed use.
5. Setback, rear and side yard clearances.
6. Site plans for non-residential uses as required under Section 216.

The Zoning Inspector, in order to evaluate the requested application, may also require the following:

1. Accurate diagram showing the location of the complete septic system.
2. An architectural plan of the proposed new construction.
3. A topographical survey showing existing and proposed topography by a registered engineer or surveyor of the proposed building site.
4. In business and industrial uses, a parking and traffic flow plan to be approved by the Council.
5. Such other information as required elsewhere in the Zoning Code under other specific uses.

Each application for a zoning certificate shall be signed by the owner or his agent.

(Ord. 909. Passed 3-16-99.)

207.02 Compliance

Within ten (10) days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application complies with the requirements of this Zoning Code and is accompanied by the proper fee, or shall deny the same if it does not comply. Failure to either issue or deny the permit within ten (10) days, however, shall not constitute approval of the application.

(Ord. 909. Passed 3-16-99.)

207.03 Expiration

A zoning certificate shall become null and void one (1) year after date of issuance unless continuous and substantial progress is being made on the project.

(Ord. 909. Passed 3-16-99.)

207.04 Display of Certificate

Said certificate must be displayed so it can be plainly seen by the Zoning Inspector from the highway.

(Ord. 909. Passed 3-16-99.)

207.05 Fees

The Village Council shall fix by Ordinance, and may from time to time amend by Ordinance, a schedule of fees for applications for zoning certificates of various categories, for applications by private persons for change of zoning classification of specific property, and for appeals to the Board of Zoning Appeals.

(Ord. 909. Passed 3-16-99.)

207.06 Violation

No person shall construct, alter, or change the use of any building, including accessory buildings or change the use of any premises, or change of occupancy of a business, unless a zoning certificate has first been issued as above provided; and the commission of any said acts without having first obtained a zoning certificate shall be deemed a violation of this Zoning Code, punishable as provided in the enforcement provisions hereof.

(Ord. 909. Passed 3-16-99.)

SECTION 208 OCCUPANCY PERMITS

208.01 Application

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure, until a Certificate of Occupancy shall have been issued therefor by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Ordinance and to such permits or variances, and the conditions thereof granted pursuant to this Zoning Code.

Prior to the occupancy of any land and/or building for any purpose or use, the property owner and/or tenant shall submit an application for a Certificate of Occupancy to the Zoning Inspector. The Zoning Inspector shall inspect the property and its use to determine compliance prior to the issuance of a Certificate of Occupancy.

The Zoning Inspector shall maintain a record of all Certificates and applications for same.

(Ord. 909. Passed 3-16-99.)

208.02 Compliance

Certificates of Occupancy issued subsequent to an application for a specific use or arrangement shall authorize only the use or arrangement set forth in the application and no other use or arrangement.

(Ord. 909. Passed 3-16-99.)

208.03 Violation

Use of property without a Certificate of Occupancy or contrary to the provisions of an issued Certificate of Occupancy shall be deemed to be a violation of this Ordinance, punishable as provided in the enforcement provisions hereof.

(Ord. 909. Passed 3-16-99.)

208.04 Temporary Certificate

The Zoning Inspector may issue a temporary Certificate of Occupancy for a period not to exceed three (3) months during alterations or partial occupancy of a building pending its completion, or for the temporary use of land.

(Ord. 909. Passed 3-16-99.)

208.05 Fees

The Village Council shall fix by Ordinance, and may from time to time amend by Ordinance, a schedule of fees for applications for Certificates of Occupancy.

(Ord. 909. Passed 3-16-99.)

SECTION 209 BOARD OF ZONING APPEALS

209.01 Members

There is hereby created a Village of Greenwich Board of Zoning Appeals consisting of five (5) members, who shall be residents of the incorporated area of the Village. The terms of each member shall be five (5) years beginning January 1st and so arranged that the term of one (1) member will expire each year. Vacancies shall be filled by the Village Council and shall be for the unexpired term.

(Ord. 909. Passed 3-16-99.)

209.02 Powers

The Village of Greenwich Board of Zoning Appeals shall have the following powers.

- (a) To hear and decide appeals where it is alleged there is error in any order, requirements, decisions or determinations made by an administrative official in the enforcement of the zoning laws or of this Zoning Code or any amendments thereto. By a favorable vote of three (3) or more members, the Board may reverse the administrative order.
- (b) To authorize, upon appeal, in specific cases, such variance from the terms of this Zoning Code as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Zoning Code or any amendments thereto will result in a practical difficulty or unnecessary hardship, and so that the spirit of the Zoning Code shall be observed and substantial justice done. By a favorable vote of three (3) or more members, the Board can grant the request for the variance.
- (c) The Board of Zoning Appeals accepts and reviews conditional use permit applications. The conditional use permit may be granted by a favorable vote of three (3) or more members of the Board.
- (d) To revoke an authorized variance or Conditional Zoning Certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated, in accordance with the procedures set forth in Ohio R.C. 519.14.
- (e) Any other powers granted by Ohio R.C. Chapter 519 as the same may be amended from time to time.

(Ord. 909. Passed 3-16-99.)

209.03 Meetings

The Village of Greenwich Board of Zoning Appeals shall organize and adopt rules in accordance with the provisions of this Zoning Code. Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman, and at such other times as the Board may determine. The Chairman, or in his absence the acting Chairman, may compel the attendance of witnesses. All meetings of the Board of Zoning Appeals 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 immediately filed in the office of the Clerk of Council of the Village of Greenwich and shall be a public record.

(Ord. 909. Passed 3-16-99.)

209.04 Appeals

Appeals may be made by any person aggrieved or by any officer of the Village affected by any decision of the administrative officer to the Board of Zoning Appeals. Such appeal shall be made within twenty (20) days after the denial of the administrative officer and shall specify the grounds on which it is sought. The appeal shall be filed with the administrative officer who shall forward the appeal to the Village of Greenwich Board of Zoning Appeals with the documentation.

(Ord. 909. Passed 3-16-99.)

209.05 Hearings

The Village of Greenwich Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give at least ten

(10) days notice in writing to the parties in interest, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in the County at least ten (10) days before the date of such hearing, and decide the same within thirty (30) days after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of the Village of Greenwich Board of Zoning Appeals may appeal to the Court of Common Pleas of this county on the grounds that such decision was unreasonable or unlawful.

(Ord. 909. Passed 3-16-99.)

209.06 Standards for Variances

No variance shall be granted to the provisions of this Zoning Code unless the Board has determined that a practical difficulty or unnecessary hardship exists or will result from the literal enforcement of the Zoning Code. The factors to be weighed by the Board in determining whether a property owner seeking a variance has proven practical difficulty or unnecessary hardship include:

- (a) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- (b) Whether the variance is substantial;
- (c) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- (d) Whether the variance would adversely affect the delivery of government services;
- (e) Whether the property owner purchased the property with the knowledge of the zoning restriction;
- (f) Whether the property owner's situation can be obviated through some method other than a variance;
- (g) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;
- (h) Whether the request for the variance arises from a condition which is unique and which is not ordinarily shared by other properties in the same zoning district;
- (i) Whether the need for the variance was created by the Zoning Code or by an action or actions of the property owner; and
- (j) Whether the granting of the variance will adversely affect the public health, safety, or general welfare.

(Ord. 909. Passed 3-16-99.)

SECTION 210 ENFORCEMENT

210.01 Violations

It shall be unlawful to construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation or any provision of this Zoning Code or any amendment hereto.

Any person, firm or corporation violating this Zoning Code or any regulation, provision or amendment hereto 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 erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

(Ord. 909. Passed 3-16-99.)

210.02 Remedies

In case any building is or is proposed-to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of law or of this Zoning Code or any amendment hereto, the Council of the Village of Greenwich, the prosecuting attorney of the county, the Village Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

(Ord. 909. Passed 3-16-99.)

SECTION 211 COMPENSATION

The Council of the Village of Greenwich shall fix by Ordinance, and may from time to time amend by Ordinance, a schedule of compensation for the members of the Board of Zoning Appeals, members of the Zoning Commission, the Zoning Inspector, and the Boards' secretaries.

(Ord. 909. Passed 3-16-99.)

SECTION 212 PROHIBITED USES

The following uses are deemed to be inconsistent with the public health, safety, morals, comfort, or general welfare, and with the general plan for the development of Village of Greenwich, and shall not be permitted in any Zoning District.

(Ord. 909. Passed 3-16-99.)

212.01 Junk and Rubbish

Except as otherwise provided in Section 213.08, dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, junk as defined in the Ohio Revised Code, rubbish, offal, dead animals, rubber tires or tin cans.

(Ord. 909. Passed 3-16-99.)

212.02 Manufactured Housing

Manufactured home parks including recreational vehicle parks used for permanent dwelling purposes.

(Ord. 909. Passed 3-16-99.)

212.03 Penal Institutions

All penal institutions.

(Ord. 909. Passed 3-16-99.)

212.04 Building Material

Storage, piling or accumulation of building material on vacant property, unless a zoning certificate has been issued for construction on said property involving the use of such material.

(Ord. 909. Passed 3-16-99.)

212.05 Tents

Tents may not be used as a residence except that they may be temporarily used for camping purposes.

(Ord. 909. Passed 3-16-99.)

212.06 Inoperative Vehicle

At no time shall anyone park unlicensed and/or inoperative vehicles nor shall any landowner let an unlicensed and/or inoperative vehicle remain on land in any district unless specifically allowed under a business usage.

(Ord. 909. Passed 3-16-99.)

212.07 Rendering

Rendering of bones, fat or glue; animal glue or gelatin manufacturing.

(Ord. 909. Passed 3-16-99.)

212.08 Stockyards and Slaughterhouses

All stockyards and slaughterhouses are prohibited.

(Ord. 909. Passed 3-16-99.)

212.09 Vehicle Racing

The maintenance of any premises or the permitting the use of any premises for the operation of two (2) or more motor vehicles, as defined in the Revised Code of Ohio, which are participating in an attempt to out-distance each other over a selected course, intending hereby to include as a nuisance the racing of any motorized recreational vehicles in any form, which practices are known by way of illustration rather than exclusion as "drag racing", "stock car racing", and "go-cart racing".

(Ord. 909. Passed 3-16-99.)

212.10 Overcrowding

Any temporary sporting or social attraction or event which is likely to over-crowd a gathering place, causing a nuisance or hazard.

(Ord. 909. Passed 3-16-99.)

212.11 Concerts

Any concert which is likely to overcrowd a gathering place, causing a nuisance or hazard including violation of the Section 400 Environmental performance Standards of this Code.

(Ord. 909. Passed 3-16-99.)

212.12 Radioactive Waste

Disposal or storage of radioactive materials and waste.

(Ord. 909. Passed 3-16-99.)

212.13 Commercial Incinerators

All commercial incinerators are prohibited.

(Ord. 909. Passed 3-16-99.)

SECTION 213 CONDITIONAL USES

The Board of Zoning Appeals may grant a conditional zoning certificate for the use of land, buildings, or other structures for the following specific uses as hereinafter set forth, or as otherwise provided in this Zoning Code.

(Ord. 909. Passed 3-16-99.)

213.01 Junkyards

Junkyards, automobile graveyards or places for the dismantling or wrecking of used vehicles or for the collection or disposing of scrap metal, used paper, rags, used glass or junk for salvage, sale or storage purposes, or for abandoning the same, provided:

- (a) The premises to be used are in an industrial zone, are adjacent to a railroad, and are at least two hundred (200) feet distant from any public thoroughfare and from any premises owned by another except a railroad; and
- (b) A fence is erected sufficient to prevent operations and material on the premises from being seen from any other premises including a road or railroad, and to prevent escape of material or waste from the premises.

(Ord. 909. Passed 3-16-99.)

213.02 Mobile Homes and Offices

Mobile homes and offices not used for residential purposes, such as construction trailers, may be placed upon any parcel of land, provided that a conditional zoning certificate for such placement is obtained from the Board of Zoning Appeals. The conditional zoning certificate shall be only issued in conjunction with a valid building permit and shall expire simultaneous with the building permit. The only exception to this section will be in the case of a sales lot for mobile homes and offices.

Mobile homes and offices shall be understood to be temporary housing and office units designed and constructed for mobility from site to site and that are highway transportable by towing as self contained unit with all six (6) exterior surfaces in their finished position. In their temporary site setting, mobility features may be temporarily removed and each such temporary housing and office unit may be supported on temporary supports for the duration of the applicable conditional zoning certificate.

(Ord. 909. Passed 3-16-99.)

213.03 Recreational Camp

A non-profit recreational camp may be permitted in an R district, provided the following conditions are met:

- (a) The premises are to be used only for such activities as horseback riding, field games, overnight camping, swimming, picnicking, trails, nature study, archery, fishing, and other such general recreational activities;
- (b) No building or other structure shall be constructed closer than two hundred (200) feet from any property line;
- (c) The site shall contain a minimum of sixty (60) acres;
- (d) A scale drawing of the layout shall be submitted to and filed with the Board of Zoning Appeals;
- (e) After considering the drawing, the nature of the surrounding properties, and such further exhibits and information as may be requested by the Board of Zoning Appeals, the Board determines that the proposed facility will not interfere with the surrounding residential uses; and
- (f) The property owner shall agree to such conditions as the Board may reasonably determine are necessary to protect the

residential character of the neighborhood, including, but not limited to:

- (i) The use of fencing or screening;
- (ii) Limitations on size or extent of facilities;
- (iii) Limitations on the number of people to use the facility at any given time;
- (iv) Restrictions on the location of roads and driveways; and/or
- (v) Other such measures reasonably calculated to protect the residential character of the neighborhood.

(Ord. 909. Passed 3-16-99.)

213.04 Business and Commercial - B District

A Conditional Zoning Certificate may be granted for business and commercial uses in a B district for uses not specifically set forth in Section 310.01 of this Zoning Code, provided the Board of Zoning Appeals determines that the use is similar to other uses specifically permitted in a B district.

(Ord. 909. Passed 3-16-99.)

213.05 Light Industrial - I District

A conditional zoning certificate may be granted for light industrial uses in an I District for uses not specifically set forth in Section 315.01 of this Zoning Ordinance, provided the Board of Zoning Appeals determines that the use is similar to other uses specifically permitted in an I District. A conditional zoning certificate may be granted to increase the height of buildings and structures up to a maximum of forty-five (45) feet.

(Ord. 909. Passed 3-16-99.)

213.06 Rubble

Rubble for fill may be dumped pursuant to a permit issued by the Board of Zoning Appeals which shall be conditioned to require covering all the rubble with clean earth to a minimum depth of eighteen (18) inches, shall specify the time within which the dumping and coverage shall be completed, and shall be issued only after a bond satisfactory and payable to the Village of Greenwich is filed in an amount sufficient to pay for the required covering. The applicant shall file a topographical survey by a registered land surveyor showing the area in square yards to be filled and covered.

(Ord. 909. Passed 3-16-99.)

213.07 Application

An application for a Conditional Zoning Certificate shall be filed with the Zoning Inspector in accordance with the procedure set forth in Ohio R.C. 519.15 by at least one (1) owner or lessee of the property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

- (a) Name, address, and telephone number of applicant;
- (b) Legal description of the property and the name of the owner(s) of record;
- (c) Description of existing use;
- (d) Zoning district;
- (e) Description of proposed conditional use;
- (f) A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and internal traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board of Zoning Appeals may require to determine if the proposed conditional use meets the intent and requirements of this Zoning Code; and
- (g) A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan.

(Ord. 909. Passed 3-16-99.)

213.08 Standards

In addition to the requirements for specific conditional permitted uses expressly set forth in this Zoning Code, the Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- a) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Village's

Comprehensive Plan and/or the Zoning Code;

- b) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- c) Will not be hazardous or disturbing to existing or future neighboring uses;
- d) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, sewage, water, and schools or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
- e) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- f) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be hazardous to the general welfare of the community;
- g) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;
- h) Will not result in the destruction, loss, or damage of a natural, scenic or historical feature.

(Ord. 909. Passed 3-16-99.)

SECTION 214 PUBLIC UTILITIES & RAILROADS

This Zoning Code shall not apply to public utilities or railroads as defined and interpreted for purposes of Ohio R.C. 519.211.

(Ord. 909. Passed 3-16-99.)

SECTION 216 SITE PLANS

216.01 Purpose and Intent

Site plans are intended to insure proper design for efficient use of land, to protect adjoining properties from adverse impacts, and to promote high quality developments. The purpose of this section is to provide specific standards and requirements for design and construction for nonresidential uses.

(Ord. 909. Passed 3-16-99.)

216.02 Site Plans Required

A site development plan is required and shall be submitted for any non-residential use or development involving new construction, reconstruction or expansion of non-residential structures. No construction activity shall commence for any such use or project unless and until a site plan has been submitted to the Zoning Inspector for review and approval, and a valid Zoning Certificate has been issued for said use or project.

(Ord. 909. Passed 3-16-99.)

216.03 Preparation

Site plans shall be prepared and certified by a land surveyor duly registered by the State of Ohio at an appropriate scale, but not less than one (1) inch equals one hundred (100) feet.

(Ord. 909. Passed 3-16-99.)

216.04 Information Required

Site plans shall contain the following information:

- a) The name of the owner and developer, north arrow, date, and scale;
- b) The owners, zoning classification, and present use of adjoining parcels;
- c) A boundary survey;
- d) Existing topography and proposed finished grading with a maximum contour interval of two (2) feet;
- e) Location and dimensions of all existing public rights-of-way and of all minimum building setback lines;
- f) Locations and dimensions of all existing and proposed structures, off-street parking, fencing, screening, buffers, drives, and walkways;
- g) Provisions for adequate disposition of storm water in accordance with Section 216.05(h) hereof;
- h) All existing and proposed sanitary sewer facilities indicating pipe sizes, types, grades, invert elevations, and location of

manholes;

- i) MI existing and proposed water facilities including line sizes and locations, and hydrant locations;
- j) Provisions for storage and removal of solid waste;
- k) Proposed landscaping and plantings;
- l) Proposed building elevations;
- m) Location and dimensions of all access drives and travel lanes;
- n) Correspondence from the Village Administrator that sufficient water and sanitary sewer system capacity exists to accommodate the proposed development.

(Ord. 909. Passed 3-16-99.)

216.05 Design Standards

All site plans shall conform to the following design standards:

- a) All proposed water and sanitary sewer improvements shall be designed and constructed in accordance with the standards and requirements of the Ohio Environmental Protection Agency.
- b) Every non-residential use shall be located within three hundred (300) feet of a fire hydrant. If additional fire hydrants are required to comply with this requirement, they shall be located as directed by the Village of Greenwich Fire Chief.
- c) Development features, including buildings, parking areas, driveways, etc., shall be so located and designed as to minimize adverse impacts on adjacent properties. Maximum possible visual and auditory privacy for surrounding properties shall be provided through good design and landscaping buffers.
- d) Building location and placement shall be developed with consideration given to minimizing the removal of trees and changes of topography.
 - 1) Where located adjacent to residentially zoned property the required one hundred (100) foot setback area shall be maintained with natural vegetation and shall have supplemental plantings to provide visual and sound attenuation.
 - 2) Where adjacent to other non-residentially zoned land, the maximum lot coverage by buildings, parking, drives, and other improvements shall be ninety percent (90%). The remaining ten percent (10%) of the site shall be landscaped with grass and plant material or retained in a natural state with vegetative cover.
- e) Parking and service areas shall be screened from view from adjoining residential properties. Screening of parking areas and service areas shall be provided by means of landscaping, ornamental walls, fences, or similar means.
- f) In large commercial parking areas, visual relief shall be provided by means of landscaped dividers and/or islands.
- g) Drives, travel lanes, and parking areas shall be designed and related to public thoroughfares to provide for pedestrian and vehicular safety both in the right-of-way and on the site. On-site circulation shall provide for adequate access by emergency vehicles.
- h) Storm runoff provisions shall be designed based on a minimum ten (10) year frequency design storm and the storm drainage calculations submitted with the site plan. The proposed outlet for storm drainage shall be identified and an evaluation made of its capacity to accommodate the projected flows. Where adequate capacity to handle projected flows does not exist in the existing system, or where there is no acceptable outlet, the applicant shall provide for either improvement of the receiving drainage facility or on-site detention of sufficient capacity and design to reduce post-development storm runoff to pre-development levels for all design storms of ten (10) year frequency or less.

(Ord. 909. Passed 3-16-99.)

216.06 Submittal

Three (3) copies of site plans shall be submitted with a completed application for a Zoning Certificate to the Zoning Inspector.

(Ord. 909. Passed 3-16-99.)

216.07 Review and Fees

The Zoning Inspector shall review site plans for conformance with the provisions of the Zoning Code and this Section. The Zoning Inspector may request review of site plans by an independent engineer and/or planner. The cost of such consultant review shall be borne by the applicant and shall be in addition to such other fees as may from time to time be established by the Council for processing and review of site plans.

(Ord. 909. Passed 3-16-99.)

For the purpose, of carrying out the provisions of this Zoning Code and to provide the Village Zoning Commission with guidelines for future applications, the area of Greenwich may be divided into the following districts:

- P Park Land
- R Residential Single Family
- MH Mobile Homes
- BC Business and Commercial
- I Industrial (Light)
- PW Public Works

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

300.01 Zoning Map

- (a) The boundaries of the zoning districts are shown upon the map which is made a part of this Code, which map is designated as the "Zoning Map." The map and all the notations, references, and other information shown thereon are a part of this Zoning Code and have the same force and effect as if the district map and all the notations, references, and other information shown thereon were all fully set forth or described therein, the original of which zoning map is properly attested and is on file with the Village Clerk.
- (b) No amendment to this Zoning Code which involves a matter portrayed on the district map shall be passed by Council as an emergency measure. The zoning map shall reflect this change within thirty (30) days. Council shall direct the Village Engineer to update the zoning map within thirty (30) days of passage of such measure. Such amendment shall be effective as provided by law.
- (c) No changes of any nature shall be made in the official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Zoning Code.
- (d) Regardless of the existence of purported copies of the official Zoning Map which may from time to time be made or published, the official Zoning Map, which shall be located in the office of the Clerk of Council, shall be the final authority as the current zoning status of land and water areas, buildings and other structures.
- (e) In the event that the official Zoning Map becomes damaged, destroyed or lost, the Council may, by ordinance, adopt a new Zoning Map, which shall supersede the prior official Map. The new official Zoning Map may correct drafting or other errors or omissions in the prior official Zoning Map but no such corrections shall have the effect of amending the original Zoning Code or subsequent amendments thereof.
- (f) The Zoning Map is not an exact or precise engineer's rendering but shall be considered a detailed approximation intended to accurately illustrate the zoning districts of the Village, however, the language printed on the Map is certain, accurate, and controlling. The Zoning Map, including the language thereon, shall take precedence of a conflict between the zoning map and language in the Zoning Code.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

300.02 District Boundaries

- (a) The district boundary lines on said map are intended to follow either streets or service street or lot lines; and where the districts designated on the map are bounded approximately by such street, alleys or lot lines, the street or service street or lot shall be construed to be the boundary of the district, unless such boundary is otherwise indicated on the map. In the case of unsubdivided property, the district boundary lines shall be determined by the use of the scale appearing on the Zoning Map or by dimensions.
- (b) Whenever any street, service street, or other public way is vacated by official action of Council, the zoning district adjoining each side of such street, service street, or public way shall be automatically extended to the center of such vacation and all area included in the vacating shall then and henceforth be subject to all appropriate regulations of the extended districts.
- (c) Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of such railroad lines.
- (d) Boundaries indicated as approximately following platted lot line shall be construed as following such boundaries.
- (e) Boundaries indicated as following shore lines shall be construed to follow such shore lines and, in the event of change in the shore lines, shall be construed as moving with the actual shore lines.
- (f) All territory which may hereafter be annexed to Greenwich shall be zoned to the most restrictive one-family residential district classification until the district map is amended in conformance with the procedures outlined in this zoning code.
- (g) Where physical features existing on the ground are at variance with those shown on the official Zoning Map, or in other circumstances not covered by any of the above statements District Boundaries, the Village Zoning Commission shall

interpret the district boundaries.

The districts as shown on the map hereto attached are hereby established and said map is made a part of this Zoning Code. No building or premises shall be used and no building shall be erected or altered except in conformity with the regulations prescribed herein for the districts in which it is located.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

SECTION 301 RESIDENTIAL (R)

301.01 Permitted Uses

The following uses and no other shall be deemed Class "R" uses and be permitted in "R" districts.

- a) Single, two-family or multi-family dwellings for residential purposes and buildings accessory thereto, but excluding the use of tents and house trailers for residential purposes.
- b) Church, school, college, university, public library or public museum; provided, however, any such use shall require a Conditional Zoning Certificate.
- c) Cemetery, Village owned service buildings, and publicly owned recreation areas.
- d) Any person may maintain an office or carry on a customary home occupation in the dwelling house used by him as his private residence providing such does not involve any extension or modification of said dwelling which will alter its outward appearance as a dwelling and provided it meets the following regulations:
 - i) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of floor area of the dwelling unit shall be used in the conduct of the home occupation.
 - ii) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, non-illuminated, mounted flat against the wall of the principal building, and meeting all of the requirements set forth in Section 409.09(b).
 - iii) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off street parking requirements as specified in this Zoning Code and shall not be located in a required front yard.
 - iv) No equipment or process shall be used in such home occupation 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 causes fluctuations in line voltage off the premises.
- e) Roadside stands consisting of temporary structures used solely for the display and sale of agricultural products produced on the premises provided that adequate facilities are maintained in conjunction therewith so that all customer vehicles are parked at least ten (10) feet from the paved portion of the road.
- f) Other uses permitted; however, any such use shall require a conditional use permit.
 1. Lodging House, Boarding House.
 2. Tourist Homes.
 3. Convalescent Homes, Homes for the Aged, Children's Nurseries and Medical Centers for the care and treatment of humans.
 4. Golf Course.
 5. Hospitals and Clinics (including dormitory for nurses and attendants), other than a hospital for persons suffering from insanity or other mental diseases or such diseases as are commonly isolated in a separate building.
 6. Mobile Home (aka House Trailer). Only one (1) mobile home may be placed on a vacant lot for use, and then only, subject to all state, county and local sanitary and trailer regulations. No mobile home may be used on any residential property on which a home already exists.
 7. Municipal fire and police station, municipal water plant, public parks, public playgrounds and other municipal recreational uses (not including an amusement-park operated for profit).
 8. Customary agricultural uses including buildings incidental thereto.
 9. Institutions of an educational, philanthropic or eleemosynary nature; public or semi-public institutions, not including a jail, reformatory or other correctional institution, a mental or contagious hospital.
 10. Unattached accessory buildings not exceeding sixteen (16) feet in height may occupy not more than thirty percent (30%) of the rear yard. A private garage may exceed a two-vehicle capacity provided the area of the lot whereon such a private garage is to be located shall contain not less than three thousand (3,000) square feet for each vehicle stored.

11. Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business. It shall be understood to include an office, such as that of a physician, surgeon, lawyer, engineer, surveyor, dentist, musician, artist, or other professional person (except mortician), when located within his or her dwelling, which is primarily used as a dwelling; and home occupations such as dressmaking or millinery engaged in by persons within their own dwellings.

12. Advertising signs of any character are only allowed as follows:

Incidental uses as described in Section 301.01f1., are not to exceed two (2) square feet in area.

A sign not to exceed eight (8) square feet in area pertaining to the base, here or for the sale of a building or premises.

Tourist homes, lodging and boarding houses, libraries, museums, convalescent homes, homes for the aged and children's nurseries shall be allowed one (1) sign not to exceed four (4) square feet in area.

Medical centers, hospitals and clinics shall be allowed one (1) sign not to exceed eight (8) square feet in area.

A sign or bulletin board, not exceeding ten (10) square feet in area, placed not nearer than twenty (20) feet from front lot line, nor eight (8) feet from side lot line, and not to obstruct the view across the corner of intersecting streets and erected upon the premises of a church, or similar institution, for the purpose of displaying the name and activities thereof, or the services therein provided.

13. Accessory uses incident to any of the principal uses listed above and not involving the conduct of a business.

The above uses shall be permitted only providing such use is not injurious, dangerous, or offensive by reason of odor, dust, smoke, gas, noise, fumes, flame, or vibration.

(Ord. 909. Passed 3-16-99.)

301.02 Minimum Lot Size

Frontage Lots & Lots on Curves or Cul-de-sacs

8,250 S.F. for single family dwelling unit

10,000 S.F. for two family dwelling unit (duplex)

No portion of the lot within any road right-of-way shall be counted in establishing minimum lot area regardless of whether the owner holds title to same.

In case of rear lots only that portion of a rear lot with a minimum width of 60 ft. shall be used in calculating the net acreage.

No single family dwelling shall be erected or building altered to accommodate one (1) family as a residence on less than one-half acre of lot area unless such lot was designated on a recorded plat or separately owned at the time this Zoning Code took effect.

A. Required Lot Area.

1. One-family dwellings shall be located on lots not less than eight thousand two hundred fifty (8,250) square feet in area, a width of not less than fifty (50) feet, and a depth of one hundred sixty-five (165) feet.

2. Every two-family dwelling shall be located on a lot of not less than ten thousand (10,000) square feet in area and a width of not less than sixty-five (65) feet.

3. No multiple-family dwelling shall be established on a lot having a width of less than eighty (80) feet. Each multiple family dwelling shall be located on a lot with an area of not less than that required for a two-family dwelling plus one thousand six hundred and fifty (1,650) square feet for each family over two (2) families housed therein if said building is not over two (2) stories high. Each multiple-family dwelling shall be located on a lot with an area of not less than that required for a two-family dwelling plus one thousand (1,000) square feet for each family over two (2) families housed therein if said building is over two (2) stories high.

4. No more than one (1) dwelling building shall be constructed on any lot. All lots must face and be adjacent to a legal public street.

B. Percentage of Lot Coverage.

Buildings including accessory buildings shall not cover more than thirty-five percent (35%) of the area of any lot.

C. Yards Required.

1. Front yard

a. Where twenty-five percent (25%) or more of all the property, according to front feet, abutting one (1) side of a street between two (2) intersecting streets or for a distance of four hundred (400) feet on either side of the lot in question is built up with buildings, no building hereafter erected or structurally altered shall project beyond the average setback line so established by these structures.

b. The front building line on any street, road or highway that is listed "Main Thoroughfares" shall under all

circumstances be at least a minimum of one hundred (100) feet from the established center line of said street, road or highway.

c. On all other roads, streets, or highways, the building line shall be eighty (80) feet from the center of the road, street, or highway.

2. Side yards. Every dwelling shall have two (2) side yards, the width of which shall be a minimum of twelve (12) feet on each side. A minimum side building line of fifteen (15) feet shall be established on the side of a lot which abuts a highway or street.

3. Rear yard. A rear yard shall not be less than fifty (50) feet in depth.

Churches, Schools, Libraries and Museums are permitted only if they are located at least twenty-five (25) feet from all side and rear lot lines.

Nothing in this regulation shall be so interpreted as to reduce the buildable width of a corner lot and of record at the time of the passage of this ordinance to less than twenty-four (24) feet.

D. Storage and Parking Space.

1. For every one-family or two-family dwelling, storage facilities or space shall be provided for a number of motor vehicles which shall be not less than the number of families occupying the premises.

2. For every multiple dwelling, storage facilities or space shall be provided for a number of motor vehicles which shall be not less than one and one-half (1-1/2) times the number of families occupying the premises.

3. For each of the permitted uses other than for residential use, there shall be provided sufficient space for the off-street parking of motor vehicles to accommodate the normal number of motor vehicles which shall congregate as a result of the use of such building or premises.

4. Space may be rented in a garage for the storage of one (1) motor vehicle which vehicle, when garaged, must be entirely contained within the garage.

5. Storage or parking space provided in Residence areas shall not be used to park commercial vehicles of more than one (1) ton capacity. No dual wheel or fifth wheel tractors shall be stored or parked in residential areas without first obtaining a permit required by Section 452.16.

6. No major repair facilities can be maintained nor cars or any machinery repaired for profit.

(Ord. 909. Passed 3-16-99; Ord. 937. Passed 8-21-01; Ord. 2010-03. Passed 8-3-10; Ord. 2017-07. Passed 6-6-17.)

301.03 Minimum Frontage

	Frontage Lot		Curves & Cul-de-sacs		Rear Lots	
	Single	Duplex	Single	Duplex	Single	Duplex
At front	50'	65'	50'	65'	50'	65'
Building Setback Line At Front Property Line	50'	65'	30'	40'	65'	65'

In the case of rear lots the frontage shall be measured along a line parallel to the frontage line for the access drive. In the case of access from curved or cul-de-sac right-of-way, there shall be a minimum of fifty (50) feet frontage for single dwelling unit lots and a minimum of sixty-five (65) feet frontage for duplex dwelling lots as measured perpendicular to said line.

(Ord. 909. Passed 3-16-99.)

301.04 Side Yard

Building	Main Building	Building Accessory
Side lot line is not R/W Line	12 feet	12 feet
Side lot line is R/W Line	15 feet	15 feet

All accessory buildings not permanently attached to the main building shall be a minimum of twenty (20) feet from any existing residence.

(Ord. 909. Passed 3-16-99.)

301.05 Rear Yard

Fifty (50) feet

(Ord. 909. Passed 3-16-99.)

301.06 Setback from Street or Road Centerline

One hundred (100) feet Main Thoroughfares

Eighty (80) feet all other streets and roads

No building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in width shall be erected or located within above listed of the right-of-way road or street setbacks.

Roadside stands shall be set back a minimum of twenty-five (25) feet from the road right-of-way line and no goods shall be displayed, stored or offered for sale within such area.

(Ord. 909. Passed 3-16-99.)

301.07 Safety Separation

No residential building or public building shall be erected within one hundred (100) feet of any active gas or oil well, storage tank, or separator unit.

(Ord. 909. Passed 3-16-99.)

301.08 Subdivision/Development Lot Regulations

Within new subdivisions/developments, the minimum lot area for a single family dwelling may be reduced fifteen percent (15%), by the order of the Village Council, to accommodate design flexibility, provided dedicated open space is established and the total average lot size equals the required non-reduced minimum size. The area to be developed under this section must contain a minimum at least ten percent (10%) of such acreage shall be used for common recreational and/or open space and no other purpose. The plan for use of the area in question and manner of conveyance and the maintenance of the open space therein shall be approved by the Village Council. The Village Council shall have the option of accepting the dedication of such open space, with adequate road frontage, upon the satisfactory improvement, including off-street parking and landscaping of such open space, or the Village Council shall have the option of accepting the overall plan for the use of the area (subdivision) if the developer establishes and records a general plan of restrictions and covenants regarding the use of the land, including the obligation to pay a proportionate share of the cost of maintaining the open or common areas.

(Ord. 909. Passed 3-16-99.)

301.09 Minimum Floor Area

Each single-family dwelling shall have a minimum ground floor area of nine hundred (900) square feet. The minimum width of any structure shall be twenty-four (24) feet. Dwelling having a second story whose floor area is at least half of that of the first story, may have a minimum ground floor area of six hundred (600) square feet. Duplex family dwellings shall have a minimum floor area of not less than twelve hundred (1,200) square feet per family. The minimum width of any structure shall be twenty-four (24) feet and placed on a full foundation or basement.

Such area shall be computed exclusive of basements, utility rooms, garages, or other areas not designed for normal family occupancy, and of any other areas excluded by the Regulations of the Huron County General Health District.

(Ord. 909. Passed 3-16-99; Ord. 922. Passed 2-15-00.)

301.10 Accessory Buildings and Structures

a) All accessory structures, other than permitted buildings, including but not limited to windmills, antenna towers, microwave relay towers, etc., shall be located by a minimum distance from property boundaries at least equal to the height of the structure plus ten (10) additional feet.

b) The maximum number of accessory buildings on one (1) lot shall be two (2).

c) The maximum total area of the accessory buildings erected on a lot of less than one (1) acre shall be no more than seven hundred (700) square feet and the maximum height shall be no more than eighteen (18) feet.

d) The maximum floor area of accessory buildings erected on lots of one (1) acre or more shall be no more than one thousand two hundred (1,200) square feet and the buildings shall be no more than twenty (20) feet in height; provided, however, that one hundred (100) square feet of floor area may be added for each one-half (1/2) acre if the lot exceeds one (1) acre, up to a maximum of two thousand (2,000) square feet.

(Ord. 909. Passed 3-16-99.)

301.11 Maximum Height

The maximum height of any building or structure shall be thirty-five (35) feet.

(Ord. 909. Passed 3-16-99.)

301.12 Street Tree Plan for New Developments

1. Any new street developed by a private developer and dedicated to the Village shall have a street tree plan approved by the Shade Tree Commission. As an alternative, the developer may permit the Tree Commission to develop the street tree plan, in either case the cost of all trees is to be paid by the developer.

2. A bond shall be posted by the developer, the amount of which shall be determined by the Shade Tree Commission, with Council's approval, for future implementation of the street tree plan. This requirement shall be added to the list of subdivision requirements.

(Ord. 909. Passed 3-16-99.)

301.13 Permits Required

1. No person shall hereafter plant or remove, any tree or shrub upon any public way, street, alley, park or other property owned by the Village, unless he/she shall have first obtained a permit, in writing, from the Shade Tree Commission, specifying the size type, species and location so to be planted.

2. The Shade Tree Commission shall have the authority to deny a permit to any person who proposes to plant any tree or shrub upon a public way, street, alley, park or other property owned by the Village of a size, type, or species found by the Shade Tree Commission to be undesirable for the location proposed: or may deny a permit to any person who proposes to plan any tree or shrub upon a public way, street, alley, park or other property owned by the Village if at a location found by the Shade Tree Commission to be of a size or type unsuitable for planting of trees or shrubs.

3. The Shade Tree Commission shall have the authority to deny a permit to any person who proposes to remove any tree or shrub upon a public way, street, alley, park or other property owned by the Village when said removal does not benefit the preservation of public health, safety and welfare.

4. Every permit issued by the Shade Tree Commission shall be in writing and shall describe the work to be done, specify the species or variety, size, nursery grade, location briefly specify the method of planting, method of support and trimming of all trees or shrubs concerned and contain a definite expiration date. Any permit may be declared void if its terms are violated.

5. The Shade Tree Commission shall meet and render a decision on any permit application within fourteen (14) days of receipt of the application by the Shade Tree Commission.

(Ord. 909. Passed 3-16-99.)

301.14 Abuse and Mutilation of Public Trees

1. Unless specifically authorized by the Shade Tree Commission, no person shall recklessly damage, cut, carve, whether above ground, or transplant or remove any tree or shrub; attach a rope, wire, nail advertising posters or other contrivance to any tree or shrub; allow any gaseous liquid or solid substance which is harmful to such trees or shrubs, to come in contact with them; or set fire or permit any fire to burn when such fire or the heat therefrom will injure any portion of any tree or shrub.

2. Whoever violates this section shall be punished as provided in subsection P of the Shade Tree Ordinance.

(Ord. 909. Passed 3-16-99.)

SECTION 305 MOBILE HOMES (MH)

305.01 Purpose

The purpose of the Mobile Home Park District (MH) is to accomplish the following:

- (a) Provide a zoning district for mobile home parks;
- (b) Establish standards governing the location and development of mobile home parks;
- (c) Encourage the development of mobile home parks to provide additional housing at a reasonable cost; and
- (d) Promote mobile home park design that will provide good interior circulation and a maximum of privacy for individuals residing therein, will reflect and take advantage of natural topographic features to result in an interesting and varied pattern and include facilities for a wide range of amenities and leisure time activities.

(Ord. 909. Passed 3-16-99.)

305.02 Establishment of District

Any Mobile Home Park District may be applied for in the same manner as for any other zoning district, and such application shall be subject to all of the provisions of this Zoning Code governing applications for amendments to the Zoning Map. In addition, an application for and development of an MPH District shall be subject to all the provisions contained in this chapter.

(Ord. 909. Passed 3-16-99.)

305.03 Required Development

(a) Whenever Village Council approves an application to amend the Zoning Map and thereby establish a Mobile Home Park District, development of the property shall be commenced and diligently pursued not later than one (1) year following the date upon which the ordinance was adopted to amend the Zoning Map or not later than one (1) year following the date upon which water and sewer lines to serve the property have been installed, whichever date is latest.

(b) Not later than thirty (30) days following the passage date of the Zoning Map amendment, the Zoning Inspector shall cause the property involved to be inspected, and if such inspection reveals development of the property for a Mobile Home Park has not commenced and is not being diligently pursued, then he shall report this fact to Village Council and submit an application to amend the Zoning Map and thereby change the zoning classification of the property back to the same classification it was in immediately prior to the date upon which it was changed to a MPH District.

(Ord. 909. Passed 3-16-99.)

305.04 Mobile Home Park Plan Approval

After the zoning classification of a parcel of land has been changed to Mobile Home Park District and prior to the commencement of any type of construction work pertaining to a mobile home park, the owner or developer of the property shall obtain approval of the mobile home park plan.

(Ord. 909. Passed 3-16-99.)

305.05 Application for Mobile Home Park Plan Approval

An application for approval of a mobile home park plan shall be submitted in accordance with all of the following provisions:

(a) Four (4) copies of an application form provided for this purpose shall be completed by the applicant and submitted to the Zoning Commission;

(b) The application shall be accompanied by four (4) sets of complete plans and one (1) sepia copy and additional documents which shall contain all of the following:

(1) Location, size and configuration of the area to be developed as a mobile home park and the total proposed number of mobile home sites;

(2) The complete layout of the park including all proposed mobile home sites with their individual boundaries;

(3) The location of all accessory facilities such as recreation areas, open spaces laundry building and mobile library site;

(4) The proposed traffic circulation pattern including all roadway locations, points of ingress and egress, parking facilities, sidewalks and the relationship of interior traffic to pattern adjacent to the park;

(5) The location of all proposed utility lines and meters and the source of supply or service for garbage and trash removal, gas, electricity, telephone, sewage disposal, storm drainage facilities and water;

(6) The proposed landscaping type of fencing and other aesthetic features;

(7) A typical mobile home site drawn to scale of ten (10) feet to the inch or larger, showing the boundaries of the site and the location thereon of a typical mobile home, patio, parking spaces, walkways and pad;

(8) The proposed schedule of development indicating how many mobile home sites per year will completed;

(9) Any other information the application deems pertinent.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

305.06 Referral of Application

One (1) copy of each application, including the plans and other documents submitted with it for a mobile home park plan approval shall be referred for review and recommendations to other Village or semipublic agencies such as but not limited to the Huron County Health District.

(Ord. 909. Passed 3-16-99.)

305.07 Action on Application

The application plans and other information filed by an applicant for approval of a mobile home park plan shall be examined by the Zoning Commission. If the application conforms to the requirements of this Zoning Code and other pertinent laws and ordinances it shall be approved.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

305.08 Approved Plans Pending

Once mobile home park plans showing the proposed development have been submitted with an application for a mobile home park and approved, such plans shall be considered to be integral part of the mobile home park application and development of the park shall be in accordance with the plans as approved. Any change in plans or deviation therefrom shall not be permitted without written authorization from the Village Council.

(Ord. 909. Passed 3-16-99.)

305.09 Periodic Inspections

Every mobile home park developed or enlarged in accordance with the provisions of the chapter shall be inspected at least once each year to assure compliance with all application provisions of this chapter.

(Ord. 909. Passed 3-16-99.)

305.10 Enlargement of Pre-Existing Mobile Home Parks

Any mobile home park that is nonconforming in any manner shall not be enlarged or expanded unless authorization to do so is obtained from the Zoning Commission and any such authorization shall be granted only if all of the following provisions are complied with:

- (a) The enlarged or expanded portion of the mobile home park shall be developed in full compliance with all development standards and other requirements contained in this chapter of the Zoning Code; and
- (b) If the existing portion of an MH District is redeveloped, it shall be developed according to this Zoning Code.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

305.11 Size of Park

Each mobile home park shall have an area of not less than ten (10) acres.

(Ord. 909. Passed 3-16-99.)

305.12 Frontage of Public Street

Each mobile home park shall have frontage of not less than one hundred fifty (150) continuous feet on a public street that has a right-of-way width of not less than fifty (50) feet.

(Ord. 909. Passed 3-16-99.)

305.13 Density

The maximum average gross density of any mobile home park shall be not more than six (6) single unit mobile homes per acre.

(Ord. 909. Passed 3-16-99.)

305.14 Permitted Uses

Within a mobile home park the following uses shall be permitted:

- (a) One (1) permanent house or modular home if such house is to be occupied by a resident manager;
- (b) Building or permanent type structures used exclusively to provide accessory services for occupants of the park such as a recreation building, swimming pool and bath house, laundry room, mobile home park office and storage rooms;
- (c) Accessory building or structures that are clearly incidental and attached to a mobile home such as a carport, cabana and Florida room;
- (d) Advertising signs subject to all the following provisions:

(1) One (1) identification sign advertising the mobile home park upon which it is located may be erected provided that no portion of the sign or its supports shall be within the required front yard area. Such sign may be double faced. The maximum area of the sign, including any border around it shall not be more than twenty-five (25) square feet. The maximum height of the sign shall not exceed eight (8) feet above the ground.

(2) Directional sign as necessary to assist in guiding persons to various locations within the park. Such signs may be double faced and lighted. The maximum area of each sign shall not exceed two (2) square feet.

(Ord. 909. Passed 3-16-99.)

305.15 Prohibited Uses

Within a mobile home park only those uses specifically listed as permitted uses shall be authorized and all other uses including but not necessary limited to the following shall be prohibited:

- (a) Mobile homes that are self-contained;
- (b) A modular home of any type, except a single-family dwelling to be occupied by a resident-manager of the park;
- (c) Boats and recreational vehicles of any type, except those owned by occupants of the park and stored in the area within the park designed and intended as a common storage area for such vehicle;
- (d) Repair or sale of vehicles of any type, including mobile homes, except for the repair or sale of an individual vehicle by the owner or occupant thereof;
- (e) Building or permanent type structures for uses other than those listed as permitted uses;
- (f) Any advertising sign other than that listed as permitted use.

(Ord. 909. Passed 3-16-99.)

305.16 Height Limitation

No building or structure in a mobile home park shall be constructed to a height of more than twenty-five (25) feet above the ground, and no mobile home shall be placed in such a manner as to be directly above another one. This provision shall not be construed in such a manner as to prohibit a two-story mobile home, nor a mobile home designed in such a manner that a second story may be attached to the lower portion after the lower portion has been placed in position on the mobile home site.

(Ord. 909. Passed 3-16-99.)

305.17 Mobile Home Park Yards

Each mobile home park shall have a yard with a depth of not less than thirty (30) feet around the perimeter of such park and the uses of such yard shall be subject to all of the following:

- (a) No building, structures, mobile homes, parking spaces or storage of equipment except that used exclusively for recreation purposes shall be located within any required yard area;
- (b) The side and rear yard areas only may used for either of the following purposes provided that any portion used for one purpose shall not be used for the other purposes:
 - (1) Common recreation purposes provided that yard area used for this purpose are adjacent to and connected with other common recreation areas located outside of the required yard areas. Whenever the yard areas are used in this manner the total amount or recreation area so provided may be credited towards not more the one-half (1/2) of the required ten percent (10%) common recreation area for the entire mobile home park.
 - (2) Mobile home site areas provided the yard area used this purpose are adjacent to the mobile home sites concerned. Whenever the yard area are used in this manner, no portion of such yard areas shall be occupied by any portion of a mobile home or its appurtenances or parking spaces and the total amount of yard area that may be credited towards the required seven thousand two hundred sixty (7,260) square feet for a mobile home site shall be not more than one thousand (1,000) square feet per mobile home site.

(Ord. 909. Passed 3-16-99.)

305.18 Common Recreation Areas

Each mobile home park shall provide a common recreation area within the boundaries of the park and easily accessible to all park residents, subject to all the following provisions:

- (a) The recreation area may be composed of more than one (1) specific area;
- (b) The recreation area may consist of open land or land set aside for visiting mobile libraries or similar facilities or land containing tennis courts, putting greens, swimming pools, clubhouses and similar structures or any combination of such recreational facilities;
- (c) The total amount of land to be set aside for recreation purposes shall be not less than ten percent (10%) of the area of the mobile home park.

(Ord. 909. Passed 3-16-99.)

305.19 Storage Facilities

The storage of items and the storage facilities within any mobile home park shall be in accordance with all of the following:

- (a) Enclosed storage facilities in which residents of the park may store household and personal effects shall be provided and such storage facilities may be designed in such a manner as to provide not less than two hundred (200) cubic feet of storage area for each mobile home park site, or in a centralized location not more than five hundred (500) feet from the mobile home site they are intended to serve.
- (b) In addition to the above mentioned storage facilities, each mobile home site may be provided with an on-site enclosed storage facility with a capacity of not less than twenty-five (25) cubic feet in which garbage and trash cans may be stored. These storage facilities may be combined with those required by subsection (a) hereof, provided that both types of storage facilities are located on an individual mobile home site and have a total capacity of not less than two hundred twenty-five (225) cubic feet.
- (c) An open storage area for the storage of boats and recreational vehicle may be provided and maintained by the mobile home park owner. Such storage area may be readily accessible to all residents of the park and shall be such a size as to provide one hundred (100) square feet of open storage for each mobile home site in the park.

(Ord. 909. Passed 3-16-99.)

305.20 Roadways

- (a) The design and location of streets must meet Village specifications; and streets shall be installed and completed prior to occupancy of developed mobile home sites.
- (b) The improved width shall be constructed of asphaltic concrete or Portland cement concrete.
- (c) Improved roadways with a required width of less than thirty (30) feet may be of the V section type, whichever is preferred by the developed.
- (d) Local access one-way roadways shall be limited to:
 - (1) Maximum length of not more than five hundred (500) feet;
 - (2) Any single roadway shall serve not more than twenty-five (25) mobile home sites;
 - (3) The total lineal length of all one-way roadways within a mobile home park shall not exceed fifty percent (50%) of the total lineal length of all roadways of all types within the park.
- (e) No portion of any roadway located between the improved portion and the boundary lines of the roadway shall be used for any purpose other than sidewalks, driveways, lawns, the planting of shrubbery or the installation of street lights and underground utility lines.
- (f) The design and improvement of all proposed roadways shall be subject to the approval of the Village Council.

(Ord. 909. Passed 3-16-99.)

305.21 Access to Mobile Home Park

Access to a mobile home park from an adjacent public street shall be by means of at least two (2) collector width roadways, the location of which shall comply with all requirements of the Village Council. Additional accesses may be required depending upon the size and design of the mobile home park.

(Ord. 909. Passed 3-16-99.)

305.22 Sidewalks

Within each mobile home park sidewalks shall be installed in accordance with the following and prior to occupancy of the developed mobile home sites:

- (a) All such walks shall be made of Portland cement concrete and shall have a thickness of not less than four (4) inches.
- (b) Common sidewalks, with a minimum width of three (3) feet intended to provide pedestrian circulation from one (1) mobile home to another or to various locations throughout the park, shall be required to serve all mobile homes and common use areas that front upon or have access from a roadway. Such sidewalks shall be located in either of the following locations, depending upon the design of the park and the preference of the developer:
 - (1) Within the boundaries of the roadway. Whenever this location is selected there shall be not less than six (6) feet between the nearest edge of the sidewalk and the nearest edge of the roadway and such sidewalks shall be installed on both sides of the roadway.
 - (2) Approximately midway between two (2) tiers of mobile home sites to provide an interior type of common sidewalk circulation system.

(c) A private sidewalk with a minimum width of two (2) feet intended to provide a walkway from a mobile home to a roadway or the common sidewalk system, shall be required to serve each mobile home site.

(Ord. 909. Passed 3-16-99.)

305.23 Street Lights

Within each mobile home park, street lights shall be installed in accordance with the following minimum requirements and prior to occupancy of the developed mobile home sites:

(a) Street light poles may be of the ornamental type, shall be located on alternate sides of the roadway whenever possible, shall be located not more than three hundred (300) feet from each other and one (1) shall be located at each type of roadway intersection;

(b) Street light poles and luminaires shall comply with the standards for residential street lighting on file in the office of the Street/Electric Department.

(Ord. 909. Passed 3-16-99.)

305.24 Utility Meters

At the time a mobile home park is developed, utility lines shall be designed and installed in accordance with the regulations and requirements of the Village of Greenwich Electric Department; and whenever the developer or operator of a mobile home park intends to or does charge an individual occupant of the park a fee for any utility service including but not limited to electricity, gas, water or sewer, then a separate meter for the type of utility for which a charge will be or is made shall be installed at the mobile home site concerned.

(Ord. 909. Passed 3-16-99.)

305.25 Storm Drainage

Within each mobile home park, storm drainage shall be provided in accordance with the following minimum requirements:

(a) All mobile home sites, building sites, roadways and other areas requiring grading shall be graded in such a manner that storm water will drain therefrom and there will not be any underground depressions. Grading shall be accomplished in such a manner that it will not obstruct the natural drainage of adjoining and adjacent property.

(b) Open drainage ditches shall not be permitted and all drainage ways shall be enclosed in accordance with the standards on file in the office of the Village Administrator.

(c) It shall be the responsibility of the mobile home park owner to install whatever drainage lines necessary to carry storm water from his property to the nearest approved facility for the disposition of such storm water.

(Ord. 909. Passed 3-16-99.)

305.26 Water

Within each mobile home park the source of water supply shall be from a municipally owned water system or some other system that has been approved by the Huron County Health District and the State of Ohio. The installation of water lines shall be in accordance with the standards on file in the office of the Village Administrator. Connection of individual mobile homes to the mobile home park water system shall be in accordance with the standards on file in the office of the Huron County Health District.

(Ord. 909. Passed 3-16-99.)

305.27 Fire Protection

Within each mobile home park, adequate water mains, fire hydrants, gas connections and other fire prevention and fire safety facilities shall be installed in accordance with current National Fire Protection Association Standards 501A and 501B on file in with the Tri- Community Fire Department. Plastic pipe for the exclusive use of fire prevention purposes may be permitted subject to the approval of the local fire chief.

(Ord. 909. Passed 3-16-99.)

305.28 Sanitary Waste Disposal

Within each mobile home park, sanitary waste disposal shall be by means of a municipally owned or municipally operated sewage system. The installation of sewer lines shall be in accordance with the standards on file in the office of the Village Administrator. Connection of individual mobile homes to the mobile home park sewer system shall be in accordance with the standards on file in the office of the Huron County Health District.

(Ord. 909. Passed 3-16-99.)

305.29 Preservation of Natural Scenic Features

In any mobile home park, whenever compliance with any of the provisions of this chapter would result in the destruction or loss of a natural scenic feature such as a stream, gully, rock outcropping, mound or cliff which would be desirable to preserve and retained, then the Zoning Commission may authorize a waiver of such provision, provided that whenever such a provision is concerned with a subject that would logically come under the jurisdiction of another governmental official then such other governmental official shall be consulted and give his consent to waiver proposed.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

305.30 Site Access and Area

Each mobile home site within a mobile home park shall have a individual access and area in accordance with the following:

(a) Each mobile home site shall contain not less than forty (40) feet of continuous frontage on a roadway or street located within the boundaries of the park.

(b) Each mobile home site shall contain an area of not less than seven thousand two hundred sixty (7,260) square feet. This area shall be exclusive of any area set aside for common use of the residents of the park such as, but not necessarily limited to roadway recreation areas and mobile home park yards.

(Ord. 909. Passed 3-16-99.)

305.31 Site Yards

There must be a minimum distance of thirty (30) feet between mobile homes.

(Ord. 909. Passed 3-16-99.)

305.32 Patios

Each mobile home site shall contain a patio with an area of not less then two hundred (200) square feet. Such patio shall be constructed of Portland cement concrete, brick, tile or similar materials to result in a dust-free and well-drained hard surface.

(Ord. 909. Passed 3-16-99.)

305.33 Mobile Home Piers

Each mobile home shall be supported by piers eighteen (18) inches in diameter by thirty- six (36) inches deep, spans being not more the ten (10) feet in length on each longitudinal beam. Each pier shall be equipped with anchors and securely fastened.

(Ord. 909. Passed 3-16-99.)

305.34 Automobile Parking

Automobile parking spaces shall be provided as follows within each mobile home park:

(a) Two (2) spaces shall be provided for each mobile home site for the exclusive use of the occupants thereof.

(b) One (1) space for guests and visitor parking shall be provided for each four (4) mobile home sites within the park.

(c) Each parking space shall have an area of not less than nine (9) feet in width and nineteen (19) feet in length and shall be located not more than one hundred (100) feet from the mobile home site it is intended to serve.

(d) Each parking space shall be constructed of Portland concrete or asphaltic concrete and constructed in such a manner as to drain properly.

(e) Those spaces intended for guest and visitor parking shall be located in such a manner that any one (1) of them may be used independently of any other space.

(Ord. 909. Passed 3-16-99.)

305.35 Removal of Running Gear Prohibited

The removal of the frame, springs and axle from any mobile home in a mobile home park is prohibited.

(Ord. 909. Passed 3-16-99.)

305.36 Enclosure Around Bottom of Mobile Home

Not later than thirty (30) days after a mobile home has been places upon a mobile home site the area between the bottom of the sides and the ends of the mobile home and the ground upon which it is located shall be enclosed by walls made of a visually impervious material.

(Ord. 909. Passed 3-16-99.)

305.37 Prohibited Parking

(a) Except as otherwise provided herein, no person shall park or occupy any mobile home or recreational vehicle on any premises in any district outside an mobile home park district. The parking of an unoccupied recreational vehicle in an accessory private garage building or in a rear yard in any district shall be permitted provided no living quarters are maintained or any business conducted in such recreational vehicle while so parked or stored.

(b) Emergency or temporary stopping or parking of a mobile home or recreational vehicle shall be permitted on any street, alley or highway for not longer than two (2) hours subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for such street, alley or highway.

(Ord. 909. Passed 3-16-99.)

305.38 U.L. Approval

All mobile homes to be placed within the Village of Greenwich must have Underwriters' Laboratories approval.

(Ord. 909. Passed 3-16-99.)

SECTION 310 BUSINESS AND COMMERCIAL (BC)

310.01 Permitted Uses

The following uses and no other shall be deemed Class "BC" uses and permitted in all "BC" districts:

1. Upper-floor dwelling on the second floor or higher.
2. Agricultural, sales of equipment, supplies and products.
3. Antique stores.
4. Appliance stores.
5. Assembly and meeting halls.
6. Auction houses.
7. Automobile sales, service and parts.
8. Bakery and doughnut shops.
9. Banks and other financial institutions.
10. Barber and beauty shops.
11. Bars, cocktail lounge, nightclubs and discotheques.
12. Beverage and liquor stores.
13. Boat, outboard motor dealers and marine supplies.
14. Bookstores, record, tape, and video stores.
15. Bowling lanes, billiards, and video arcades.
16. Cafes, restaurants and cafeterias.
17. Computer, electronic equipment, supply and service stores.
18. Dairy product and fast food stores.
19. Department and discount stores.
20. Drug stores.
21. Dry cleaners, laundries and laundromats.
22. Employment agencies.
23. Fabric, sewing supplies, and pattern shops.
24. Fine art studios and galleries.
25. Fish, seafood sales.
26. Floor and wall coverings.
27. Florist.

28. Funeral homes and mortuaries.
29. Furniture, sales of home furnishings, floor covering, drapery, curtain and upholstery.
30. Furriers.
31. Garment printing and lettering shops.
32. Gasoline stations.
33. Gift, card and craft shops.
34. Glass, art, windows, mirrors; retail, not manufacturing.
35. Grocery and convenience stores.
36. Gymnasium and fitness centers.
37. Hardware, plumbing, electrical, paints, glass and wallpaper stores.
38. Health food, vitamin and specialty food stores.
39. Heating and air conditioning supplies sales and service offices.
40. Hotels and motels.
41. Jewelry stores.
42. Leather and luggage shops.
43. Library.
44. Locksmiths, security and fire protection systems.
45. Mobile and modular home dealers.
46. Motorcycle, motor scooters and snowmobile sales, bicycle dealers.
47. Multifamily dwellings, condominiums, apartments.
48. Music and musical instrument sales.
49. Newsstands and tobacco stores.
50. Nurseries and day care centers.
51. Nursery, lawn, and garden supply centers.
52. Office buildings, professional and medical arts offices.
53. Party centers.
54. Pet shops, kennels, and pet grooming.
55. Photo engraving.
56. Photographic equipment and photo processing.
57. Photo studios.
58. Printing, newspaper, and publishing shops.
59. Recreational vehicles and utility trailer sales.
60. Religious books and supply stores.
61. Rental agencies.
62. Retail meat and poultry sales.
63. Schools, private and vocational.
64. Shoe sales and repair shops.
65. Sporting goods and supplies sales.
66. Stamp, coin, and collectable dealers.
67. Stationery and office supply.
68. Studios, recording, art, interior design, dance, etc.
69. Theater (live) and cinemas.

70. Toy, hobby and game shops.
71. Travel agencies.
72. Veterinary hospitals.
73. Wedding and tuxedo shops.

74. Any other similar use may be permitted with a Conditional Zoning Certificate if such use is deemed by the Board of Zoning Appeals to be of the nature and character of the above uses.

Any stand selling agricultural products not produced on the premises shall be deemed commercial business.

Thee above uses shall be permitted, provided such uses comply with all of the performance requirements set forth in Section 400 of the Village of Greenwich Zoning Ordinance.

(Ord. 909. Passed 3-16-99; Ord. 1018. Passed 12-18-07.)

310.010 Supplement

"BC" Business Districts

The following regulations shall apply in all "BC" Business Districts.

A. Uses Permitted.

1. All uses permitted in Residence Districts subject to the provisions specified for such residence districts. A principal building may be used for a combination of business and residence purposes and shall be classified under "BC" Business regulations.
2. Stores and shops for conducting any retail or personal service business, also food processing where the products are for sale exclusively on the premises.
3. All uses normally considered as retail commercial. The Zoning Board of Appeals shall decide any question as to the interpretation of this classification.
4. A retail service station for the storage and service of fuel and lubricating oil for motor vehicles may be established, erected or enlarged, provided:
 - a. No portion of the same or any of its equipment shall be placed closer to the building line than fifteen (15) feet unless so permitted after a public hearing by the Zoning Board of Appeals.
 - b. No portion of the same or any of its equipment shall be located closer than fifty (50) feet to the "R" Residence District.
5. Public Garages: No public garage shall have an entrance or exit for motor vehicles within two hundred (200) feet of an entrance or exit of a public or private school, playground, public library, church, hospital, children's or old people's home, or other similar public or semi-public institution.

No repair facilities shall be maintained in front of the building or on the lot.

Cars unable to run or wrecked in any manner shall be kept inside of the building.

6. Motel, auto court, cabins, hotel, motor court, motor lodges, and tourist cabins tourist court.
7. Private Clubs, Fraternities, Sororities, Lodges, Social and Recreational Centers.
8. Trailer Camps. Subject to all state, county and local sanitary and trailer regulations.
9. The following uses are not permitted:
 - a. All uses in "I" Industrial Districts.
 - b. Any kind of manufacture, compounding, processing or treatment of any products other than that which is clearly incidental and essential to a retail store or business and where all such products are sold at retail on the premises.
 - c. Junk yards whether enclosed, covered or open. This includes the reclamation of all metals, rags, glass or bottles.
 - d. Any business that may be obnoxious, or offensive by reason of the emission of odor, dust, gas, smoke, vibration or noise.

B. Required Lot Area.

Where a principal building is used for a combination of business and residence purposes, the requirements for "R" Residence District shall hold for the construction and use of all family units.

C. Percentage of Lot Coverage.

In a "B" Business District the entire lot may be covered except as hereinafter otherwise specified.

D. Yards Required.

1. Front Yard. The front yard required shall be the same as in "R" Residence District.

2. Side Yards. On every lot in a "BC" Business District that abuts directly a residence district, there shall be provided a yard of at least six (6) feet on such lot along the line or lines where it abuts such residence district; otherwise no side yards are necessary.

3. Rear Yard. On every lot in a "BC" Business District where the rear of said lot abuts directly a residence district, there shall be provided a yard of at least ten (10) feet on such lot along the line or lines where it abuts such residence district.

(Ord. 909. Passed 3-16-99.)

310.011 Minimum Lot Size (Conditional Use Permit)

Area

1/2 Acre per business/conditional use permit

More than one (1) building or structure, the use of which is directly related to the business use of such property, may be located on the same lot without increasing the minimum area requirement, providing it meets all other "BC" regulations.

No apartment house or living quarters over a business establishment shall be erected or altered to accommodate more than one (1) dwelling unit for each ten thousand (10,000) square feet of lot area.

In the case of rear lots only that portion of a rear lot with a minimum width of one hundred (100) feet shall be used in calculating the next acreage.

(Ord. 909. Passed 3-16-99.)

310.012 Minimum Frontage

Frontage Lot	Curves & cul-de-sacs	Rear Lots
100'	50'	60'
(150' for duplexes)	(100' @ bldg. setback)	(minimum width 100' at bldg. setback; 150' for duplexes)

In case of rear lots the frontage shall be not less than sixty (60) feet and shall extend a minimum sixty (60) feet in width to the buildable portion of the lot which shall be a minimum of one hundred (100) feet in width.

No business shall be erected in a "BC" district on a lot having a frontage of less than one hundred (100) feet on a public thoroughfare unless such lot was designated on a recorded plat or separately owned at the time this Zoning Code took effect.

(Ord. 909. Passed 3-16-99.)

310.013 Side Yard

Main and related buildings

25' (except where adjacent to a railroad siding)

100' (when abutting a residentially zoned area)

Any commercial structure abutting a residentially zoned area shall have a minimum one hundred (100) foot setback from any/all residentially zoned boundary lines.

(Ord. 909. Passed 3-16-99.)

310.014 Rear Yard

Twenty-five (25) feet

(Ord. 909. Passed 3-16-99.)

310.015 Setback

Fifty (50) feet

For corner lots a fifty (50) foot setback must be maintained from all road rights-of-way.

No building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in width shall be

erected or located within fifty (50) feet of the right-of-way line of any road or street. Gasoline pumps and pump island canopies may be erected within fifty (50) feet of a street right-of-way line provided a Conditional Zoning Certificate authorizing such lesser setback is approved by the Board of Zoning Appeals.

Where a road or street or portion thereof has a setback line established prior to the adoption of this Zoning Code, as determined by the Village Zoning Inspector, the Zoning Inspector may authorize new structures to conform thereto.

No sign or other structure may be erected or vegetation planted within fifteen (15) feet of the edge of the road right-of-way, which obstructs the view between the height of three and one-half (3-1/2) feet and ten (10) feet above the grade of the road.

(Ord. 909. Passed 3-16-99.)

310.016 Conformance

Any single family residences constructed within a "BC" District shall conform to the requirements of the "R" District.

(Ord. 909. Passed 3-16-99.)

310.017 Separation

No building or business use shall be erected or established within one hundred (100) feet of any active gas well or oil well, storage tank, or separator unit.

(Ord. 909. Passed 3-16-99.)

310.018 Maximum Height

The maximum height of any building or structure shall be thirty-five (35) feet.

(Ord. 909. Passed 3-16-99.)

310.02 Multifamily Projects

310.021 Intent

The purpose of this section is to establish the minimum zoning requirements for multifamily, condominium, and apartment building development. The rules and specifications herein are designed to provide an open type of residential land use and moderate dwelling unit density.

(Ord. 909. Passed 3-16-99.)

310.022 Conditional Use Permit Required

All multifamily projects shall require a conditional use permit pursuant to Section 213 of the Village of Greenwich Zoning Code, as the same may be amended from time to time.

(Ord. 909. Passed 3-16-99.)

310.023 Definition and Dwelling Area

- a) Dwelling Unit - One (1) or more rooms providing complete living facilities for one (1) family, including equipment for cooking or provisions for the same, and including a room or rooms for living, sleeping, and eating.
- b) Multifamily Dwelling - A building containing no less than three (3) and no more than eight (8) dwelling units, with each unit attached by a party wall, served by individual heating and plumbing systems, and owned by a common owner.

The minimum area of a dwelling shall be not less than:

One bedroom 800 sq. ft.

An additional 200 sq. ft. for each additional bedroom

- c) Condominiums - Any dwelling units which are a part of condominium property as defined by Ohio R.C. Chapter 5311. Any building or other structure containing condominium units shall contain no more than four (4) dwelling units.

The minimum area of a dwelling unit shall be not less than:

One bedroom 1,000 sq. ft.

An additional 200 sq. ft. for each additional bedroom

- d) Apartment Buildings - A building containing no less than three (3) and no more than eight (8) dwelling units, with each unit attached by a party wall, serviced by common utilities, and owned by a common owner.

The minimum area of a dwelling unit shall be not less than:

Efficiency apartment (no bedroom) 600 sq. ft.

One bedroom 800 sq. ft.

An additional 200 sq. ft. for each additional bedroom

e) Multifamily Project - Any project or development containing one (1) or more multifamily dwellings, condominiums, or apartment buildings.

The area of a dwelling unit shall be the sum of the floor area of living space excluding basements, porches, utility and general storage room, common halls, stairways, and garages. Square footage shall be measured from the interior face of exterior walls and partition walls.

(Ord. 909. Passed 3-16-99.)

310.024 Area, Yard and Height

For all multifamily projects, land and structures shall be used in accordance with the following parameters:

a) No multiple-family dwelling shall be established on a lot having a width of less than eighty (80) feet. Each multiple family dwelling shall be located on a lot with an area of not less than required for a two-family dwelling plus one thousand six hundred and fifty (1,650) square feet for each family over two (2) families housed therein if said building is not over two (2) stories high. Each multiple-family dwelling shall be located on a lot with an area of not less than that required for a two-family dwelling plus one thousand (1,000) square feet for each family over two (2) families housed therein if said building is over two (2) stories high.

For the purposes of this Section, the computation of lot area for multifamily projects shall be based upon the total number of dwelling units where more than one (1) building is located upon the same parcel of land.

b) Minimum frontage - eighty (80) feet.

c) Building setback from right-of-way: fifty (50) feet minimum; building setback from private streets: twenty-five (25) feet from the nearest edge of pavement.

d) Rear setback from rear property line - fifty (50) feet minimum.

e) Sideline setback - twelve (12) feet minimum, but fifty (50) feet minimum when abutting a residentially zoned boundary line.

f) Maximum height - two and one-half (2-1/2) stories, but no greater than thirty-five (35) feet.

g) The minimum separation between buildings containing five (5) or more dwelling units shall be as follows:

Side to side or rear	60 feet
Rear to rear	80 feet
Front to side, rear or front	80 feet

The minimum separation between buildings containing four (4) or fewer dwelling units shall be as follows:

Side to side	45 feet
Side to rear	60 feet
Rear to rear	80 feet
Front to side, rear, or front	80 feet

The minimum separation between any residential building and any accessory building shall be thirty (30) feet.

(Ord. 909. Passed 3-16-99.)

310.025 Accessory Buildings and Use

a) Private parking and garage facilities for residents and visitors shall be a minimum of twenty-five (25) feet from any side or rear property line and a minimum of (50) feet from any public right-of-way.

b) No garage building shall exceed eighty (80) feet in length.

c) Utility facilities and maintenance buildings shall be a minimum of twenty-five (25) feet from side and rear lot lines.

d) Maximum height of accessory building: eighteen (18) feet.

e) Private garden and recreational uses, including structures, shall be at the rear of the building with twenty-five (25) feet

minimum from side and rear lot line.

f) Appropriate nighttime illumination shall be provided for common parking lots, walkways, drive intersections, and other common facilities intended to be used after dark. Floodlights and other forms of exterior lighting shall be designed, located and constructed not to permit the source of light to be visible from off the site.

g) Facilities for shuffleboard, croquet, tennis, badminton and similar recreational uses shall not require a zoning certificate but shall be located not closer than fifty (50) feet to any rear or side lot line and thirty (30) feet to any main building.

h) Any outdoor trash collection facilities, such as trash dumpsters, shall be screened from view from any public right-of-way or adjoining residential property by enclosure on at least three (3) sides by a solid wall or fence of at least six (6) feet in height. Provision shall be made for regular vehicular access to such areas for collection purposes.

(Ord. 909. Passed 3-16-99; Ord. 2008-3. Passed 3-4-08.)

310.026 Drainage

All multifamily developments shall provide for positive drainage in accordance with the provisions of the Huron County Subdivision Regulations, as the same shall be amended from time to time, and shall be subject to the approval of the County Engineer and the Village Council.

(Ord. 909. Passed 3-16-99.)

310.027 Streets

a) All streets, including access drives, shall accommodate two-way traffic, and shall have a minimum width of twenty (20) feet where parking is not permitted. If parallel parking is permitted on one (1) side of the street, the minimum width of the street shall be not less than twenty-eight (28) feet, and if parallel parking is permitted on both sides of the street, the minimum width shall be thirty-five (35) feet. The design and construction of all streets shall be in accordance with the Village of Greenwich Subdivision Regulations, as the same may be amended from time to time.

b) Any entrance drive which connects with a public street or highway shall be at least twelve (12) feet in width.

c) All buildings shall be accessible by emergency vehicles, with room for exiting.

d) Storage garages for private automobiles and maintenance vehicles accessory to multifamily projects must be wholly enclosed. Garage areas will be permitted within the building, fire code permitting.

e) Street identification signs and traffic control devices with posts as requested by the Village Council and as recommended by the Village Administrator shall be provided by the developer and maintained by the owner or owners' association.

(Ord. 909. Passed 3-16-99.)

310.028 Parking

a) There shall be parking spaces on the site in the ratio of two and one-half (2.5) per unit.

b) No parking space shall be less than one hundred eighty (180) square feet in area (excluding drives, curbs and turning space). Minimum width shall be nine (9) feet. Driving lanes between ninety (90) degree parking spaces shall not be less than eighteen (18) feet wide and for diagonal parking, twelve (12) feet wide.

c) No parking space or garage assigned to a dwelling unit shall be more than two hundred fifty (250) feet from a building entrance housing said dwelling unit. No parking space shall be located between the public street right-of-way and the rear line of the front building unless appropriate screening, as determined by the Board of Zoning Appeals, is provided. No common parking lot (not including driveways designed to serve individual dwelling units), shall be located closer than eight (8) feet to any building nor less than fifty (50) feet from any public right-of-way.

d) One (1) guest parking space shall be provided for every two (2) dwelling units, not including driveways designed to serve individual dwelling units. These guest parking spaces shall be located convenient to the dwelling units which are to be served.

All parking and loading areas shall be improved with a compacted base, not less than four (4) inches in depth, surfaced with asphaltic concrete or some comparable surfaced all-weather dust-less surfacing material. Every parking lot designed for storage of five (5) or more vehicles shall have permanent pavement markings to delineate the spaces.

e) Parking areas shall be graded and drained to minimize standing water, to provide positive drainage away from buildings, and to prevent runoff onto adjacent properties.

f) Parking areas containing more than thirty (30) spaces shall contain planting strips to interrupt the mass of paved area, aid in controlling the flow of traffic, and provide visual quality.

g) Handicapped parking and access shall be provided in accordance with the requirements of the Americans with Disabilities Act.

Pedestrian walkways shall be provided between parking areas and apartment buildings.

(Ord. 909. Passed 3-16-99.)

310.029 Fire Protection

The applicant shall demonstrate that reasonable provision has been made for fire protection, including the following:

- a) On all streets, whether private or public, fire hydrants shall be installed at intervals of not more than three hundred (300) feet. Fire hydrants shall have two and one-half (2-1/2) inch outlets, and one (1) large pumping connection shall be located with all outlets facing or parallel to the street, and shall not be obstructed with landscaping materials, vegetation, fences, etc.
- b) The type of hydrant and control valves shall be approved by the Village Fire Chief and the Village Administrator.
- c) The size of any water line serving any hydrant shall not be less than eight (8) inches in diameter and the line shall be looped. The size and location of water lines shall be approved by the Village Administrator.
- d) The availability of lakes, ponds, or swimming pools for fire protection purposes shall be taken into consideration and adequate provision shall be made for their use when feasible.

(Ord. 909. Passed 3-16-99.)

310.030 Open Space and Landscaping

- a) Fifteen percent (15%) of the site, exclusive of rear, side and front setback required yards, parking areas and accessory uses, shall be devoted to passive or active recreational space for use by residents and visitors. Such space may be used for uses such as gardens, play areas, tennis courts, swimming pools, walking and visual relief. No play areas shall be allowed in the front of the building.
- b) A landscape buffer on all sides of the site shall be provided. A natural stand of trees may be used as a buffer. Landscaping may include grass, shrubs, hedges and evergreens.

All apartment complexes shall be fenced and screened on all abutting property lines as follows:

- i) In front of building line: A densely planted living fence to consist of sixty percent (60%) evergreens with a maximum height of forty-two (42) inches and a minimum width of five (5) feet.
- ii) Behind the building line: A densely planted visual sound barrier consisting of at least sixty percent (60%) evergreens with the initial planting a minimum height of forty-two (42) inches and a minimum width of five (5) feet. The mature height of the planting shall be a minimum of six (6) feet.
- iii) A performance bond for five percent (5%) of the estimated construction cost of the apartment complex shall be deposited with the Clerk upon application for the zoning permit to ensure required screening and fencing regulations are completed.

(Ord. 909. Passed 3-16-99.)

310.031 Application Procedure

- a) The developer shall meet with the Board of Zoning Appeals prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the type of development proposed and the criteria and standards contained herein.
- b) The applicant shall submit to the Board of Zoning Appeals five (5) copies of the application including the plans and drawings. In addition to the information required by Section 213, the plans shall include the following:
 - i) Existing topography at two (2) foot contour intervals of the proposed development area and extending at sufficient distance off-site to show adequate provision for drainage concerns, including property lines, easements, street right-of-way, existing structures, trees and landscaping features existing thereon, all natural features including existing water courses, wetlands, steep slopes and flood areas, and will include a certificate by a registered surveyor of the gross area of the development area in acres and square feet prepared to a scale of one hundred (100) feet per inch; and
 - ii) The projected traffic flow pattern shall be described and related to the road and parking map including vehicular movements at all major existing and proposed intersections; and
 - iii) The impact of this traffic upon existing streets shall be evaluated in relation to road capacities using both current and redesign criteria; and
 - iv) This report shall contain an analysis of the proposed improvements to all roads specifying right-of-way and lane widths, and an explanation of typical road construction showing base and sub-base. The clear sight triangle dimensions shall be specified; and
 - v) Existing capacity of sewage treatment facility/facilities; and evidence of adequate capacity to deal with projected flows of the sanitary sewers, including written verification thereof from the Village Administrator; and

vi) The estimated impact of water demands upon existing service facilities shall be evaluated with the estimated daily and peak hour volume demand; and

vii) This report shall contain an analysis of provisions for gas, electricity, telephone, mail service and refuse storage and collection. Construction processes shall be specified to include common trenches where feasible; and

viii) The projected maximum volumes at the collecting point for each drainage system shall be calculated on the basis of a minimum ten-year storm, and the calculations shall be submitted with the application; and

ix) The estimated impact of storm water upon existing service facilities shall be evaluated in relation to existing storm water capacities; and

x) Evaluate the flushing action of flows on any pipe to be utilized in the drainage system to assure the flushing of discharge materials; and

xi) Evaluate the quality of storm water to be discharged into any pipe through the storm drainage system detailing how this discharge shall not lower the quality of the water in the system; and

xii) A perpetual maintenance plan setting forth the ownership and responsibility for maintenance of all common areas including but not limited to open space, landscape buffers, parking areas, access drives, and private streets, which plan shall be subject to the review and approval of a professional engineer selected by the Village, and legal counsel.

(Ord. 909. Passed 3-16-99.)

310.032 Plan Review and Inspection

a) All applications for a conditional use permit for multifamily projects shall be reviewed by an independent engineer retained by the Village. The cost of such engineering review shall be paid by the applicant, and the applicant shall submit a deposit in the sum of two hundred fifty dollars (\$250.00) plus an additional twenty dollars (\$20.00) for each unit at the time the application is filed. Any balance of the deposit remaining after the Plan Review shall be refunded to the applicant, and the applicant shall be responsible for any additional costs.

b) During construction the Village shall be provided adequate opportunity to inspect the development to ensure that all building and zoning requirements are complied with. Inspections may be made by the Village Administrator, or by an independent engineer retained by the Village. The cost for all such inspections shall be paid by the applicant. Prior to construction the applicant shall deposit with the Clerk a sum equal to three percent (3%) of the estimated cost of construction of the required site improvements as determined by the independent engineer retained by the Village. Any balance of the deposit remaining after the construction of the site improvements shall be refunded to the applicant, and the applicant shall be responsible for any additional costs.

(Ord. 909. Passed 3-16-99.)

310.033 Security for Improvements

a) No individual dwelling units within a multifamily project governed by this Section shall be sold unless and until:

i) The improvements required under the terms of the conditional use permit have been satisfactorily completed; or

ii) The applicant shall file with the Village Administrator acceptable surety, the amount and character of which shall be approved by the Village's consulting engineer, guaranteeing to the Village that such improvements will be constructed and completed in a satisfactory manner and within a period specified by the consulting engineer, but such period shall not exceed two (2) years from the date of issuance of the conditional use permit. After the two (2) year period, upon recommendation of the consulting engineer, a new surety bond or other security may be approved. Such surety or check shall be approved by Village legal counsel and shall be made payable to and enforceable by the Village Council, and shall provide that the applicant, his heirs, successors, and assigns, or agents or servants, will comply with all applicable terms, conditions, provisions, and requirements of this Zoning Code. Upon satisfactory completion of the improvements and approval of same in writing by the consulting engineer, the surety may be released by the Council and be returned to the developer.

b) When a portion of the improvements has, upon inspection by the consulting engineer, been satisfactorily completed, a reduction of the surety or partial withdrawal of funds equal to the estimated costs of such completed improvements may be authorized; provided, however, that all of the requirements of this Section have been properly complied with.

c) In the event the applicant fails to complete the installation of all improvements according to the terms and conditions of the conditional use permit, the Village may, upon reasonable notice, complete same and appropriate such portion of surety posted for the faithful performance of said work.

d) Prior to final release of the surety, maintenance surety in the amount of ten percent (10%) of the performance surety in an acceptable form shall be provided to the Village Council for a period of two (2) years, upon recommendation of the consulting engineer.

(Ord. 909. Passed 3-16-99.)

310.034 Maintenance

All private roads and driveways in condominium developments, apartments, and multifamily developments, shall be maintained and kept reasonably free of ice and snow by the owners so as to provide safe and reasonable access by school buses, safety vehicles, and for the safety of all those using the facilities. All parking areas shall be maintained in good condition without holes and free of all dust, trash and other debris and shall be maintained so that the striping of individual parking and loading spaces is in visible condition.

(Ord. 909. Passed 3-16-99.)

310.035 Design Guidelines

All site plans shall conform to the following design standards.

- a) The site plan shall show that a proper relationship will exist between thoroughfares, service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands.
- b) All development features, including principal buildings, open spaces, service roads, driveways, and parking areas shall be so located and related as to minimize the possibility of adverse affects upon adjacent development.
- c) Building location and placement shall be developed with consideration given to minimizing the removal of trees and changes of topography.
- d) Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and the use of proper building materials and landscaping.
- e) On-site traffic circulation shall be designed to make possible, adequate fire and police protection.

(Ord. 909. Passed 3-16-99.)

310.04 Health Care Facilities

310.041 Introduction

The Health Care Industry uses a multitude of nomenclatures to identify institutions within the industry. Many institutions with different designations have very similar functions. For the sake of simplicity, this Section recognizes only generic groupings, and all references in this Section will be to the generic names which follow:

- a) Out-Patient Centers - This classification includes Emergency Care Centers, Family Care Centers, Doctors' offices, Out-Patient Clinics, or any other facility described by the definition of "Emergency Care Center" in the Definition Section.
- b) Resident Nursing Centers - Includes Rest Homes, Nursing Homes, Sanitariums, Sanitariums, Hospice Centers and any other facility described by the definitions for "Rest Home", "Sanitarium" and "Hospice Center" in the Definition Section.
- c) Hospitals - Full care facilities described by the definition for "Hospital" in the Definition Section.

(Ord. 909. Passed 3-16-99.)

310.042 Conditional Use

Operation of Out-Patient Centers, Resident Nursing Centers, or Hospitals shall be permitted only under a Conditional Use Permit.

(Ord. 909. Passed 3-16-99.)

310.043 Plan

An applicant for a permit to operate an Out-Patient Center, a Resident Nursing Center or a Hospital shall present to the Zoning Board of Appeals detailed plans which shall include the following: traffic flow, (to include loading and delivery facilities), parking, screening, fencing, emergency evacuation, topographical plan, landscaping, and fire protection. The traffic flow, parking, emergency evacuation, and fire protection plans shall be approved by the Zoning Inspector and the Fire Chief prior to submission to the Board of Zoning Appeals.

(Ord. 909. Passed 3-16-99.)

310.044 Board of Zoning Appeals

The Board of Zoning Appeals may grant a Conditional Zoning Certificate after determining that the plans presented satisfy the following mandatory criteria, in addition to the provisions of Section 213 of this Zoning Code:

- a) Minimum Lot Size

Out-Patient Centers - A minimum of one (1) acre with one hundred (100) foot frontage on a public thoroughfare. For each ten thousand (10,000) square feet of building area a minimum of one (1) acre of lot area is required.

Resident Nursing Centers and Hospitals - A minimum of five (5) acres with five hundred (500) foot frontage on a public

thoroughfare. For each ten thousand (10,000) square feet of building area a minimum of one (1) acre of lot area is required.

b) Setbacks and Clearances

Resident Nursing Centers and Hospitals - All structures shall be not less than one hundred (100) feet from any public right-of-way and not less than one hundred (100) feet from any property line.

Out-Patient Centers - All structures shall be not less than fifty (50) feet from any public right-of-way and not less than twenty-five (25) feet from any property line.

c) Height - No structure within the property lines of any facility listed above shall exceed thirty-five (35) feet in height.

d) All facilities shall be served by sanitary sewers.

e) Bulk Gas Storage - Oxygen and other bulk combustible gas storage shall be in compliance with regulations of the National Fire Protection Association and the Ohio Fire Code.

f) Emergency Entrances - Any facility which provides emergency care shall have properly identified ingress and egress roadways for the exclusive use of emergency vehicles.

g) Off Street Parking

i) No parking space shall be less than 180 square feet in area (excluding drives, curbs and turning space). Minimum width shall be nine (9) feet.

Driving lanes between 90 degree parking spaces shall not be less than eighteen (18) feet wide and for diagonal parking, twelve (12) feet wide.

ii) Parking areas shall be graded and drained to minimize standing water, to provide positive drainage away from buildings, and to prevent runoff onto adjacent properties.

iii) Handicapped parking and access shall be provided in accordance with the requirements of the Americans with Disabilities Act.

Hospitals Two (2) parking spaces per each one thousand (1,000) square feet of building.

Resident Nursing Centers One and one-half (1.5) parking spaces per each one thousand (1,000) square feet of building.

Out-Patient Centers Six (6) parking spaces per one thousand (1,000) square feet of building.

h) Signs - display and directional signs for all facilities listed above shall conform with the standards set forth in Section 409 of this Zoning Code with the following exceptions:

i) Any facility which has an emergency room shall be permitted one (1) additional double-face sign not exceeding twenty-five (25) square feet in area for the purpose of directing emergency vehicles to the proper entrance.

ii) Signs designating parking areas for staff personnel, out-patients and visitors shall be permitted. Maximum area shall be three (3) square feet. Maximum height shall be three (3) feet.

(Ord. 909. Passed 3-16-99.)

310.045 Supplementary

In addition to the standards listed in Section 310.044 above, the applicant shall provide evidence satisfactory to the Board of Zoning Appeals that the facility will comply with the following:

a) There must be adequate living space in Resident Nursing Centers. Five hundred (500) square feet per resident, exclusive of closets, cafeterias, examining rooms, laboratories and other operating areas is considered adequate.

b) For Resident Nursing Centers and Hospitals, there must be adequate open space. A minimum of forty percent (40%) of the lot area should be unoccupied by buildings, parking areas or roadways. Recreational-type shelters and pavilions open three (3) sides may be included in open areas.

c) The proposed facility must have at presentation preliminary approval of the State Department of Health, show that it meets State Requirements for Voluntary Certification, and have obtained any required License of Certificates of Need, which shall be kept current.

(Ord. 909. Passed 3-16-99.)

SECTION 315 LIGHT INDUSTRIAL (I)

An "I" District shall be for manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and of minimal objectionable or hazardous elements, such as smoke, noise, odor, or dust; operating and storing within enclosed buildings; while generating some industrial traffic and minimal disturbance; and which meet the performance requirements set forth below.

(Ord. 909. Passed 3-16-99.)

315.01 Permitted Uses

The following uses and no other shall be deemed Class "I" uses and permitted in all "I" districts, provided they comply with all of the performance requirements set forth in Section 400 of the Village of Greenwich Zoning Code.

1. Any use permitted in an R District or a BC District except Multifamily Projects and Health Care Facilities.
2. Adhesives, caulking, sealants, the manufacture and sale of.
3. Agricultural and commercial equipment, sales, rental, storage and repair.
4. Auto body shop, provided that all damaged or unlicensed vehicles are stored so as to be completely screened from view from off the premises by means of a solid fence or other device as approved by the Board of Zoning Appeals.
5. Auto upholstery.
6. Barrels and drums, the manufacture of and storage of when empty.
7. Batteries, the manufacture and rebuilding of.
8. Beverage storage.
9. Boat building and storage.
10. Book bindery.
11. Bottling plant.
12. Box factory.
13. Brushes, the manufacture of.
14. Canvas, the manufacture of canvas and canvas products.
15. Carnivals, manufacture, repair and equipment storage.
16. Casein, the manufacture of casein products, except glue.
17. Cellophane, the manufacture of cellophane products.
18. Cleaning establishments, including rugs.
19. Clocks, the manufacture and sale of.
20. Cleaning and dyeing establishment.
21. Cloth. The manufacture of cloth and cloth products, including clothing of all kinds, but not tanning.
22. Coffins, vaults and monuments, the manufacture and sale of.
23. Cold storage.
24. Cork, the manufacture of cork products.
25. Cosmetics, the packaging, distribution and manufacturing of pharmaceutical and cosmetic items.
26. Dairy processing plants.
27. Electrical parts, the manufacture, sale assembly and storage of electrical parts and appliances.
28. Engines, the manufacture and rebuilding of internal combustion engines, but excluding a foundry.
29. Engraving, machine metal engraving only.
30. Felt, the manufacture of.
31. Fixtures, the manufacture of gas fixtures.
32. Food processing, including associated research and laboratory and administration facilities. Open vats, offensive and obnoxious odors prohibited.
33. Fruit packing plant.
34. Fur products, the manufacture of.
35. Furniture, the manufacture of.
36. Generators and transformers, the manufacture of electrical motors, generators and transformers.
37. Heating equipment, the manufacture of, including sheet metal and air conditioning, excluding a foundry.
38. Ice, the manufacture, distribution and storage of.

39. Iron, ornamental iron works but excluding a foundry.
40. Jewelry, the manufacture of.
41. Laboratories for processing photographic film and movie film.
42. Leather products, the manufacture of, but not including tanning.
43. Linen, towel and uniform supply company.
44. Lumber and home improvement centers.
45. Metals
 - a) Manufacture of products of precious metals.
 - b) Manufacture of metal, steel, and brass stamps.
 - c) Metal fabricating.
 - d) Metal spinning.
 - e) Metal storage, Metal working shop.
46. Musical instruments, the manufacture of.
47. Novelties, the manufacture and sale of.
48. Optical goods, the fabrication, manufacture and sale of.
49. Outdoor skating rinks and outdoor dance pavilions, if such rinks and pavilions are not within five hundred (500) feet of any residential zone, or any zone of similar restriction in any adjacent political subdivision.
50. Paper products, the manufacture of, but not including the manufacture of paper itself.
51. Pest control service, including residential termite control.
52. Plastic extrusions and moldings, including grinding and processing of the basic materials used in connection with the basic plastic process and storage of the finished products.
53. Plumbing shop and plumbing contractor's shop.
54. Polish, the manufacture, sales, and storage of all types.
55. Presses.
56. Printing and engraving.
57. Produce terminal.
58. Professional offices.
59. Riding academies and recreational camps, whether commercial or nonprofit.
60. Roofing contractor's establishment.
61. Rope, the manufacture and storage of.
62. Rugs, the manufacture and sale of.
63. Sand, washing of sand to be used in sandblasting.
64. Septic pumping, cleaning and draining.
65. Signs, the manufacture of.
66. Soft drinks, the manufacture of.
67. Storage warehouses.
68. Toys, the manufacture of.
69. Trailers, the manufacture and sale of.
70. Truck storage, rental or terminal.
71. Valves, storage and repair of.
72. Vehicle storage (enclosed).
73. Ventilating products, the manufacture and sale of.
74. Veterinary hospital and animal research institute.

75. Windows, doors, and accessories, the manufacture and sale of.
 76. Welding, repair welding only.
 77. Wine, storage, manufacture and sale of.
 78. Wood, carpenter shop, cabinet making, and the manufacture of wood products. This section does not permit a planing mill or the manufacture of particle board or plywood.
 79. Any other similar use provided a conditional zoning certificate is obtained in accordance with Section 213.
- (Ord. 909. Passed 3-16-99.)

315.02 Minimum Frontage

No building shall be erected in an "I" district on a lot having a frontage of less than one hundred (100) feet on a public thoroughfare unless such lot was designated on a recorded plat or separately owned at the time this Zoning Code took effect. Where the public thoroughfare is curved, the minimum width of one hundred (100) feet shall be measured at the minimum setback line, provided however that a minimum frontage of fifty (50) feet at the right-of-way line shall also be required.

In the case of rear lots the frontage shall be not less than sixty (60) feet, and shall extend a minimum sixty (60) feet in width to the buildable portion of the lot, which shall conform in width to the requirements of the "I" district.

(Ord. 909. Passed 3-16-99.)

315.03 Minimum Area

No use shall be established and no building or structure shall be erected or altered on any lot of less than one-half (1/2) acre of area. More than one (1) building or structure, the use of which is directly related to the industrial use of such property, may be located on the same lot without increasing the minimum area requirement.

No more than one (1) single family dwelling or two-family dwelling shall be erected on any parcel of land, and single family and two-family dwellings shall not be permitted on any parcel with any building other than permitted accessory buildings.

In the case of rear lots, only that portion of a rear lot with a minimum width of one hundred (100) feet shall be used in calculating the next acreage.

(Ord. 909. Passed 3-16-99.)

315.04 Area Exclusivity

MI required areas shall be exclusive of the right-of-way of any public thoroughfare.

(Ord. 909. Passed 3-16-99.)

315.05 Side Yards

In an "I" district, there shall be a minimum side yard clearance of twenty-five (25) feet on each side of any structure, except where adjacent to a railroad siding. Any industrial or commercial structure abutting a residentially zoned area shall have a minimum one hundred (100) foot setback from any/all residentially zoned boundary lines.

(Ord. 909. Passed 3-16-99.)

315.06 Rear Yards

For every building or structure erected in an "I" district, there shall be a minimum rear lot clearance of at least twenty-five (25) feet.

(Ord. 909. Passed 3-16-99.)

315.07 Setback

No building or structure, or any portion thereof, except steps and uncovered porches less than ten (10) feet in width, underground tanks and uncovered gasoline pumps, shall be erected or located within fifty (50) feet of the right-of-way line of any road or street, and no goods shall be displayed, stored or offered for sale within such area. Gasoline pumps and pump island canopies may be erected within fifty (50) feet of a street right-of-way line, provided a Conditional Zoning Certificate authorizing such lesser setback is approved by the Board of Zoning Appeals.

(Ord. 909. Passed 3-16-99.)

In an "I" district, no sign or other structure may be erected or vegetation planted within fifteen (15) feet of the edge of the road right-of-way which obstructs the view between the heights of three and one-half (3-1/2) feet and (10) feet above the grade of the road.

(Ord. 909. Passed 3-16-99.)

315.08 Corner Lots

On corner lots, all buildings and structures shall have a minimum setback of fifty (50) feet from the right-of-way line of the street on which the building faces and a minimum side yard setback of twenty-five (25) feet from the other street right-of-way.

(Ord. 909. Passed 3-16-99.)

315.09 Accessory Structures

All accessory structures, other than permitted buildings, including but not limited to windmills, antenna towers, micro-wave relay tower, etc., shall be located by a minimum distance from property boundaries at least equal to the height of the structure plus ten (10) additional feet.

(Ord. 909. Passed 3-16-99.)

315.10 Separation

No building shall be erected within one hundred (100) feet of any active gas or oil well, storage tank, or separator unit.

(Ord. 909. Passed 3-16-99.)

315.11 Maximum Height

The maximum height of any building or structure shall be thirty-five (35) feet provided, however, that the Board of Zoning Appeals may, by conditional zoning certificate as set forth in Section 213 of this Ordinance, permit buildings to be erected to heights greater than thirty-five (35) feet, but not exceeding forty-five (45) feet.

(Ord. 909. Passed 3-16-99.)

315.12 Conformance

Any single family residence constructed within an "I" District shall conform to the requirements for single family residences as set forth in Sections 301.04, 301.05, 301.06, and 301.09 of this Zoning Ordinance.

(Ord. 909. Passed 3-16-99.)

SECTION 320 PARK LAND (P)

A (P) District shall be for the conservation of environmental qualities and safe outdoor recreation facilities for this generation and future generations. These lands shall consist of scenic areas, fields, wooded areas, trails, beaches, waterways, and other natural and manmade areas which enhance the environment for residents and visitors. The regulations set forth in this section or set forth elsewhere in this Zoning Code where, referred to in this section are the district regulations in the "P" Park Land district.

(Ord. 909. Passed 3-16-99.)

320.01 Permitted Uses

The following uses and no other shall be deemed Class "P" uses and permitted in all "P" districts, provided they comply with all of the Performance Requirements set forth in Section 400 of the Village Zoning Code.

(a) Use Regulations. A building or premise shall be used only for the following purposes:

- (1) Agriculture.
- (2) Public and private forests and wildlife reservations.
- (3) Public parks, picnic areas, shelters and playgrounds.
- (4) Public beaches and pools.
- (5) Public boat launch facilities.
- (6) Public recreation facilities for baseball, volleyball, tennis, golf, skiing, cross- country skiing, sledding, football, soccer, walking, jogging and other non- motorized sports and activities.
- (7) Public recreation halls and club houses furnishing meals, selling soft drinks, soda, confectionery, ice cream, snacks, nuts, and fruits for public use at the park.
- (8) Public buildings for the display of natural or historical artifacts or collections.
- (9) Rental of public recreation halls, rooms, shelters and kitchen facilities.

(10) Public halls that are used in part for government offices that provides services for the residents and rooms for public meetings.

(11) Accessory building or use including garages, maintenance buildings, cabins, barns, out buildings and shelters customarily incident to the above uses and grounds maintenance.

(12) Any other similar use which is deemed by the Zoning Commission to be of the same nature and character as these uses.

(13) Buildings, structures or uses that are not allowed:

A. Residences, dwellings.

B. Apartments.

C. Cabins, tourist homes, motels, hotels, congregate living facilities.

D. Rental of overnight sleeping accommodations.

E. Administration buildings, offices.

F. Vehicle repair facilities except as herein permitted.

G. Commercial and industrial use.

H. Any other similar use which is deemed by the Zoning Commission to be of the same nature and character as these uses.

(b) Preservation Regulations

(1) Pollution-of waterways with sewage, trash, soil or other pollutants shall be prohibited.

(2) The preservation of all timber within the area shall be encouraged. The private and commercial harvesting of timber shall be permitted on a selective harvesting basis as approved by the Zoning Commission based on ODNR recommendations.

(3) The planting of trees, shrubs and aids for the protection of natural Wildlife and for erosion control shall be encouraged.

(c) Total Area - A building or premise used as the principal building shall contain the minimum square footage total area as shown by building type.

(1) One (1) level, seven hundred fifty (750) minimum square feet total area.

(2) Two (2) levels or more, One thousand five hundred (1,500) minimum square feet total area.

(d) Minimum Dimensions and Limitations

(1) Minimum building setback from the right-of-way: one hundred (100) feet.

(2) Minimum lot width at the building line: one hundred (100) feet.

(3) Minimum lot rear yard depth from principal building: one hundred (100) feet.

(4) Minimum side yard width from principal building: twenty-five (25) feet.

(5) Maximum principal building height from finished grade: thirty-five (35) feet.

(6) Maximum accessory building height from finished grade: twenty-four (24) feet.

(7) Minimum accessory building side yard width: twenty-five (25) feet.

(8) Minimum accessory building rear yard depth: one hundred (100) feet.

(9) Maximum total area of all accessory buildings: two percent (2%) of lot size.

(10) Minimum distance from principal building to accessory building excepting deck, patio, belvedere or attached private garage: ten (10) feet.

(Ord. 909. Passed 3-16-99; Ord. 2012-07. Passed 10-16-12.)

SECTION 400 ENVIRONMENTAL PERFORMANCE STANDARDS

All non-residential uses established within the Village shall at all times comply with the performance standards set forth herein:

(Ord. 909. Passed 3-16-99.)

400.01 Air Pollution

a) Odor

In any district, no odor shall be permitted at any lot line exceeding the lowest amount set forth in Table 111, "Odor Thresholds", of Chapter 5, "Physiological Effects", of *Air Pollution Abatement Manual of the Manufacturing Chemists Association*, according to the latest edition of such table for the compounds therein described.

b) Smoke

No activity, operation, or use shall, during normal operations, emit smoke at a density which exceeds Number Two (2) on the Standard Smoke Chart in a quantity in excess of ten (10) Smoke Units per hour per stack.

c) Heat and Humidity

No use, operation, or activity shall produce intense heat or excessive humidity in the form of steam or moist air which has a perceptible impact beyond the lot lines of the property.

d) Dust and Particulate Matter

No use, operation, or activity shall exhaust or discharge into the air any quantity of fly ash, dust, dirt, or other particulate matter except in conformance with the current air pollution standards of the Ohio Environmental Protection Agency (OEPA) and pursuant to a valid discharge permit issued by OEPA. In no event shall there be any emission of solid or liquid particles in concentrations exceeding three tenths (0.3) grains per cubic foot of the conveying gas or air, nor of acid gases in excess of two tenths of one percent (0.2%) by volume.

(Ord. 909. Passed 3-16-99.)

400.02 Erosion

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

(Ord. 909. Passed 3-16-99.)

400.03 Water Pollution

No use, operation, or activity shall emit or discharge solids, liquids, or other matter into or onto any bodies of water, streams, or the ground except in conformance with the water pollution control standards established by the Ohio Environmental Protection Agency (OEPA) and pursuant to a valid discharge permit issued by the OEPA.

(Ord. 909. Passed 3-16-99.)

400.04 Electrical Disturbance

No use, operation, or activity shall generate or emit any electrical disturbance which interferes with normal radio and television reception or the use of electrical equipment beyond the property boundaries of such use, operation, or activity.

(Ord. 909. Passed 3-16-99.)

400.05 Noise

The sound pressure level resulting from any use, operation, or activity shall not exceed the following maximum permitted sound levels at or beyond the boundary of the property on which said sound is produced:

Center Frequency Cycles Per Second	Maximum Permitted Sound Pressure Level in Decibels
31.5	76
63	74
125	68
250	63
500	57
1,200	52
2,000	45
4,000	38
8,000	32

The sound pressure level resulting from any use, operation, or activity shall not exceed the following maximum permitted sound levels at or beyond the boundary of any residentially zoned property:

Center Frequency Cycles Per Second	Maximum Permitted Sound Pressure Level in Decibels
31.5	

63	72
125	66
250	60
500	54
1,200	50
2,000	43
4,000	35
8,000	26

(Ord. 909. Passed 3-16-99.)

400.06 Vibration

No activity or operation shall cause or create earth-borne vibrations at the property boundary line in excess of the displacement amounts for frequencies as set forth below:

Frequency (cycles per second)	Vibration Displacement (in inches)	
	Steady State	Impact
under 10	.0008	.0016
10-19	.0005	.0010
20-29	.0003	.0006
30-39	.0002	.0004
40 and over	.0001	.0002

(Ord. 909. Passed 3-16-99.)

400.07 Toxic or Noxious Matter

No use, operation or activity shall emit or discharge toxic or noxious matter in any form which may be detrimental to the public health, safety, or general welfare or which may endanger the natural environment.

The use or storage of any hazardous or regulated materials shall be reported to the Greenwich Village Fire Department using the appropriate Material Safety Data Sheets.

Provisions for proper storage, use, and disposal of hazardous and/or toxic materials shall conform to the standards and requirements for such materials as established by the Ohio Environmental Protection Agency and shall be implemented in consultation with the Greenwich Village Fire Chief.

(Ord. 909. Passed 3-16-99.)

400.08 Radiation Hazards

Unsealed radioactive materials shall not be manufactured, utilized or stored (unless such materials are stored in a fireproof and concussion proof container at or below ground level) in excess of one million (1,000,000) times the quantities set forth in Column 1 of the table in Section 38-2 of the Industrial Code Rule No. 38, relating to Radiation Protection of the New York State Department of Labor.

None of the following fissionable materials shall be assembled at any one point, place, or work area on any parcel in a quantity equal to or in excess of the amount set forth herein:

Material	Quantity
Uranium - 233	200 grams
Plutonium 239	200 grams
Uranium - 235	350 grams

(Ord. 909. Passed 3-16-99.)

400.09 Fire and Explosive Hazards

Storage, utilization, and/or manufacture of materials or products which are slow to moderate burning, including those with

open-cup flash points above one hundred eighty-two (182) degrees Fahrenheit, are permitted in accordance with the standards set forth in the National Fire Protection Association's Fire Protection Handbook.

Storage, utilization, and/or manufacture of materials or products which are free burning and/or intense burning, including those which have open cup flash points between one hundred (100) degrees and one hundred eighty-two (182) degrees Fahrenheit are permitted provided that:

- a) The material or products are stored, manufactured, and/or utilized only within completely enclosed buildings having noncombustible exterior walls; and
- b) The buildings are set back at least forty (40) feet from any lot line and one hundred (100) feet from any residential zoning district boundary; or
- c) The buildings shall be protected throughout by an automatic fire-extinguishing system meeting the criteria set forth in the Ohio Basic Building Code for such systems.

Storage, utilization, and/or manufacture of materials or products which are flammable, combustible liquids, produce flammable or explosive vapors or gases, or decompose by detonation shall not be permitted, except in conformance with the following:

- a) Storage of such materials, exclusive of finished products in original sealed containers, shall be underground;
- b) Any activity or process involving the use of such materials shall take place solely within a completely enclosed building which is protected with an automatic fire- extinguishing system and contains such other safety and fire-prevention equipment as required by the Ohio Basic Building Code, the Fire Protection Code, and the Greenwich Village Fire Chief;
- c) No such material shall be used or stored within fifty (50) feet of any property boundary line, or within one hundred fifty (150) feet of any residential zoning boundary.

(Ord. 909. Passed 3-16-99.)

400.10 Glare

Any activity, operation, or use which produces glare or intense light emissions shall be adequately shielded, screened, or enclosed so as not to be directly visible from any lot line. No glare or light emissions shall be of such intensity as to constitute a nuisance for adjoining properties.

(Ord. 909. Passed 3-16-99.)

400.11 Measurement Procedures

Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., the Manufacturing Chemists Association, Inc., the United States Bureau of Mines, the National Fire Protection Association, and the Ohio Environmental Protection Agency.

(Ord. 909. Passed 3-16-99.)

400.12 Enforcement

The application for any non-residential zoning permit to the Zoning Inspector shall be accompanied by a statement setting forth the proposed use's ability to comply with these performance standards and describing any materials, processes, or activities which constitute potential hazards, as set forth herein, and the proposed methods for mitigating those potential hazards.

The Zoning Inspector may, from time to time, monitor a use's performance to determine its continued compliance with these standards. The Zoning Inspector shall have the authority to investigate complaints relating to alleged non-compliance with the standards set forth herein.

The Zoning Inspector may take such appropriate action as may be deemed necessary to protect the public health, safety, and general welfare and to compel compliance with these performance standards.

(Ord. 909. Passed 3-16-99.)

SECTION 401 AGRICULTURE

Land in any district may be used for agricultural purposes. Land and buildings used for agriculture purposes are exempt from Zoning Code Regulations pursuant to Ohio R.C. 519.121. "Agriculture" shall include agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, silviculture and animal and poultry husbandry. Also normal accessory uses, excluding stockyard operations and slaughterhouses.

(Ord. 909. Passed 3-16-99.)

SECTION 402 NON-CONFORMING USES

402.01 Continuance

A non-conforming use existing at the time this Zoning Code takes effect may be continued, except that if it is voluntarily discontinued for two (2) years or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such district.

(Ord. 909. Passed 3-16-99.)

402.02 Completion

Any building arranged, intended or designed for a non-conforming use, the construction of which has been started at the time of the passage of this Zoning Code, but not completed, may be completed and put to such non-conforming use, provided it is done within one (1) year after this Zoning Code takes effect.

(Ord. 909. Passed 3-16-99.)

402.03 Reconstruction

Any building or structure, existing as a non-conforming use at the time this Zoning Code takes effect, which is destroyed by fire or the elements, may be reconstructed and restored providing the same is done within two (2) years from the date of said destruction.

(Ord. 909. Passed 3-16-99.)

402.04 Alteration

A building or structure devoted to a non-conforming use at the time this Zoning Code takes effect may not be altered or enlarged so as to extend said non-conforming use more than ten percent (10%) in floor area. A parcel or area of land so devoted may not be enlarged by more than ten percent (10%) in area.

(Ord. 909. Passed 3-16-99.)

402.05 Conformance

Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or nonconforming use.

(Ord. 909. Passed 3-16-99.)

SECTION 403 CABLE TELEVISION PERMIT

In addition to all other requirements provided for by law, any person, firm, or corporation desiring to provide cable television services in the unincorporated area of the Village of Greenwich shall file an application with the Village Zoning Inspector, which application shall be on a form as prescribed from time to time by the Village of Greenwich Council and shall contain such conditions as may be prescribed by the Council.

(Ord. 909. Passed 3-16-99.)

SECTION 404 FENCES AND HEDGES

404.01 Where Permitted

A fence may be placed on the property line if either property owner can provide a plot survey by a registered surveyor and survey pens can be located.

If a plot survey by a registered surveyor and survey pens cannot be located the fence then must be placed a minimum of three (3) feet off the agreed-upon property line.

The maximum height of a fence in front of the Building Setback Line shall be forty-two (42) inches. The maximum height of any fence other than a snow fence shall be eight (8) feet. The good side or finished side of the fence other than a snow fence shall face the adjoining property.

(Ord. 909. Passed 3-16-99; Ord. 945. Passed 12-3-02.)

404.02 Snow Fences

Temporary snow fences may be erected within front yards, provided that:

- a) Such fences are located a minimum of ten (10) feet from any boundary line;
- b) Such fences are not erected prior to November 15th and are removed prior to April 1st;
- c) A temporary no-fee zoning permit is required and the property owner or occupant must obtain that permit from the Zoning Inspector prior to erecting any such fence;

d) For the purposes of this section, temporary snow fence shall mean wood roll fencing consisting of one and one half (1-1/2) inch wood slats with two and one quarter (2-1/4) inch spacing and forty-eight (48) inches in height or approved by Zoning Board.

(Ord. 909. Passed 3-16-99.)

SECTION 408 PARKING REQUIREMENTS

408.01 Off Street Parking Required

There shall be provided at the time of construction of any building or structure or the establishment of any use, or at the time any use is altered, enlarged, or increased in capacity, minimum off-street parking facilities as required herein. Each application for a zoning certificate shall include a plan showing compliance with the requirements for parking and access.

(Ord. 909. Passed 3-16-99.)

408.02 Parking Space Dimensions

Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet, exclusive of access drives or aisles. The minimum width of parking spaces intended for private automobiles shall be nine (9) feet.

(Ord. 909. Passed 3-16-99.)

408.03 Parking Spaces Required

Off street parking spaces shall be provided according to the following schedule:

<u>USE</u>	<u>MINIMUM SPACES REQUIRED</u>
Single-family dwelling	2 spaces per dwelling unit
Multifamily dwelling	2.5 per dwelling unit
School	6 per classroom or 1 for every 3 seats in the largest-assembly space, whichever is greater
Church or other place of worship	1 for every 3 seats of planned capacity
Office	4 for each 1,000 square feet of floor area
Medical Clinic	6 for each 1,000 square feet of floor area
Child day care center	4 for each 1,000 square feet of floor area
Restaurant	10 for each 1,000 square feet of floor area
Bank, and/or financial institutions	4.5 for each 1,000 square feet of floor area
Nursery, garden center, greenhouse	1 for each 1,000 square feet of enclosed display area
Personal and professional services	4 for each 1,000 square feet of floor area

<u>USE</u>	<u>MINIMUM SPACES REQUIRED</u>
Retail stores	4 for each 1,000 square feet of floor area
Gasoline service station	1.5 per gasoline service pump
Theater	1 for every 3 seats of planned capacity
Automobile sales	1 for each 1,000 square feet of improved area
Automobile service and repair	2.5 for each 1,000 square feet of floor area
Shopping Center	4.5 for each 1,000 square feet of floor area
Industrial, manufacturing	2 for each 1,000 square feet of floor area

(Ord. 909. Passed 3-16-99.)

408.04 Location of Parking Areas

In any "BC" or "I" District, vehicles shall not be parked within ten (10) feet of any public right-of-way. Parking areas shall be a minimum of five (5) feet from all side lot lines except where parking areas for adjacent lots are interconnected.

(Ord. 909. Passed 3-16-99.)

408.05 Design of Parking Areas

a) Parking areas shall be graded and drained to minimize standing water, to provide positive drainage away from buildings,

and to prevent runoff onto adjacent properties.

b) All parking areas shall be improved with a compacted bituminous base, not less than four (4) inches in depth, with an all-weather dustless surfacing material.

c) Every parking lot designed for storage of five (5) or more vehicles shall have permanent pavement markings to delineate the spaces.

d) Handicapped parking and access shall be provided in accordance with the requirements of the Americans with Disabilities Act.

e) Drive aprons shall be located such that they are the maximum distance possible from street intersections. The number of drive aprons shall be determined by traffic and parking data supplied by the applicant and shall be the minimum number necessary to service the facility.

f) All two-way drive aisles shall have a minimum width of twenty-two (22) feet. The minimum width for one-way drive aisles shall be as follows:

i) Twenty-two (22) feet for ninety (90) degree or perpendicular parking;

ii) Sixteen (16) feet for sixty (60) degree parking; and

iii) Twelve (12) feet for forty-five (45) degree or thirty (30) degree parking.

g) All parking areas shall be maintained in good condition without holes and free of all dust, trash, and other debris and shall be maintained so that the striping of individual parking and loading spaces is in visible condition.

(Ord. 909. Passed 3-16-99.)

SECTION 409 OUTDOOR ADVERTISING AND OTHER SIGNS

409.01 Intent

The purpose of this Section is to promote and protect the public health, welfare, and safety by regulating outdoor advertising signs and outdoor signs of all types. It is further intended to reduce sign distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development.

(Ord. 909. Passed 3-16-99.)

409.02 Governmental Signs Excluded

This Ordinance does not include governmentally required signs.

(Ord. 909. Passed 3-16-99.)

409.03 General Requirements for all Signs and Districts

The regulations contained in this section shall apply to all signs and all use districts.

a) Any illuminated sign or lighting device shall emit a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device permit the beams or illumination therefrom to be directed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

b) No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (a) and (b) of this section shall not apply to any sign performing a public service function indicating time and temperature only.

c) All signs containing electrical wiring shall be in conformance with the National Electrical Code and any local code.

d) Should a sign be or become unsightly, unsafe or be in danger of failing, the owner thereof or the person maintaining same, upon receipt of written notice from the Zoning Inspector, shall have ten (10) calendar days to correct any deficiencies or remove the sign.

e) No sign shall be placed in any public right-of-way except publicly-owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter shall be permitted in any district, and must not exceed three (3) square feet per face.

f) No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign. An exception shall be temporary devices during special occasions, for not more than forty-five (45) days in any calendar year, with a permit expressly setting forth the days that such devices will be in use. This section shall not apply to holiday decorations which contain no advertising content.

(Ord. 909. Passed 3-16-99.)

409.04 Measurement of Sign Area

The surface area of a sign shall be computed by including the sum of the areas of the sign faces, and no sign shall have more than two (2) faces. Frames and structural members not bearing advertising matter shall not be included in computation of the surface area provided that such frames and/or supports are not designed so as to attract attention or to identify the use or goods or services provided.

(Ord. 909. Passed 3-16-99.)

409.05 Placement of Sign on a Building

- a) The sign shall not extend beyond the ends of the wall to which it is affixed.
- b) The sign shall be placed to give clear visibility.
- c) Signs fitted to or painted onto windows or awnings are permitted.
- d) No signs erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than fifty percent (50%) of the window surface; in the case of a doorway, no sign is allowed, except a sign indicating hours of operation.
- e) No sign shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape.
- f) In all "BC" and "I" districts, each business shall be permitted one (1) sign, mounted flat against the building. The area of all permanent on-premises signs for any single business enterprise may equal one and one half (1-1/2) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise, but shall not exceed a maximum area of one hundred (100) square feet.
- g) Each business in a business and commercial district shall be permitted to have one (1) sign mounted flat on the building with maximum sign areas as follows:
 - i) For shops and stores constituting part of a larger building, the total area of all such signs shall be no more than one (1) square foot of sign area per foot of linear frontage of the building.
 - ii) For shops and stores constituting an entire building with only one (1) street-side elevation; one (1) square foot of sign area per foot of linear frontage of the building.
 - iii) For shops and stores constituting an entire building having a corner location; one (1) square foot of sign area per foot of linear frontage for each street frontage of the building.
 - iv) For rear sides of shops and stores, the total area of all such signs shall be no more than one-half (1/2) square foot of sign area per foot of linear rear frontage of the building.
- h) Except as otherwise expressly provided in this section, no sign shall be placed on buildings in any residential district.

(Ord. 909. Passed 3-16-99.)

409.06 Projecting Signs

- a) Projecting signs must be structurally secured to the building upon which they are placed. They must be placed in a way that they do not block vision from windows and that their height above the sidewalk is suitable for clearance and vision. Eight (8) feet shall be the minimum ground clearance in all cases.
- b) Materials appropriate for the sign panel may be wood, metal, tempered glass or plastic structurally suitable for the application.
- c) The maximum size and placement of a projecting sign shall be limited as follows:
 - i) Not more than eight (8) square feet per sign face.
 - ii) Not farther from the building facade than four (4) feet.
- d) Face lighting the sign from a remote location is permitted as long as glare is not created to cause discomfort for either the pedestrian or vehicle driver. Small, decorative bulbs may be sign-attached in instances where such a design concept is suitable by tradition (theaters) or by the nature of the business (nightclubs). Bulb wattage shall not exceed twenty-five (25) watts.
- e) There shall be no more than one (1) projecting sign per building.

Except for signs authorized in paragraph 409.09(b), projecting signs shall be permitted only in BC and I districts.

(Ord. 909. Passed 3-16-99.)

409.07 Free-Standing Signs

- a) Free-standing on-premises signs not over twenty (20) feet in height, having a total sign area of not more than twenty-five (25) square feet per sign face per business, and to increase not more than twenty-five (25) square feet per sign face per business to a maximum of one hundred (100) square feet per sign face and located not closer than twenty (20) feet to any adjoining lot line, may be erected to serve a business or group of business establishments.
- b) There shall be only one (1) free-standing sign for each building, regardless of the number of businesses conducted in said building, provided, however, that any premises which has in excess of five hundred (500) feet of frontage on a public right-of-way may be permitted a second free-standing sign conforming to all of the other requirements of this Zoning Code.
- c) Free-standing signs shall be erected not less than ten (10) feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections or at property ingress and egress points.
- d) Except for signs authorized in paragraphs 409.08, 409.09 and 409.10, free-standing signs shall be permitted only in "BC" and "I" districts.

(Ord. 909. Passed 3-16-99.)

409.08 Signs Not Requiring a Permit

The following signs shall be permitted in all districts and shall not require a permit:

- a) Signs advertising the sale, lease or rental of the premises upon which the sign is located shall not exceed six (6) square feet in area. Such sign shall be removed after the sale, lease or rental.
- b) Signs denoting the name and address of the occupants of the premises shall not exceed two (2) square feet per sign face.
- c) Window signs.

(Ord. 909. Passed 3-16-99.)

409.09 Signs Permitted in Any District

The following signs are permitted in all districts and shall require a permit:

- a) Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed sixteen (16) square feet in area and which shall be located on the premises of such institution.
- b) Professional name plates and home occupation signs in a residential district shall not exceed four (4) square feet in area.
- c) Signs advertising the sale, lease, or rental of the premises on which the sign is located in excess of six (6) square feet in area but not exceeding twelve (12) square feet in area. Such sign shall be removed after the sale, lease, or rental.
- d) Identifying ground signs at the entrance to a subdivision, condominium or other multifamily project shall be permitted, provided they do not exceed forty-two (42) inches in height from the center line of the road, nor be more than twenty-four (24) square feet per face, and shall not be set closer to the right-of-way than ten (10) feet.
- e) Political Signs
 - i) A political sign shall be any sign concerning any candidate, political party, issue, levy, referendum, or other matter whatsoever eligible to be voted upon in any general, primary, or special election.
 - ii) Political signs shall be permitted within the Village on any occupied lot, but only with the property occupant's permission. There shall be a limit of one (1) political sign per candidate or issue per parcel which may be displayed for a period commencing forty-five (45) days before the date of election to which it pertains and ending five (5) days after the election. Any political sign that does not meet all of the above requirements will be removed at the expense of the candidate, at a cost of five dollars (\$5.00) per sign.
 - iii) Political signs shall be non-illuminated, a maximum of eight (8) square feet per face in area, a maximum height of three (3) feet, and shall be placed at least ten (10) feet from the edge of the paved portion of the roadway.
 - iv) Political signs shall not block the vision of motorists or pedestrians. No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal.
 - v) All candidates or committee officers shall file with the Village Zoning Inspector a fifty-dollar (\$50.00) deposit. If all conditions and requirements are met, the entire fifty-dollar (\$50.00) is refundable within thirty (30) days after the election.

(Ord. 909. Passed 3-16-99; Ord. 2009-09. Passed 9-22-09.)

409.10 Temporary Signs

- a) Temporary signs, not exceeding twenty-five (25) square feet in area, announcing special public or charitable events,

shall be permitted for a period of sixty (60) days.

b) One (1) sign, not exceeding twenty-five (25) square feet per face, shall be permitted on the site of a building under construction or to be constructed, and which may bear the names of the future occupants, architect, engineers, and real estate developers or sub-dividers involved in the construction of the building, may be erected for a period of sixty (60) days plus the period of active construction.

c) All temporary signs under the authority of this section shall conform to the requirements of this Zoning Code, be located not closer to any lot line than one-half (1/2) the required building setback distance from that lot line, and shall require a permit.

(Ord. 909. Passed 3-16-99.)

409.11 Off-Premises Sign or Billboard

No off-premises signs shall be permitted in any district.

(Ord. 909. Passed 3-16-99.)

409.12 Zoning Permit

Except as otherwise provided herein, a zoning permit shall be required for all signs.

(Ord. 909. Passed 3-16-99.)

409.13 Violations

In case any sign shall be installed, erected, constructed or maintained in violation of any of the terms of this Zoning Code, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Zoning Code. Failure to comply with any of the provisions of this section shall be deemed a violation and shall be punishable under Section 210 of this Zoning Code.

(Ord. 909. Passed 3-16-99.)

SECTION 410 SAND, GRAVEL AND EARTH REMOVAL

Surface extraction of sand, gravel or other earth materials may be permitted only under a Conditional Zoning Certificate considering the effect upon the surrounding land. Such extraction shall not be permitted by right. Such conditional use may be permitted under specific conditions and stipulations in any district or may be prohibited by the Board of Zoning Appeals, after making a determination for conformance with the following procedures and standards requirements.

(Ord. 909. Passed 3-16-99.)

410.01 Site Size

The area proposed for extraction under this section shall comprise no less than twenty-five (25) contiguous acres, except there shall be no minimum acreage requirement if the finished grade after removal will be no lower than that of the adjoining properties.

(Ord. 909. Passed 3-16-99.)

410.02 Exemptions

This section does not apply to county subdivision regulations, normal site preparation, excavation of basements, or the construction of oil, water and gas wells in conjunction with structures otherwise permitted by this Zoning Code.

(Ord. 909. Passed 3-16-99.)

410.03 Minerals

This section applies to the removal of overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.

(Ord. 909. Passed 3-16-99.)

410.04 Operator

For purposes of enforcing this section an operator is defined as any person, partnership, corporation, or other entity engaged in surface mining or who removes or intends to remove sand, gravel, earth materials, minerals, incidental coal, or overburden.

(Ord. 909. Passed 3-16-99.)

410.05 Structures

All structures shall conform as to location, size, and appearance with the structures in the use district in which the extraction operation is located.

(Ord. 909. Passed 3-16-99.)

410.06 Extraction Limits - Highway

No sand, gravel, or other earth material shall be removed or extracted nearer than fifty (50) feet of horizontal distance from any street or highway right-of-way, or from any I or B district property lines.

(Ord. 909. Passed 3-16-99.)

410.07 Extraction Limits - Residence

No sand, gravel, or earth material shall be removed or extracted nearer than two hundred (200) feet of horizontal distance to any residential district property lines, or such lesser distance as the Board may decide depending upon the unique character of the land.

(Ord. 909. Passed 3-16-99.)

410.08 Green Strip

A green strip with a minimum depth of fifty (50) feet shall be planted with grass and landscaped with a year round vertical green combination of shrubs and trees so as to shield the extraction operation from any adjacent property. In the event that the terrain or other natural features serve the intended purpose of providing a visual screen year round, then no other planting screen and landscaping shall be required.

(Ord. 909. Passed 3-16-99.)

410.09 Processing

There shall be only such processing or manufacturing of sand, gravel, and earth materials on the premises as is consistent with the surrounding uses.

(Ord. 909. Passed 3-16-99.)

410.10 Restoration

The area to be excavated shall be planted after the extraction has been completed with sufficient cover grass, trees, or shrubs to cover the land and prevent erosion.

(Ord. 909. Passed 3-16-99.)

410.11 Plans and Maps

The applicant for a Conditional Zoning Certificate to extract sand, gravel, or other earth materials shall file with the Board of Zoning Appeals, along with the application, detailed plans and maps prepared by a registered surveyor which clearly show the following:

- a) The total property of which the excavated area is a part.
- b) The owner of the property as shown on the recorded plat.
- c) The location and owners of record of all properties within five hundred (500) feet of the applicant property.
- d) Names and locations of roads and natural features within five hundred (500) feet of the applicant property.
- e) A geological survey to show that the depth of excavation will not unreasonably disturb the existing water table or drainage area of applicant's property and adjacent lands within five hundred (500) feet of the applicant property.
- f) The proposed final topography of the land after excavation has been completed, indicating by contour lines of no greater interval than ten (10) feet, on a map with a scale of one (1) inch equals fifty (50) feet.
- g) The drainage plan on, above, below, and away from the area of land to be affected, indicating the directional flow of water, constructed drainways, natural waterways used for drainage, and the streams or tributaries receiving or to receive this drainage.
- h) A plan for reclamation showing the grass, both in amount and type, trees and shrubs and other ground cover to be planted in the excavated area.
- i) The dates that the land or any portion thereof will be restored in accordance with the plans submitted.

- j) The depth of such excavation below the natural grade.
- k) The amount of material to be removed in each phase and over the total duration of the operation.
- l) A work schedule setting forth the proposed time limits within which the operation will be commenced and completed, showing the daily hours of operation, proposed haul roads if over-the-road vehicles are employed, methods of traffic control, methods of maintenance to insure that public right-of-ways are kept undisturbed, clean and safe along or in the vicinity of the proposed haul roads from or to the land involved.

(Ord. 909. Passed 3-16-99.)

410.12 Bond

The applicant for such a permit shall also file with the Zoning Inspector a bond payable to the Village of Greenwich with sureties approved by the Council in an amount of five thousand dollars (\$5,000.00) per acre, or any portion of an acre, of the land to be excavated, and conditioned upon the applicant faithfully restoring the land to be excavated as the contour map submitted with the application indicates, and upon the applicant providing the drainage shown upon the map submitted with the application, and upon the applicant planting grass, trees, and shrubs as shown on the plan submitted with the application.

(Ord. 909. Passed 3-16-99.)

410.13 Slope

The maximum finished slope of any excavation shall be two-to-one (2:1).

(Ord. 909. Passed 3-16-99.)

410.14 Notice

The Board shall give at least ten (10) days notice of its hearing on the application to the applicant, and to all property owners of record of all properties within five hundred (500) feet of the applicant property.

(Ord. 909. Passed 3-16-99.)

410.15 Annual Report

On each annual anniversary of the issuance of the Conditional Zoning Certificate and the filing of the bond required herein and when the land has been restored in accordance with the application and plans, the permit holder shall file with the Zoning Inspector a report showing the amount of sand, gravel or other earth material removed and the depth and extent of the excavation. Such report shall further set forth that portion of the land that has been restored in accordance with the approved plan submitted with the application. At such time as the Zoning Inspector finds that the land has been restored in accordance with the approved plan, he shall recommend to the Council the release of the bond for each acre or portion thereof restored.

(Ord. 909. Passed 3-16-99.)

410.16 Bond Release

The Village Council shall release the bond for each acre or portion thereof so restored.

(Ord. 909. Passed 3-16-99.)

410.17 Bond Forfeit

In the event that the land is not restored in accordance with the approved plans as determined by the Zoning Inspector, at the time stated in the permit or any extension thereof granted by the Board of Zoning Appeals for good cause shown, or if the applicant fails to file the annual report required in paragraph 410.16 above, or if the applicant deviates from the plan approved by, or the conditions stipulated by the Board of Zoning Appeals, the Village Council shall declare the conditions of the bond forfeited and proceed to cause the land to be restored in accordance with the approved plan submitted by the applicant charging such cost to the bond. In the event the cost of restoring the land under the conditions of this paragraph exceeds the bond covering such restoration the additional costs shall be charged as a lien against the property.

(Ord. 909. Passed 3-16-99.)

410.18 Water Improvement

The Board of Zoning Appeals, in addition to the other powers granted to it by this Ordinance, shall have the authority to allow the permanent impounding of water in such an excavation upon a finding that such a pond or lake will not be a health danger or safety hazard, and as a condition to allowing such a pond or lake, may require that it be fenced or otherwise protected so that it will not become a nuisance.

(Ord. 909. Passed 3-16-99.)

410.19 Conditions

The Board shall attach such further conditions to the certificate as it deems reasonable to secure conformity with the standards set forth herein, and to insure that the excavation is harmonious and appropriate in appearance with the existing or intended character of the general vicinity, that such use will not change the essential character of the area, that the use will not be hazardous or disturbing to existing or future neighboring uses, and that it will not be detrimental to the welfare of the community.

(Ord. 909. Passed 3-16-99.)

SECTION 411 SIGNAL RECEIVING AND TRANSMITTING DEVICES

411.01 Permit Required

No person, firm or corporation shall erect a Satellite Earth Station in the Village of Greenwich, Ohio, without a zoning permit, and no installation or erection shall commence before a zoning permit is issued.

(Ord. 909. Passed 3-16-99.)

411.02 Application for Permit - Plans

An application for a zoning permit for an Earth Station shall include: a plot plan of the proposed location of the Earth Station, the location of any and all buildings on the applicant's lot, and any and all buildings within fifty (50) feet of the Earth Station on adjacent lots.

(Ord. 909. Passed 3-16-99.)

411.03 Location and Height of Earth Stations

- a) No Earth Station shall be erected in front of the rear building line of a house or within fifteen (15) feet of any lot line. Where a corner lot exists, location of Earth Stations is prohibited in either front yard.
- b) Earth Stations may be erected on the roof of any residential building and such installation shall conform with the following conditions:
 - i) Shall be limited in size to thirty-six (36) inches measured diagonally across the receiving device.
 - ii) Shall be mounted upon the roof of the primary or accessory structure as defined in the Zoning Code, and shall not be mounted upon building appurtenances such as chimneys, towers, poles, or spires.
 - iii) Shall not exceed a height of more than three (3) feet above the highest point of the roof upon which it is mounted.
 - iv) Shall be designed to withstand a wind force of eighty-five (85) miles per hour without the use of supporting guy wires.
- c) Earth Stations on Commercial, Industrial, Apartment, Hospital, School, Church, Motel, Condominium or other such buildings that exceed thirty-six (36) inches measured diagonally across the device surface shall be by Conditional Zoning Certificate.
- d) Height - The maximum height of any ground level Earth Station structure shall not exceed fourteen (14) feet from natural grade level.

(Ord. 909. Passed 3-16-99.)

411.04 Earth Station Support Structures

- a) The structure shall be designed to withstand wind force of up to eighty-five (85) miles per hour without guy lines.
- b) All electrical wiring and Earth Station ground rod shall be in accordance with the National Electrical Code.
- c) Any driving motor shall be limited to 120V maximum power design and be encased in protective guards.
- d) Plans must meet all good engineering practices.

(Ord. 909. Passed 3-16-99.)

411.05 Size

The maximum diameter of any Earth Station shall not exceed twelve (12) feet measured diagonally across the device surface.

(Ord. 909. Passed 3-16-99.)

SECTION 412 SWIMMING POOLS

A swimming pool as regulated herein shall be any pool or open tank above or below ground designed or intended to be used for swimming purposes, not located within a completely enclosed building.

(Ord. 909. Passed 3-16-99.)

412.01 Location

All swimming pools must be located to the rear of the main building. In all districts there shall be a minimum side yard and rear yard clearance on each side or end of the pool of not less than fifteen (15) feet, and not less than fifty (50) feet in Multifamily Projects.

(Ord. 909. Passed 3-16-99.)

412.02 Fences

Every swimming pool (except those four (4) feet high above the surrounding ground and with retractable steps or ladder) shall be completely enclosed by an aesthetically acceptable fence or wall of sturdy construction not less than four (4) feet in height. Such fence or wall must effectively prevent a child from crawling or otherwise passing through or under it. The fence or wall must be maintained in good condition with a gate and locking device. The fence or wall must conform to all applicable provisions contained in Section 404.

(Ord. 909. Passed 3-16-99.)

412.03 Permit

A Zoning Permit is required for all swimming pools.

(Ord. 909. Passed 3-16-99.)

412.04 Swimming Pools

i) A zoning certificate is first required.

ii) A private swimming pool as used in this district is a pool, pond, lake, or open tank not located within an enclosed building, having a depth in excess of two (2) feet at any point, and maintained by the owner for the exclusive use of residents and guests and not operated as the principal use nor for profit.

iii) A swimming pool shall be located on the same lot as the building served.

iv) A swimming pool may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than ten (10) feet to any rear or side lot line.

v) A swimming pool shall be enclosed within a wall or fence not less than four (4) feet in height to prevent access to the pool except through a controlled point. The fence or wall must be maintained in good condition with a gate and locking device.

(Ord. 2008-3. Passed 3-4-08.)

SECTION 413 CONVEYANCE

No lot or parcel of land shall be diminished in area by conveyance or otherwise, in such a way as to create a violation of any of the provisions of this Zoning Code.

(Ord. 909. Passed 3-16-99.)

CHAPTER 414 SMALL WIND ENERGY SYSTEMS

414.01 Purpose

The purpose of this ordinance is to:

(a) Facilitate the permitting of small wind energy systems.

(b) Preserve and protect public health and safety without significantly increasing the cost of decreasing the efficiency of a small wind energy system.

(Ord. 2009-10. Passed 11-17-09.)

414.02 Definitions

ADMINISTRATOR: means the Zoning Inspector for the Village of Greenwich.

BOARD: means the Zoning Board or other authority having jurisdiction.

METEOROLOGICAL TOWER or MET TOWER: means a structure designed to support the gathering of wind energy

resource, and includes the tower, base plate, anchors, guy cables and hardware, and wind turbine, and necessary wiring.

OWNER: shall mean the individual or entity that intends to own and operate the small wind energy system in accordance with this ordinance.

ROTOR DIAMETER: means the cross sectional dimensions of the circle swept by the rotating blades of a wind-powered energy generator.

SMALL WIND ENERGY SYSTEM: means a wind energy system as defined in this section, that: 1) is used to generate electricity; 2) has a nameplate capacity of sixty (60) kilowatts or less; 3) is a high as necessary to capture the wind energy resource at (residential ground mount thirty-five (35) feet, rooftop mount six (6) feet above roof, industrial ground mount fifty (50) feet, rooftop mount ten (10) feet above the roof, commercial ground mount fifty (50) feet, rooftop mount ten (10) feet above the roof).

TOTAL HEIGHT: means in relation to a wind energy system, the vertical distance from the ground to the tip of the wind generator blade when the tip is at highest point.

TOWER: means a monopole, free-standing, or guyed structure that supports a wind generator.

WIND ENERGY SYSTEM: means a wind generator and all associated equipment, including any base, blade, foundation nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other components necessary to fully utilize the wind generator.

WIND GENERATOR: means equipment that converts energy from the wind into electricity. This term includes the rotor, blades and associated mechanical and electrical conversion components necessary to generate, store and/or transfer energy.

(Ord. 2009-10. Passed 11-17-09.)

414.03 Standards

A small wind energy system shall be a permitted use in all zones subject to the following requirements:

(a) **Setbacks.** A wind tower for small wind energy system shall be set back a distance equal to Village of Greenwich zoning code building requirements. No portion of the wind generator shall extend beyond the setback line, nor into the following: (1) any public road right-of-way, unless written permission is granted by the government entity with jurisdiction over the road right-of-way; (2) any overhead utility lines, unless written permission is granted by the utility that owns and/or controls the lines.

(b) **Access.**

(1) All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

(2) The tower shall be designed and installed so as not to provide step bolts, a ladder, or other publicly accessible means of climbing the tower, for a minimum height of eight (8) feet above the ground.

(c) **Lighting.** A small wind energy system shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.

(d) **Appearance, color, and finish.** The wind generator and the tower shall remain painted or finished in a color or finish that was originally applied by the manufacturer, unless a different color of finish is approved in the zoning approval.

(e) **Signs.** There shall be no signs that are visible from any public road on a small wind generator system or any associated building, except for the manufacturer's or installer's identification, appropriate warning signs or owner identification.

(f) **Utility notification and interconnection.** Small wind energy systems that connect to the electric utility shall comply with the Ohio Code and interconnection Standards for Class I Renewable Energy Systems at N.J.A.C. 14:4-9.

(Ord. 2009-10. Passed 11-17-09.)

414.04 Permit Requirements

(a) **Permit.** A zoning permit shall be required for the installation of small wind energy systems.

(b) **Documents.** The zoning permit application shall be accompanied by a plot plan which includes the following: (1) Property lines and physical dimensions of the property; (2) Location, dimensions and types of existing major structures on the property; (3) Location of the proposed small wind energy system tower; (4) The right-of-way of any public road that is contiguous with the property; (5) Any overhead utility lines; (6) Small wind energy system specifications, including manufacturer and model, rotor diameter, tower height, tower type (free-standing or guyed);

(c) **Fees.** The application for zoning permit for a small energy system must be accompanied by the fee required.

(d) **Expiration.** A permit issued pursuant to this Ordinance shall expire if: (1) The small wind energy system is not installed and functioning within twenty-four (24) months from the date the permit is issued; or (2) The small wind energy system is out of service or otherwise unused for a continuous eighteen (18) month period.

(Ord. 2009-10. Passed 11-17-09.)

414.05 Abandonment

- (a) A small wind energy system that is out-of-service for a continuous eighteen (18) month period will be deemed to have been abandoned.
- (b) The Administrator may issue a Notice of Abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The notice shall be sent return receipt requested.
- (c) The owner shall have the right to respond to the Notice of Abandonment within thirty (30) days from notice receipt date.
- (d) If the owner provides information that demonstrates the small wind energy system has not been abandoned, the Administrator shall withdraw the Notice of Abandonment and notify the owner that the notice has been withdrawn.
- (e) If the Administrator determines that the small wind energy system has been abandoned, the owner of the small wind energy system shall remove the wind generator from the tower at the owner's sole expense within six (6) months after the owner receives the Notice of Abandonment.
- (f) If the owner fails to remove the wind generator from the tower in the time allowed under (e) above, the Administrator may pursue legal action to have the wind generator removed at the owner's expense.

(Ord. 2009-10. Passed 11-17-09.)

414.06 Zoning Permit Procedure

- (a) An owner shall submit an application to the Administrator for a zoning permit for a small wind energy system.
- (b) The Administrator shall issue a permit or deny the application within one (1) month as consistent with the Village Zoning Laws as of the date on which the application is received.
- (c) If the application is approved, the Administrator will return one (1) signed copy of the application with the zoning permit and retain the other copy with the application.
- (d) If the application is rejected, the Administrator will notify the application in writing and provide a written statement of the reason why the application was rejected. The applicant may reapply if the deficiencies specified by the Administrator are resolved.

(Ord. 2009-10. Passed 11-17-09.)

414.07 Violations

- (a) It is unlawful for any person to construct, install, or operate a small wind energy system that is not in compliance with this ordinance.
- (b) Small wind energy system installed prior to this ordinance are exempt from this requirements of this ordinance, except for the provisions at Section 414.05 regarding abandonment.

(Ord. 2009-10. Passed 11-17-09.)

414.08 Administration and Enforcement

- (a) This ordinance shall be administered by the Administrator or other official as designed.
- (b) The Administrator may enter any property for which a permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met.
- (c) The Administrator may issue orders to abate any violation of this ordinance.
- (d) The Administrator may issue a citation for any violation of this ordinance.
- (e) The Administrator may refer any violation of this ordinance to legal counsel for enforcement.

(Ord. 2009-10. Passed 11-17-09.)

414.09 Penalties

- (a) Any person who fails to comply with any provision of this ordinance shall be subject to enforcement and penalties as stipulated in chapter and section of the appropriate zoning code.
- (b) Nothing in this section shall be construed to prevent the Village Zoning Board from using any other lawful means to enforce this ordinance.

(Ord. 2009-10. Passed 11-17-09.)

415.01 Purpose

The purpose of this ordinance is to:

- (a) Facilitate the permitting of small solar power systems.
- (b) Preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a small solar collection system.
- (c) The intent of these regulations is to establish general guidelines for the location of solar panels and solar collection systems to prevent off-site nuisances including unreasonable visual interference, light glare and heat that the incorrect placement of solar panels or solar collection systems may create such that they may have a negative effect on surrounding property values.

(Ord. 2020-06. Passed 10-6-20.)

415.02 Definitions

(a) A "Solar Power System" is any roof mounted or freestanding structure, mechanism, and or equipment installed for the purpose collecting solar energy to be converted to usable power.

(Ord. 2020-06. Passed 10-5-20.)

415.03 Standards

(a) Permitted use. Solar panels are permitted as an accessory use in all districts to promote clean, sustainable, and renewable energy resources.

(b) No solar panel or solar power system shall be constructed, erected, installed or located without proper approval pursuant to this Section.

(c) Requirements and regulations. Solar panels or solar power systems shall conform to or be evaluated for compliance with the following standards:

(1) The proposed system is no larger than necessary to provide 100 percent of the electrical energy requirements of the structure to which it is accessory to as determined by a contractor licensed to install solar and photovoltaic energy systems.

(2) Roof mounted. If roof mounted, the solar or photovoltaic system shall:

A. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain maximum sun exposure if mounted flush to the roof.

B. Be located in the most inconspicuous location on the roof so as not to be seen from the street, if possible, and still be able to function as designed approved by both the zoning officer and the village administrator.

C. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof.

(3) Freestanding. If freestanding, the solar or photovoltaic system shall comply with all of the following:

A. Not extend more than 10 feet above the existing grade in residential districts. In all other districts, the maximum height of a solar or photovoltaic system will be determined on a case by case basis upon plan review.

B. Not be located in the front yard.

C. Not be located in any required side or rear yard setback areas for accessory uses. [See Section 301.10(a)]

D. Not be positioned so as to reflect sunlight onto neighboring property, public streets or sidewalks, including on any neighboring structures.

E. Be landscaped at the base and the back of the panel structure if structure is visible from neighboring property.

(4) All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:

A. Manufacturer's or installer's identification information on the system.

B. Appropriate warning signs and placards.

(5) Solar panel or solar power systems shall comply with all applicable sections of the Village of Greenwich Building Code and applicable industry standards such as the American National Standards Institute (ANSI), Underwriters Laboratories (UL) or an equivalent third party.

(6) All electrical wires and connections on freestanding solar or photovoltaic collection system shall be located underground.

(d) Utility connection. Solar panels or solar power systems proposed to be connected to the local utility power grid through net metering shall adhere to Ohio Revised Code Section 4928.67 or any future corresponding statutory provision.

(e) Maintenance: All solar panel or solar power systems shall be maintained in good working order.

(f) Procedure for review. The review and approval of solar panels or a solar power system shall comply with the following requirements:

(1) Plan review. A plan shall be submitted for review for freestanding solar panel or solar power systems. The following items shall be the minimum requirements to be considered a complete application and shall include all of the following:

- A. Property lines and physical dimensions of the applicant's property.
- B. Location, dimensions and types of existing structures on the subject property and on properties directly contiguous to the subject property.
- C. Location of the proposed solar panel or solar power system, and associated equipment.
- D. System specifications, including manufacturer, model, kilowatt size.
- E. Documentation shall be provided regarding the notification of the intent with the utility regarding the applicant's installation if the system will be connected to the power grid.
- F. Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code (typically provided by the manufacturer).
- G. Compliance with all development standards as outlined in this Section.

(2) Building permit. Solar power systems shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system in accordance with all applicable federal and state codes, including but not limited to the Building and Electrical Codes.

(Ord. 2020-06. Passed 10-6-20.)

415.04 Violations

- (a) It is unlawful for any person to construct, install, or operate a small Solar Power System that is not in compliance with this ordinance.
- (b) Any Solar Power System installed prior to this ordinance is exempt from the requirements of this ordinance, except for any applicable provisions regarding abandonment.

(Ord. 2020-06. Passed 10-6-20.)

415.05 Administration and enforcement

- (a) This ordinance shall be administered by the Administrator, Zoning Officer or any other official as designed.
- (b) Prior to any approval by the village, the property owner shall, in writing, give the Administrator, Zoning Officer or any other official as designed permission to enter any property for which a permit has been issued under this ordinance to conduct any necessary inspections
- (c) The Administrator may issue orders to abate any violation of this ordinance.
- (d) The Administrator may issue a citation for any violation of this ordinance.
- (e) The Administrator may refer any violation of this ordinance to legal counsel for enforcement.

(Ord. 2020-06. Passed 10-6-20.)

415.06 Penalties

- (a) Any person who fails to comply with any provision of this section shall be guilty if a misdemeanor punishable by a fine of not less than two hundred fifty dollars and not more than one thousand dollars. Each day a violation continues shall constitutes a separate offense.
- (b) Nothing in this section shall be construed to prevent the Village from using any other lawful means to enforce requirements of this section.

(Ord. 2020-06. Passed 10-6-20.)

APPENDIX: LOT TABLES AND CHARTS

Table A1: Residential Lot Sizes

Chart A301.0: Supplemental Illustration of Minimum Building Setback

Chart A301.1 "R": Residential, Single Family

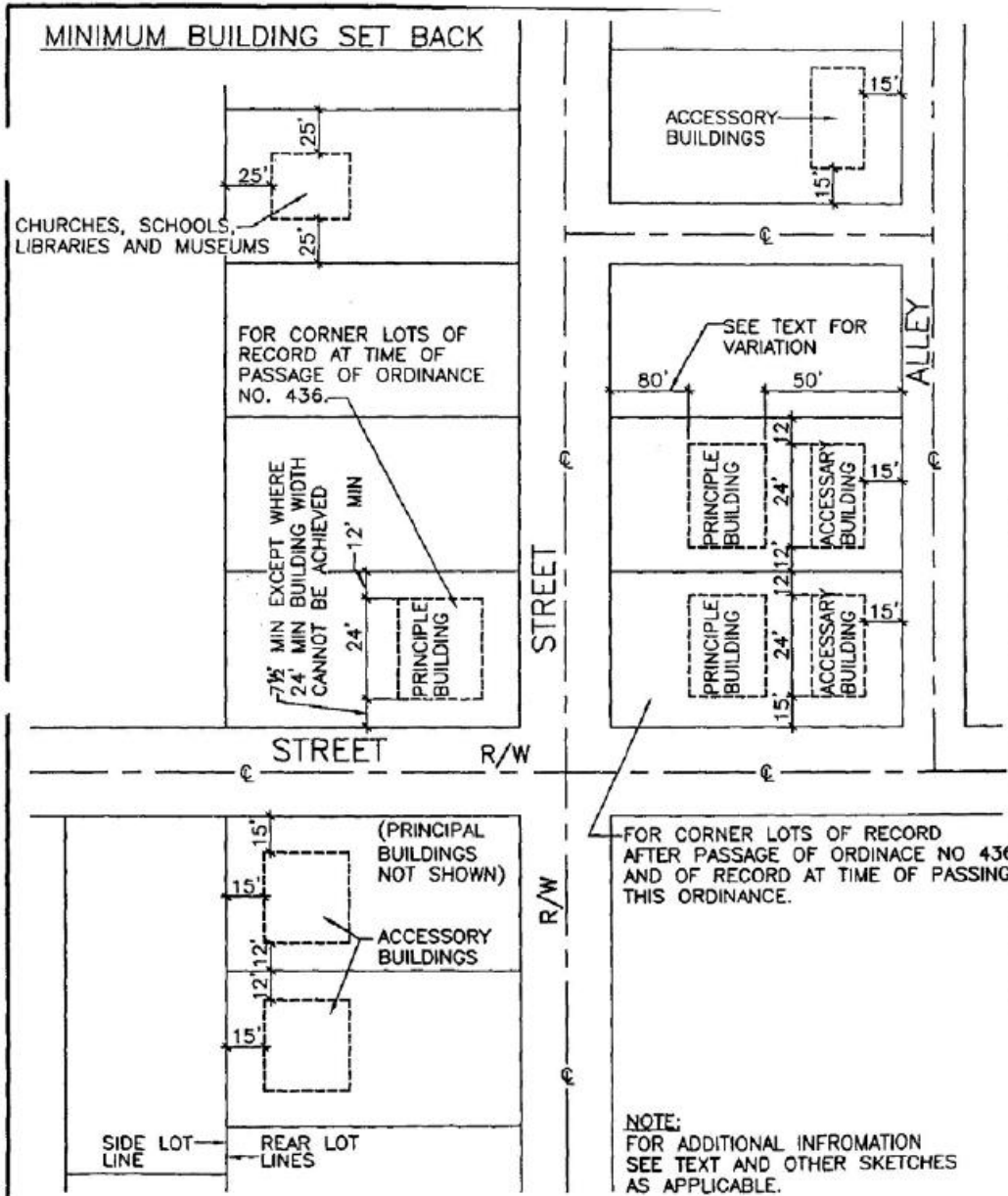
Chart A301.2 "R": Residential, Two Family

Chart A310.1 "BC": Commercial

Table A1 Residential Lot Sizes

Residential Lot Size Requirements - Based on Text Description											
No. Dwelling Units		1	2	3	4	5	6	7	8	9	10
Multiple Dwelling Units - Not over 2 Stories High											
Min. Lot Width	ft.	50	65	80	80	80	80	80	80	80	80
Min. Lot Area	s.f.	8,250	10,000	11,650	13,300	14,950	16,600	18,250	19,900	21,550	23,200
Min. Lot Depth	ft.	165	153.8	145.6	166.3	186.9	207.5	228.1	248.8	269.4	290.0
Multiple Dwelling Units - Over 2 Stories High											
No. Dwelling Units		1	2	3	4	5	6	7	8	9	10
Min. Lot Width	ft.	50	65	80	80	80	80	80	80	80	80
Min. Lot Area	s.f.	8,250	10,000	1,000	12,000	13,000	14,000	15,000	16,000	17,000	18,000
Min. Lot Depth	ft.	165	153.8	137.5	150.0	162.5	175.0	187.5	200.0	212.5	225.0

Chart A301.0: Supplemental Illustration of Minimum Building Setback



 <p>GILLS, GUARD and JOHNSON, Inc.</p>	<p>SUPPLEMENTAL ILLUSTRATION OF MINIMUM BUILDING SET BACK (REF: ART. 1, SHEET 4B) VILLAGE OF GREENWICH, OHIO</p>	CHART A301.0
		MAY 1997

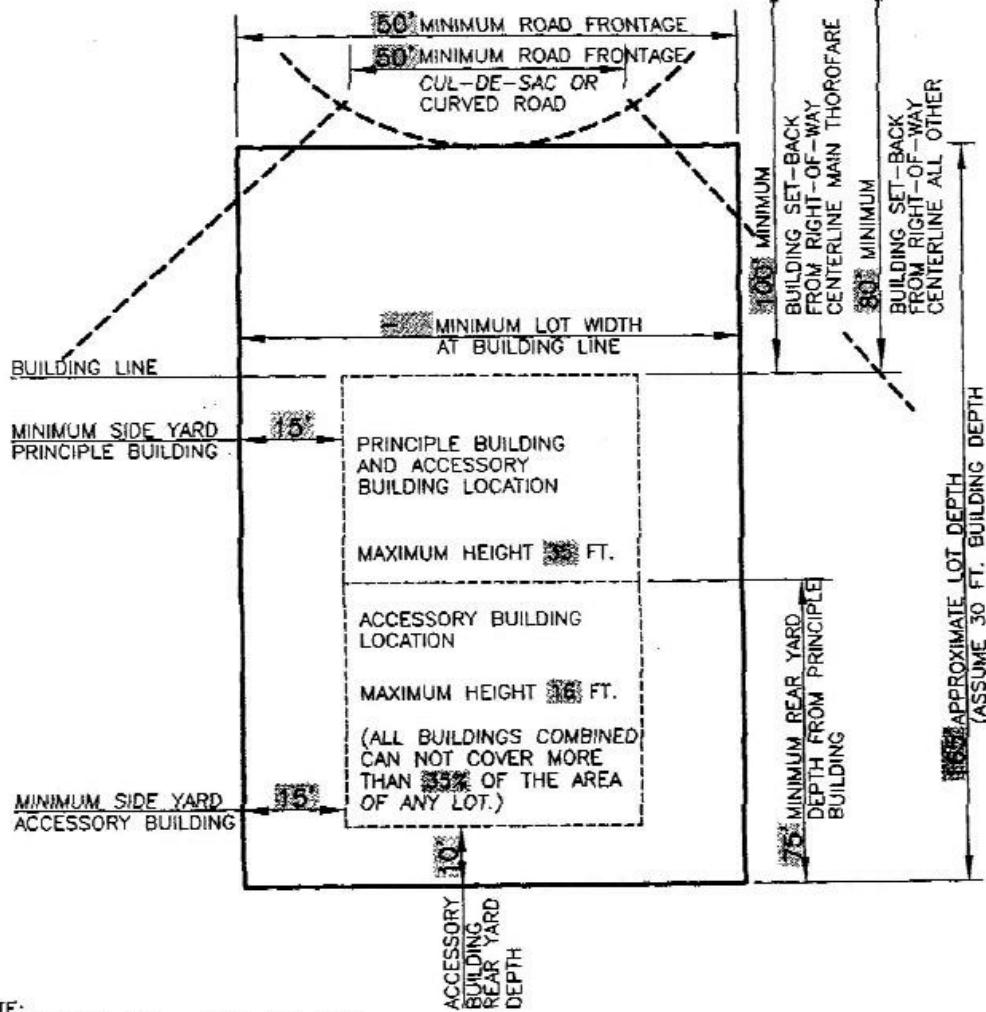
G:\Projects\97019\97019SK6 10-24-97 1:52:21 pm EST

Chart A301.1 "R": Residential, Single Family

R-1 RESIDENTIAL SINGLE FAMILY

6,250 SQUARE FEET MINIMUM LOT SIZE

☉ RIGHT OF WAY



NOTE:
FOR RELATED INFORMATION SEE TEXT
AND CHART NO. IN THE EVENT
CONFLICT, TEXT GOVERNS



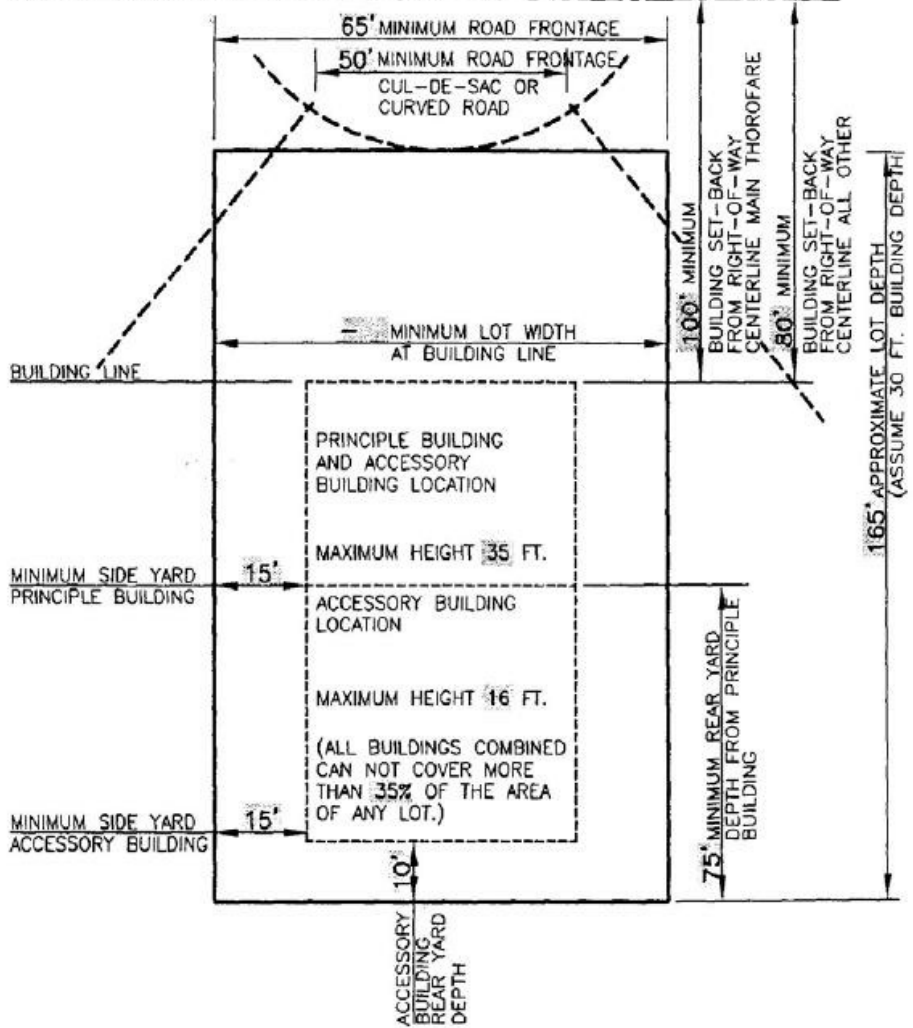
"R"
RESIDENTIAL, SINGLE FAMILY
VILLAGE OF GREENWICH, OHIO

CHART
301
MAY
1997

Chart A301.2 "R": Residential, Two Family

R-1 RESIDENTIAL TWO FAMILY
10,000 SQUARE FEET MINIMUM LOT SIZE

€ RIGHT OF WAY



NOTE:
 FOR RELATED INFORMATION SEE TEXT
 AND CHART NO. IN THE EVENT
 OF CONFLICT, TEXT GOVERNS


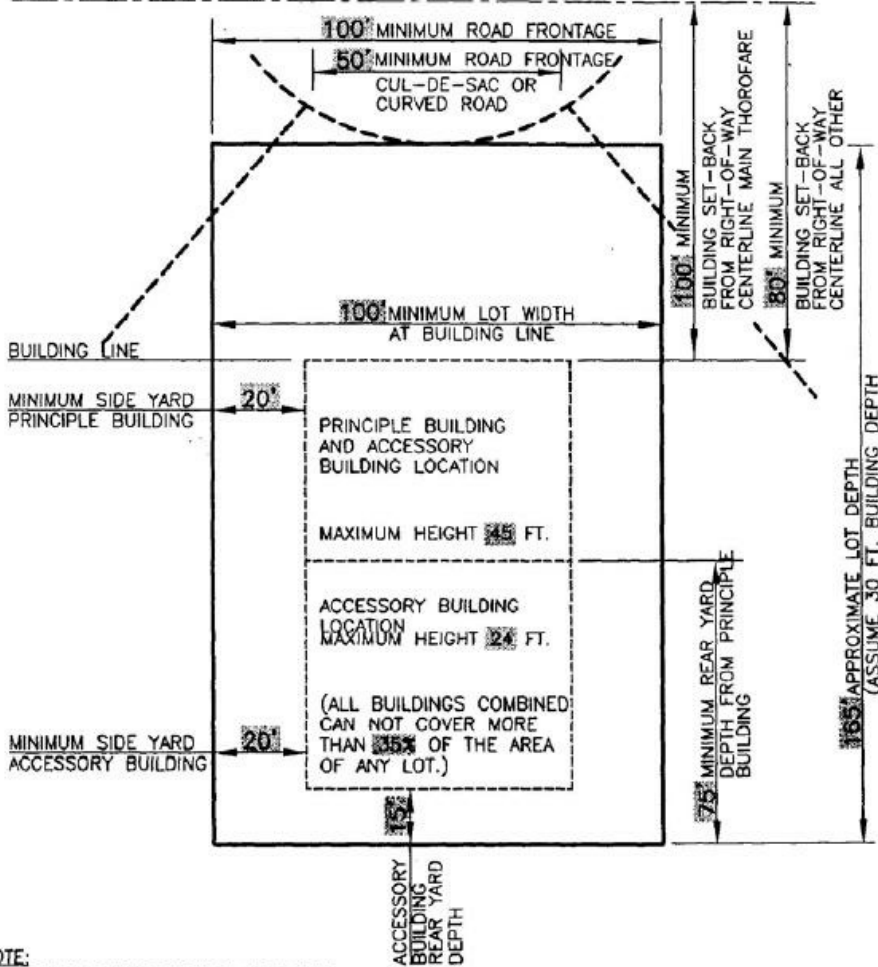
 GILLS, GUARD and JOHNSON, Inc. <small>INCORPORATED</small>	"R" RESIDENTIAL, TWO FAMILY	CHART A310.1
	VILLAGE OF GREENWICH, OHIO	MAY 1997

Chart A310.1 "BC": Commercial

C-1 COMMERCIAL (LOCAL STREET)
16,500 SQUARE FEET MINIMUM LOT SIZE

☒ RIGHT OF WAY



NOTE:
 FOR RELATED INFORMATION SEE TEXT
 AND CHART NO. IN THE EVENT
 OF CONFLICT, TEXT GOVERNS



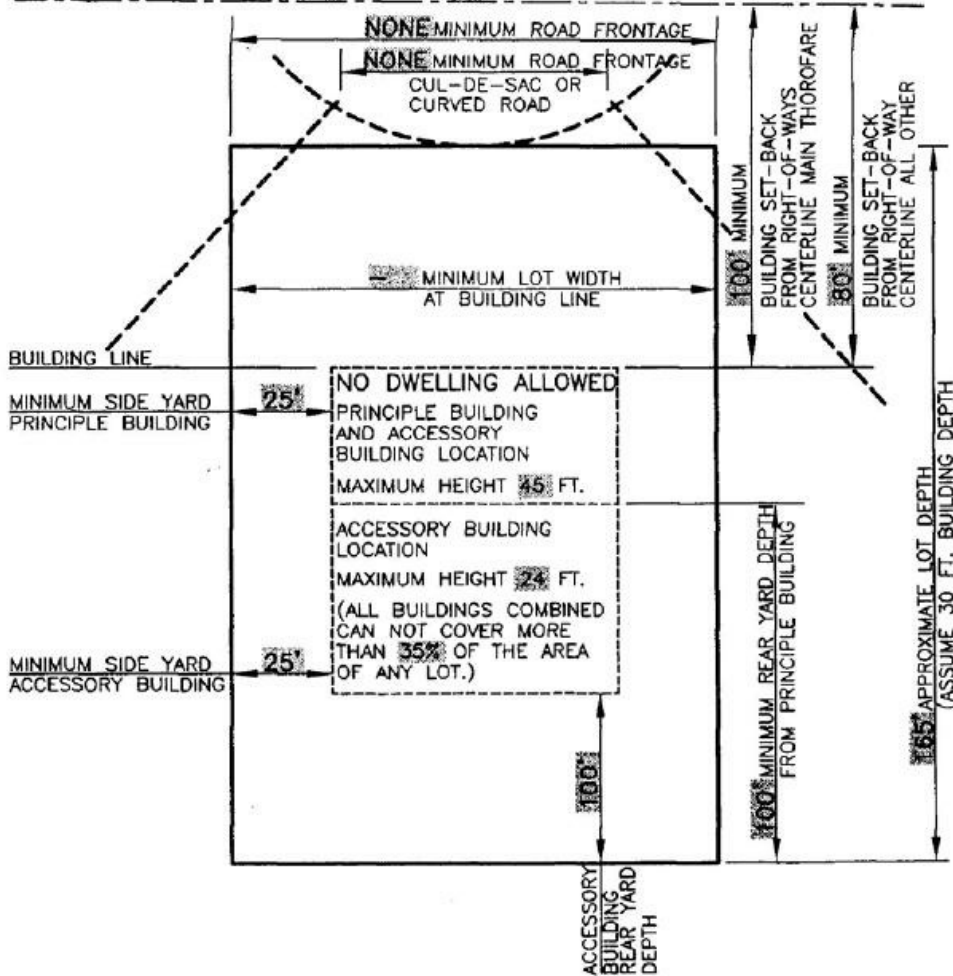
"BC"
 COMMERCIAL (LOCAL STREET)
 VILLAGE OF GREENWICH, OHIO

CHART
A320.1
 MAY
 1997

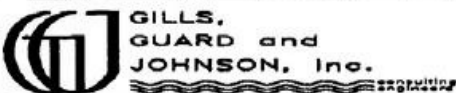
Chart A320.1 "P": Park Lands

P PARK LANDS
NONE SQUARE FEET MINIMUM LOT SIZE

RIGHT OF WAY



NOTE:
 FOR RELATED INFORMATION SEE TEXT
 AND CHART NO. IN THE EVENT
 OF CONFLICT, TEXT GOVERNS



"P"
 PARK LANDS

VILLAGE OF GREENWICH, OHIO

CHART

MAY
 1997