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**SECTION 1 - ZONING RESOLUTIONS AS SET FORTH BY THE HUNTINGTON
TOWNSHIP BOARD OF TRUSTEES - LORAIN COUNTY, OHIO**

A resolution providing for the zoning of the unincorporated area of Huntington Township by regulating the location, size and use of buildings and structures, the area and dimensions of lots and yards, and the use of land and for such purposes dividing the unincorporated area of the township into zones or districts of such numbers, sizes, and shapes as are deemed best suited to carry out said purposes, providing a method of administration, and prescribing penalties and proceedings for the administration and enforcement of this resolution.

WHEREAS, The Board of Trustees of Huntington Township deems it in the interest of the public health, safety, morals, comfort, and general welfare of said township and its residents to establish a general plan of zoning for the unincorporated area of said township.

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Huntington Township: And as set forth in the following Sections of said Resolution.

Section 2 PURPOSE

For the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land, and to facilitate adequate but economical provision of public improvements, all in accordance with a comprehensive plan, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, bulk and size of buildings, and other structures, including tents, cabins, camper vehicles and mobile homes, percentages of lot areas which may be occupied, setback building lines, sizes of yards, courts and other open spaces, the density of population, the uses of buildings and other structures including tents, cabins, camper vehicles and mobile homes, and the uses of land for trade, industry, residence, recreation or other purposes and for such purposes divides the unincorporated area of the Township into districts or zones.

Section 3 – ZONING CERTIFICATE & CERTIFICATES OF OCCUPANCY

- 3.1** The position of Township Zoning Inspector is hereby created. He shall be appointed by and serve at the pleasure of the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide. He shall keep records of all applications for zoning certificates and the action taken thereon. All or any structure constructed or altered require a Zoning Certificate before such work is commenced or altered.
- 3.2** Certificate Time: If the construction described in the zoning certificate has not been started within 6 months and substantially completed within 12 months from the date of issuance thereof, said certificate shall expire and become null and void.
- 3.3** Before constructing, changing the use of, or altering any building, including accessory buildings, or changing the use of any premises, application shall be made to the Township Zoning Inspector for a zoning certificate. The application shall indicate the exact location of the proposed construction, alteration or change of use and shall include a plot plan, showing the proposed location, dimensions, height of the building and if required the application shall contain a sanitary health permit from the appropriate health board and proposed use. . Within ten (10) days after the receipt of the application, the Zoning Inspector shall issue a Zoning Certificate if the application complies with the requirements of this Resolution and the application is accompanied by the proper fee, or refuse the same, if it does not comply.
- 3.5** A fee shall accompany each application for a Residential Zoning Certificate or Commercial Zoning Certificate and Occupancy Certificate. The fee shall not be refunded if the certificate is refused. Buildings used solely for agricultural purposes will require a zoning certificate and must conform to all provisions of the Township Zoning Code and will be granted at NO FEE.
- 3.7** A fee will be charged for a conditional zoning certificate and inspection when renewed annually.
- 3.8** SUBMISSION OF PLANS FOR A DEVELOPMENT

Basis of Approval

- 3.8.1** The basis for approving a Development Plan shall be:
 - A. That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of the Huntington Township Zoning Resolution.
 - B. The proposed development advances the general welfare of the Community.
- 3.8.2** Applicability
This procedure is to be applied within this District.
- 3.8.3** Action by Zoning Commission and Applicant
The application for industrial development shall be reviewed by the Zoning Commission in stages:
 - A. Application submission of general plan including sketches.

- B. Submission of preliminary development plans and preliminary architectural drawings and site plans.
- C. Submission of final development plans and final architectural drawings and site plans, if required by the Zoning Commission.
- D. Decision of Zoning Commission given in writing to Zoning Inspector.

3.8.4 Rezoning

Rezoning from another district to the proposed classification shall be considered during the submission of the preliminary site development plans. No zoning certificates shall be issued and no building shall be started within the designated districts until approval has been granted by the Huntington Township Zoning Commission. Prior to the granting of the certificate, the Zoning Inspector shall receive from the Zoning Commission and the State Building Inspector an advisory report approving the proposed development plans as presented in final form as required herein.

3.8.5 Construction and Use to be Provided in Applications

Zoning certificates and health permits issued on the basis of applications and plans including site development plans and architectural drawings and plans approved by the Zoning Commission, authorize only the use and arrangement set forth in such approved plans and applications and amendments or construction at variance with that authorized shall be deemed a violation of this Resolution and punishable as provided herein.

3.8.6 Application Procedure

A. The developer shall meet with the Zoning Commission prior to the submission of the preliminary plans of the development. The purpose of the meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained in the applicable district regulations; and to familiarize the developer with all plans and regulations of the community. The general plans should indicate the types of units to be used; approximately the location of public streets; location, type and approximate acreage of all required open spaces. Three (3) copies of the general plan shall be submitted. Specific plans are not required. The intent here is for both the developer and the Zoning Commission to clarify their general intentions in regard to the applicable zoning district regulations before a considerable amount of time and expense has been invested. A formal application and an application fee are not required at this step.

B. The Zoning Commission shall discuss with the developer the changes, if any, that will be required and the procedure for submitting the preliminary development plans. The Zoning Commission's approval at this stage shall not be binding, but should indicate a general willingness to approve the final plan if the developer meets the necessary requirements.

C. All application submissions shall be submitted to the Zoning Commission not less than two (2) weeks prior to the regularly scheduled meeting.

3.8.7 Preliminary Submittal Procedure and Requirements

After the application stage, the developer shall submit preliminary development plans to the Zoning Commission. These plans shall include site development and architectural plans and drawings in preliminary form which shall conform to the requirement set forth in this Resolution.

3.8.8 Submittal of Preliminary Architectural Drawings

The preliminary drawings for each type of structure shall be submitted for the purpose of portraying conceptually the intended uses within the development. The submittal shall contain the height of the structures, number of units, number of square feet and elevations.

3.8.9 Preliminary Submittal to the Zoning Commission

A. The Zoning Commission shall submit in writing to the petitioner the necessary revisions to be shown prior to approval of the preliminary plan, whereupon, the petitioner will submit the revised site plan and architectural drawings to the Zoning Commission on or before the last day of the month if it is to be reviewed the following month at the regular meeting.

B. Upon approval of the preliminary plans by the Zoning Commission, the final plans may be prepared and submitted for review, if required by the Zoning Commission.

C. If the previously agreed changes have been included to the satisfaction of the Zoning Commission and the Zoning Inspector, formal approval may be granted at the conclusion of this review, if the Zoning Commission so desires.

D. Architectural drawings must be prepared or reviewed by a licensed registered architect. Such drawings must be affixed with the seal of said architect.

3.8.10 Final Submittal Procedure and Requirements

If the final site plans and architectural drawings are to be reviewed the following month by the Zoning Commission, they shall be submitted on or before the last day of the preceding month. All final plans must be filed in triplicate.

3.8.11 Penalty

Any person, firm or corporation violating any of the provisions of this section, or failing to comply therewith, shall be charged not less than \$100 per day for each day of violation.

3.9 Certificate of Occupancy (Eff. 5/15/91)

Before occupying or permitting the use or occupancy of any building or land, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure the Zoning Inspector shall issue a Certificate of Occupancy stating that the proposed use of the building or land conforms to the requirements of this Resolution. It shall be unlawful to occupy a building or land where a Certificate of Occupancy is required and where none has been issued.

3.10 Application for Certificate of Occupancy

The application for Certificate of Occupancy shall be on a form satisfactory to the Zoning Inspector and shall contain the following information:

- 3.10.1** Name, address, phone number of owner;
- 3.10.2** Copy of Zoning Certificate, if any;
- 3.10.3** Zoning district in which building or land is located;
- 3.10.4** Statement of proposed use of building or land
- 3.10.5** Notarized signature of owner;
- 3.10.6** Approved Sanitation Permit.

3.11 Action on Certificate of Occupancy Applications

Within ten days after the receipt of the application for Certificate of Occupancy the Zoning Inspector shall issue a Certificate of Occupancy, if the application complies with the requirements of the Zoning Resolution and the application is accompanied by the proper fee.

If the Zoning Inspector cannot legally issue the Certificate of Occupancy for reasons of non-compliance with the requirements of the Zoning Resolution, then the Zoning Inspector shall notify the owner by certified mail within the ten day period and shall deliver a copy of said notification to the Township Board of Zoning Appeals.

Thereafter, the owner of a building as landowner to which a Certificate of Occupancy was refused by the Zoning Inspector, may appeal to the Board of Zoning Appeals in accordance with Section 13 of this Resolution.

3.12. Record of Certificates of Occupancy

The Zoning Inspector shall maintain a record of all Certificates of Occupancy issued and a copy shall be furnished upon request to any person if accompanied by the proper fee.

Section 4 - LIST OF DEFINITIONS

- 4.1** ACCESSORY USE: A subordinate building or use customarily incidental to and located upon the same lot occupied by the main building or use.
- 4.3** ALLEY: A narrow service-way providing a secondary public means of access to abutting properties.
- 4.5** AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, forestry, and floriculture, animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided that the operation of such accessory use shall be secondary to that of the normal agricultural activities, and provided that the above uses shall not include the commercial feeding of garbage or offal to swine and other animals. A use shall be classified as agricultural only if agriculture is the principal use of the land.
- 4.7** ALTERATIONS: As applied to a building or structure, a change or rearrangement in the structural parts or in exit facilities, or an enlargement, whether by extending on side or by increasing in height, or the moving from one location or position to another.
- 4.9** ALTERATIONS, STRUCTURAL: Any change in the supporting members of a building such as bearing walls, columns, beams or girders.
- 4.11** AREA, BUILDING: The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered terraces and steps.
- 4.13** BASEMENT: A story partly underground but having at least one-half of its height below the average level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or is used for building or dwelling purposes.
- 4.15** BOARD OF APPEALS: The Huntington Township Board of Zoning Appeals.
- 4.17** BUFFER STRIP: An area of land of various widths which separates one district from another district. All Buffer Strips shall have no structures erected thereon and shall be maintained as a lawn and/or planted with shrubs or trees.
- 4.19** BUILDING: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, or chattel.
- 4.21** BUILDING ACCESSORY: A supplemental building, the use of which is incidental to that of a main or principal building and located on the same lot therewith.
- 4.23** BUILDING LINE OR SETBACK BUILDING LINE: The line of that face of the building nearest the public road right-of-way. This line includes sun parlors and porches but does not include steps.
- 4.25** BUILDING, HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of Mansard roofs, and to the mean height between eaves and ridge for Gable, Hip and Gambrel roofs.

- 4.27** BUILDING, PRINCIPAL: The building on a lot used to accommodate the primary use to which the premises are devoted.
- 4.29** CAMP: Any one or more of the following, other than a hospital, place of detention or school offering general instruction
- 4.29.1** TYPE 1: Any area of land or water on which are located two or more cabins, tents, trailers, shelters, houseboats other accommodations of a design or character suitable for seasonal or other more or less temporary living purposes, regardless of whether such structures or other accommodations actually are occupied seasonally or otherwise; or
- 4.29.2** TYPE 2: Any land, including any building thereon, used for any assembly of persons for what is commonly known as “day camp” purposes; and any of the foregoing establishments whether or not conducted for profit and whether or not occupied by adults or by children, either as individuals, families, or groups.
- 4.30** COMMUNICATION TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and other telecommunication purposes. The term includes, but is not limited to, radio, telephone, and television transmission communication towers, alternative tower structures, and the like. The term includes the structure and any support thereto, and any antenna that may be affixed to such structure. This term also applies to an antenna in the case where the antenna is affixed to a building or other structure that was not constructed primarily for the purpose of supporting an antenna.
- 4.31** COMMUNITY CENTER: Land and/or buildings with public ownership for the benefit of the general public. (Examples: courthouses, libraries, city halls.)
- 4.32** CONTAINER, SHIPPING: Any structure designed to store goods or transport products by air, water, rail or road. (Resolution 32-10, 4-5-2010)
- 4.33** COVERAGE: That percentage of the lot area covered by the building area.
- 4.34** DISABLED VEHICLE (Effective 3/31/93)
Any vehicle meeting the following two conditions:
- 4.34.1 Extensively damaged, such damage including but not limited to any of the following: a broken window or windshield, missing wheels, tires, or motor or transmission.
- 4.34.2 Apparently inoperable.
- 4.35** DOG KENNEL: Any place in or at which any number of dogs are kept for the purpose of sale or in connection with boarding, care of, breeding, for which any fee is charged; or any place in or at which more than three (3) dogs over age four (4) months are kept for any purpose.
- 4.37** DUMP: A lot or land or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or any other means, and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, of waste material of any kind.
- 4.39** DWELLING: Any building (except) a house trailer, travel trailer, or mobile home as defined by Ohio revised code 4501.01, which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

- 4.41** FAMILY: One or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.
- 4.45** FARM: Any parcel of land containing at least five (5) acres, which is used for gain in the raising of agricultural products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used. It excludes the raising of fur animals, riding academies, livery or boarding stables and dog kennels.
- 4.47** FLOOR AREA OF A BUILDING: The sum of the gross horizontal area of the several floors of a building and its accessory building on the same lot, which is devoted to a Land Use permitted in the district where located. All dimensions shall be measured between exterior faces of the walls.
- 4.49** GARAGE, PRIVATE: An accessory building or an accessory portion of the main building, enclosed on all sides and designed or used to shelter or store passenger automobiles and located on the same lot as the dwelling to which it is accessory.
- 4.51** GARAGE, PUBLIC: Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.
- 4.53** GASOLINE SERVICE STATION: Any area of land including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing or greasing, washing, spraying, cleaning, or minor services and repairs of such motor vehicles.
- 4.55** GRADE, FINISHED: The average level of the finished surface of the ground adjacent to the exterior walls of any building.
- 4.57** HOME OCCUPATIONS: An occupation or a profession which:
- 4.57.1** Is customarily carried on in a dwelling unit or in a building or other structure accessory to a dwelling unit, and
 - 4.57.2** Is clearly incidental and secondary to the use of the dwelling for residential purposes, and
 - 4.57.3** Which conforms to the following additional conditions:
 - A. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
 - B. Not more than one person outside of the family shall be employed in the home occupation.
 - C. There shall be no exterior display, no exterior sign, except as permitted under the section SIGNS, no exterior storage of materials and no other exterior indication of the HOME OCCUPATION or variation from the residential character of the principal building.
 - D. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced.

- 4.59** HOSPITAL: Shall be deemed to be limited to places for the diagnosis, treatment and/or other care of human ailments.
- 4.61** INSTITUTION: A building occupied by a non-profit corporation or a non-profit establishment for PUBLIC USE.
- 4.62** INTERNET SWEEPSTAKES CAFÉ: An establishment which sells phone cards or internet access time which can be used to play computer games at which there is the possibility of winning a predetermined prize.
- 4.63** JUNK: Shall mean any worn-out, castoff, or discarded article or material which is or may be salvaged for reuse, resale, reduction, or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled or assorted for the aforesaid purposes. Any article or material, which unaltered or unchanged and without further reconditioning can be used for its original purpose as readily when new, shall not be considered junk.
- 4.65** JUNK YARD: The use of more than 200 square feet of the area of any lot, whether inside or outside a building, or the use of any portion of that half of any lot that joins any street, for the storage, keeping, or abandonment of junk, or scrap materials, or the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.
- 4.67** LIVING AREA: The total of the square feet of usable living floor space within the defined areas created by the walls of a dwelling. Does not include open patios, open terraces or courts, open breezeways, outside steps, garages, and/or carports.
- 4.69** LOTS: A parcel of land occupied or capable of being occupied by one building and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by this Resolution.
- 4.71** LOT, CORNER: A parcel of land at the junction of and fronting on two or more intersecting streets.
- 4.73** LOT, DEPTH OF: A mean horizontal distance between the front lot line and the rear lot line, measured in a general direction parallel with its side lot lines. Unless otherwise specified, length shall be measured from the center of the street. Lot length and lot depth have the same meaning.
- 4.75** LOT, INTERIOR: A lot other than a corner lot.
- 4.77** LOT, WIDTH OF: The shortest distance between the lot side lines shall be 350 feet minimum for one family and 350 feet wide minimum for two family.
- 4.79** LOT LINES: Any line dividing one lot from another.
- 4.81** MOBILE HOME: Any vehicle or similar portable structure used or so constructed as to permit its being used as a conveyance upon the public street, and designed to permit the occupancy thereof as a dwelling unit for one or more persons.
- 4.83** NONCONFORMING USE: A building, structure or use of land existing at the time of enactment of this Resolution, and which does not conform to the regulations of the district in which it is situated.
- 4.85** NURSERY SCHOOL: A school designed to provide daytime care or instruction for two or more children from two to five year of age inclusive and operated on a regular basis.

- 4.87** OPEN SPACE: A space unoccupied with structures, open to the sky and on the same lot with the building.
- 4.89** PARK: A public, private and/or commercial area, which is to be used for recreational purposes. Any such area, which requires a Fee or a Use Fee, shall first secure a Zoning Permit.
- 4.90** PUBLIC COMMUNITY PARK: A public area which is to be used for playing fields, non-motorized multiple-use trails, landscaped areas, picnic areas, playground apparatus areas and field house. (Resolution 2009-27)
- 4.91** PONDS
A pond is a man-made water impoundment made by constructing a dam or embankment, or by excavating a pit or dugout, greater than 1/4 acre in surface area. (Source: NRCS Standard &, Spec No. 378)
- 4.92** PARKING SPACE: An off-street space available for the parking of one motor vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways appurtenant thereto and giving access thereto, and having direct access to a street or alley.
- 4.93** QUARRY, SAND PIT, GRAVEL PIT, TOPSOIL STRIPPING: A lot or land or part thereof used for the purpose of extracting stone, sand gravel, topsoil for sale, as an industrial or commercial operation, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a Zoning Permit has been made.
- 4.95** REAR LOT CLEARANCE: An open space between the rear line of any building, including accessory buildings and the rear line of the lot and extending the full width of the lot.
- 4.97** RECREATIONAL AREAS: Refer to Conditional Zoning in Section 8.
- 4.99** SANITARY LANDFILL: A method of disposing of refuse or land without creating nuisances or hazards to public health or safety by utilizing the principles of engineering to confine the refuse to the smallest practical volume and to cover it with a layer of earth at the conclusion of each day's operation or at more frequent intervals as may be necessary.
- 4.101** SETBACK: Shall mean the minimum distance from the centerline of public road to the front line of building. The setback line will be a minimum of 100 feet from the centerline of all roads within the township.
- 4.103** SIDE YARD CLEARANCE: An open space between the main building or any accessory building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a front line or a rear line shall be deemed a side line.
- 4.105** SIGN: A "sign" is a structure which displays words and/or pictures which are in the nature of an announcement, direction or advertisement.
- 4.107** STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there be no floor above it, then the space between any floor and the ceiling next above it.

- 4.109** STREET: A public right-of-way, which affords access to abutting property.
- 4.111** STREET LINE: Is defined as the right-of-way line of any road, street, or highway as proposed on the Major Thoroughfare Plan of Lorain County, Ohio. All setback distances on the Zoning Map for Huntington Township shall be measured from the center line.
- 4.113** STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.
- 4.115** USE: The specified purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The term Permitted Use or its equivalent shall not be deemed to include any NON-CONFORMING USE.
- 4.117** USE, CONDITIONAL: A use of land that is of such a nature that its unlimited operation could be detrimental to the health, safety, morals and general welfare of residents in the surrounding area or to property or property values, and on which the public has reserved the right to permit the use, subject to certain general and specific conditions stated in the resolution which are deemed necessary to protect the permitted uses of other affected properties.
- 4.119** VARIANCE: A variance in a zoning resolution is a modification from the literal provisions of that resolution by the appeals board in cases where a literal enforcement of its provisions would result in unnecessary hardship owing to circumstances unique to the individual property or use for which the variance is granted.
- 4.121** YARD: An open, unoccupied space, other than a court on the same lot with a building.
- 4.123** YARD, FRONT: A yard extending the full width of the front of a lot between a street right-of-way line and the building setback line.
- 4.125** YARD, REAR: An open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot and extending the full width of the lot.
- 4.127** YARD, SIDE: An open unoccupied space on the same lot with the building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

SECTION 5 - ESTABLISHMENT OF DISTRICTS

5.1 INTENT: The intent of this Section is to create a series of districts of such number and character as are necessary to achieve compatibility of uses within each district.

5.3 DISTRICTS: For the purposes of this Resolution, all land areas in Huntington Township are hereby divided into the following districts:

R-A Residential-Agricultural District

B-1 Community Business District

LI-1 Light Industrial

R-C Recreational Commercial

5.5 ZONING MAPS: The boundaries of these districts are hereby established as shown on a map entitled, “The Official Zoning Map of Huntington Township” adopted on July 21, 2014 and certified by the Clerk, which map accompanies this Zoning Resolution and which map together with all notations, references and other information shown thereon is hereby made a part of this Zoning Resolution.

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

5.7.1 Where district boundaries are indicated as approximately following the outer line of streets or highways, street lines or highway right-of-way lines such center lines, street lines, or highway right-of-way lines shall be considered to be such boundaries

5.7.3 Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.

5.7.5 Where district boundaries are so indicated that they, approximately, are parallel to the center lines or street lines of streets, of the center lines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and of such distance therefrom as indicated on the zoning map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said zoning map.

5.7.7 Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.

5.7.9 Where the boundary of a district follows a stream, lake, or other body of water, the boundary line of the body of water shall be deemed to be the boundary of the zoning district unless otherwise indicated. In un-subdivided property, the district boundary lines on the map accompanying and made a part of this Zoning Resolution shall be determined by dimension notes on the map, or by the use of the scale appearing on the map.

SECTION 6 - GENERAL REGULATIONS

- 6.1** **PURPOSE:** The general regulations as set forth herein shall apply to all districts. Where the requirements of a general regulation and a district regulation differ, the more restricted requirement shall prevail.
- 6.3** **CONFORMANCE REQUIRED:** No building shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used, designed or arranged for any purpose other than that specifically permitted in the district in which said building or land is located. The Board of Zoning Appeals may issue Conditional Zoning Certificates for any of the conditionally permitted uses listed under the Conditionally Permitted Use section of any district.
- 6.5** **GENERAL LOT AREA REGULATIONS:** No parcel of land shall hereafter be so reduced or divided so as to provide less than the minimum lot size required in the district in which such land is situated.
- 6.5.1** **Minimum Lot Area (Effective 11/5/2003):** The minimum lot shall be no less than 350 feet wide and two (2) acres for a one family dwelling and 350 feet wide and two (2) acres for two family dwelling unless a larger lot is required by the Lorain County Board of Health due to soil conditions.
- 6.5.3** **Lot Area Exception for Existing Certain Substandard Lots:** Any lot or parcel of land under one ownership and of record at the time of adoption of this Resolution and where no adjoining land was under the same ownership on said date, may be used as a building site even when of less area or width than that required by the regulations for the district in which located.
- 6.7** **GENERAL YARD REQUIREMENTS:** Except as herein provided, every required yard shall be open and unobstructed and shall not be reduced or diminished in area so as to be smaller than prescribed by this Resolution.
- 6.7.1** **Yard for Single Building:** No required yard or other open space around a building shall be considered as a yard to open space for any other building. No required yard or other required open space on an adjoining lot shall be considered as providing the yard or open space on the lot whereon a building is to be erected or established.
- 6.7.3** **Clear View of Intersecting Streets:** In all zones which require a front yard, no obstruction in excess of three (3) feet in height shall be placed on any corner lot within a triangular area formed by the street right-of-way lines on the projected point of intersection of the street right-of-way lines and a line connecting points twenty-five (25) feet from the intersect of the street property lines of the projected point.

- 6.7.5** Yard Exceptions: Fences, Hedges and Walls. In all districts, except industrial, fences, hedges and walls may be constructed to a maximum height of six (6) feet in any required side or rear yard beginning at the building lot line and to a height of three (3) feet in any required yard abutting a street.
- 6.7.7** Yard Exceptions: Garages as Accessory Buildings. In residential districts detached garages or other accessory buildings may be located five (5) feet from side and rear property lines.
- 6.7.9** Use of Front Yard: Front yards in all districts shall be landscaped and no parking shall be permitted thereon.

6.9 BUILDING REGULATIONS

- 6.9.1** No building or other structure shall hereafter be erected or structurally altered:
 - A. To exceed the height required.
 - B. To accommodate or house a greater number of families than that permitted by the provisions of this Resolution.
 - C. To occupy a greater percentage of lot area than permitted.
 - D. To have narrower or smaller rear yards, side yards, front yards or lot width at the building line than those permitted in this Resolution
- 6.9.3** Principal Building: No more than one principal building shall be permitted on any lot.
- 6.9.5** Buildings Under Construction Prior to Enactment of This Resolution: Nothing in this Resolution shall be deemed to require any change in plans, construction, or designated uses of any building upon which actual construction has lawfully begun prior to the adoption of this Resolution and provided construction is prosecuted diligently and provided further that such building shall be completed within one (1) year from the date of passage of this Resolution.
- 6.9.7** Zoning Certificates: No zoning certificate shall be issued without evidence that the Lorain County Health Board has approved the proposed sanitary sewage disposal and water facilities for the use for which the zoning certificate has been requested.

- 6.9.9** Minimum Living Floor Area Per Family (Eff. 12/2/03): In any residential district, the minimum floor area for living purposes per family shall not be less than 1,400 square feet.
- 6.9.11** Frontage Required For Building: A lot requires 350 feet of continuous frontage on a single road of public record for a buildable lot.
- 6.9.13** Temporary Buildings: Temporary buildings or uses for purposes incidental to construction work shall be permitted provided such buildings or uses not be continued as permanent structures or uses. The period during which such temporary buildings are to be permitted shall be no greater than the period of construction plus thirty (30) days after the completion of such construction and the certificate for such period shall be issued by the Board of Zoning Appeals.
- 6.10** DRIVEWAY REGULATIONS (Res 56-07) It is required that termination of concrete drives shall be at the right-of-way and continuation of the drive within the right-of-way shall be of asphalt or gravel.
- 6.10.1** Driveway widths must be a minimum of 10 feet wide.
- 6.10.2** (Eff. 11/18/03) There shall be a separate driveway to each building lot of record from the road of record.
- 6.10.3** Culverts must be 24 foot wide minimum, with proper fill-stone or concrete.
- 6.10.5** Creek crossings on private drives should be designed to allow heaviest apparatus and having adequate minimum width of 10 feet. Plans for the bridge must be approved by the County Engineer's office before construction is begun.
- 6.10.7** Driveway clearances must be on both sides (12 feet vertically and 3 feet horizontally), which would include fences, walls, gates, and other similar improvements. The provisions of this article shall not apply to any existing building, structure, and/or objects (such as fences, rocks, trees, plantings, and/or natural vegetative growth.)
- 6.10.9** The driveway shall be constructed to a minimum depth of eight (8) inches of stone base, and compacted properly.
- 6.10.11** Driveway shall be maintained year-round to allow for emergency apparatus.
- 6.10.13** If there are fire hydrants on or near the property, they must also be maintained. NO plantings or bushes around or near, so they are easy to find.

6.11 NONCONFORMING USES

- 6.11.1** Continuance: The lawful use of a building or parcel of land existing at the time of the adoption of this Resolution may be continued, although such use of a building or parcel of land does not conform to the provisions hereof, provided no structural alterations are made other than those ordered by an authorized public officer to assure the safety of the building or structure and provided further, that such extension does not displace any residence use in a residence district.
- 6.11.3** Nonconforming Lots of Record: In any R-A District notwithstanding limitations imposed by other provisions of this Resolution, a single family dwelling may be erected on any single lot of record existing at the effective date of the adoption or amendment of this Resolution, provided that yard requirements of the lot shall conform to the regulations for this district in which such lot is located. Variance of area, width and yard requirements may be obtained only through action of the Zoning Board of Appeals.
- 6.11.5** Discontinuance: If any nonconforming use of land is discontinued or abandoned for any reason for a period of two (2) years, said use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located. Whenever a nonconforming use of a building or portion thereof has been discontinued for a period of at least two (2) years, such non-conforming use shall not thereafter be re-established and the future use shall be in conformity with the provisions of this Resolution.
- 6.11.7** Change: Whenever a nonconforming use of a building or land has been changed to a more restricted use, or to a conforming use, such use shall not thereafter be changed to a less restricted use.
- 6.11.9** Extension, Enlargement, Removal: No nonconforming use shall be enlarged, increased or extended to occupy a greater area of building or land than was occupied at the effective date of the adoption or subsequent amendment of this Resolution. No nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel of land occupied at the effective date of adoption or amendment of this Resolution.
- 6.11.11** Destruction, Damage and Reconstruction: Any nonconforming building or structure damaged by fire, explosion, act of God or act of the public enemy, may be reconstructed and used as before such calamity, provided such building or structure is not damaged to the extent of more than fifty percent of its reproduction value. Should a nonconforming building or structure be destroyed by any means to an extent of more than fifty percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Resolution.

6.11.13 Maintenance: On any building or structure devoted in whole or in part to a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or on replacement of non-bearing walls, fixtures, wiring or plumbing to an extent not exceeding ten (10) percent of the current replacement value of the building or structure, provided that the cubic content of such building or structure as it existed at the time of passage or amendment of this Resolution shall not be increased.

6.12 REGULATION OF OFFENSIVE MATERIALS AND AUTOMOBILE JUNK YARDS
(Effective 3/31/93)

The following uses shall be deemed to constitute a nuisance and shall not be permitted in Huntington Township:

6.12.1 Dumping, storing, reducing, disposing of or burning of solid wastes, hazardous wastes, infectious wastes, medical wastes, nuclear wastes, garbage, refuse, scrap metal, tires, rubbish, offal, ash, or demolition materials. "Solid wastes" mean such materials as are described in Ohio Revised Code Section 3734.01(E) or in such statute as it may hereafter be amended. "Hazardous wastes" mean such materials as are described in Ohio Revised Code Section 3734.01(J) or in such statute as it may hereafter be amended. "Demolition materials" mean materials from construction operations and from demolition operations, including, but not limited to, those items that are affixed to a structure, including driveways and highways, being constructed or demolished such as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing fixtures, wiring and insulating materials.

6.12.3 Automobile junk yards, places for the collection of scrap vehicles, scrap machinery, or places for the dismantling of used vehicles.

6.13 The parking of a disabled vehicle within a residential or business district for a period of more than two (2) months shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building.

6.14 PONDS

6.14.1 A pond must be designed by a registered civil engineer or by the Lorain Soil & Water Conservation District to meet the Standards & Specifications of the USDA Natural Resource Conservation Service.

6.14.2 The minimum size of a pond is one-fourth of an acre in surface area (approximately 100 feet by 110 feet).

- 6.14.3** Set backs: A minimum of 50 feet from all property lines and rights-of-way, measured from the high water mark of the pond, the toe of the outside embankment, or outside edge of spoil disposal area, whichever is closest to property line or right-of-way.
 - 6.14.4** Drainage: On-site and off-site surface and subsurface drainage patterns will not be obstructed by pond construction in compliance with Ohio Drainage Laws.
 - 6.14.5** Mounding of spoil material: Maximum heights are to be determined by local zoning. NRCS Standards for mounds require a minimum 4-foot top with a minimum of 3:1 side slopes.
 - 6.14.6** Spoils mounds may not exceed six (6) foot in height due to safety and maintenance factors.
- 6.15** PORTABLE STORAGE SHEDS (Res 56-07) Any structure built for the storage of goods and/or materials that is not attached to a foundation, another structure or the ground.
- 6.15.1** (Res 51-09) Total maximum allowable storage area of 200 square feet. Restricted to one story and a maximum height of 15 feet, a minimum setback of 5' to all side and rear of property lines and not permitted in front yard. Shipping containers may not be used as portable storage sheds.
 - 6.15.2** (Res 56-07) There shall be no more than 2 portable storage sheds on a lot.
- 6.16** SIGNS
- 6.16.1** Sign Descriptions, sizes and limitations
 - A. Fascia or Wall Signs, Projecting Signs, Free Standing Signs, Temporary/Political Signs
 - B. Size Limitations: No sign shall exceed thirty-two (32) square feet, additionally; temporary or political signs shall not exceed fifteen (15) square feet.
 - C. Location: For free standing signs the minimum distance from any street right-of-way or adjoining lot line shall be at least twenty (20) feet or the height of the sign, whichever is greater.
 - D. Temporary or Political Signs shall not be posted more than sixty (60) days before the advertised event, and shall be removed within seven (7) days after the event.

Section 7 - RESIDENTIAL - AGRICULTURAL DISTRICT (R-A)

7.1 **PURPOSE:** The Residential-Agricultural District (designated "R-A" District) is designed for use throughout the Township to:

7.1.1 Reserve and protect for agricultural use those land areas needed and best suited for agriculture.

7.1.3 Prevent the indiscriminate spread of urban uses into rural areas which are incompatible with agricultural pursuits and which contribute to their premature termination.

7.1.5 Retain land, which could eventually be developed for urban uses currently in productive agricultural use.

7.1.7 Permit orderly, efficient and economical development of land to urban uses in compliance with a comprehensive plan at a time when the community can feasibly provide the required urban services.

7.3 **PERMITTED USES:** The following uses and no others shall be permitted in an "R-A" District:

7.3.1 Agriculture.

7.3.3 One family dwellings.

7.3.5 Two family dwellings.

7.3.6 Tourist homes, rooming houses and boarding homes accepting not more than six (6) paying guests at any one time

7.3.7 Accessory buildings incidental to the principal use, which do not include any activity conducted as a business.

7.3.9 Churches and other places of worship, parish houses and Sunday schools.

7.3.11 Public Community Park, reference section 7.22. (Resolution 2009-27)

7.4 **TEMPORARY USES:** The following uses shall be temporary for the convenience of those needing such measures.

7.4.1 A refundable and signed permit fee of (See township schedule of fees) will be filed with the Zoning Inspector for a period not to exceed one year for the use of a mobile home while the construction of a permanent residence is underway. This fee will not be refunded if the mobile home is on location for

more than the allotted time period. A septic system meeting current Health Department standards and a driveway meeting current zoning regulations must be in place and in working order before the mobile home can be placed on the property. If the mobile home is not removed from the property by the end of the allotted time the matter will be taken before the Lorain County Prosecutor for further investigation and possible litigation.

7.5 **CONDITIONALLY PERMITTED USES:** The following uses shall be classed as conditionally permitted uses and shall be subject to the conditions set forth herein and such other conditions as the Board of Zoning Appeals may require to fit the use to its surrounding area:

7.5.1 Customary home occupation. (See Definitions, Section 4.57)

7.5.3 Cemeteries (minimum area of 10 acres)

7.5.5 Recreational campgrounds. (See Section 8.5.6)

7.5.7 Other than Amusement Parks, All privately owned and operated parks or playgrounds.

7.5.9 Prospecting, exploring for oil and gas wells and service wells accessory thereto, and the storing and transportation of crude oil and natural gas subject to the issuance of a conditional zoning certificate therefore and the following conditions plus such other conditions as the Board of Zoning Appeals may require.

- A. After prospecting is complete or upon the abandonment of any well, each hole shall be plugged within thirty (30) days in a manner that will protect all fresh water horizons and the surface of the ground used in connection with the drilling and production of such well shall be restored to its original condition as nearly as practicable.
- B. All operations shall be in accordance with the rules and regulations of the State of Ohio, Division of Mines, Department of Industrial Relations and provisions pertaining thereto of the Ohio Revised Code as amended.
- C. The operator shall furnish a copy of the Application for Permit to Drill (as filed with the Division of Mines pursuant to O.R.C. 4159-04) to the landowner and to the Township Zoning Inspector.
- D. Drilling operations shall be prosecuted with due diligence in keeping with good oil field practice as determined by the Deputy Gas and Oil Well Inspector of the State of Ohio for the district in which such well is located.

- E. The operator shall at all times conduct operations and maintain equipment in such a manner so as to maintain property values, provide maximum safety conditions, and shall not create any hazard to health nor create a public nuisance. All unnecessary noise, smoke, and odors are to be avoided. Accumulation and disposition of waste materials shall be in a manner conducive to good sanitation and to the restoration of all ground surfaces to their natural condition.
- F. All pipelines for the transportation of oil and/or gas shall be buried below a depth of 24 inches.
- G. All wells, storage tanks and other accessory structures shall be located 300 feet from any house, barn or other building, road right-of-way line, or property line and shall be equipped with safety devices necessary for the safe handling and storing of oil and gas.
- H. The Township Zoning Inspector shall be notified by the operator at the time of plugging of any oil or gas well.
- I. Failure to comply with this section shall be cause for the revocation of the Township Zoning Certificate and the ceasing of all operations.

It shall be the duty of the Township Zoning Inspector to consult with the Deputy Inspector of the Division of Mines relative to good practices relating to the drilling, production or storage of oil and gas. Upon finding conditions, which he determines to be unsafe, unsanitary, or a menace to the health and safety of persons residing in a neighborhood of an oil or gas well, the Township Zoning Inspector shall order the operator of such well to cease operations until such condition is corrected.

7.5.11 Roadside stands.

7.7 LOT REQUIREMENTS

7.7.1 Minimum lot area – Two (2) acres.

7.7.3 Minimum lot width – Three hundred and fifty (350) feet.

7.9 YARD REQUIREMENTS

7.9.1 Minimum front yard depth – Will remain consistent with the 100 foot building setback from the centerline of the road as defined in Section 4.101.

7.9.3 Minimum rear yard - fifty (50) feet.

- 7.9.5** Minimum side yard width:
- A. Minimum side yard, dwelling to property line - fifteen (15) feet.
 - B. Corner Lot Specifications: The setback building line on a corner lot shall be in accordance with the provisions governing the road or street on which the building faces. The side yard clearance on the side street should be a minimum of 45 feet from the centerline of the road. (See definitions 4.23 & 4.101)
- 7.11** CLEAR VIEW ON INTERSECTING STREETS: On any corner lot, within the triangular area formed by the two street center lines and a third line connecting two points each of which is located one hundred (100) feet from the center line intersection, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision above a height of three (3) feet above the plane surface formed by the center line grades of the aforementioned streets.
- 7.13** MAXIMUM BUILDING HEIGHT: No residential building shall hereafter be erected or structurally altered to a height exceeding two and one-half (2 1/2) stories or thirty-five (35) feet in height measured from the grade to the ridge of the roof.
- 7.15** MINIMUM DWELLING UNIT SIZE (Eff. 2003): There shall be a minimum one thousand four hundred (1400) square feet of usable living area provided in each dwelling unit exclusive of basements, porches, garages, breezeways or terraces.
- 7.17** PERCENTAGE OF LOT COVERAGE: All buildings including accessory buildings shall not cover more than thirty (30) percent of the new area of the lot.
- 7.19** OFF STREET PARKING
- 7.19.1** Off street parking facilities for single family dwellings shall be located on the same lot or plot of ground as the building served. Two (2) off street parking spaces shall be provided for each family unit.
 - 7.19.3** Off street parking facilities for churches and other places of assembly shall be located within three hundred (300) feet of the principal use and shall contain one (1) space for each four (4) seats at maximum seating capacity.
- 7.20** PERMITTED SIGNS (See 6.16 for General Regulations)
- 7.20.1** One sign advertising the sale of products raised or produced on the premises shall be permitted providing it does not exceed twelve (12) square feet.
 - 7.20.3** Real estate signs not exceeding four (4) square feet in area and advertising the sale, rental, or lease of the premises on which the sign is located shall be permitted on any property.

7.20.5 Signs for home occupations and nonconforming uses shall not exceed fifteen (15) square feet in area.

7.22 PUBLIC COMMUNITY PARK:

7.22.1 Public Community Park hours shall be posted from sunrise to sunset, except for Township sanctioned activities.

7.22.2 Minimum total site size shall be (5) acres and minimum total frontage shall be not less than 350 feet on a single road of public record (reference 6.9.11).

7.22.3 Parking lots or areas adjacent to public streets shall have driveways not to exceed thirty-five (35) feet in width at the curb line.

7.22.4 Set back requirements for parking lots and drive ways shall be five (5) feet from property lines and right of ways.

7.22.5 Setback requirements for all buildings and accessory structures shall be fifty (50) feet from side and rear lot lines and one hundred (100) feet from all bounding road right of way side lines.

7.22.6 Setback areas on the site shall be appropriately landscaped to maintain a park-like atmosphere.

7.22.7 Playground apparatus must be set back fifty (50) feet from any bounding street right-of-way or side lot line.

7.22.8 When lighting is provided it shall be shielded from adjacent properties and not constitutes a nuisance or impairs safe movement of traffic on roadways. (Resolution 2009-27)

SECTION 8 - COMMUNITY BUSINESS DISTRICT (B-1)

- 8.1** PURPOSE: The purpose of the B-1 District is to encourage planned and contiguous groupings of stores which will provide retail convenience and comparison goods and provide personal and professional care to the community.
- 8.3** PERMITTED USES: In a Community Business District no land or building shall be used or changed in use and no building shall be located, erected or structurally altered unless otherwise provided herein, except for one or more of the following:
- 8.3.1** Stores and shops for conducting any retail business.
 - 8.3.3** Personal service shops.
 - 8.3.5** Banks, theaters, offices, restaurants, and similar community services.
 - 8.3.7** Churches, subject to the restriction that parking shall be provided in the amount of one (1) space for each four (4) seats of maximum seating capacity.
 - 8.3.9** Accessory buildings and accessory use.
 - 8.3.11** Other uses which, in the opinion of the Board of Appeals, are of the same general character as those listed as permitted uses and which are not detrimental to the district in which they are located.
- 8.5** CONDITIONALLY PERMITTED USES: In a B-1 District the following uses shall be classed as conditionally permitted uses and may be permitted by the Board of Zoning Appeals subject to the following conditions as set forth and the general conditions as set forth in Section 13– Board of Zoning Appeals. Upon failure to comply with the prescribed conditions the Board of Zoning Appeals shall by written notice revoke the conditional zoning certificate. Such use shall be discontinued until the violations have been corrected and another conditional zoning certificate issued by the Board.
- 8.5.1** Automobile Repair Garages - General Conditions for Automobile Repair Garages:
- A. When such use abuts a lot in any residential district, a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition a row of shrubs or trees shall be incorporated which will attain a height of three (3) feet from the street right-of-way line to the building line and six (6) feet along the remainder of the property lines.
 - B. Buildings used for such purposes shall not be nearer than seventy-five (75) feet from any “R-A” District.
 - C. Automobile, truck and trailer repairs shall be conducted completely within an enclosed building.

- D. Driveways: See Section 6.10 DRIVEWAY REGULATIONS
- E. One (1) off street parking space for each employee shall be provided in addition to one (1) space for each two hundred fifty (250) square feet of floor space.
- F. No overnight or weekend outside storage of trucks or trailers shall be permitted on the premises and no partially dismantled or junked vehicles shall be stored outside the buildings on the premises.

8.5.2 Service Stations - General Conditions for Gasoline Service Stations:

- A. Site - a minimum of Two (2) acres.
- B. Yard requirements as follows:
 - 1. Frontage - Minimum frontage on the primary street of two hundred fifty (250) feet.
 - 2. Building Setback – Will be consistent with the 100 foot building setback from the centerline of the road as defined in Section 4.101.
 - 3. Rear Yard - A required minimum of seventy-five (75) feet where the use abuts a residential area and thirty-five (35) feet where the use abuts a nonresidential area.
- C. Driveways: See Section 6.10 DRIVEWAY REGULATIONS
- D. Landscaping:
 - 1. Any unpaved areas of the site shall be landscaped or maintained in a dust free condition and separated from the paved areas by a curb or other barrier.
 - 2. When such use abuts a lot in any residential district, a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition a row of shrubs or trees shall be incorporated which will attain a height of three (3) feet from the street right-of- way line to the building line and six (6) feet along the remainder of the property lines.
- E. Parking: There shall be a parking space for each employee (with a minimum of two employee spaces) plus one space for each service bay, plus one space for each restroom provided.
- F. Exterior lighting: Shall be shielded from adjacent properties to prevent possible glare.
- G. Service Equipment: Gasoline pump island, compressed air connections, and other equipment shall be set back a minimum of thirty (30) feet from any right-of-way. Hydraulic hoists, pits

and all lubrication, washing and repair equipment shall be enclosed entirely within a building.

H. Hydraulic hoists, pits and all lubrication, washing and repair equipment shall be enclosed entirely within a building.

8.5.3 Commercial Feed & Grain Warehousing, Distribution and Storage (Eff. 10/30/91): A use engaged in retail and wholesale sales, storage, and distribution of feed and grain products and related supplies and equipment.

A. Lot Size

1. All warehousing, distribution and storage areas shall be located on a lot having a minimum area of five (5) acres and a minimum of five hundred (500) feet frontage on a public thoroughfare.
2. Setbacks. A required minimum setback of seventy (70) feet from all street right-of-ways.
3. Buildings used for such purposes shall be located no nearer than seventy five (75) feet from any "R-A" District and no nearer than thirty five (35) feet from any non "R-A" District.

B. Building Height

1. No building shall have a height of more than forty-five (45) feet

C. Off-Street Parking, Loading and Storage

1. Off-street loading and vehicle storage shall be provided as established in Section 7.19 of the Huntington Township Zoning Resolutions and, in addition, shall meet the following requirements:
 - a. Off-street loading and vehicle storage space shall be an accessory use and shall conform to all requirements as to side yard and rear yard clearance as specified in this code.
 - b. All loading and vehicle storage space shall be located on same lot with the buildings.
 - c. There shall be provided sufficient area for loading and unloading and storage of motor vehicles used in the conduct of the business activity.
 - d. No partially disabled, dismantled or junked vehicles or equipment shall be stored outside the buildings.
2. Equipment storage will be provided for and meet the following requirements:
 - a. All loading and unloading equipment shall be housed inside of building when not in use.

- b. All repairs to loading and unloading equipment and transportation equipment shall be carried on inside of building unless a breakdown hampers movement of equipment to repair area.
- c. All transportation equipment shall remain on a provided parking area when not in use.
- d. No partially disabled, dismantled or junked vehicles or equipment shall be stored outside the buildings.

8.5.4 General Conditions for Lodge Halls, Clubs, Museums, Scientific Clubs, and Other Incidental Buildings for the Purpose of Assembly:

- A. All structures, except utility poles and meters and activity areas shall be located at least fifty (50) feet from any "R-A" District.
- B. All points of ingress and egress shall be located no closer than one hundred (100) feet from an intersection; and shall be constructed in width and surface of Bituminous and dust free - maintenance of traffic.
- C. One sign shall be permitted with a surface area not exceeding thirty two (32) square feet which serves to identify the use on the premises and is subject to other requirements as set forth in Section 6.16 Signs.
- D. There shall be one (1) parking space for each two hundred (200) square feet of floor area or one space for each four (4) seats at maximum seating capacity whichever is greater.
- E. All exterior lighting shall be shielded from adjoining properties.

8.5.5 New and Used Automobile and Farm Implement Sales:

- A. All operations other than display and sales shall be conducted within a completely closed building.
- B. Buildings used for repair, washing operations and display shall not be nearer than seventy-five (75) feet from any "R-A" District.
- C. When such use abuts a lot in any residential district, a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition a row of shrubs or trees shall be incorporated which will attain a height of three (3) feet from the street right-of-way line to the building line and six (6) feet along the remainder of the property lines.
- D. All unpaved areas shall be landscaped with grass or other planted material as approved by the Board of Zoning Appeals.
- E. Exterior lighting shall be shielded from adjacent properties to prevent possible glare.

- F. One sign shall be permitted with a surface area not exceeding thirty two (32) square feet which serves to identify the use on the premises and is subject to other requirements as set forth in Section 6.16 Signs.
- G. One (1) parking space for each four hundred (400) square feet of floor area of sales room and one (1) additional parking space for each service stall in the service room.

8.5.6 Recreational Campgrounds:

- A. Plans of all camps, camping facilities, building and additions thereto, shall be submitted to and approved by the Board of Zoning Appeals and the Lorain County Board of Health before a zoning certificate may be issued.
- B. No intoxicating beverages may be sold on the campgrounds.
- C. All buildings or other structures shall be located no closer to the right-of-way than three hundred (300) feet.
- D. All buildings or other structures shall be located no closer to the side or rear lot line of any district nearer than two hundred (200) feet.
- E. No campground shall be developed on a lot of less than fifty (50) acres.
- F. All access roads shall be maintained in an all weather, dust free condition.
- G. All outdoor lighting shall be shielded to prevent glare to adjoining properties.
- H. A sign shall be permitted on the premises of the campground with a twenty (20) foot setback from the road right-of-way provided the area of such sign shall not exceed thirty two (32) square feet.
- I. To accommodate self-contained camping trailers, all weather hard stand areas, 10 feet x 40 feet shall be provided and so designed that the car and camping trailer can be backed onto the hard stand area with the minimum amount of maneuvering.
- J. Adequate garbage and rubbish cans with tight fitting lids shall be provided for each campsite.
- K. The campground shall be equipped at all times with adequate fire extinguishing equipment as determined by the fire department, which serves the area.
- L. The campground and all permanent facilities and equipment shall be kept in a clean, orderly condition free from any conditions that would constitute a nuisance.
- M. The Zoning Inspector may inspect the premises at any time. Failure to comply with the regulations will be considered reason for revocation of the conditional certificate thirty (30) days after receipt of written notice, unless said conditions are corrected within the thirty (30) days.
- N. The general water supply requirements at campgrounds shall be:

1. With showers and flush toilets-40 gallons per camper per day.
 2. With flush toilets only - 25 gallons per camper per day.
 3. Without showers or flush toilets - 5 gallons per camper per day.
- O. Emergency storage - The capacity of the water storage reservoir or tank should provide for double the expected daily use. If a pressure system is developed, a “standby” or emergency supply of water should be provided. Distance from drinking water to unit - three hundred (300) feet maximum, one hundred (100) feet or less optimum.
- P. The general criteria for sanitary facilities shall be:
1. People per toilet fixture - 17.
 2. People per shower - 50.
 3. One restroom with six (6) toilet fixtures per campground of twenty-five (25) units.
 4. One restroom with six (6) toilet fixtures and one (1) combination building with six (6) toilet fixtures, four (4) showers, and laundry facilities per campground of fifty (50) units.
- Q. Facilities for drinking water, waste water and garbage disposal shall be in accordance with the regulations as prescribed by the Ohio State Health Department and the Lorain County Health Department.
- R. The following parking spaces must be provided:
1. Car - 300 square feet (20 x 15).
 2. Car and Trailer - 600 square feet.
 3. One (1) space or hard stand per camper unit, minimum space for two (2) cars, or car and trailer.
 4. Optimum space for three (3) cars must be provided at each restroom.
- S. Camping trailers and self-propelled camper vehicles are permitted but not mobile homes.
- T. All campers’ vehicles shall have the current year license plates affixed to their vehicle.
- U. The minimum campsite shall contain 7,260 square feet. Ratio of campers to total area is based upon six (6) units or campsites per acre.
- V. No campsite shall be located on land having a slope in excess of twenty (20) percent.
- W. No campground shall be used for PERMANENT OCCUPANCY OR AS A MOBILE HOME PARK.

- X. No person shall be allowed in their camping vehicles from January 1 thru March 31.
- Y. All occupancy shall be considered only for seasonal and recreational purposes as stated above.
- Z. Conditional Zoning Certificates shall not be transferable.
- AA. Hours of Operation - Under no conditions shall the use continue past 12:00 a.m. (Midnight) local time. All lights in halls, buildings, outside areas and all other lights accessory to the operation shall be extinguished, except necessary protection lights.
- BB. Multiple Ownership - If the land occupied by said park involves property owned by more than one freeholder, then a written zoning certificate shall be secured annually for the owner or resident of each property involved by the park developer. One copy of said certificate shall be retained by the property owners and one copy filed with the Huntington Township Zoning Inspector by January 31 of each year.
- CC. Other Requirements:
 1. Public address systems, loudspeakers, and any other forms of sound amplification shall be prohibited. Radios, television sets and phonographs shall be permitted providing that in the judgment of the zoning inspector these are not operating louder than normally operated in a residence.
 2. The minimum height for any structure shall not exceed the limitations permitted in the district, which it is located.
 3. No mechanical easement devices or games of chance shall be allowed.

8.5.7 INTERNET CAFES

REQUIREMENTS:

- A. Permit: Internet Café shall be a Permitted Use in B-1 Business District. No building shall be erected, constructed or developed and no building or premises shall be reconstructed, remodeled arranged for use or used for an Internet Sweepstakes Café unless authorized by the issuance of a Permit by Huntington Township and signature received by applicant on Zoning Disclaimer.
- B. Signage: No signs shall be permitted to flash, blink, scroll or involve any type of animation or movement.
- C. Parking: Minimum of one space per terminal plus one space per employee.
- D. Setback: No Internet Sweepstakes Café shall be permitted in a location which is within 1000 feet of a church, public or private school, park or playground, any social services facility, state licensed daycare facility or neighborhood center.

- E. Lighting: All outside lighting shall be shielded and directed away from adjacent properties.
- F. Retail Food Sales: All food and beverage sales shall be in conformance to Lorain County Health District Regulations. A Copy of the current food permit shall be provided to the Township upon application for the permitted use and annually.
- G. Septic Capacity: Any location not serviced by sanitary sewers must undergo an evaluation by the Lorain County health District to determine if the septic system is adequate for the number of patrons. A copy of the sanitary evaluation shall be provided to the Township upon application.

8.5.8 ADULT USES/SEXUALLY ORIENTED BUSINESSES

Huntington Township has determined that there have been several impact studies conducted regarding adult entertainment/sexually oriented businesses. Consistent with such studies, Huntington Township has concluded that adult use/sexually oriented businesses as defined in this Zoning Resolution, have a detrimental effect on proximate uses which endangers the public health, safety and welfare of township residents. Such adult use/sexually oriented businesses impact negatively on nearby residential, institutional, and commercial uses due to resulting increase in crime, decreased property values, curtailed trade and deterioration of rural life quality. These adverse effects are compounded when such adult use/sexually oriented businesses are in close proximity of each other, creating “dead zones”.

Huntington Township enacts the provisions herein regulating adult/sexually oriented businesses so as not to infringe on First Amendment free speech constitutional rights.

- A. Definitions: As used to apply to the regulation of adult use/sexually oriented businesses as contained in this resolution. Adult use/sexually oriented businesses means any of the following:
 - 1. Adult arcade, adult bookstore, adult cabaret, adult novelty store, adult video store, adult motion picture theater, adult motel, nude modeling studio, or sexually encounter center.
 - 2. Specified sexual activities means any of the following:
 - a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
 - b. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy; or
 - c. Excretory functions as part of or in connection with any of the activities set forth in (a.) or (b.) above.
 - 3. Specified anatomical areas means:
 - a. The human genitals in a discernibly turgid state, even in completely and opaquely covered; or

- b. Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola.
4. Nudity or Nude means exposing to view the genitals, pubic area, vulva, perineum, anus, anal cleft or cleavage, or pubic hair with less than a fully opaque covering; exposing to view any portion of the areola of the female breast with less than a fully opaque covering; exposing to view male genitals in a discernibly turgid state, even if entirely covered by an opaque covering; or exposing to view any device, costume, or covering that gives the appearance of or simulates any of these anatomical areas.
5. Semi-nudity or Semi nude means exposing to view, with less than a fully opaque covering, any portion of the female breast below the top of the areola or any portion of the buttocks. This definition shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other clothing, provided that the areola is not exposing in whole or in part.
6. Covering means any clothing or wearing apparel, including pasties, but does not include any substance that can be washed off the skin, such as paint or make-up, or any substance designed to simulate the appearance of the anatomical area beneath it.
7. Parcel of land means any quantity of land capable of being described with such definiteness that location and boundaries may be established, and which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.
8. Employee means a person who performs any service or work on the premises of any adult use/sexually oriented business, including but not limited to providing entertainment, performing work of a management or supervisory nature, or performing functions, on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage or other compensation by the operator of said business. Employee does not include a person on the premises exclusively for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.
9. Adult arcade means any place to which the public is permitted or invited where either or both:
 - a. Motion picture machines, projectors, video or laser disc players, or other video or image-producing devices are available, run via coin, token, or any other form of consideration, to show images to five (5) or fewer persons per machine at any one time; or
 - b. Live entertainment is available in a format designed for viewing by five (5) or fewer persons at one time; and where the images shown and/or live entertainment presented are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

10. Adult bookstore, Adult novelty store, or Adult video store means a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:
 - a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or
 - b. Instruments, devices, or paraphernalia, other than prophylactics, that are designed for use in connection with specified sexual activities.
 - c. A commercial establishment shall be deemed to have as a principal business purpose the offering for sale or rental of materials depicting or describing specified sexual activities if; such commercial establishment devotes more than 15 percent of its total floor area to such sales or rentals, such commercial establishment devotes more than 15 percent of its product display space to such sales or rentals, or on an annual basis, more than 15 percent of the gross revenues generated by such commercial establishment are attributable to such sales or rentals. A commercial establishment may have other principal business purposes that do not involve offering for sale or rental materials depicting or describing specified sexual activities or specified anatomical areas, or materials designed for use in connection with specified sexual activities, and still be categorized as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such a commercial establishment from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental for consideration the specified materials, which are characterized by the depiction or description of specified sexual activities or specified anatomical areas or are designed for use in connection with specified sexual activities.
11. Adult cabaret means a nightclub, bar restaurant, theater, concert hall, auditorium, or other commercial establishment that for the purpose of arousing, stimulating or gratifying the sexual desire of employees, customers, features:
 - a. Persons who appear in a state of nudity or semi-nudity.
 - b. Live entertainment characterized by the depiction or description of specified anatomical areas; or
 - c. Live entertainment of an erotic nature including erotic dancers, strippers, male or female impersonators, or similar entertainment.
12. Adult motel means a hotel, motel, or similar commercial establishment that:
 - a. Offers accommodations to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas

and has a sign visible from the public right of way which advertises the availability of this sex-oriented type of photographic reproductions;

- b. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
- c. Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten (10) hours.

13. Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

14. Nude model studio means any place where a person who appears nude or semi-nude or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

15. Nude model studio does not include:

- a. A proprietary school licensed by the State of Ohio, or a college, junior college or university supported entirely or in part by public taxation;
- b. A private college or university that offers educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
- c. An establishment holding classes in a structure that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; where in order to participate in a class; and where no more than one nude or semi-nude model is on the premises at any one time.

16. Sexual encounter center means a business or commercial enterprise that offers for any form of consideration:

- a. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- b. Activities between male and female persons and/or persons of the same sex when one or more of the persons is semi-nude.

B. Adult use/sexually oriented businesses as defined in this zoning resolution are conditionally permitted, provided that no adult use/sexually oriented businesses as defined in this zoning resolution shall be operated or maintained on a parcel of land located within:

- 1. A Flood Plain.
- 2. 1000 feet of any residence.

3. 1000 feet from any parcel of land on which a church, public library, public or private educational facility that serves persons under 18 years of age, elementary school, public park or playground, or state licensed day care facility.
4. 500 feet from any parcel of land on which any other adult use/sexually oriented business is located.

8.6 BUILDING HEIGHT LIMIT - No building shall be erected to a height in excess of thirty-five (35) feet.

8.7 YARD AND LOT REQUIREMENTS: The following yard requirements shall apply to all yards in a B-1 District.

8.7.1 Lot area shall not be less than two acres.

8.7.3 Lot width shall be at least two hundred fifty (250) feet.

8.7.5 Front yard – one hundred (100) feet.

8.7.7 Rear yard - thirty-five (35) feet.

8.7.9 Side yard:

A. Minimum side - twelve (12) feet (where there is no rear access).

B. Corner property - thirty-five (35) feet.

C. Abutting a residential zone - fifty (50) feet.

8.7.10 Percentage of Lot Coverage - All buildings including accessory buildings shall not cover more than thirty-five (35) percent of the net area of the lot.

8.8 OFF STREET PARKING AND LOADING REQUIREMENTS

8.8.1 Intent: It is the intention of the Township through the creation of the regulations contained in this Section to provide reasonable requirements for off street parking and loading thus lessening the congestion on the streets and preserving the traffic-carrying function of the Township streets and highways.

8.8.3 General Provisions and Requirements: After the effective date of this Zoning Resolution, there shall be provided in all areas zoned B-1 off street parking facilities for the storage or parking of self-propelled motor vehicles as herein prescribed:

A. In determining the number of parking spaces required, if such spaces result in fractional parts thereof, the number of said spaces required shall be construed to be the nearest whole number.

B. Whenever a use requiring off street parking is increased in floor area, additional parking space shall be provided in the amounts hereafter specified for that use, if the total parking space is inadequate to serve the increased floor area.

- C. For the purpose of this Resolution, “Floor Area”, in the case of offices, merchandising or service types of uses, shall mean the gross floor area of the structure.
- D. Off street parking facilities for other than residential dwellings shall be within three hundred (300) feet of the building intended to be served.
- E. The off street parking requirements for uses not specifically mentioned herein, shall be the same as those required for uses of a similar nature.
- F. Collective off street parking facilities may be provided; however, such facilities shall be no less than the sum of such facilities as would otherwise be individually required
- G. The amount of off street parking space for uses, buildings, or additions thereto shall be determined according to the following requirements, and the space, so required, shall be stated in the application for a zoning permit and shall be reserved for such use.
 - 1. Private clubs, fraternities, boarding and lodging houses: One (1) parking space for each two (2) guest sleeping rooms.
 - 2. Community centers, libraries, Museums, post offices, civic clubs: One (1) parking space for each one hundred (100) square feet etc. of floor area.
 - 3. Theaters, meeting halls, and auditoriums (other than incidental to schools): One (1) parking space for each three (3) seats plus one additional space for each two (2) employees.
 - 4. Churches and schools: One (1) space for each four (4) seats in the principal auditorium or one (1) space for each seventeen (17) classroom seats, whichever is greater.
 - 5. Dance halls, pool and billiard halls and exhibition halls without fixed seats: One (1) parking space for each one hundred (100) square feet or floor area used for dancing or assembly.
 - 6. Establishments for sale and consumption of alcoholic beverages, food or refreshments: One (1) parking space for each hundred (100) square feet of floor area plus one (1) parking space for four (4) employees, provided space fore however, that no less than seven (7) parking spaces shall be required.
 - 7. Medical or dental clinics, banks, business or professional offices: For each one (1) square foot of floor area and one (1) space for each employee.
 - 8. All retail stores, except as otherwise specified herein: For each one (1) square foot of floor space devoted to retailing there shall be three and one-half (3 ½) square feet of space devoted to parking.
- H. Parking lots or areas adjacent to public streets shall have driveways or openings not to exceed thirty-five (35) feet in width at the curb line. All such lots or areas shall have a protective wall or bumper block at least five (5) feet from any sidewalk line and said lots

shall be so designed that all vehicles leaving the facility will be traveling forward to approaching traffic. Detailed plans shall be submitted for approval of all curb cuts or driveway openings before a zoning certificate may be obtained.

- I. Entrances, exits or driveways shall not be computed as any part of a required parking lot or area.
- J. Additional off street parking and loading regulations:
 - 1. Any vehicle parking space shall be used for parking only. Any other use of such space, including repair work or servicing of any kind other than in an emergency, shall be deemed to constitute a separate commercial use in violation of the provisions of this Resolution.
 - 2. No building or structure of any kind shall be erected in any off street parking space except a parking garage containing parking spaces equal to the requirements of this Section.
 - 3. No signs shall be displayed in any such vehicle standing space except signs to direct the orderly use of such space.
 - 4. The design of all off street parking facilities and means of access thereto, shall be subject to the approval of the Board of Zoning Appeals.
 - 5. The vehicle parking space on any lot, as set forth and designated in this Resolution, shall be deemed to be required open space on such lot, in addition to any yard space required by the provisions of this Resolution and shall not be reduced or encroached upon in any manner.
 - 6. All parking spaces, drives and isles shall be surfaced with a bituminous or other dust-free surface.
 - 7. A minimum area of three hundred (300) square feet per car shall be allowed in computing the total area to be devoted to parking.

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

8.9 Permitted Signs: (Refer to Section 6.16)

SECTION 9 - PLANNED LIGHT INDUSTRIAL DISTRICT LI-1

9.1 PURPOSE: This District is intended to accommodate those industrial uses, storage areas and related activities that generate a minimum of noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, or other nuisances having a potentially harmful characteristic. It is designed to accommodate wholesale, warehouse, and industrial activities whose operational and physical characteristics do not detrimentally affect any surrounding district.

The regulations are established herein to provide convenient and sufficient districts for industrial activities for the production and distribution of goods in order to serve and promote economic development while protecting the rural integrity of Huntington Township through restricting the types of nearby uses, particularly on common boundaries, where objectionable influences shall be avoided. To insure that adequate separation and proper screening has been provided between any Planned Light Industrial District and unrelated surrounding land uses, this resolution requires a predetermined development plan be submitted for approval.

9.2 PERMITTED USES: In this District, no building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, or enlarged except for the following:

9.2.1 Manufacturing Processes

A. Metal production limited to cutting, grinding, assembling, extrusion finishing, polishing, and incidental stamping and welding of products such as:

1. Automotive parts.
2. Electric equipment and appliances; fans, irons, lighting fixtures, motors, radios, television, toasters, vacuum cleaners, floor polishers.
3. Hardware, cutlery, kitchen utensils, hand tools, builder's hardware.
4. Instruments and equipment; medical, orthopedic, photographic, musical, and scientific.
5. Electronic and mechanical control and communication devices and equipment.
6. Toys, sporting goods, and athletic equipment.
7. Cameras and other photographic equipment, jewelry, and clocks.
8. Metal office furniture.

B. Nonmetal production, assembling, compounding, processing, packaging, treatment or fabrication of:

1. Bakery goods, food products, beverages.
2. Ceramics, optical goods, textile products.
3. Furniture, cabinets, and other wood products.

4. Printing, engraving, publishing.
 5. Instruments and equipment; medical, photographic, and scientific.
 6. Pharmaceutical products; cosmetics, drugs and toiletries.
 7. Plastics; extrusion, molding and fabrication of panels, sheets, tubes and rods, and containers.
- C. Distribution Facilities: The storage and distribution of products, which may be produced in this District, or the storage and distribution of foods and beverages; building and plumbing supplies and other distribution warehouses.
- D. Accessory Uses: Clearly incidental to the principal use and customary to and commonly associated with the principal use, such as:
1. Off-street parking and loading facilities.
 2. Signs referring to the principal activities on the premises or to the person or firm performing these operations.
 3. Employee lunchrooms.
 4. Recreational facilities for use by employees and clients.
 5. Maintenance waste disposal and storage facilities either within wholly enclosed buildings or suitably screened by a fence or dense landscaping so that no stored material is visible from an abutting property.

9.2.2 Telecommunication Centers: Involving the electronic transmission of impulses as by telegraphy, cable, telephone, radio, or television.

9.2.3 Research Laboratories: Basic experimental research and testing laboratories. Applied research of product design and development, including, and limited to the operation of small-scale experimental and model plant operation.

9.2.4 Agricultural Test Farms

9.2.5 Medical Research Facilities

9.2.6 Heliport

9.3 DEVELOPMENT REQUIREMENTS

9.3.1 Yards

- A. Front Yard – The minimum building setback line shall be 100 feet from the centerline of the road as defined in Section 4.101, and shall be appropriately buffered as stated in Subsection 9.5, Landscape Buffering. Such space shall remain open and unoccupied by any principal use other than driveways and sidewalks.

- B. Side Yards – There shall be two (2) side yards of not less than twenty-five (25) feet as measured from the side lot line to the nearest point of any structure or accessory building. Where the lot abuts any residential or commercial district, it shall be appropriately buffered as stated in Subsection 9.5, Landscape Buffering. Such space shall remain open and unoccupied by any principal or accessory building or use.
- C. Rear Yards – There shall be a rear yard of not less than seventy-five (75) feet. Where the lot abuts any residential or commercial district, there shall be a rear yard of not less than one hundred (100) feet, as stated in Subsection 9.5, Landscape Buffering.
- D. Corner Lots – The building setback on corner lots shall be seventy-five (75) feet from both street right-of-way lines. The remaining yards shall conform to the provisions contained herein.

9.3.2 Lot Area

Every lot in an LI-1 District shall contain a minimum of one and one-half (1-1/2) acres and a lot frontage and width of one hundred and fifty (150) feet.

9.3.3 Percentage of Lot Coverage

Buildings together with their accessory structures shall not cover more than forty (40) percent of the area of the lot.

9.3.4 Off-Street Parking and Loading

Off-street parking and loading shall be provided as established in Section 8.8 of the Huntington Township Zoning Resolution.

9.3.5 Permitted Signs

All signs and advertising devices shall comply with the adopted sign requirements established in Section 6.16 of the Huntington Township Zoning Resolution.

9.3.6 Water and Sewer

Water and sewer facility improvements shall be in accordance with the Lorain County Subdivision Regulations.

No land or building in the LI-1 District shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable element or condition.

9.3.1 INDUSTRIAL PERFORMANCE STANDARDS

9.4.1 Fire Hazards

Any activity involving the use of flammable or explosive materials shall be protected by adequate fire fighting and fire suppression equipment and by such safety devices as are normally used in the handling of any such material.

- A. The provisions of the Ohio Revised Code shall be complied with, and no explosives shall be stored, used or manufactured without first submitting to the Zoning Inspector a certificate of compliance from the State Fire Marshall.
- B. No gasoline or other inflammables or explosives shall be stored unless the location, plans, and construction conforms to the laws and regulations of the State of Ohio and have the approval of the State Fire Marshall.
- C. Ten thousand (10,000) gallons or more in any one container shall be five hundred (500) feet from any adjoining property or from any street right-of-way.

9.4.2 Radioactivity or Electrical Disturbance

No activity shall omit dangerous radioactivity at any point; or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in conformance with the applicable regulations of the Atomic Energy Commission and the Ohio Environmental Protection Agency.

9.4.3 Noise

Noise, which is objectionable as determined by the Commission due to volume, frequency or beat shall be muffled or otherwise controlled except during construction operations. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

The sound pressure level resulting from any use or activity, which abuts any other zone shall not exceed the following:

75 Pndb after 7:00 A.M.

55 Pndb after 7:00 P.M.

(Bolt, Beranek and Newman, Inc. Analysis of Community and Airport Relationships/Noise Abatement)

9.4.4 Smoke

Smoke shall be controlled as determined by the Ohio Environmental Protection Agency.

- A. In the LI-1 District, the emission of twenty-two (22) smoke units per stack in any one hour is prohibited. However, one during any three (3) hour period each stack may be permitted up to forty (40) additional smoke units – not to exceed Ringlemann No. 2 – for soot blowing and for fire cleaning. Only during fire cleaning periods, however, shall smoke of a density of Ringelmann No. 3 be permitted, and then for not more than four (4) minutes per period.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed the rate established in the following table.

Permitted Rate of Particulate Matter Emission in Pounds Per Hour, Per Acre

Height of Emission Feet	LI-1 District Pounds
0 – 49	3.00
50 – 99	3.00
100 – 149	3.50
150 – 199	3.80
200 – 299	4.20
300 – 399	5.00
400 and over	7.00

9.4.5 Odors

No malodorous gas or matter or liquid shall be permitted which is discernible on any adjoining lot or property.

An odor emitted no more than fifteen (15) minutes in any one (1) day shall not be deemed as continuous, frequent, or repetitive within the meaning of these Regulations. The existence of an odor shall be presumed when analysis by a competent technician demonstrates that a discernible odor is being emitted. Any process, which may involve the creation or emission of any odors shall be provided with a primary and a secondary safeguard system so that control will be maintained if the primary safeguard system fails. The rules and regulations of the Ohio Environmental Protection Agency shall be complied with.

9.4.6 Air Pollution

No pollution of air by fly ash, dust vapors, or other substances shall be permitted which is harmful to health, animals, vegetation or other property or which can cause soiling as per the Ohio Environmental Protection Agency regulations.

9.4.7 Glare

No direct or reflected glare shall be permitted which is visible from any property or from any public street, road or highway.

9.4.8 Erosion

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

9.4.9 Water Pollution

Pollution of water shall be subject to the requirements and regulations established by the Ohio Water Commission and Ohio Environmental Protection Agency.

9.5 LANDSCAPE BUFFERING

Landscaping for Planned Light Industrial Districts shall be as follows:

9.5.1 General Purpose

The purpose of this subsection is to provide residents of the community with open space and a visual screen to remove, reduce and lessen the shock or impact of incompatible uses between one zoned district and another.

9.5.2 Specific Intent

The intent of this subsection is:

- A. To extend space or screen undesirable views to reduce the impact of the one land use upon another.
- B. To increase soil water retention through landscape requirements.
- C. To protect and preserve the appearance and property values of residential uses from adverse effects of adjoining non-residential uses.
- D. To enhance careful land use planning and not be considered as a substitute for it.

9.5.3 Definitions

For the purposes of this subsection, when using the following words, they shall be defined as follows:

- A. Landscape Buffering – The use of landscaping materials to isolate, confine, and conceal unwanted views, sounds, climatic conditions, and pollutants, while allowing free physical or visual access to the remainder of this site.
- B. Landscaping – Living materials including but not limited to grass, ground covers, shrubs, vines, hedges, trees and non-living durable material commonly used in landscape development.
- C. Landscaping Materials – Landscape buffering may include but shall not be limited to trees, shrubs, hedges, ground cover, grasses, earth berms, walls, fences, or a combination thereof.
- D. Opacity – A state of being impervious to light rays or creating a desired degree of opacity as set forth in these subsections.
- E. Screen – Plant material or other non-living durable material including but not limited to walls, berms, or wood fencing of a decorative type, and combinations of these components.
- F. Shrubs – Self-supporting, deciduous, and/or evergreen species, normally branched near the base, bushy, and normally achieving less than fifteen (15) feet in height, as grown in Lorain County and northern Ohio.

- G. Trees – Self-supporting woody, deciduous and/or evergreen plants with a well-defined central stem and/or a species which normally grows to a height of fifteen (15) feet or greater in Lorain County and northern Ohio.
- H. Vines – Plants, which normally require physical support to achieve their mature form, shape and/or size.

9.6 General Provisions

A. Buffered Areas

- 1. Location and Width – Buffering areas shall be located on adjoining portions of land, either bordering or abutting a more restrictive zoned or use district. Never shall a buffered area be less than the minimum of ten (10) feet in width.
- 2. Use – Designated buffered areas shall be used for no purpose other than for planting or screening. Necessary ingress or egress to or from the buffered area must be permitted.

B. Fences and Walls

Fences shall be acceptable as part of a landscape buffer where traffic noise and lights create a need for a buffer, or where space is restrictive. When used they shall be of a decorative style and type. Walls and berms may be used in any situation. However, they may be required by the Zoning Commission in unusual cases.

C. Natural Plantings Requirements

Where natural plantings are used to provide a landscape buffer, such plantings shall provide eighty (80) percent summer opacity and sixty (60) percent winter opacity, when viewed between two (2) to ten (10) feet above ground level at the property line.

D. Buffering Effect

The desired buffering effect shall be achieved no later than twelve (12) months after the initial installation. The Zoning Commission may extend this period of time where a hardship would be created because of lack of expected growth or material shortages, but in no event shall the Zoning Commission extend such period beyond five (5) years from the time the initial installation was to have been or has been completed.

9.7 Applicability

All buffering requirements imposed under the provisions of this subsection shall be installed or be constructed before a new building or structure, or before vehicular use areas are occupied. No existing structure or vehicular use area adjoining a more restrictive zoned area shall be expanded, altered, or modified until the plans are submitted by the owner or developer to the Zoning Commission. The Zoning Commission shall review properties in a more restrictive zoned area. The Landscape Buffering Plan shall be included as a part of the Development Plot Plan.

9.8 Procedures for Maintenance

- A. Provisions for maintenance of the landscape buffer on the part of the applicant.

- B. Replacement procedures for any portion of the landscape buffer that is for any reason no longer viable.
- C. For replacement of the landscape buffer involving plant material that does not live longer than one (1) growing season.
- D. For the replacement of damaged, decaying, dying, dead or other unsightly landscape material as notified by the Zoning Commission. Such replacement shall be made within thirty (30) days.
- E. To replace landscape material within sixty (60) days from the date of notification by the Zoning Commission of non-compliance.

9.9 BUILDING HEIGHT

The building height in the LI-1 District shall not exceed thirty-five (35) feet for the principal building and twenty-five (25) feet for accessory structures.

SECTION 10 RECREATIONAL COMMERCIAL DISTRICT (R-C)

10.1 PURPOSE: The purpose of the R-C district is to accommodate recreational for profit businesses while maintaining the integrity of the surrounding residents and community.

10.2 PERMITTED USES: The following uses and no others shall be permitted in an R-C District:

10.2.1 Camping and Associated uses

10.3.1 Camper sales and rentals

10.4.1 Other uses which in the opinion of the Board of Appeals, are of the same general character as those listed as permitted uses and which are not detrimental to the district in which they are located.

10.3 OTHER REQUIREMENTS: All Recreational Businesses must conform to State regulations and obtain State certifications prior to operating.

SECTION 11 - WIRELESS TELECOMMUNICATION FACILITY

11.1 PURPOSE: The purpose of the Wireless Telecommunications Facility chapter is to:

- A. Protect residential areas and land uses from potential adverse impacts of communication towers.
- B. Encourage use of alternate technologies that do not require the use of towers and structures.
- C. Minimize the total number of communication towers throughout the community through encouragement of co-location of installations on common towers whenever feasible.

11.2 REQUIREMENTS:

11.2.1 PERMIT: Wireless telecommunications facilities shall only be a Permitted Use in a B-1 Community Business District or LI-1 Planned Light Industrial District and shall follow the requirements of Ohio Revised Code section 519. A zoning certificate is required for all wireless communication facilities.

11.2.2 LOT SIZE: Minimum lot size, Frontage three hundred fifty (350) feet.

11.2.3 SETBACKS: Front Yard setback: The height of the tower plus one hundred (100) feet. Side Yard setback: The height of the tower plus twenty (20) feet.

11.2.4 HEIGHT: Maximum height of towers three hundred feet (300).

11.2.5 LOCATION JUSTIFICATION: Applicant shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant's service area. There shall be in writing an explanation of why a tower and this proposed site is technically necessary and that the wireless telecommunication antenna(s) reasonably service the purpose for which it is intended within the band width of frequencies for which the owner or operator of the antenna(s) has been licensed by the FCC to operate without a significant loss of communication capability within developed areas of the Township. Where possible, an antenna for a wireless communications facility shall be attached to an existing tower. Applicant shall demonstrate in writing and mapping why the tower is needed to provide service to the area and why co-location on an existing tower will not fill that need.

11.3 STRUCTURE: When a tower is modified or additional equipment is to be located on an existing tower, the applicant shall provide written documentation from an Ohio Registered Engineer that the existing structure is capable of holding the modified or additional equipment and that the tower is structurally sound. All applicants shall be required to construct or locate on a base tower structure or structure foundation that is designed to support the intended height of the tower to be constructed. Applicant shall provide scaled map and construction plans. Applicant must provide written certification from an Ohio Registered Engineer that the antennas and /or tower(s) to be constructed are in compliance with all applicable Federal, State, and Local regulations

pertinent to the construction. The applicant shall provide a soil report showing compliance and verifying the design specifications of the foundation for the tower. Towers and antennas shall be designed to withstand sustained winds and ice accumulation as required by the Ohio Basic Building Code.

- 11.4 FENCING AND SIGNAGE:** Security fencing shall be eight feet in height and surround the tower and equipment shelter. No advertising is permitted anywhere on the facility, with the exception of one identification sign: a metal sign of no greater than four (4) square feet shall be posted on the fence showing street address, names of companies with facilities at the site, and all 24 hour emergency telephone numbers.
- 11.5 APPEARANCE, COLOR, FINISH:** Unless approved by Zoning Certificate, The tower shall remain painted or finished the color or finish that was originally applied by the manufacturer and properly maintained.
- 11.6 REMOVAL:** Any non-functioning tower must be removed within 6 months of the cease of operation. Owner/ Operator must post a cash or surety bond of \$30,000.00 with the Township Trustees to ensure that the abandoned, obsolete or damaged telecommunications tower is removed within the 6 month timeframe.

SECTION 12 Wind Turbine Energy Systems

(Resolution 32-10, adopted 4-5-2010)

12.1 Purpose: It is the purpose of this regulation to promote the safe, effective and efficient use of wind turbine energy systems installed to reduce the on-site consumption of utility supplied electricity.

12.2 Definitions

- A. **Wind Turbine Energy System:** A wind energy conversion system consisting of a wind energy turbine, a tower, and associated control or conversion electronics, which is intended to primarily reduce on site consumption of utility power.
- B. **Tower Height:** The distance from the rotor blade at its highest point to the ground. Vertical axis wind turbines as measured from grade to highest point.
- C. **Clear Fall Zone:** An area surrounding the wind turbine unit into which the turbine and/or its components might fall that shall remain unobstructed and confined within the property line of the parcel where the turbine is located.
- D. **Economically significant Wind Farm:** Wind turbines and associated facilities with a single connection to the grid and designed for, or capable of, operation at an aggregate capacity of greater than five (5) megawatts. Economically significant wind farms are governed under the rules adopted under division (B) (2) of section 4906.25 of the Revised Code.
- E. **Small Wind Farm:** Includes wind turbines designed for on-site power generation and/or interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than five (5) megawatts.

12.3 Permitted Use:

Wind turbine energy systems shall be a permitted use in all zoning classifications where structures of any sort are allowed; subject to certain requirements as set forth below:

- A. **Minimum Lot Size:** Minimum of 1 acre
- B. **Tower Height:** Tower height shall not exceed $\frac{3}{4}$ of the property width at the tower build line or 100 ft whichever is more restrictive shall apply.
- C. **Set-back:** No part of the wind turbine energy systems structure, including guy wire anchors, may extend closer than twenty (20) feet to the property boundaries of the installation site. A minimum set-back of the height of the tower plus the length of one blade from any structure and neighboring property lines is also required creating a clear fall zone. Vertical axis wind turbines would require their height plus twenty feet for clear fall zone. Frontage set back 100 feet plus height of tower plus one blade.
- D. **Noise:** Wind turbine energy systems shall not exceed 60 dBA, as measured at the property boundaries of the installation site. The level, however, may be exceeded during short term events such as utility outages and/or severe wind storms. Any wind turbine(s) exceeding these levels shall immediately cease operation upon notification by the Zoning inspector and may not resume operation until the noise levels have been reduced and verified by the Zoning inspector.
- E. **Commercially Produced Energy System:** The wind turbine energy system must have been approved under any wind certification program recognized by the American Wind Energy Association, in compliance with the Ohio Building code and certified by a licensed

- professional engineer and shall also be submitted to the Zoning Inspector. A Zoning certificate must be issued prior to any construction.
- F. Zoning Certificate Requirements: Zoning certificate applications for wind turbine energy systems shall be accompanied by:
1. Standard site plan showing the wind turbine structure and locations of the tower, base, footings, property lines and structures within 150 ft. Evidence of “clear fall zone” must be provided on the site plan.
 2. Engineered drawings showing the size, height and construction of the structure, as well as the size and depth of the unit’s mounting pad.
 3. An engineering report or documentation from the manufacturer of the average decibel rating of the model.
 4. A list or depiction of all safety measures that will be on the unit including anti-climb devices and lightning protection.
 5. Data specifying the kilowatt size and generating power of the unit.
 6. A maintenance schedule, as well as dismantling plan, for the removal of an inoperable unit.
- G. Compliance with FAA regulations: Wind turbine energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- H. Compliance with National Electric Code: Zoning certificate applications for wind turbine energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.
- I. Utility Notification: No wind turbine energy system shall be installed until evidence has been given that the utility company has been informed of the customer’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- J. Electrical Wires: All electrical wires associated with a wind turbine energy systems, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
- K. Lighting: A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
- L. Appearance, Color & Finish: The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless approved in the Zoning Certificate.
- M. Signs: All signs, other than the manufacturers or installer’s identification, appropriate warning signs or owner identification on a wind generator, tower, building, or other structure associated with a wind turbine energy system visible from any public road shall be prohibited.
- N. Shadow/Flicker: Wind turbine energy systems shall be sited in a manner that does not result in significant shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
- O. Maintenance: Wind turbines must be maintained in good working order. Wind Turbine Energy Systems that become inoperable for more than 6 months must be removed from property within 90 days of an issuance of zoning violation at the property owner’s expense or other body identified in the dismantling plan.

- P. Each wind turbine shall be equipped with automatic controls to limit the rotational speed of the blade within the design limits of the rotor. A manual shut-off switch shall be included in the installation. The minimum distance between the ground and any rotating assembly utilized on the wind turbine shall be 14 feet as measured from the lowest point.

Section 13 – BOARD OF ZONING APPEALS

- 13.1** There is hereby created a Township Board of Zoning Appeals of five (5) members, who shall be residents of the unincorporated area of the Township included in the area zoned. The terms of each member shall be five (5) years beginning January 1st, except that the terms of the original members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The members of the Board of Zoning Appeals shall serve without compensation. The Township Board of Zoning Appeals shall have the following powers:
- 13.2** To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning laws or of this Resolution or any amendments thereto.
- 13.3** (Eff. 6/16/94) A fee shall accompany each application for zoning appeals. The fee shall not be refunded if the certificate is refused.
- 13.4** To authorize, upon appeal, in specific cases, such variance from the terms of this zoning resolution as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of this resolution or any amendments thereto will result in unnecessary hardship, and so that the spirit of this resolution shall be observed and substantial justice done.
- 13.5** To grant conditional zoning certificates for the use of land, buildings, or other structures if such certificates for specific uses are provided for in this zoning resolution.
- 13.6** In exercising the above mentioned powers, such Board may, in conformity with the provisions of law and this Resolution and Amendments, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.
- 13.7** The Township Board of Zoning Appeals shall organize, and adopt rules in accordance with the provisions of this zoning Resolution. 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 administer oaths and the Township Board of Zoning Appeals 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 Board of Township Trustees and shall be made a public record.
- 13.8** Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by an officer of the Township affected by any decision of the administrative officer. Such an appeal shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The officers from whom the appeal is taken shall forthwith transmit to the Township Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

- 13.9** The Township board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give ten (10) days notice to the parties in interest 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 a Township 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.
- 13.10** The following general conditions shall be considered in reviewing applications for conditional zoning permits in the protection of the health, safety and morals of the residents.
- A. The proposed conditional use is properly located in relation to a comprehensive consideration of land uses in Huntington Township.
- 13.11** The proposed use 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.
- 13.12** The proposed use will not be hazardous or disturbing to neighboring uses.
- 13.13** The use will not be detrimental to the development or impair the value of the surrounding public streets or roads.
- 13.14** The proposed use will be in compliance with regulations of the Lorain County Board of Health and State Board of Health.
- 13.15** Said use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on the surrounding public streets or roads.

SECTION 14 – AMENDMENTS

14.1 Amendments or supplements to the Zoning Resolution shall be made in the manner as approved in Chapter 519 and/or Section 519.14 of the Ohio Revised Code as amended.

Section 15 - ENFORCEMENT

- 15.1** As herein described in these regulations, no excavations shall commence, no wall, structures, building, or any part thereof shall be built, constructed or altered, nor shall any structure be moved until an application for building or to use any land is granted.
- 15.2** It shall constitute a violation of regulations for any person, firm or corporation, either owner or agent, violating this resolution or any regulation, provision or amendment thereto 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.
- 15.3** 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 Resolution or any amendment thereto, without first obtaining a zoning certificate, the Board of Township Trustees, the Prosecuting Attorney of the County, the Township 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, proceedings, or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.
- 15.4** The Board of Township Trustees shall by Resolution establish a Schedule of Fees for zoning certificates, amendments, appeals, variances, conditional use certificates and other procedures and services pertaining to the administration and enforcement of this Resolution. The Schedule of Fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the board of Township Trustees. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure.

Section 16

INTERPRETATION

- 16.1** In interpretation and application, the provisions in this Resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, morals, comfort and general welfare.
- 16.2** 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 regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.
- 16.3** Where this Resolution 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 Resolution 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 Resolution.

SECTION 17 – VALIDITY

- 17.1** Each section, subsection, provision, requirement, regulation, or restriction established by this Resolution or any Amendment thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective of any cause, shall not affect or render invalid, the Resolution or Amendments thereto, as a whole or any part thereof, except the particular part so declared to be invalid.

SECTION 18 - EFFECTIVE DATE

18.1 This Zoning Resolution shall take effect and be in force at the earliest date permitted by law.

18.2 Repeal

Zoning Resolution adopted July 9, 1969 and any subsequent resolutions amending the same and all other sections or parts of sections in conflict herewith or contrary hereto be and the same are repealed.

Passed July 30 1969

(Louis H Wilson)
Chairman, Board of Trustees

Attest (Ralph O Albright)
Clerk of Board of Trustees

(Alton Moskal)
Trustee

(Ronald E Twining)
Trustee

Trustee