

Wellington Township



Zoning Resolution

ADOPTED AUGUST 6, 2013 ; EFFECTIVE SEPTEMBER 6, 2013



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ADOPTED AUGUST 6, 2013 ; EFFECTIVE SEPTEMBER 6, 2013

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Appendix

ARTICLE ONE - GENERAL PROVISIONS

1.00 TITLE

This resolution shall be known and may be cited as the Zoning Resolution of Wellington Township.

1.01 PURPOSE

This zoning resolution is adopted to promote the comfort, property and general welfare, to protect and conserve property and property values, to secure the most appropriate use of land and facilitate adequate but economical provisions of public improvements, all in accordance with a comprehensive plan. More specific purposes are:

To protect the character and the values of the agricultural, residential, institutional, business and manufacturing uses, and to insure their orderly and beneficial development;

To provide open spaces for light and air, to protect the public water supply, to prevent scattered and uncoordinated development;

To guide the future development of the township in accordance with a comprehensive plan, and to assure economical extension of public improvements and services.

1.02 INTERPRETATIONS

The provisions of this Resolution shall be construed as minimum requirements. Where this Resolution imposes greater restrictions upon the use of land or buildings or upon the bulk of buildings, and where it requires higher standards than are required by other laws, ordinances, rules or regulations, this Resolution shall prevail, and where other laws, ordinances, rules or regulations are more restrictive, they shall prevail.

1.03 INTERPRETATION OF TERMS OR WORDS:

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

1. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is preferred requirement.
4. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied.”
5. The word “lot” includes the words “plot” or “parcel.”
6. The word “County” shall mean Lorain County, Ohio. The term “Commission” shall mean the Zoning Commission of Wellington Township. The term “Board” shall mean the Board of Zoning Appeals of Wellington Township. The term “Commissioners” shall mean the Board of County Commissioners of Lorain County, Ohio.

1.04 DEFINITIONS

Accessory Building/Use: A subordinate building or use customarily incidental to and located upon the same lot occupied by the main building or use.

Adult Book Store: means an establishment which utilizes 15 percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically, or mechanically controlled still or motion pictures, machines, projectors, or other image-producing devices, or both, books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this section.

Adult Foster Care Home: An adult foster care home provides an alternative to loneliness, isolation and unnecessary nursing home placement by offering warm and caring homes to adults

who can no longer live by themselves but do not require nursing care. An adult foster care home requires a setting which offers a family-like atmosphere. An adult foster care home is a personal residence or family home in which accommodations and personal assistance are provided. An adult foster care home cannot admit or serve an individual who requires skilled nursing care or cannot take their own medication.

Adult Material: means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch.

- a. Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.
- b. Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

Adult Motion Picture Drive-In Theater: means an open air drive-in theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting materials distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

Adult Only Entertainment Establishment: means an establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this section, or which features exhibitions, dance routines, or gyration choreography of persons totally nude, topless, bottomless or strippers, male or female impersonators or similar entertainment or services which constitute adult material.

Adult Uses/Sexually Oriented Business: an adult arcade, an adult book store, an adult video store, an adult cabaret, an adult motel, an adult motion picture theater, an adult theater, an escort agency, a nude model studio or a sexual encounter center.

Agriculture: The use of land, in accordance with Section 303.01 of the Ohio Revised Code, including farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; and combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Alley: A narrow service way providing a secondary public means of access to abutting properties.

Alternative Tower Structure: Shall mean clock towers, sculptures, bell steeples, light poles and similar alternative-design mounting structures that conceal the presence of antennas or towers and are architecturally compatible with the area.

Alterations: As applied to a building or structure, a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side, or by increasing in height, or by moving from one location or position to another.

Apartment House: A building arranged, intended or designed to be occupied by three (3) or more families living independently of each other.

Area, Building: The area of ground level of the main building and all accessory buildings excluding unenclosed porches, terraces and steps measured from the outside surface of exterior walls.

Area, Lot: The total horizontal area with the lot boundary lines of a zoning lot.

Area, Net site: The total area within the property lines excluding external streets.

Attached and/or Semi-Attached Dwelling Units: A dwelling for human habitation with exterior wall in whole or in part attached to abutting dwellings within the same building or structure. Arrangements of dwelling units within such buildings include attachment horizontally by side and rear walls, vertically by ceilings and floors and combinations thereof.

Automobile Repair Garage: A place where gasoline, diesel, kerosene, or any motor fuel or lubricating oil or grease for operating automobiles may be offered for sale to the public, and deliveries are made directly into motor vehicles, and may include greasing and oiling on the premises and replacement or installation of parts and accessories, including major repair work such as: motor rebuilding or replacement; collision services such as body, frame, and fender repair; overall spray painting of automobiles; upholstery work; auto glasswork; welding; tire recapping; radiator repairs; and other similar major mechanical work.

Automobile Service Station: A building or portion of a building, in which routine maintenance, service and minor repairs are made to motor vehicles.

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:

1. The vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or
2. It is used for business or dwelling purposes.

Bed & Breakfast: A facility offering overnight accommodations for guests and limited meal service to those guests with a minimum of two (2) and a maximum of eight (8) guest rooms. The building premises may also contain permanent accommodations for the owners or managers and a limited accessory use.

Board of Zoning Appeals: The Wellington Township Board of Zoning Appeals is a committee of five representatives of Wellington Township who are full time residents of the unincorporated portion of the Township. Its function is to hear and decide appeals from administrative determinations regarding the Wellington Township Zoning Resolution and to authorize variances and conditional uses.

Boarding House: A one (1) family dwelling operated by a resident family in which guests are served meals for compensation.

Bottomless means less than full opaque covering of male or female genitals, pubic area or buttocks.

Building: A structure, which is permanently affixed to the land, has one or more floors and a roof, is bounded by either open space or lot lines and used as a shelter or enclosure for persons, animals, and/or property. This term shall be used synonymously with "Structure" unless otherwise noted, and shall be construed as if followed by the words "or parts thereof".

Building, Principal: The building on a lot used to accommodate the primary use to which the premises are devoted

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.

Building Front Line: The line of that face of the building nearest the front line of the lot. This face includes sun porches and porches whether enclosed or open, but does not include steps.

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.

Building Line: (Synonymous with setback line) -A line established by this Resolution, generally parallel with a lot line, defining the limits of a yard in which no building or structure above ground may be located, except as otherwise provided herein.

Camp: Any one or more of the following, other than a hospital, place of detention or school offering general instruction:

Type 1. Any area of land or water on which are located two or more cabins, tents, trailers, shelters, houseboats or other accommodations of a design or character suitable for seasonable or other more or less temporary living purposes, regardless of whether such structures or other accommodations actually are occupied seasonally or otherwise; or

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.

Camping –Ground: A parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by or of travel trailers, tents or movable temporary dwellings, rooms or sleeping quarters of any kind.

Cell Towers: Any outdoor structure primarily designated and constructed to support one or more transmitting or receiving devices for telephone, radio, or any similar wireless communication facilities including but not exclusively monopole, guyed, and lattice construction steel structures.

Cellar: A story partly underground and having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories.

Church: A building which has as its main purpose assembly to worship.

Clear Fall Zone: An area surrounding a structure into which the structure or any of its components might fall.

Club, Membership: An organization catering exclusively to members and their guests, including premises and buildings for recreational or athletic purposes, provided there are no

activities which are conducted primarily for gain, and provided that there are not conducted any vending stands, merchandising or commercial activities except as required generally for the membership and purposes of such club.

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a Conditional Use Certificate and approval of the Board of Zoning Appeals.

Conditional Use Certificate: A certificate issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established with the district.

Construction: The erection of a new structure, as compared with alteration.

Court: An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

Cul-de-sac: A local street of relatively short length with one end open to traffic and the other terminating in a vehicular turnaround.

Day Care Center: Provides day care for seven or more children of any age in a facility other than a private home. Centers must be licensed by the State of Ohio Department of Jobs and Family Services.

Day Care Home, Type A: Provides day care for seven to twelve children (or four to twelve children if four children are under two years of age) cared for in the provider's personal residence. The provider's own children under six years of age must be included in the total count. Type A homes must be licensed by the State of Ohio Department of Jobs and Family Services.

Day Care Home, Type B: Provides day care for one to six children cared for in the provider's personal residence. No more than three children may be under two years of age. The provider's own children under six years of age must be included in the total count. Anyone can operate a Type B Home without a license. However, care for more than 6 children requires a license. Type B homes must be certified by the county department of Job and Family Services if the child care is paid for with public funds.

Demolition Materials: 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, asphalt, asphalt products, stone, glass, metal, wallboard, framing and finish lumber, roofing materials, wiring and insulation materials.

Density: A unit of measurement; the number of dwelling units per acre of land.

Gross Density-The number of dwelling units per acres of the total land to be developed;

Net Density- The number of dwelling units per acre of land when acreage involved includes only the land devoted to residential uses.

Disabled Vehicle: Any vehicle meeting either of the following conditions:

1. Extensively damaged: such damage including, but not limited to, any of the following:
A broken windshield; missing wheels, tires, motor, or transmission;
2. Apparently inoperable as defined by the Ohio Revised Code as amended.

Driveway: A pathway or route, located on private property, which has been created or altered for or by the use of such route for the movement of motor vehicles. For the purposes of this resolution, vehicle turnaround areas shall be included within the definition of the term “driveway,” and vehicle parking areas in conjunction with residences shall be included within the definition of the term “driveway.”

Dump: A lot of 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, or waste material of any kind.

Dwelling: A building designed or used exclusively as living quarters.

Dwelling, Group: A residential building that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine (9) but not more than sixteen (16) handicapped persons.

Dwelling, Multi-Family: A building designed for and occupied by three or more families living independently of each other.

Dwelling, Single Family: A detached building designed for and occupied exclusively by one family.

Dwelling, Two Family (Duplex): A building designed for or occupied exclusively by two families living independently of each other.

Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family.

Exotic Animal: Any wild or dangerous animal not indigenous to Ohio or any reptile not indigenous to Ohio. (Examples: lions, tigers, elephants, alligators, crocodiles, poisonous reptiles,

etc.) Additionally, omnivorous and carnivorous Ohio species such as bear, wolves, coyote, fox, lynx, bobcat and wolverines are deemed exotic.

Extended Family Dwelling Unit: A separate segment of a single-family dwelling which is designed as semi-independent living quarters for a relative of the owner(s) of the dwelling.

Family: An individual, or two or more persons related by blood, marriage or adoption, or a group of persons not related by blood or marriage, living together as a single housekeeping group in a dwelling unit.

Fence: A barrier for the purpose of enclosing space or separating lots, compose of chain link, louver, stake, masonry, or lumber.

Flood Plain: That land, subject to periodic flooding, which is shown on the Official Lorain County Flood Plain Map.

Floor Area of a Building: The sum of the gross horizontal area of the several floors of a building which is devoted to a land use permitted in the district where located. All dimensions shall be measured between exterior faces of the walls.

Foundation: A permanent masonry, concrete or a locally approved footing or foundation, to which a structure may be affixed.

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, greasing, washing, spraying, cleaning or servicing such motor vehicles.

Golf Course: A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities.

Grade, Finished: The average level of the finished surface of the ground adjacent to the exterior walls of any building.

Greenbelt: An area that contains only vegetation maintained in a fashion compatible with surrounding areas and where no Commercial or Industrial activity takes place.

Green House: A retail or wholesale business whose principal activity is the selling of plants and having outside storage, growing and or display.

Hazardous Wastes: Materials as are described in Ohio Revised Code Section 3734.01(J) or in such statute as it may hereafter be amended.

Hedge Line: A row of trees or other vegetation along a property line.

Home Occupation: A single use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling without any adverse effect upon the surrounding neighborhood. The business shall be operated by the residents of the home where the home occupation occurs.

Home Office: A secondary office clearly accessory to and located in the dwelling occupied by a person.

Hospital: A place for the diagnosis, treatment and/or other care of human ailments.

Hotel: A building containing rooms intended or designed to be used, rented, or hired out to be occupied or which are occupied for sleeping purposes by guests and where a general kitchen, dining room, banquet facility and meeting room may be provided within the building or in an accessory building.

Internet Sweepstakes Cafes: Any computer, machine, game, apparatus or internet access device which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which provides the user with a chance to win anything of value, whether or not the value is predetermined, provided that such use is not in violation of any applicable law, regulation or ordinance regarding illegal gambling. This term includes, but is not limited to internet cafes, internet sweepstakes, sweepstakes terminal cafes, electronic gaming operations or cybercafes. This does not include any machines designated for use by the State Lottery Commission.

Indoor Shooting Range: An area primarily designated to be provided with targets for the controlled practice of shooting inside a building in exchange for money or anything of monetary value. Any or all of the following shall be considered indoor commercial shooting ranges: rifle ranges, trap and skeet shooting ranges, pistol ranges or other ranges for the use of firearms if the shooting occurs inside a building.

Kennel or Cattery: Any lot or premises on which five (5) or more domesticated canines or felines are housed, groomed, bred, boarded, trained, or sold.

Living Area: The total square footage of usable living floor space within the defined areas created by the walls of a dwelling. Such area does not include open patios, open terraces or courts, open breezeways, outside steps, garages and/or carports.

Lot: For the purpose of this resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, portions of lots of record, or portions of lots of record.

Lot, Corner: A lot abutting on two (2) streets at their intersections, where the interior angle intersection is not more than one hundred thirty-five (135) degrees.

Lot, Interior: A lot other than a corner lot or through lot.

Lot, Minimum Area of: The area of a lot is computed exclusive of any portion of the right-of-way of any street.

Lot, Mobile Home/Manufactured Housing Lot: A lot designated within a mobile home/manufactured housing park which is the site for location of one (1) mobile home/manufactured housing unit.

Lot, Single: A lot shall be considered a single lot for residential purposes when there is one residence on the lot.

Lot, Through: A Double Frontage Lot other than a corner lot that abuts two (2) streets.

Lot, Zoning: A single tract of land abutting a dedicated street, occupied or intended to be occupied by a use, building or group of buildings and their accessory use and buildings as a unit, together with such open spaces as are required by this Resolution (it may not coincide with a lot of record). Unless the context clearly indicates the contrary, the term lot is used synonymously with zoning lots throughout this Resolution.

Lot Coverage: The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

Lot Depth: The mean horizontal distance of a lot measured between the front and rear lot line.

Lot Frontage: The distance, measured at the road right-of-way, between the two side lot lines of a lot.

Lot Line: Any line dividing one lot from another.

Lot of Record: A lot which is part of a subdivision recorded in the Office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Width: The horizontal distance between the side lot lines measured at the required front setback.

Outdoor Commercial Shooting Range: An area primarily designated to be provided with targets for the controlled practice of shooting not inside a building in exchange for money or anything of monetary value. Any or all of the following shall be considered outside commercial shooting ranges: rifle ranges, trap and skeet shooting ranges or other pistol ranges for the use of firearms if the shooting occurs outside of the building.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards and that has a permanent tag or label affixed to it certifying compliance with all federal construction and safety standards.

Mini-Storage Warehouse Facility: A secured area for individual and business storage on a smaller scale than others in its class. Individual storage bays shall be limited to a maximum of four hundred (400) square feet and the height shall not exceed fourteen (14) feet.

Mobile Home Park: A parcel of land under one ownership that has been planned and improved for the placement of mobile homes.

Modular Home: A dwelling unit constructed on-site in accordance with the State of Ohio Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

Motel, Hotel and Apartment Hotel: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests.

Motor Vehicle Repair Shop: A building, or portion of a building, arranged, intended or designed to be used for making repairs to motor vehicles.

Nonconforming Use: A building, structure or use of land existing at the time of enactment of this Resolution, and from time-to-time amended and which does not conform to the regulations of the district in which it is situated.

Nude or Nudity: means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

Nursery: Any land used to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

Open Space: A space unoccupied with structures, open to the sky on the same lot with a building.

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.

Parking Space: An off street space available for the parking of one motor vehicle and having a minimum area of ten feet (10') by twenty feet (20') exclusive of passageways and driveways appurtenant thereto and having direct access to a street or alley.

Paving: Paving shall be a three-inch or more thick asphalt or concrete surface.

Pond, Traditional: A man-made impoundment made by constructing a dam or embankment excavating a pit or dugout. The primary purpose of a traditional pond is for recreation, irrigation, drinking water source and fire protection.

Pond, Decorative: A man-made water impoundment made by constructing a dam or embankment or by excavating a pit or dugout which may have a man-made liner and pumps and generally planted with plant material for landscape enhancement purposes. The primary purpose of a decorative pond is for ornamental and landscaping purposes.

Private Club: A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees, and dues, regular meetings and a constitution and by-laws.

Private School: An educational institution managed by a private group rather than by the government

Public School: A public educational institution funded by local taxes and state appropriations.

Public Uses: Public parks, schools, and administrative, and cultural, buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Religious Institution: A building which has as its main purpose assembly to worship and other religious activities.

Right -of-way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped area, viaducts and bridges.

Road Side Stand: A removable structure used only, or intended to be used, only for the sale of seasonal agricultural products of which fifty percent (50%) is produced on the premises.

Setback: The minimum distance from the right-of- way to every structure on the lot of which they are located.

Sexual Activity: means sexual conduct or sexual contact, or both.

Sexual Contact: means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

Sexual Excitement: means the condition of the human male or female genitals, when in a state of sexual stimulation or arousal.

Sign: A structure or part thereof, or devices attached to a structure or painted or represented on a structure, which shall display or include any letter, word, model, banner, pennant, insignia, device or representation used as, or which is in the nature of, announcement, direction or advertisement

Sign, Address: A sign that provides the number assigned to a housing unit, commercial, office or industrial space or other establishment for purposes of mail delivery or emergency purposes.

Sign, Business: A sign which directs attention to a business, commodity, service or profession conducted, sold or offered upon the same lot.

Sign, Directional: A sign located on private property which is used for the direction of traffic and parking; such as a no parking, disabled parking, entrance, exit, or delivery entrance sign; and which does not contain the name of the facility and does not contain any advertising matter.

Sign, Freestanding: A sign that is supported by a pole (sometimes more than one) otherwise separated from the ground by air; or a ground sign for which the entire bottom of the sign is in contact with or in close proximity to the ground and which is separate from buildings.

Sign, Outdoor Advertising: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning lot (including a billboard).

Sludge Pond: As defined by OCA Chapter 3745-01 and No Pond, Lagoon, Impound or Storage Vessel shall be constructed or used to store Sewage, Industrial Waste, or Human waste, except for waste generated on premise by human, animal or industrial. This prohibition shall not apply to sanitary units approved by Lorain County Board Health or other agency with authority to approve sanitation unit installations.

Street: An existing public way shown upon a plat heretofore approved by official action, and duly filed and recorded, and affording the principal means of access to abutting property.

Street, Arterial: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.

Street, Collector: A street which primarily carries traffic from local streets to arterial street, including the principal entrance and circulation routes within residential subdivisions. Design speed is generally 35 miles per hour.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Surface and Strip Mining: A lot or land or part thereof used for the purpose of extracting stone, gravel, clay, coal, sand, shale or top soil 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.

Theatre, Outdoor: An open lot or part hereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

Topless: Means the showing of a female breast with less than full opaque covering of any portion thereof below the top of the nipple.

Tourist Cabins: A group of buildings, including either separate cabins or a row of cabins which contain living and sleeping accommodations for transient occupancy, and which have individual entrances.

Trailer, Travel: A vehicle used for living or sleeping purposes, and standing on wheels or on rigid supports.

Use: The specific 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 nonconforming use.

Use, Accessory: A use incidental to the principal use of a building. In buildings restricted to residential use, the office of a professional, customary home occupations and workshops shall be deemed accessory uses.

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.

Variance: A modification of this Resolution, permitted in instances where a literal application of these provisions would result in undue hardship as a result of some peculiar or unique condition or circumstances pertaining only to the zoning lot in question.

Veterinary Facility/Small Animal Clinic: Any facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment and prevention of animal diseases wherein the animals are limited to dogs, cats and other comparable household and domestic pets and wherein short-term, overnight, indoor boarding of said animals is allowed as an accessory use.

Wetland: Those areas which are classified as "wetlands" based on the most current definition of "wetland" issued by the U.S. Army Corps of Engineers.

Yard: That portion of the open area on a zoning lot extending between a building and the nearest lot line, open and unobstructed from the ground upward.

Yard, Front: The yard extending from the front wall of the building to the front lot line across the full width of the lot; measured from the edge of the road right-of-way.

Yard, Rear: The yard extending from the rear wall of the building to the rear lot line across the full width of the lot.

Yard, Required: The minimum yard required between a lot line and a line for a building to comply with the regulations of the District in which the zoning lot is located.

Yard, Side: The yard extending between a side lot line and the nearest wall of the building and from the front yard to the rear yard; provided that for a corner lot the side yard extends from the front yard to the rear lot on the street side.

Zoning Inspector: The Building Inspector of Wellington Township, Ohio.

Zoning Certificate: Written authorization issued by a Zoning Inspector to proceed with building or alteration to a building on a zoning lot, subdividing an existing lot into smaller zoning lots, proposed use in a zoned district or temporary living space.

Zoning Commission: An officially constituted body whose principal duties are to grant changes to the Zoning Map and Zoning Resolution.

Zoning Resolution: The officially adopted zoning regulations as contained in the Zoning Resolution of Wellington Township, Ohio.

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.

Building lot minimum frontage shall be 200 foot

Corner Lots:

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 shall not be less than fifty (50) feet from the right-of-way line.

1.05 GENERAL REGULATIONS

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 restrictive requirement shall prevail.

1.06 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.

1.07 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.

Minimum Lot Area:

The minimum lot without central water and sewer services shall be two acres per family for single family dwellings unless a larger lot size is required by the Lorain County Health Board due to soil conditions. Building lot frontage shall be a minimum 200’.

Lot Area Exception for Existing Certain Substandard Lots:

No new streets or roads shall be permitted to be constructed; neither shall the same be accepted as public roads, in a residential district which will permit any already existing structure to remain in the non-compliance with the setback building requirements outlined in this or any other section of the Zoning Resolution.

1.08 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.

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 where on a building is to be erected or established.

Clear View of Intersecting Streets:

In all zones, 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.

Yard Exceptions:

Fences, Hedges and Walls:

In all districts, fences, hedges and wall 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.

One Story Garages as Accessory Buildings:

In residential districts one story detached garages or other accessory buildings may be located five (5) feet from the side and rear property lines.

1.09 BUILDING REGULATIONS

No building or other structure shall hereafter be erected or structurally altered:

To exceed the height required in each district.

To accommodate or house a greater number of families than that permitted by the provisions of this Resolution.

To occupy a greater percentage of lot area than permitted in each district.

To have narrower or smaller rear yards, side yards, front yards or lot width at the building line than those permitted in this Resolution.

Principal Building:

No more than one principal building shall be permitted on any lot.

Building 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 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.

Building Permits or Zoning Certificates:

No building permit or 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.

Minimum Living Floor Area Per Dwelling Unit:

No structure shall be erected, reconstructed or converted for use as a dwelling unless the following minimum floor area per dwelling unit is provided.

1. Single Family Dwelling Unit: 1,600 square feet or greater.
2. Two Family Dwelling Unit: 2,000 square feet or greater.

Frontage Required for Building: 200 feet

No principal building shall be erected on a lot which does not abut on a street of record. The frontage requirement for cul-de-sac and curvilinear development may be reduced to a minimum of forty (40) feet.

Temporary Buildings:

Temporary buildings or trailers are allowed under the following conditions:

Any structure, temporary basement home or not more than one trailer or mobile home is temporarily used as a residence on a lot while a permanent dwelling is being constructed. Such use shall not be continued for more than eighteen (18) months. A separate zoning certificate shall be required for the use of a temporary dwelling. Such certificate shall not be issued without an operating sanitary system and an approved permit for new home construction. An escrow account of \$2,500 shall be filed with the application for such certificate.

If after eighteen (18) months when the building permit has expired, the property owner has fourteen (14) days to remove the temporary dwelling. If after fourteen (14) days, the township will use the escrow account to have the trailer removed and stored.

1.10 NONCONFORMITIES

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 residential use in a residence district.

Nonconforming Lots of Record:

In any "R" 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 the 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.

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 nonconforming use shall not thereafter be reestablished and the future use shall be in conformity with the provisions of this Resolution.

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.

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. Non-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.

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 replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Resolution.

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 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.

1.11 PRIVATE SWIMMING POOLS

A private swimming pool, as regulated herein, shall be any non-portable pool or open tank, not located within a completely enclosed building, and containing, or normally capable of containing, water to a depth at any point greater than one and one-half feet. No such swimming pool shall be allowed in any "R" District except as an accessory use to a residence or as a private club facility and unless it complies with the following conditions and requirements.

Exclusive Private Use:

The pool is intended and is to be used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests. The property owner is required to insure that any unwanted access to the pool, such as by small children, is prevented.

Distance Requirements:

The pool may be located anywhere on the premises except in required front yards, provided it shall not be located closer than 10 feet to any property line of the property on which located; provided further, that pump and filter installations shall be located not closer than twenty (20) feet to any property line.

Fencing:

All in-ground swimming pools shall be so walled or fenced to a height of at least four (4) feet to prevent uncontrolled access by children from the street or adjacent properties.

All above-ground swimming pools shall be securely fenced or insure that pull down stairs are affixed in an upright position or portable staircase is removed from the pool when not in use.

Lighting:

Any lighting used to illuminate the pool area shall be so arranged as to deflect the light away from the adjoining properties.

Permit Required:

No person, firm or corporation shall construct or install a swimming pool or make any alteration therein or in the appurtenances thereof without having first submitted an application and plans therefore to the Zoning Inspector.

1.12 REGULATION OF OFFENSIVE MATERIALS

The 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, disabled vehicles or demolition materials are deemed to be nuisances and shall not be permitted in Wellington Township:

“Solid Wastes” means such materials as are described in Ohio Revised Code (O.R.C.) Section 3734.01(E) or in such statute as it may hereafter be amended.

“Hazardous wastes” means such materials as are described in Ohio Revised Code (O.R.C.) Section 3734.01(J) or in such statute as it may hereafter be amended.

“Demolition materials” means 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, plaster, framing and finishing lumber, roofing materials, plumbing fixtures and pipes, wiring and insulation materials.

“Disabled vehicles”: See Definitions

1.13 PRIVATE BRIDGES

No person shall construct a bridge on their property which is intended for vehicular travel, especially emergency vehicles (ambulances and/or fire trucks), without a conditional use permit, obtained from the Board of Zoning Appeals.

The plans for the bridge must be prepared by a registered architect or engineer and must be approved by the Township Trustees before construction is begun.

The bridge shall be designed so as to:

Be capable of withstanding 100% of legal loads as established by the Ohio Department of Transportation (ODOT).

Have approaches designed to accommodate long-wheelbase vehicles, such as fire trucks, safely.

Comply with the width, and horizontal and vertical clearances specified in Article Ten.

Not impede the flow of water under the bridge. If the stream or creek is part of a 100-year flood plain, as designated by the National Flood Insurance Program (NFIP) Flood Insurance Rate Maps, the design shall conform to all applicable NFIP standards.

Entrance to and exit from the bridge shall be maintained as specified in Article Ten.

The bridge decking and under-structure shall be maintained at all times.

Access to a property owner's lot shall be permitted to be constructed only on that owner's property. No shared access shall be permitted for multiple residential lots. Each lot shall have at least one access for emergency vehicle use and constructed to and maintained as specified in Article Ten.

The owner of the bridge will submit to the Zoning Inspector, a letter from a certified engineer/architect confirming the structural stability of the bridge, every two years, thereafter.

1.14 PONDS

Ponds are permitted in all districts subject to the following:

- 1) No person, firm or corporation shall construct, install, modify, enlarge, clean, or dredge a pond without first obtaining a permit from the Township Zoning Inspector. All ponds shall be designed by registered civil engineer or contractor who is trained or approved by the Lorain County Soil and Water Conservation District. All ponds will be in compliance with the Lorain County Soil and Water Conservation District (LCSWCD) Regulations. An application packet is available with the zoning inspector.
- 2) All land owners shall contact the zoning inspector at least sixty (60) days in advance and apply for a Township Zoning Permit.
- 3) Minimum size shall be one-quarter (1/4) acre and shall be a minimum of eight (8) feet in depth in at least 25%-50% of the pond with no dimension less than eighty (80) feet and with three (3) to one (1) side slopes (three feet horizontal to one foot vertical).
- 4) Mounding of the spoil material shall not exceed four (4) feet in height from the highest ground around the pond and shall be a minimum of four (4) feet in width if mounded.
- 5) Yard requirements shall be a minimum of fifty (50) feet from all right-of-ways, side and rear lot lines. This measurement shall be taken from the high water mark of the pond or the toe of the outside of the bank whichever is closest to the right-of-way or lot line.
- 6) The construction of the water impoundment shall not adversely affect the surface and subsurface drainage pattern of adjacent properties. Water impoundment shall not be discharged so as to affect the required field of and nearby on-site sanitary system or raise the ground water table through infiltration so as to render ineffective any on-site sanitary system or water well.
- 7) The use of dry hydrant systems or other fire department approved water systems are encouraged.
- 8) Ponds will be managed and maintained so as not to create a nuisance and health hazard to nearby residents in the opinion of the Township Trustees.
- 9) Decorative ponds, commercial ponds and wetlands; less than one-quarter acre, does not require a permit from the Township.

1.15 ACCESSORY USES SPECIFICALLY PROHIBITED IN ALL DISTRICTS

1.15.1 EXOTIC ANIMALS

No person shall own, harbor, keep, breed, sell or import any carnivorous or omnivorous species not commonly available in the pet or livestock trades.

The term "exotic animal" shall mean any wild or dangerous animal not indigenous to Ohio or any reptile not indigenous to Ohio. (Examples: lions, tigers, elephants, alligators, crocodiles, poisonous reptiles, etc.) Additionally, omnivorous and carnivorous Ohio species such as bear, wolves, coyote, fox, lynx, bobcat and wolverines are deemed exotic.

The above listed animals purchased or adopted and housed on the subject property prior to the adoption of this text amendment are exempted from such prohibition, provided that:

A bill of sale or notarized statement that verifies this date is provided.

Such exotic animal be confined in a house, building, or other suitable enclosure in such a way that human contact cannot occur with any person other than the owner(s).

Exotic animals may be held for exhibit or use by research institutions and other governmental agencies having legal authority to possess such wild animals, by publicly supported zoos, by circuses or by extensions thereof.

**1.16 PROHIBIT OUTDOOR COMMERCIAL GUN RANGES AND
CONDITIONALLY PERMIT INDOOR GUN RANGES**

1.16.1 PROHIBITED USES

The following use shall be deemed to constitute a nuisance and shall be prohibited in all districts:

- 1.) Outdoor Commercial Shooting Range

ARTICLE TWO - ESTABLISHMENT OF DISTRICTS

2.00 PURPOSE

The purpose of this article is to create a series of zoning districts of such number and character necessary to achieve compatibility of uses within Wellington Township, Lorain County, Ohio.

2.01 DISTRICTS

For the purpose of this ordinance, all land areas in Wellington Township are hereby divided into the following districts:

R1-1	Agricultural Residential District
R1-2	Low Density Residential District
HB-1	Highway Business District
LI-1	Light Industrial District
FP-1	Flood Plain District
MHPD-1	Mobile Home Park District

2.02 ZONING MAPS

The boundaries of the Districts are hereby established as shown on a map entitled, "The Official Zoning Map of Wellington Township" adopted on September 17, 1977 and certified by the Fiscal Officer, which map accompanies this Zoning Resolution and which map together with all notations, references and other information shown thereon is hereby made part of this Zoning Resolution.

2.03 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:

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.

Where District boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be said boundaries 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 there from 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.

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.

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.

2.04 PERMITTED USES IN DISTRICTS

Any permitted use in R1-1 shall also be permitted in R1-2, HB-1, LI-1.

Any permitted use in R1-2 shall also be permitted in HB-1, LI-1.

Any permitted use in HB-1 shall also be permitted in LI-1.

2.05 NON-PERMITTED USES IN ALL DISTRICTS

Sludge Ponds as defined in Article One Section 1.04

ARTICLE THREE - AGRICULTURAL RESIDENTIAL (R1-1) REGULATIONS

3.00 PURPOSE

The Agricultural Residential District (designated “R1-1” District) is designed for use throughout the Township to:

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

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

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

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.

3.01 PERMITTED USES

The following uses and no others shall be permitted in an “R1-1” District (See :Requirements)

- Agriculture
- One family dwelling
- Home Occupations
- Green Houses
- Roadside Stands
- Accessory Buildings

3.02 CONDITIONALLY PERMITTED USES

In an “R1-1” District the following uses shall be classed as conditionally permitted uses and may be permitted by the Board of Zoning Appeals and to the general conditions as set fort in Article Eleven and the following specific conditions:

- Church
- Cell Towers
- Cemeteries
- Golf Courses
- Parks and playgrounds
- Campgrounds

Wind Turbine Energy Systems

Cell Towers

Cell Towers shall be a conditionally permitted use in all districts provided that in: R1-1 and R1-2 that the tower shall be at least the height of the tower from any property line.

HB-1, L1-1, FP-1 and MHPD-1 that the tower shall be at least half the towers height from any property line and have a clear fall zone at the time of construction.

Cemeteries

Conditions for Cemeteries:

The site shall not interfere with the development of a locally adopted street system and shall maintain direct access onto a public thoroughfare with a minimum of two points of entry set at 200 feet between centerlines.

The minimum site size shall be no less than 10 acres.

All burial buildings or accessory buildings shall be setback at least 75 feet from any street right-of-way bounding the cemetery. There shall be two side yards and a rear yard of at least 50 feet each. A burial building is defined as any building used for the interment of bodies or other remains of persons who have died, including mausoleums and vaults.

All graves or burial lots shall be setback at least 40 feet from any street right-of-way bounding the cemetery. The site shall provide two side yards and a rear yard at least 40 feet each.

Existing cemeteries may continue to operate as a nonconforming use. Any future expansion of an existing cemetery not covered by a conditional use permit must comply with the requirements as set forth above.

Churches

For the purposes of this resolution, a church shall be defined as a building designed for the purpose of assembly to worship. All churches shall conform to the following conditions:

All buildings, structures, accessory buildings including parking areas or garages shall be setback 50 feet from the side and rear lot lines,

Parking shall be provided as follows: 1 space for each four seats.

Lights shall be shielded and directed away from adjacent property.

Screening of the parking area shall be provided utilizing a dense hedge, tree row, or other suitable landscape device, adequate to visually screen off this area from the residential district.

Ingress and egress to the off-street parking area shall be provided from a secondary street where possible with a minimum of two access points 70 feet center to center. All points of entrance or exit shall be located no closer than 200 feet from the two intersecting major streets or 100 feet from the intersection of a major and minor street, or two minor streets.

A lot area of one (1) acre per one hundred (100) seats with a minimum development of three (3) acres shall be provided.

Golf Courses

The site shall contain a minimum of eighty (80) acres for a nine-hole golf course and one hundred and sixty (160) acres for an eighteen-hole course.

All principal and accessory buildings shall be located not less than one hundred (100) feet from the road right-of-way side line.

Minimum lot frontage shall be a minimum of two hundred (200) feet in addition to the width needed for any desired sign.

Access to and from the site shall be located so as to minimize traffic hazards and congestion.

All access drives shall be a minimum of twenty (20) feet in width and constructed of a hard-surfaced material.

No structure shall be erected in excess of thirty-five (35) feet in height. Course layout shall be designed such that all trees, greens and fairways shall be directed away from all surrounding residential areas and roads.

All principal or accessory buildings and parking areas shall be not less than two hundred (200) feet from any property line of abutting residentially zoned land.

All signs shall be located at least twenty (20) feet from all road right-of-way side lines and seventy-five (75) feet from any abutting residential property lines, no more than three feet in height.

Lighting of any type shall be directed away from or shielded from any abutting properties so that said lighting will not cast light on adjoining properties.

One parking space per hole shall be provided in addition to one (1) space per thirty-five (35) square feet of floor area for public assembly.

All parking areas shall be located not less than seventy-five (75) feet from any residential district and fifty (50) feet from the road right-of-way side line.

All detailed plans for the layout of golf courses, structures and accessory buildings shall be submitted to the BZA for review. The township may request the review of the Lorain County Regional Planning Commission if desired prior to the issuance of a conditional zoning permit. Such review by the Commission shall be advisory to the BZA.

Fencing: A minimum of six (6) feet in height shall be provided around all recreation areas (tennis courts, swimming pools and shuffle board courts), thereby permitting access only to members or users of the golf course.

Pro-shops and sale of goods incidental to the principal use shall be permitted.

The sale of food and beverages shall be permitted if contained within the principal building or structure.

Parks and Playgrounds

Conditions for Park or Playground:

Uses permitted shall be athletic fields, multiple use paved areas, landscaped areas, picnic areas, playground apparatus areas, and field house.

The minimum total size shall be five (5) acres and the minimum total width shall be not be less than two hundred (200) feet.

Ten parking spaces shall be provided for each acre of playground area.

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

Setback requirements for all buildings and accessory structures shall be seventy-five (75) feet from side and rear lot lines and one hundred (100) feet from all bounding road right-of-way.

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

When lighting is provided it shall be shielded from adjacent properties.

No amplification equipment shall be permitted.

The sale of food and beverages shall be permitted provided that it is contained wholly within a field house or enclosed building.

A development plan must be submitted at the time of application for a conditional use permit.

Roadside Stands

Conditions for Roadside Stands

Said Stand shall be portable to permit removal during the non-growing season.

Said use shall be setback twenty (20) feet from any right-of-way side line.

50% of products must be raised on premises

Adequate off-street parking shall be provided for a minimum of four (4) vehicles or more as determined by the Board of Zoning Appeals depending on the type and size of operation.

All portable roadside stands shall be moved back to the setback building line during the non-growing season.

Signs shall be subject to provisions contained in Article Nine.

Off-street parking areas shall be maintained in all weather, dust free condition.

Campgrounds

Plans of all camps, camping facilities, building an 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.

No intoxicating beverages may be sold or permitted on the campgrounds. The sale of non-alcoholic beverages shall be permitted provided the vending equipment is wholly enclosed in a building.

All buildings or other structures shall be located no closer to the right-of-way than one hundred (100) feet.

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.

No campground shall be developed on a lot of less than ten (10) acres.

All access roads shall be maintained in all weather, dust free condition.

All outdoor lighting shall be shielded to prevent glare to adjoining properties.

A sign shall be permitted provided the area of such sign shall not exceed sixteen (16) square feet.

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.

Adequate garbage and rubbish cans with tight fitting lids shall be provided.

The campground shall be equipped at all times with adequate fire extinguishing equipment as determined by the fire department which serves the area.

The campground and all permanent facilities and equipment shall be kept in a clean orderly and sanitary condition and free from any condition that will menace the health of any camper or the public or constitute a nuisance.

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 permit thirty (30) days after the receipt of written notice, unless said conditions are corrected within thirty (30) days.

The general water supply requirements at campgrounds shall be:

With showers and flush toilets - 40 gallons per camper per day.

With flush toilets only- 20 gallons per camper per day.

Without showers or flush toilets- 5 gallons per camper per day.

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.

The general criteria for sanitary facilities shall be:

People per toilet fixture - 17.

People per shower - 50.

One restroom with six (6) toilet fixtures per campground of twenty-five (25) units.

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 units.

Disposal units for wastewater, dish water, washing water, to be established in accordance with the regulations as prescribed by the Ohio State Health Department.

The following parking space must be provided:

Car - 300 square feet.

Car and Trailer - 600 square feet.

One (1) space or hard stand per Camper Unit, minimum space for two (2) cars, or car and trailer.

Optimum space for three (3) cars must be provided at each restroom.

Camping trailers are limited to a length of twenty-eight (28) feet, except self-propelled camper vehicles.

All campers' vehicles shall have the current year license plates affixed to their vehicle.

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.

No campsite shall be located on a land having a slope in excess of twenty (20) percent.

No campground shall be used for PERMANENT OCCUPANCY OR AS A MOBILE HOME PARK.

All occupancy shall be considered only for seasonal and recreational purposes as stated above.

Conditional zoning certificates shall not be transferable.

Hours of operation:

Under no conditions shall the use continue past 12:00a.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.

If the land occupied by said park involves property owned by more than one freeholder, then a written zoning permit shall be secured annually for the owner or resident of each

property involved by the park developer. One copy of said permit shall be retained by the property owners and one copy filed with the Wellington Township Zoning Inspector by January 31st of each year.

Public address systems, loudspeakers, and any other form of sound amplification shall be prohibited. Radios, television sets and phonographs shall be permitted provided that in the judgment of the Zoning Inspector these are not operating louder than normally operated in a residence.

Wind Turbine Energy Systems

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.

Definitions:

Wind Turbine Energy Systems: 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.

Tower Height: The distance from the rotor blade tip at its highest point to the ground.

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 lines of the parcel where the turbine is located.

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

- a. Minimum lot size of two (2) acres
- b. Tower height shall not exceed $\frac{3}{4}$ of the property width or one hundred (100) feet, whichever is more restrictive.
- c. 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 with the installation. The minimum distance between the ground
- d. and any rotating assembly utilized on a wind turbine shall be twelve (12) feet as measured at the lowest point.
- e. No part of the wind turbine energy system structure, including guy wire anchors, may extend closer than twenty (20) feet to the property boundaries of the installation site. A minimum setback 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.

- f. 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.
- g. 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 engineer. A zoning permit must be issued prior to any construction.
- h. Wind turbine energy systems must comply with applicable FAA regulations.
- i. Wind turbine energy systems must comply with the National Electric Code.
- j. No wind turbine energy system shall be installed without prior notification of local utility companies. Off-grid systems shall be exempt from this requirement.
- k. All electrical wires associated with a wind turbine energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring junction box, and the grounding wires shall be located underground.
- l. A wind tower shall not be artificially lit unless required by the Federal Aviation Administration.
- m. The wind tower and generator shall remain painted or finished the color or finish that was originally applied by the manufacturer.
- n. Wind turbine energy systems shall be sited in a manner that does not result in significant shadowing or flicker impacts.
- o. Wind turbine must be maintained in good working order. Systems that become inoperable for more than six (6) months must be removed from the property within ninety (90) days of an issuance of a zoning violation.
- p. Any wind turbine found to be nonoperational or operating not per the manufacture's specifications shall immediately cease operation upon notification by the Township, and shall be repaired by the owner to meet the safety standards set forth by the manufacture.

Home Occupation

A home occupation may be permitted in all districts. Family owned and operated businesses may be permitted to operate within a residential district under certain conditions. Such conditions are as follows:

To qualify as a home occupation, the operation must be family owned and operated by the property owner living within the principal dwelling. At no time shall there be more than four (4) employees on the premises.

Said business shall be carried on wholly within the principal dwelling, a building or other accessory structure, but may include an outside storage area which is shielded from view by neighboring property owners. Such outside storage areas shall not exceed one percent (1%) of the total area of land upon which the business is located or 5,000 square feet, whichever is less. The total inside areas of buildings or structures utilized for the business shall not exceed one percent (1%) of the total area of land upon which the business is located or 3,000 square feet, whichever is less. This limitation on inside areas shall not be applicable to buildings or structures utilized for family business activities and in existence at the time of the adoption of this zoning amendment; however, in the event the total inside areas of such existing buildings or structures equal or exceed the lesser of 3,000 square feet or one percent (1%) of the total area of land upon which the business is located, then no additional building or structures shall be constructed for the business.

Said business shall be clearly incidental and subordinate to the land use for residential purposes and not involve any outward evidence of business use, other than a sign authorized within this resolution, which would detract from the residential character of the neighborhood.

Driveways, parking and delivery areas must be provided for in such a manner as to not create a safety hazard or congestion problems with the public flow of traffic within the neighborhood.

The proposed business use shall not constitute primary or incidental storage facilities for a business, industrial or retail activity conducted elsewhere.

There may be a sign advertising the family business as permitted under Article Nine.

There may be a sign advertising the family business as permitted under Article Nine

No offensive materials, liquids, gases, solids, by-products, noise vibration, smoke, dust, odors, heat or glare shall be produced.

In no event shall a junk yard, scrap metal processing facility, or motor vehicle salvage dealership be permitted as a home occupation under these provisions.

The term “junk yard,” “scrap metal processing facility” or “motor vehicle salvage dealer,” for the purposes of these provisions, are defined in Ohio Revised Code.

Any home occupation is subject to all other provisions of the zoning resolution, including but not limited to minimum lot width, set-back, side-yards, parking, and maximum building height.

3.03 LOT REQUIREMENTS

Lot Frontage -Two hundred (200) feet.

Farm minimum lot area - five (5) acres

Minimum lot area - two (2) acres for single family

3.04 YARD REQUIREMENTS – RESIDENTIAL

Minimum front yard depth - seventy (70) feet from the edge of the road right-of-way for all federal or state highways; fifty (50) feet from the edge of the road right-of-way for all other roads. No part of a structure shall be located in the front yard, as identified.

Minimum rear yard – forty (40) feet

Minimum side yard width twenty (20) feet each

3.05 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.

3.06 PERCENTAGE OF LOT COVERAGE

All buildings including accessory buildings shall not cover more than thirty (30) percent of the net area of the lot.

3.07 PERMITTED SIGNS

The provisions of Article Nine shall apply in this district.

3.08 OFF-STREET PARKING AND LOADING AND DRIVEWAYS

The provisions of Article Ten shall apply in this district.

3.09 DWELLING REQUIREMENTS

The provisions of Article One shall apply in this district.

ARTICLE FOUR - LOW DENSITY RESIDENTIAL DISTRICT (R1-2) REGULATIONS

4.00 PURPOSE

The R1-2 District is created to provide for single family residential uses at a density of not more than one (1) dwelling unit per gross two (2) acres. The minimum lot size required herein is based upon those conditions ordinarily existing in the Township at the time of adoption. All provisions contained herein are deemed just and necessary to the public health, safety and general welfare of the residents of the Township.

4.01 PERMITTED USES

In a Low-Density Residential 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: (See Requirements)

- | | |
|------------------------|------------------|
| Single family dwelling | Home Occupations |
| Two family dwelling | Road Side Stands |
| Public Schools | Greenhouses |
| Open Space | Agriculture |
| Accessory Buildings | |

4.02 CONDITIONALLY PERMITTED USES

In an R1-2 District the following uses shall be classed as conditionally permitted uses and may be permitted by the Board of Zoning Appeals and subject to the conditions noted in Article Eleven 11.00:

- Churches
- Cemeteries
- Nursery
- Parks and Playgrounds
- Wind Turbine Energy Systems

Churches

For the purposes of this resolution, a church shall be defined as a building designed for the purpose of assembly to worship. All churches shall conform to the following conditions:

All buildings, structures, accessory buildings including parking areas or garages shall be setback 50 feet from the side and rear lot lines,

Parking shall be provided as follows: 1 space for each four seats.

Lights shall be shielded and directed away from adjacent property.

Screening of the parking area shall be provided utilizing a dense hedge, tree row, or other suitable landscape device, adequate to visually screen off this area from the residential district.

Ingress and egress to the off-street parking area shall be provided from a secondary street where possible with a minimum of two access points 70 feet center to center. All points of entrance or exit shall be located no closer than 200 feet from the two intersecting major streets or 100 feet from the intersection of a major and minor street, or two minor streets.

A lot area of one (1) acre per one hundred (100) seats with a minimum development of three (3) acres shall be provided.

Cemeteries

Conditions for Cemeteries:

The site shall not interfere with the development of a locally adopted street system and shall maintain direct access onto a public thoroughfare with a minimum of two points of entry set at 200 feet between centerlines.

The minimum site size shall be no less than 10 acres.

All burial buildings or accessory buildings shall be setback at least 75 feet from any street right-of-way bounding the cemetery. There shall be two side yards and a rear yard of at least 50 feet each. A burial building is defined as any building used for the interment of bodies or other remains of persons who have died, including mausoleums and vaults.

All graves or burial lots shall be setback at least 40 feet from any street right-of-way bounding the cemetery. The site shall provide two side yards and a rear yard at least 40 feet each.

Existing cemeteries may continue to operate as a nonconforming use. Any future expansion of an existing cemetery not covered by a conditional use permit must comply with the requirements as set forth above.

Home Occupation

A home occupation is permitted in all districts. Family owned and operated businesses may be permitted to operate within a residential district under certain conditions. Such conditions are as follows:

To qualify as a home occupation, the operation must be family owned and operated by the property owner living within the principal dwelling. In no event shall there be more than four (4) employees on the premises.

Said business shall be carried on wholly within the principal dwelling, a building or other accessory structure, but may include an outside storage area which is shielded from view by neighboring property owners. Such outside storage areas shall not exceed one percent (1%) of the total area of land upon which the business is located or 5,000 square feet, whichever is less. The total inside areas of buildings or structures utilized for the business shall not exceed one percent (1%) of the total area of land upon which the business is located or 3,000 square feet, whichever is less. This limitation on inside areas shall not be applicable to buildings or structures utilized for family business activities and in existence at the time of the adoption of this zoning amendment; however, in the event the total inside areas of such existing buildings or structures equal or exceed the lesser of 3,000 square feet or one percent (1%) of the total area of land upon which the business is located, then no additional building or structures shall be constructed for the business.

Said business shall be clearly incidental and subordinate to the land use for residential purposes and not involve any outward evidence of business use, other than a sign authorized within this resolution, which would detract from the residential character of the neighborhood.

Driveways, parking and delivery areas must be provided for in such a manner as to not create a safety hazard or congestion problems with the public flow of traffic within the neighborhood.

The proposed business use shall not constitute primary or incidental storage facilities for a business, industrial or retail activity conducted elsewhere.

There may be a sign advertising the family business as permitted under Article Nine.

No offensive materials, liquids, gases, solids, by-products, noise vibration, smoke, dust, odors, heat or glare shall be produced.

In no event shall a junk yard, scrap metal processing facility, or motor vehicle salvage dealership be permitted as a home occupation under these provisions. The term “junk yard,” “scrap metal processing facility” or “motor vehicle salvage dealer,” for the purposes of these provisions, are defined in Ohio Revised Code.

Any home occupation is subject to all other provisions of the zoning resolution, including but not limited to minimum lot width, set-back, side-yards, parking, and maximum building height.

Nursery

Any land used to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

Parks and Playgrounds

Conditions for Park or Playground:

Uses permitted shall be softball/baseball fields, multiple use paved areas, landscaped areas, picnic areas, playground apparatus areas, and field house.

The minimum total size shall be five (5) acres and the minimum total width shall be not be less than two hundred (200) feet.

Ten parking spaces shall be provided for each acre of playground area.

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

Setback requirements for all buildings and accessory structures shall be seventy-five (75) feet from side and rear lot lines and one hundred (100) feet from all bounding road right-of-way.

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

When lighting is provided it shall be shielded from adjacent properties.

No amplification equipment shall be permitted.

The sale of food and beverages shall be permitted provided that it is contained wholly within a field house or enclosed building.

A development plan must be submitted at the time of application for a conditional use permit.

Wind Turbine Energy Systems

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.

Definitions:

Wind Turbine Energy Systems: 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.

Tower Height: The distance from the rotor blade tip at its highest point to the ground.

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 lines of the parcel where the turbine is located.

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

Minimum lot size of two (2) acres

Tower height shall not exceed $\frac{3}{4}$ of the property width or one hundred (100) feet, whichever is more restrictive.

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 with the installation. The minimum distance between the ground and any rotating assembly utilized on a wind turbine shall be twelve (12) feet as measured at the lowest point.

No part of the wind turbine energy system structure, including guy wire anchors, may extend closer than twenty (20) feet to the property boundaries of the installation site. A minimum setback 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.

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.

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 engineer. A zoning permit must be issued prior to any construction.

Wind turbine energy systems must comply with applicable FAA regulations.

Wind turbine energy systems must comply with the National Electric Code.

No wind turbine energy system shall be installed without prior notification of local utility companies. Off-grid systems shall be exempt from this requirement.

All electrical wires associated with a wind turbine energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring junction box, and the grounding wires shall be located underground.

A wind tower shall not be artificially lit unless required by the Federal Aviation Administration.

The wind tower and generator shall remain painted or finished the color or finish that was originally applied by the manufacturer.

Wind turbine energy systems shall be sited in a manner that does not result in significant shadowing or flicker impacts.

Wind turbine must be maintained in good working order. Systems that become inoperable for more than six (6) months must be removed from the property within ninety (90) days of an issuance of a zoning violation.

Any wind turbine found to be nonoperational or operating not per the manufacture's specifications shall immediately cease operation upon notification by the Township, and shall be repaired by the owner to meet the safety standards set forth by the manufacture.

Cell Tower

Cell Towers shall be conditionally permitted use in all districts provided that the tower shall be at least the height of the tower from any property line. R1-1 and R1-2 that the tower shall be at least the height of the tower and from the property line. HB-1, L1-1,

FP-1 and MHPD-1 that the tower shall be at least half the towers height from any property line and have a clear fall zone at the time of construction.

4.03 LOT REQUIREMENTS

The lot area for a single-family dwelling shall be not less than two (2) acres with a lot width and frontage of two hundred (200) feet.

The lot area for a two-family dwelling shall be not less than two (2) acres with a lot width and frontage of two hundred (200) feet.

4.04 YARDS REQUIREMENTS

The following yard requirements shall apply to all yards in an R1-2 District:

Minimum Front yard - seventy (70) feet from the edge of the road right-of-way for all federal or state highways; fifty (50) feet from the edge of the road right-of-way for all other roads. No part of a structure shall be located in the front yard, as identified.

Minimum Rear yard – forty (40) feet from the rear property line

Minimum Side yard - twenty (20) feet.

4.05 BUILDING HEIGHT LIMIT

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.

4.06 PERCENTAGE OF LOT COVERAGE

All buildings including accessory buildings shall not cover more than thirty percent of the area of the lot.

4.07 PERMITTED SIGNS

The provisions of Article Nine shall apply in this district.

4.08 OFF-STREET PARKING AND LOADING AND DRIVEWAYS

The provisions of Article Ten shall apply in this district.

4.09 DWELLING REQUIREMENTS

The provisions of Article One shall apply in this district.

ARTICLE FIVE - HIGHWAY BUSINESS DISTRICT (HB-1) REGULATIONS

5.00 PURPOSE

The Highway Business District is created to provide retailing and personal services which require large tracts of land and encompass a larger service area.

5.01 PERMITTED USES

Antique Store
Automobile Accessory Store
Automobile-Truck Travel Trailer Sales Lot
Bar, Grill, Cocktail Lounge, State Liquor Store
Bicycle, Rental, Sales, and Service
Billboards and Signs, subject to the provisions of Article VIII
Boat and Sporting Goods Store
Churches
Clinics, Medical and Dental
Clubs (Health)
Discount Stores (variety, drugs, etc.)
Doughnut Shop
Drive-in Banks
Drive-in Ice Cream Store
Drive-In Restaurants
Dry Cleaning, custom and self-serve

Egg and Poultry Store, no killing of fowl on premises
Exterminator Service
Farm, Fruit, and Produce Stands
Farm Implement Sales
Food and Grocery Stores
Food Lockers
Garden and Nursery Centers
Gift, Novelty and Souvenir Stores
Home Occupations
Miniature Golf Courses
Laundry, custom and self-serve
Monument Sales, provided cutting is done in an enclosed building
Motels, Tourist Cabins and Courts
Motorcycle Sales and Service
Parks and Playgrounds
Pet Store, Supplies
Photographic Studio
Photographic, printing, publishing
Restaurants
Supermarkets
Travel Trailer and Pick-up Coach Sales and Services

5.02 CONDITIONALLY PERMITTED USES

In an HB-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 general and more specific conditions as set forth in Article Eleven of the Wellington Township, Lorain County Zoning Resolution.

Service Stations
Automobile Repair Garages
Automatic Wash and Polish Stations
Veterinary Hospital or Kennels
Funeral Home
Campgrounds
Bowling alley, provided the building used for such purpose is at least one hundred feet (100') from any residential district.
Indoor Commercial Shooting Range
Cell Towers

Service Stations:

Site - A minimum of two (2) acres

Yard requirements as follows:

Frontage - a minimum frontage on the primary street of two hundred feet (200).

Building setback - required minimum setback of one hundred (100) feet from all street right-of-way lines. A fifteen (15) feet deep unobstructed buffer strip shall be provided next to the right-of-way and parking in this strip shall be prohibited

Rear / Side Yard - a required minimum of one-hundred (100) feet where the use abuts a residential area or fifty (50) feet where the use abuts a nonresidential area.

Driveways:

Maximum width of curb openings for stations should not be more than thirty-five (35) feet or less than twenty (20) feet. No driveway or curb cut for a driveway shall be located within ten (10) feet of any adjoining property line or within twenty (20) feet or an exterior (corner) lot line as extended.

Any two driveways giving access to a single street shall be separated by a buffer strip with a minimum depth of twenty (20) feet from the right-of-way line.

The angle of intersection of the center line of the driveway with the center line of the street shall not be less than sixty (60) degrees.

Landscaping:

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. When such use abuts a lot in any residential district, a three (3) foot solid wall, chain link fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot 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 shall be incorporated which will attain a maximum height of three (3) feet from the street right-of-way line to the building line and a minimum of six (6) feet along the remainder of the property lines. 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. Exterior lighting shall be shielded from adjacent properties to prevent possible glare.

Signs:

The provisions of Article Nine shall apply in this District.

Service Equipment:

Gasoline pump islands, compressed air connections, and other equipment shall be setback a minimum of thirty (30) feet from the right-of-way line. Hydraulic hoists, pits and all lubrication, washing and repair equipment shall be enclosed entirely within a building.

Repair Work:

Outdoor storage of vehicles, under any and all conditions shall be limited to seven (7) days.

Automobile Repair Garages:

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. 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 hedges shall be incorporated which will attain a maximum height of no more than three (3) feet from the street right-of-way line to the building line and a minimum of six (6) feet along the remainder of the property lines.

Buildings used for such purposes shall not be nearer than seventy-five (75) feet from any Residential District.

Automobile, truck and trailer repairs shall be conducted within an enclosed building.

No more than two driveway openings shall be permitted directly from any major thoroughfare nor more than one driveway opening from any minor street, each of which shall not exceed thirty (30) feet in width of property line at its intersection with the property line, no part of any access way shall be nearer than one hundred (100) feet to the intersection of any two street right-of-way lines, nor shall any such part be nearer than fifty (50) feet to any side or rear property line.

One off-street parking space for each employee shall be provided in addition to one space for each two hundred and fifty (250) square feet of floor space to accommodate loading and unloading of materials, customer parking and storage of vehicles repaired and to be repaired.

No junked vehicles shall be stored outside the building on the premises.

Automobile Automatic Wash Stations:

An automobile washing and polishing establishment shall provide reserve space off-street for not less than ten automobiles per washing lane.

One off-street parking space shall be provided for each two employees plus one space for the owner or manager.

All outside lighting shall be shielded from adjacent properties.

Each lot for an automatic car wash and polishing establishment shall contain a minimum frontage of two hundred (200) feet.

A sand trap for water with a minimum capacity of one hundred and twenty (120) cubic feet shall be provided within the building for the protection against ground water pollution. Said waste water shall be handled according to accepted County Health Board practices. Said use shall be located one hundred (100) feet from any lot in a residential district.

Retail sales of related commercial products shall be permitted.

Repair work shall not be permitted.

Automobile washing and polishing services shall be performed wholly within a totally enclosed building, with the exception that finishing of vehicles may be conducted outside the building.

Washing and polishing facilities when located adjacent to a residential area shall be used only during the hours of 7:00am to 10:00pm.

The building shall be a minimum of forty (40) feet from the side lot line.

A permanent screening fence or wall not less than six (6) feet in height shall be constructed along any side property line which abuts property zoned for residential use.

Veterinary Hospital or Kennels:

Parking and Access:

Parking shall be provided for a minimum of four car and trailer combinations. Five hundred (500) square feet shall be the minimum required parking and access area for each car and trailer or van combination. Three hundred (300) square feet shall be required for parking and access space for each vehicle.

Runways, Exercise Areas:

All riding or exercising of animals shall be conducted solely on the premises. All outside small animal runways or kennels shall be enclosed by not less than a six (6) foot woven chain link fence, maintained in a clean, orderly and sanitary condition and free from any conditions that would menace the health of the animals enclosed therein, the public or constitute a nuisance.

Building and Enclosures:

The main building and any buildings housing animals shall be no closer than fifty (50) feet from any other lot or one hundred (100) feet when it abuts a residential district. Enclosed runways and kennels or outside exercise areas shall be no closer than fifty (50) feet from any property line or one hundred (100) feet when it abuts a residential district.

Manure piles shall be disposed of daily in a sanitary, non-odorous condition. Open manure piles shall not be permitted.

All outside lighting shall be shielded from adjacent properties.

The sale of incidental products is permitted.

Funeral Home:

Minimum site size shall be two (2) acres with a minimum width of two hundred (200) feet.

All signs shall conform to the requirements set forth in Article Nine.

Off-street parking shall be provided in conformance with the schedule outlined in Article Ten.

Adequate off-street assembly area for vehicles used in funeral processions shall be provided in addition to any required off-street parking area. Parking and assembly areas shall be screened from surrounding residential areas by a fence at least four (4) feet in height. Shrubs or trees may be used in combination with said structural screens or walls.

Campgrounds

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.

No intoxicating beverages may be sold or permitted on the campgrounds. The sale of non-alcoholic beverages shall be permitted provided the vending equipment is wholly enclosed in a building.

All buildings or other structures shall be located no closer to the right-of-way than one hundred (100) feet.

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.

No campground shall be developed on a lot of less than ten (10) acres.

All access roads shall be maintained in all weather, dust free condition.

All outdoor lighting shall be shielded to prevent glare to adjoining properties.

A sign shall be permitted provided the area of such sign shall not exceed sixteen (16) square feet.

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.

Adequate garbage and rubbish cans with tight fitting lids shall be provided.

The campground shall be equipped at all times with adequate fire extinguishing equipment as determined by the fire department which serves the area.

The campground and all permanent facilities and equipment shall be kept in a clean orderly and sanitary condition and free from any condition that will menace the health of any camper or the public or constitute a nuisance.

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 permit thirty (30) days after the receipt of written notice, unless said conditions are corrected within thirty (30) days.

The general water supply requirements at campgrounds shall be:

With showers and flush toilets - 40 gallons per camper per day.

With flush toilets only- 20 gallons per camper per day.

Without showers or flush toilets- 5 gallons per camper per day.

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.

The general criteria for sanitary facilities shall be:

People per toilet fixture - 17.

People per shower - 50.

One restroom with six (6) toilet fixtures per campground of twenty-five (25) units.

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 units.

Disposal units for wastewater, dish water, washing water, to be established in accordance with the regulations as prescribed by the Ohio State Health Department.

The following parking space must be provided:

Car - 300 square feet.

Car and Trailer - 600 square feet.

One (1) space or hard stand per Camper Unit, minimum space for two (2) cars, or car and trailer.

Optimum space for three (3) cars must be provided at each restroom.

Camping trailers are limited to a length of twenty-eight (28) feet, except self-propelled camper vehicles.

All campers’ vehicles shall have the current year license plates affixed to their vehicle.

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.

No campsite shall be located on a land having a slope in excess of twenty (20) percent.

No campground shall be used for PERMANENT OCCUPANCY OR AS A MOBILE HOME PARK.

All occupancy shall be considered only for seasonal and recreational purposes as stated above.

Conditional zoning certificates shall not be transferable.

Hours of operation:

Under no conditions shall the use continue past 12:00a.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.

If the land occupied by said park involves property owned by more than one freeholder, then a written zoning permit shall be secured annually for the owner or resident of each property involved by the park developer. One copy of said permit shall be retained by the property owners and one copy filed with the Wellington Township Zoning Inspector by January 31st of each year.

Public address systems, loudspeakers, and any other form of sound amplification shall be prohibited. Radios, television sets and phonographs shall be permitted provided that in the judgment of the Zoning Inspector these are not operating louder than normally operated in a residence.

Indoor Commercial Shooting Range

Indoor commercial shooting range conditionally permitted use in Highway Business District, Light Industrial District, and any Flood Plain District that is also inside of the Highway Business District. The condition being that they are in compliance with local, state and federal regulations for indoor gun ranges.

Cell Towers

Cell Towers shall be a conditionally permitted use in all districts provided that in: R1-1 and R1-2 that the tower shall be at least the height of the tower from any property line.

HB-1, L1-1, FP-1 and MHPD-1 that the tower shall be at least half the towers height from any property line and have a clear fall zone at the time of construction.

5.03 LOT REQUIREMENTS

The lot area shall be not less than two (2) acres and the lot width and frontage shall be at least two hundred (200) feet.

5.04 YARD REQUIREMENTS

The following yard requirements shall apply to all yards in the Highway Business District unless specified herein:

Front Yard:

Minimum Setback of one hundred (100) feet from the edge of the road right-of-way line. A twenty (20) foot deep unobstructed open buffer strip shall be provided next to the right-of-way and parking in this strip shall be prohibited.

Rear Yards:

Minimum Forty (40) feet.

Side Yards:

Minimum side - twelve (12) feet where there is no rear access to the property.
Abutting a side street - see Article I, Section 1.08 - Corner lot.
Abutting a residential zone - seventy-five (75) foot unobstructed buffer strip suitably landscaped.

Access Ways:

The use of marginal roads is to be encouraged throughout the District. Each lot shall have not more than two (2) access ways to any street or highway with a forty-five (45) foot separation between center lines. The width of the access way leading to or from a highway shall be not less than twenty (20) feet nor shall it exceed thirty-six (36) feet.

5.05 BUILDING HEIGHT LIMIT

No building or structure shall be erected to a height in excess of thirty-five (35) feet.

5.06 PERCENTAGE OF LOT COVERAGE

All buildings, including accessory buildings shall not cover more than fifty (50) percent of the area of the lot.

5.07 PERMITTED SIGNS

The provisions of Article Nine shall apply in this District.

5.08 OFF-STREET PARKING AND LOADING REQUIREMENTS AND DRIVEWAYS

The provisions of Article Ten shall apply in this District.

ARTICLE SIX - LIGHT INDUSTRIAL DISTRICT (LI-1) REGULATIONS

6.00 PURPOSE

The purpose of the LI-1 District is to encourage the development of manufacturing and wholesale business establishments which are clean, quiet and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare, operate entirely within enclosed structures and generate little industrial traffic. Research activities are encouraged. This district is further designed to act as a transitional use between heavy industrial uses and other less intensive business and residential uses.

6.01 PERMITTED USES

Any of the following uses, or those of a similar nature, if conducted within an enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted fence not less than eight (8) feet high.

Acoustical material storage; Adult uses; advertising display manufacturing; agriculture agricultural implements (repair and service); agricultural tillage (contractors); air express service warehouse; airplane (repair and storage); asphalt siding, shingles, roofing storage; automobiles (assembly of bodies, sales of used parts and supplies, repair: brakes, electrical, painting, radiators, upholstery, etc.; storage-dead-warehouse).

Bakers and baked goods manufacturing; balls and bearing storage; barbecue (bulk preparation and sales); beer and ale distributor (wholesale) and storage; belting (repairing); beverages (bottling); beverages (wholesale and storage); bicycles (repair); biscuit companies (manufacturing); biscuits (wholesale and storage); boat (pleasure, storage); boilers (storage); bookbinders, book publishing (printing); bottles (wholesale); boxes (sales); braces (orthopedic, manufacturing); brick storage yard; brooms (manufacturing); building contractors (equipment and material storage); burglar alarm systems (installation); bus line shops (garage, repair); business machines (manufacturing, repair service, storage and wholesale); button covering (fabrics).

Cabinet makers; candy (wholesale distribution); canvas goods (fabrication); carpenter's shops and power wood-working; carpet and rug cleaners and storage; carpets and rugs (warehouse); cement, cement products manufacturing (pipe, blocks, etc.) cement storage; cesspool builders and service equipment yard; chemicals and drugs storage and distribution; cigarette manufacture; cigarette service, cigarette manufacturing (machine rolled); cigars (wholesale and storage); cleaning compounds storage; cleaning and dyeing processing; clock factory; clothing manufacturing; coffee (wholesale and storage); coin machines manufacturing, coin machines (rental and service); cold storage; concrete contractors (storage yards); concrete products (pipe, beams manufacturing; concrete products (storage); concrete transit mixed; confectioners (wholesale); contractors equipment and supplies (storage); cranes (storage yard); crop dusting equipment yards.

Dairies (distributing, commercial; dairies (pasteurization, commercial); decoration (workshop and equipment yard); department store warehouses; desks manufacturing; diaper supply service; diesel engines service, equipment and supplies (not manufacturing); disinfectants (storage and wholesale); display designers and builders shops; distillers (distribution, warehouse); doors, sash and trim, wood manufacturing; draperies manufacturing; drilling company equipment yards; drugs (wholesale storage); dry cleaning establishment (bulk processing); dry goods (wholesale and storage).

Eggs (storage and processing); electric contractors shops; electric equipment assembly; electric plating; electric refrigeration lockers; electrical appliances manufacturing; electrical appliances repairs; enameling and painting (custom); engravers and electroplaters; express companies warehouses; exterminating and fumigating (commercial shops).

Farm implements and machinery assembly; feed (wholesale and storage); fences (metal, wholesale and storage); fertilizers (processed, storage only); filters fabrication; fire escape contractors; firewood (storage); fish (wholesale); flags and banners manufacturing; floor refinishing (contractors shop); food processing (general, see under product listing); food products (brokers and distributors, wholesale); food products (warehouse); freight forwarders warehouses, frozen foods processing, frozen foods (wholesale, storage and distribution); fruit and vegetable juice processing; fruit and vegetable market (wholesale); fruits and vegetable processing (general, see under product listing); fur warehouse, furnaces (cleaning and repairing shops); furniture cleaners; furniture (repairing and refinishing); furniture (wholesale and storage); furs manufacturing (cutting and assembly).

Garment factory; glass blowing; grocers (warehouse); grocers (wholesale); gunsmiths (repairs).

Harness repair; hat manufacturing; hay and straw (sales and storage); heating and ventilating apparatus (assembly and storage); hoists (equipment storage); horseshoeing; hosiery manufacturing; hotel equipment (assembly and custom fabrication); house movers (equipment storage yards).

Ice cream manufacturing; imported goods (warehouse); insecticides (storage and distribution); insulation (contractors equipment yard, storage and wholesale); interior decorators (workshops); Internet cafes; iron (custom decorative wrought iron shops); irrigation companies and equipment.

Janitors supplies, storage and warehouse; jewelers (bulk manufacturing); jobbers (bulk materials).

Knit goods manufacturing.

Laboratories (commercial, analytical, experimental and research); ladies ware manufacturing, laundries (processing); laundry equipment and supplies storage; leather goods (manufacturing, fabrication); limb manufacturing (artificial); lime storage; linen supply laundry service; linoleum storage; liquor (storage and wholesale); locksmiths repair shops; loft buildings; lubrication compounds (storage); lumber (cabinet workings); lumber storage yard; lumber (used and wholesale).

Machine shops; machine tools (storage) machinery rental; machinery (used, storage); markets (exchanges of goods); meat (storage and wholesale), men's clothing manufacturing; metals, processing, light fabrication from standard shapes; machine shop operations, plating, custom and replating, products fabrication and assembly, meters manufacturing, milk bottling plant (other than farm); milliners (wholesale and manufacturing); millinery and artificial flower making; mill work (sale and storage); mineral water (distillation and bottling); mining machinery (wholesale storage); mirrors (resilvering, custom work); model construction supplies and manufacturing, mortar (bulk preparation and sales); motion picture equipment (storage and manufacturing); motion picture studios; motor freight company warehouses; motorcycles (repairing and sales); mover (warehouses).Newspaper printing; noodle manufacturing; notions (manufacturing, wholesale); novelties (manufacturing and wholesale); nut (edible, processing).

Office equipment manufacturing (see also business machines); office furniture (storage and warehouse); oil burners (installation and repair); optical goods manufacturing; ornamental metal work (custom hand fabrication); orthopedic appliances manufacturing; overall manufacturing.

Packing, crating service fabrication; painters equipment and supplies (shops, wholesale and storage); paper storage; paper products (wholesale and storage); pattern shop; paving contractors equipment and storage, paving materials storage yard; photo-engraving company; pickles (processed, wholesale and storage); pipe (used, storage and sales); pipe coverings contractors shops; pipe fittings (storage and wholesale); pipe (concrete, manufacturing and storage); pipe (metal storage); plasterer (wholesale and storage); plating works (precious metals); plumbers shops; plumbing fixtures and supplies (wholesale and storage); popcorn manufacturing; potato chips manufacturing; poultry supplies (wholesale and storage); printers equipment and supplies; wholesale produce (garden); wholesale produce (warehouse); pumps (repairing and rental); printer.

Quick freeze plant; quilt (manufacturing).

Radio equipment assembling, radio repair shop; refrigeration equipment custom installation; refrigerators (servicing); refrigerators (wholesale, storage); restaurant equipment installation and repair; road building equipment (storage yard); rubber stamps manufacturing.

Scaffolds (equipment and storage); scales (commercial weighing); school equipment and supplies (wholesale); screens, doors and windows manufacturing; screw and bolt manufacturing; seed (wholesale and retail garden supplies); septic tanks (contractors, construction); service station equipment (wholesale); sewer pipe storage; sheet metal work (custom fabrication); shirt factory; shoe repairing equipment and supplies (wholesale); shoe manufacturing; sign erectors (contractors shops); sign painters shops; sign maintenance service shops; signs (neon and metal fabrication); skylights (custom manufacturing); slip covers (custom manufacturing); soaps (wholesale and storage); sporting goods manufacturing; soda water manufacturing; specialties (see coin machines); spices (wholesale and storage); spraying supplies equipment yard; springs (replacement and repairs); stair builders (wood); steel awnings (custom manufacturing); steel erectors equipment yards; steel fabricators (light sections); storage warehouse; storage shops, store and office fixtures (contractors shops); stoves and ranges (wholesale and storage); surgical supplies (wholesale distributors).

Tank coating equipment yard; tanks (erection, contractors yard); taxidermists; tents and awnings and manufacturing; termite control contractor shops; terrazzo contractor shops; thermometers manufacturing (wholesale, storage); tool grinding and sharpening; tools (wholesale and distribution); towels (supply and service); tractors (rentals); trailers (repairing); transfer business; truck freight movers (see express also); truck manufacturing.

Underwear (wholesale and manufacturing); upholsterers (custom).

Wall board (wholesale and storage); wallpaper manufacturing; warehouses; watches manufacturing; water (distilled, processing); water (mineral, drinking or curative, bottling and distribution); water coolers (drinking fountains, repair and service); water heaters (service and repairing); water softening equipment (service and storage); weighers (commercial); welding (commercial); welding (equipment and supplies storage); well drilling (equipment yard); wholesale produce storage or market; commercial winches (equipment rentals); window display (installations, studio and shops); wines (storage, bottling and wholesale); wood (storage yard); woodworking (cabinet and custom will work); woodworking (equipment, wholesale); woven goods (fabrication and assembly).

Other uses of like nature.

6.02 REGULATION OF ADULT ENTERTAINMENT BUSINESSES

Purpose of 6.02 is to promote the public health, safety, and welfare through the regulation of adult entertainment businesses. It is the intent of these sections to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing entertainment businesses, residentially zoned areas, schools, churches, parks, and playgrounds within the township.

6.03 CONDITIONAL USE PERMIT REQUIRED

No building shall be erected, constructed, or developed, and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a conditions use permit in accordance with the provisions of Article Twelve. Addition to said provisions, an adult entertainment business shall comply with the following conditional use criteria:

1. Adult entertainment businesses shall comply with the district regulations applicable to all properties in any district in which they are located;
2. No adult entertainment business shall be permitted in a location which is within 1,500 feet of another adult entertainment business;

- 3. No adult entertainment business shall be permitted in a location which is within 1,000 feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center;
- 4. No adult entertainment business shall be permitted in a location which is within 500 feet of any residence or boundary of any residential district.
- 5. No adult entertainment business shall be permitted in a location which is within 200 feet of any boundary of any residential district in a local unit of government.

6.04 ZONING OF ADULT ENTERTAINMENT BUSINESSES

Adult entertainment businesses shall be conditionally permitted in accordance with the following schedule:

<u>Conditionally Permitted Use</u>	<u>Districts Wherein Permitted</u>
Adult Book Store	Light Industrial District (L1-1)
Adult Motion Picture Theater	Light Industrial District (L1-1)
Adult Motion Picture Drive-In Theater	Light Industrial District (L1-1)
Adults Only Entertainment Establishment	Light Industrial District (L1-1)

6.05 LOT REQUIREMENTS

The lot area shall be not less than two (2) acres and the lot width and frontage shall be at least two hundred (200) feet.

6.06 YARD REQUIREMENTS

The following yard requirements shall apply to all yards in the Light Industrial District unless specified herein:

Front Yard:

Minimum setback of one hundred (100) feet from the edge of the road right-of-way line. A twenty (20) foot deep unobstructed open buffer strip shall be provided next to the right-of-way and parking in this strip shall be prohibited.

Rear Yards:

Minimum forty (40) feet.

Side Yards:

Minimum side - twelve (12) feet where there is no rear access to the property.

Abutting a side street - see Article One, Section 1.07 - Corner lot.

Abutting a residential zone - seventy-five (75) foot unobstructed buffer strip suitably landscaped.

Access Ways:

The use of marginal roads is to be encouraged throughout the District. Each lot shall have not more than two (2) access ways to any street or highway with a forty-five (45) foot separation between center lines. The width of the access way leading to or from a highway shall be not less than twenty (20) feet nor shall it exceed thirty-six (36) feet.

6.07 BUILDING HEIGHT LIMIT

No building or structure shall be erected to a height in excess of thirty-five (35).

6.08 PERCENTAGE OF LOT COVERAGE

All buildings, including accessory buildings shall not cover more than fifty (50) percent of the area of the lot.

6.09 PERMITTED SIGNS

The provisions of Article Nine shall apply in this District.

6.10 OFF-STREET PARKING AND LOADING REQUIREMENTS AND DRIVEWAYS

The provisions of Article Ten shall apply in this District.

6.11 CONDITIONALLY PERMITTED:

INDOOR COMMERCIAL SHOOTING RANGE

Indoor commercial shooting range conditionally permitted use in Highway Business District, Light Industrial District, and any Flood Plain District that is also inside of the Highway Business District. The condition being that they are in compliance with local, state and federal regulations for indoor gun ranges.

CELL TOWER

Cell Towers shall be a conditionally permitted use in all districts provided that in: R1-1 and R1-2 that the tower shall be at least the height of the tower from any property line.

HB-1, L1-1, FP-1 and MHPD-1 that the tower shall be at least half the towers height from any property line and have a clear fall zone at the time of construction.

ARTICLE SEVEN - FLOOD PLAIN DISTRICT (FP-1) REGULATIONS

7.00 PURPOSE

The purpose of these regulations is to protect those areas of the Township which are subject to predictable flooding during the 100- and 500-year floods in the flood plain areas of the major rivers, their branches and tributaries within the Township so that the carrying capacity shall not be reduced, thereby creating danger to the areas previously not so endangered in time of high water. Said regulations, while permitting reasonable use of such properties will help to protect human life, prevent or minimize material and economic losses, and reduce the cost to the public in time of emergency.

7.01 PERMITTED USES

All development including filling and grading must be submitted to the Lorain County Community Development Department for review and approval. A zoning permit will not be issued without written approval from the county.

Notwithstanding any other provisions of this Resolution, no building or structure shall be erected, converted, or structurally altered and no land and/or structure shall be used except for one or more of the following uses:

Open space uses, such as farms, truck gardens, nurseries. Such other open space uses as: preserves, bridle trails, and nature paths, PROVIDED no alteration is made to the existing grade level of the flood plain or structures which may interfere with the flow of the river or its flood plain capacity.

7.02 CONDITIONALLY PERMITTED USES

The use of land and structures for the purpose of parks and playgrounds may be permitted by application for and the issuance of a conditional use permit by the Board of Zoning Appeals and further provided that the use pattern and the structures proposed shall:

Be so designed as not to reduce the water impoundment capacity of the flood plain or significantly change the volume or speed of the flow of water. Such design may be accomplished by the use of piles, stilts, cantilevering or other such construction methods which will place the desired building and structures above the determined flood elevation in a safe manner. The foundation and structural supports of buildings and structures shall be so designed to withstand the anticipated level, volume and velocity of the floodwaters and to minimize the impeding of the natural free flow of the floodwaters.

Be constructed under said "Conditional Use Permits" so as to have minimum first floor elevation of not less than three feet above the established base flood elevation.

Be designed so as not to require back filling in the flood plain areas with any material in any manner, unless through compensating excavation and shaping of the flood plain. The flow and natural impoundment of the flood plain shall be maintained or improved so that no insignificant or measurable change in flow or reduction in impoundment capacity of the flood plain would thereby result.

Be designed to accommodate utilities, roads, off-street parking, railroads, dams, rivers, structures and buildings for public or recreational uses, so as not to increase the possibility of flood or be otherwise detrimental to the public health, safety and welfare.

INDOOR COMMERCIAL SHOOTING RANGE

Indoor commercial shooting range is a conditionally permitted use in Highway Business District, Light Industrial District, and any Flood Plain District that is also inside of the Highway Business District. The condition being that they are in compliance with local, state and federal regulations for indoor gun ranges.

CELL TOWER

Cell Towers shall be a conditionally permitted use in all districts provided that in: R1-1 and R1-2 that the tower shall be at least the height of the tower from any property line.

HB-1, L1-1, FP-1 and MHPD-1 that the tower shall be at least half the towers height from any property line and have a clear fall zone at the time of construction.

7.03 TOWNSHIP LIABILITY

Wellington Township shall incur no liability whatsoever by permitting any use or building within a flood plain within the Township.

7.04 PERMITTED SIGNS

The provisions of Article Nine shall apply in this District.

7.05 OFF-STREET LOADING AND PARKING AND DRIVEWAYS

The provisions of Article Ten shall apply in this District.

ARTICLE EIGHT - MOBILE HOME PARK DISTRICT - MHPD-1

8.00 DESCRIPTION OF THE PARK DISTRICT

This District shall be used in areas suitable for residential development. It will be limited to the prefabricated types of single-family mobile dwelling units and other uses characteristic of a residential area. The District is intended to provide homesites for those who desire to live in the community and intend to live there indefinitely but who prefer a mobile home. The regulations contained herein are designed to stabilize, protect and encourage the residential

character of the District and to prohibit all commercial activities. No "Home Occupations" are permitted. The minimum park size shall not be less than ten (10) acres and provide space for 50 units with a variety of lot sizes.

8.01 PERMITTED USES

General Requirements

No land shall be used or occupied and no structure shall be designed, erected, altered, or used except for either one or several of the following permitted uses and accessory uses thereto.

- (1) Church, provided, it shall be located not less than thirty (30) feet from any other lot in any R District.
- (2) Community center; provided, any principal building and/or activity area shall be located not less than fifty (50) feet from any other lot in any R District.
- (3) Dwelling; one-family prefabricated type of mobile home or trailer coach.
- (4) Library; public.
- (5) Public park, playgrounds, playfields, golf courses and country clubs; provided, any principal building and/or activity area shall be located not less than fifty (50) feet from any other lot in any R District.
- (6) Schools for academic instruction; provided, buildings and/or activity areas shall be located not less than fifty (50) feet from any lot in any R District.
- (7) Nursery schools and/or child care centers with four (4) or more children; provided, the lot upon which the building is erected shall have an area sufficient to provide not less than seventy-five (75) square feet of outdoor play space per child and the building shall provide not less than forty (40) square feet of floor space per child. Outdoor play space shall be completely and securely fenced to a height of not less than five (5) feet in height, and there shall be not less than 1,000 square feet of play area available to each day care center.

8.02 ACCESSORY USES

Any accessory uses or structure incidental and customary to the operation of the permitted uses and not involving the conduct of any business, trade or industry may be permitted.

- (1) Carports may be permitted.
- (2) No additions other than factory fabricated additions or those approved by the zoning inspector shall be added to any mobile home or trailer coach until a valid permit is issued by the zoning inspector.
- (3) Permanent private swimming pool, principally for the use of the residents provided, it shall be not less than twenty (20) feet from the property line of the property on which located and that permits shall be issued therefore by the Lorain County Board of Health and the Ohio Department of Health. Required plan shall be submitted to the health authorities. Such swimming pool, on the immediate property on which it is located, shall be so walled, fenced or screened as to prevent uncontrolled access from the street or adjacent properties.

8.03 ENVIRONMENTAL, OPEN SPACE AND ACCESS REQUIREMENTS

(1) General Requirements:

Conditions of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

(2) Soil and Ground Cover Requirements

Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

(3) Site Drainage Requirements

The ground surface in all parts of every mobile home district shall be graded and equipped to drain all surface water in a safe, efficient manner.

(4) Park Areas for Nonresident Uses:

- a. No part of any park shall be used for nonresidential purposes except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park.

- b. Nothing in this section shall be deemed to prohibit the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.

(5) Required Setbacks, Buffer Strips and Screening for Mobile Homes:

Mobile homes shall not be permitted to occupy single or full multiple sites if the mobile homes are either longer or wider than would permit compliance with the following requirements:

- a. The boundaries of the site shall be clearly and permanently designated according to the dimensions and locations shown on the approved plot plan.
- b. The space between mobile homes may be used for parking of motor vehicles if the space is clearly designated.
- c. There shall be unobstructed open spaces of at least twenty (20) feet between the sides of other buildings and structures and/or sides of adjacent mobile homes for the full length of their coaches.
- d. Every mobile home site shall have a front yard of forty (40) feet measured from the nearest point of the mobile home to curb line. Also a rear yard ten (10) feet in depth shall be provided for each site.
- e. Mobile homes shall not be closer than twenty-two and one-half (22.5) feet from any building or other trailer within the park or fifty (50) feet from any property line bounding the park.
- f. Each boundary of the mobile home park must be at least one hundred (100) feet from any permanent residential building or any permanently established business or industry located outside the park unless separated there from by a natural or artificial barrier satisfactory to the zoning board. No trailer coach park shall be

located closer to any right-of-way line than one hundred (100) feet measured from the street or highway right-of-way line.

- g. The outer boundaries of a mobile home park shall contain a buffer zone. This buffer zone shall consist of a greenbelt strip, not less than twenty (20) feet in width, located along all park boundaries not bordering a street. Such greenbelt shall be composed of one (1) row of deciduous and/or evergreen trees spaced not more than forty (40) feet apart and not less than one (1) row of shrubs, spaced not more eighteen (18) feet from one tree row.

- h. An accessory structure which has a horizontal area exceeding twenty-five (25) square feet, for the purposes of all separation requirements, shall be considered part of the mobile home.
- i. Minimum lot size for each site shall be 45 feet wide x 125 feet deep.

(6) Mobile Home Park Stands and Alighting Areas

- a. All mobile home sites shall be provided with a stable base upon which to place the mobile home; such base shall consist of at least two (2) reinforced concrete runways 6” in depth by 2 feet by 60 feet together with a paved alighting area of not less than 8 feet by 30 feet.
- b. The mobile home stand shall be constructed so that it shall not heave, shift or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.
- c. The mobile home stand shall be provided with anchors and tie-downs such as cast-on-place concrete “dead men” eyelet’s imbedded in concrete runways, screw augers, arrowhead anchors, or other devices securing the stability of the mobile home.

8.04 REQUIRED RECREATION AREAS

In all parks designed to accommodate the minimum number of fifty (50) or more mobile homes, there shall be one or more recreation areas which shall be easily accessible to all park residents and guests.

The size of such recreation areas shall be based upon a minimum of two hundred (200) square feet for each lot.

Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

8.05 STREET SYSTEM

All mobile home parks shall be provided with safe and convenient vehicular access from abutting public street or roads to each mobile home lot.

Alignment and gradient shall be properly adapted to topography. All roads and access ways must meet the county road paving standards as set forth by the county engineer’s office.

Every mobile home site shall abut or face on a clear, unoccupied space, driveway or roadway or street, of not less than twenty-five (25) feet, excluding parking, in width which shall have unobstructed access to a public thoroughfare.

Existing licensed parks having driveways, roadways or streets less than twenty-five (25) feet in width shall not be required to increase the same to the twenty-five (25) foot minimum road width as long as the park is not redesigned or added to. Any additions to the park area must conform to the road specifications of Lorain County as approved by the county engineer.

All streets and access drives shall be illuminated to a minimum intensity of one foot-candle with lights spaced at intervals of not more than one hundred (100) feet and shielded from abutting properties.

8.06 REQUIRED OFF-STREET PARKING AREAS

Parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Such areas shall contain at least two (2) car spaces for each mobile home lot.

Required parking spaces shall be so located as to provide convenient access to the mobile home, but shall not exceed a distance of two hundred (200) feet from the mobile home that it is intended to serve.

8.07 WALKS

All parks shall be provided with safe, convenient, all-season pedestrian access walks three (3) feet in width, durable and easy to maintain between individual mobile homes, the park street and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.

A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three (3) feet.

All mobile home stands shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connected to a paved street. Such individual walks shall have a minimum width of two (2) feet.

All common walkways shall be illuminated to a minimum intensity of one (1) foot candle.

8.08 WATER SUPPLY

The water supply serving any mobile home park shall be obtained from a municipal supply if it is available and accessible. If a connection is not available and accessible, the water shall be obtained from a source approved by the Ohio Department of Health. A connection from the park system shall be provided for each mobile home site.

The water supply shall be capable of supplying a minimum of 150 gallons per day per mobile home.

Every well or suction line of the water supply system shall be located and constructed in such a manner that neither underground nor surface contamination will reach the water supply from any source.

Plumbing in all mobile home parks shall comply with all applicable codes or ordinances; plumbing shall meet the requirements of the standards of the state plumbing board with respect to layout, materials and workmanship.

Water supply and facilities shall be installed and maintained according to systems and methods approved by the Ohio Department of Health.

8.09 SEWAGE DISPOSAL

An adequate and safe sewerage system shall be provided in all mobile home parks for conveying and disposing of all sewage. Such a system shall be designed, constructed and maintained in accordance with state and local laws.

The methods and facilities for the collection, treatment and disposal of sewage or other water-carried waste shall comply with all applicable ordinances or regulations and shall be of a nature and capacity and so maintained and operate as not to create unlawful pollution of the waters of the state, a menace to health or a condition of nuisance.

No waste water from mobile homes shall be deposited on the surface of the ground. Mobile home parks shall connect to a public sewer system where such a system is available and accessible, devices for the collection, treatment and disposal of sewage satisfactory to the health authorities shall be provided and if no particular way can be found by which proper waste disposal is assured, a construction permit or operating license shall not be issued.

Individual sewer connections shall be made between each mobile home sewer riser in accordance with the provisions of the "Criteria for Sewer Connections" as established by the Ohio Department of Health.

Storm drains shall be installed to provide adequate drainage and must meet the specifications as set forth by the county sanitary engineer and all applicable codes and regulations.

8.10 ELECTRICAL DISTRIBUTION SYSTEM

Every park shall contain an underground electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations governing such systems. The service entrance shall be installed in accordance with regulations of the power company serving the area.

Main power lines not located underground shall be suspended at least eighteen (18) feet above the ground. There shall be a minimum horizontal clearance of three (3) feet between overhead wiring and any mobile home, service building or other structure.

All direct burial conductors or cables shall be buried at least thirty (30) inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one-foot radial distance from water, sewer, gas or communication lines. Provided, however, that if recognized engineering standards permit combined installation such standards shall be recognized, accepted, and permitted.

Each mobile home lot shall be provided with an approved disconnecting device and over-current protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.

Outlet receptacles at each mobile home stand shall be located not more than twenty-five (25) feet from the over current protective devices in the mobile home and a three-pole, four-wire, grounding type shall be used. Receptacles shall be of weatherproof construction and configurations shall be in accordance with American Standard Outlet Receptacle C-73.1.

The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.

Where the calculated load of the mobile home is more than 100 amperes, a 200 amp service shall be provided.

All exposed noncurrent carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor with branch circuit conductors or other approved grounding conductor with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

8.11 SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

The requirements of this section shall apply to service buildings, recreation buildings and other community service facilities such as:

- (1) Management offices, repair shops and storage areas;
- (2) Sanitary facilities;
- (3) Laundry facilities;
- (4) Indoor recreation areas;
- (5) Commercial uses supplying essential goods or services for the exclusive use of park occupants, such as coin-operated vending machines.

Every park shall be provided with the following emergency sanitary facilities:

- (1) For each 100 mobile home lots, or fractional part thereof, there shall be one flush toilet and one lavatory for each sex.
- (2) No mobile home park shall have any house trailer not provided with toilet, lavatory and bath plumbing fixtures.

8.12 REFUSE HANDLING

The storage, collection and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution.

All refuse shall be stored in fly-tight, watertight, rodent-proof, containers, which shall be located not more than 150 feet from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all refuse.

Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration and to facilitate cleaning around them.

All refuse containing garbage shall be collected at least twice weekly. Where suitable collection service is not available from municipal or private agencies, the mobile home park operator shall provide this service.

Where municipal or private disposal service is not available, the mobile home park operator shall dispose of the refuse by transporting to a disposal site approved by the health authority.

8.13 INSECT AND RODENT CONTROL

Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the health authority.

Parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes and other pests

Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe and other building materials shall be stored at least 18 inches above the ground.

Where the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable materials.

The growth of brush, weeds and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.

8.14 FUEL SUPPLY AND STORAGE

Natural gas piping systems where used shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

Each mobile home lot provided with piped gas shall have an approved manual shutoff valve installed upstream of the gas outlet, the outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

Liquefied petroleum gas systems where used shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.

Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.

All LPG piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.

Liquefied petroleum gas containers installed on a mobile home lot shall be securely but not permanently fastened to prevent accidental overturning. Such containers shall not be less than 12 or more than 50 U.S. gallons gross capacity.

No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home, or any other structure, unless such installations are approved by the health authority.

All fuel oil supply systems where used shall be installed and maintained in accordance with applicable codes and regulations governing such systems.

All piping from outside fuel storage tanks or cylinders to mobile homes shall be permanently installed and securely fastened in place.

All fuel oil storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath any mobile home or less than five feet from any mobile home exit.

Storage tanks located in areas subject to traffic shall be protected against physical damage.

8.15 FIRE PROTECTION

The mobile home area shall be subject to the rules and regulations of the Wellington Community Fire District.

Mobile home parks shall be kept free of litter, rubbish, and other flammable.

Portable fire extinguishers of a type approval by the fire prevention authority shall be kept in service buildings and at all other locations designated by such fire prevention authority and shall be maintained in good operating condition.

Fires shall be made only in stoves, and other equipment intended for such purposes.

Fire hydrants shall be installed if the park water supply system is capable to serve them in accordance with the following requirements:

- (1) The water supply system shall permit the operation of a minimum of two, one and one-half inch hose streams.
- (2) Each of two nozzles, held four feet above the ground, shall deliver at least 75 gallons of water per minute at a flowing pressure of at least 30 pounds per square inch at the highest elevation point of the park.
- (3) Fire hydrants, if provided, shall be located as prescribed by the fire prevention authority or other authorities having jurisdiction, with respect to any mobile home, service building or other structure in the park.

8.16 MISCELLANEOUS REQUIREMENTS

The person to whom a license for a mobile home park is issued shall operate the park in compliance with this ordinance and regulations issued hereunder and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

The park management shall notify park occupants of all applicable provisions of this ordinance and regulations issued hereunder.

The park management shall supervise the placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections.

The park management shall maintain a register containing the names of all park occupants. Such register shall be available to any authorized person inspecting the park.

A mobile home shall not be occupied for dwelling purpose unless it is properly placed on a mobile home stand and connected to water, sewerage and electrical utilities.

8.17 PERMITTED SIGNS

The provisions of Article Nine shall be in full force and effect in this district.

8.18 PENALTIES

Any person who violates any provision of this ordinance shall upon conviction be punished by a fine of not less than one hundred (100) dollars; and each day's failure of compliance with any such provision shall constitute a separate violation.

It shall be unlawful to park any automobile trailer coach being used for dwelling or sleeping purposes in any place other than a mobile coach park possessing a zoning certificate and located in a Mobile Home Park District as hereinafter provided.

8.19 PERMITS

It shall be unlawful for any person to construct, alter or extend any mobile home park within the limits of Wellington Township unless he holds a valid permit issued by the zoning inspector or other authority having jurisdiction in the name of such person for the specific construction, alteration or extension proposed.

All applications for permits shall be made to the zoning inspector or other authority having jurisdiction and shall contain the following:

- (1) Name and address of applicant.
- (2) Interest of the applicant in the mobile home park.
- (3) Location and legal description of the mobile home park.
- (4) Complete engineering plans and specifications of the proposed park showing:
 - a. The area and dimensions of the tract of land;
 - b. The number, location and size of all mobile home lots;
 - c. The location and width of roadways and walkways;
 - d. The location of service buildings and any other proposed structures;
 - e. Plans and specifications of all buildings constructed or to be constructed within the mobile home park; and
 - f. The location and details of lighting and electrical systems

All applications shall be accompanied by the deposit of a fee of fifty (\$50) dollars.

When, upon review of the application, the zoning inspector or other authority having jurisdiction is satisfied that the proposed plan meets the requirements of this ordinance and regulations issued hereunder, a permit shall be issued.

Any person whose application for a permit under this ordinance has been denied may request and shall be granted a hearing on the matter before the zoning board of appeals or other authority having jurisdiction under the procedure provided by this Zoning Resolution.

8.20 LICENSES

It shall be unlawful for any person to operate any mobile home park within the limits of Wellington Township unless he holds a valid license issued annually by the health authority in the name of such person for the specific mobile home park. All applications for licenses shall be made to the health authority, who shall issue a license upon compliance by the applicant with the provisions of this ordinance and regulations issued hereunder and of other applicable legal requirements.

8.21 INSPECTION OF MOBILE HOME PARKS

The zoning inspector or other authority having jurisdiction is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this ordinance and regulations issued hereunder.

The zoning inspector or other authority having jurisdiction shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this ordinance and regulations issued hereunder.

The zoning inspector or other authority having jurisdiction shall have the power to inspect the register containing a record of all residents of the mobile home park.

It shall be the duty of every occupant of a mobile home park to give the owner thereof or his agent or employee access to any part of such mobile home park or its premises at reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with this ordinance and regulations issued hereunder, or with any lawful order issued pursuant to the provisions of this ordinance.

8.22 NOTICES, HEARINGS AND ORDERS

Whenever the zoning inspector or other authority having jurisdiction determines that there are reasonable grounds to believe that there has been a violation of any provision of this ordinance, or regulations issued hereunder, the zoning inspector or other authority having jurisdiction shall give notice of such alleged violation to the person to whom the permit or license was issued, as hereinafter provided. Such notice shall (1) be in writing, (2) include a statement of the reasons for its issuance, (3) allow a reasonable time for the performance of any act it requires, (4) be served upon the owner or his agent as the case may require; provided, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by registered mail to his last known address, or when he has been served with such notice by any method authorized or required by the laws of this state, (5) contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance and regulations issued hereunder.

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this ordinance, or regulation issued hereunder, may request and shall be granted a hearing on the matter before the BZA or other authority having jurisdiction as provided by law.

After such hearing the BZA or other authority having jurisdiction shall make findings as to compliance with the provisions of this ordinance and regulations issued hereunder and shall issue and order in writing sustaining, modifying or withdrawing the notice which shall be served. Upon failure to comply with any order sustaining or modifying a notice, the license of the mobile home park affected by the order shall be revoked.

The proceedings at such a hearing, including the findings and decision of the zoning board of appeals or other authority having jurisdiction and together with a copy of every notice and order related thereto shall be entered as a matter of public record in the office of the zoning board or other authority having jurisdiction.

8.23 CONFLICT OF ORDINANCES, EFFECT OF PARTIAL INVALIDITY

All sections of this ordinance are subject to the separability or validity clause provided in the township zoning regulations.

Where no separability or validity clause is provided the following shall be inserted: “Each section, sub-section, provision, requirement, regulation or restriction established by this resolution or amendment, thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not effect nor render invalid this ordinance or amendments thereto as a whole or any other part thereof except such particular part so declared to be invalid.”

8.24 CELL TOWERS

Cell Towers shall be a conditionally permitted use in all districts provided that in:

R1-1 and R1-2 that the tower shall be at least the height of the tower from any property line.

HB-1, L1-1, FP-1 and MHPD-1 that the tower shall be at least half the towers height from any property line and have a clear fall zone at the time of construction.

ARTICLE NINE - SIGNS

9.00 PURPOSE

To establish a minimum regulation for public and private signs and lights which overload the public’s capacity to receive information; to encourage signing and lighting and other communications which aid orientation, identify activities, express local history and character or serve other educational purposes; and to reduce conflict among signs and lighting and between the private and public communication systems.

9.01 DEFINITIONS

Sign: Any letters, pictorial representation, symbol, flag, illuminated or animated device displayed in any manner whatsoever, which directs attention of persons to any object, subject, place, person, activity, product, service, institution, organization or business.

Surface Area (of a sign): The surface area of any sign is the entire area within a single continuous perimeter enclosing the extreme limits of lettering, representations, emblems, or other figures, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Structural members

bearing no sign copy shall not be included. One side of a freestanding or projecting double faced sign shall be included in calculating the surface area.

9.02 GENERAL SIGN REQUIREMENTS APPLICABLE FOR ALL DISTRICTS

Christmas or Holiday display lighting shall be exempted from the requirements of this Resolution.

Area measurement for any sign consisting of separate letters of designs or symbols or parts thereof that are constructed without being fixed to a background structure shall be made by measuring the overall area occupied by the letters, designs, or symbols.

Any number of signs that are attached to a common supporting structure shall be considered one sign for the purposes of area requirement.

All parts of any pole sign shall be setback at least fifteen (15) feet from the edge of the road right-of-way and at least ten (10) feet from the nearest adjacent property line.

All parts of any ground sign shall be setback at least fifteen (15) feet from the edge of the road right-of-way and at least ten (10) feet from the nearest adjacent property line.

A sign for a conditional use shall be constructed and maintained as approved at the time the conditional use is approved. Signs for conditional uses in any specific "R" District shall not exceed sixteen (16) square feet. Signs for conditional uses in any business, commercial or industrial district shall be as specified or conform to the requirements for the most similar use in the district in which it is located subject to approval of the Board of Zoning Appeals.

9.03 R-1, R-2 RESIDENTIAL DISTRICTS

One sign advertising the sale of products raised or produced on the premises shall be permitted providing it does not exceed sixteen (16) square feet.

Real estate signs advertising the sale, rental, or lease of the premises on which the sign is located shall be permitted on any property provided the sign does not exceed sixteen (16) square feet.

Signs for home occupations, professional activities and nonconforming uses where existing or permitted shall not exceed sixteen (16) square feet in any "R" District.

Bulletin boards and signs for a church, school, community or other public or semi-public institutional building and permitted conditional uses shall be permitted provided the area of such bulletin board or sign shall not exceed sixteen (16) square feet per face.

No building wall shall be used for display of advertising except pertaining to the use carried on within such building.

Temporary signs shall be permitted not closer than the highway right-of-way line and shall not exceed sixteen (16) square feet.

9.04 HIGHWAY BUSINESS DISTRICT

In a business or commercial district each business shall be permitted fascia or wall signs. Projections of wall signs shall not exceed two (2) feet measured from the nearest part of the building except as specifically permitted within certain districts.

The erection of outdoor advertising signs shall be permitted in all commercial districts provided such signs advertise a bonafide business or service conducted on the premises and the size of the sign shall be limited as provided herein.

Free-standing signs serving an individual business or a group of business establishments shall be permitted if they have no more than a total sign area of one hundred (100) square feet and are located not closer than either twenty (20) feet or the height of the sign, whichever is greater, to any street, right-of-way or adjoining lot line.

Pole signs of symbolical design shall be permitted for automobile service stations and other similar business establishments provided:

1. No part of such sign shall project into the right-of-way of any street or highway.
2. The support of such sign shall be setback at least twenty (20) feet from any public right-of-way.
3. The maximum area of any one face of such sign located within the front yard shall not exceed fifty (50) square feet.
4. The pole support of the sign shall not be less than fifty (50) feet from any lot in any "R" District nor within twenty (20) feet of the intersecting right-of-way of any state or federal highway and major or secondary street.

9.05 LIGHT INDUSTRIAL DISTRICT LI-1

The area for all permanent signs located on the premises with any light industrial use shall be limited to one hundred (100) square feet.

9.06 ALLOWED SIGNS

Signs whose subject matter relates exclusively to the premises on which they are located, or to products, accommodations, or activities on those premises, shall be allowed as follows:

Number of signs: Each building may have one building sign oriented to each street on which the premises have frontage, identifying the building as a whole or its predominant use. In addition, there may be an occupancy sign and one pedestrian sign oriented to each street on which the premises have frontage, relating to each occupancy within the building.

Location of signs: No sign shall overhang the public way to within 3 feet of the curb line. No sign, except on a marquee or canopy providing shelter, shall overhang more than 1/3 of the sidewalk width.

No sign shall extend more than 15 feet above record grade or more than 4 feet above the lowest point of the roof of the single-story building with which it is associated, whichever is less restrictive, nor above the third floor of a multi-story building, except that motels, hotels, and other transient lodgings may display such signs up to 40 feet above record grade.

The top of pedestrian signs shall be no higher than 10 feet above the sidewalk.

For other than first floor occupants, occupancy signs shall be located between the second and third floors.

Permanent signs on the surface of or inside display windows shall cover no more than 10% of the display window area.

Notwithstanding any other provisions of this Resolution, signs within six hundred and sixty (660) feet of the Interstate Highway System shall be erected and maintained in general accord with Federal and Ohio laws in regard to advertising devices along the Interstate System, if such laws are more restrictive than the provisions of this Resolution shall apply. The total area of all free-standing signs, pole signs, or signs projecting beyond building walls shall not exceed three hundred fifty (350) square feet for any individual business establishment or use in any district.

9.07 LETTERING SIZE

Building signs shall not employ letters exceeding 8 inches in height in Residential Districts as defined in the Zoning Resolution, or 18 inches in height elsewhere.

Occupancy signs shall not employ letters exceeding 8 inches in height.

Pedestrian signs shall not employ letters exceeding 3 inches in height.

9.08 ILLUMINATION

Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it, without causing glare for motorists, pedestrians, or neighboring premises.

Illuminated signs, including neon signs, shall not produce more than one foot-candle of illumination 4 feet from the sign.

All permanent outdoor light such as those used for area lighting or building floodlighting shall be steady, stationary, shielded sources directed so as to avoid glare for motorists, pedestrians, or neighboring premises. The marginal increase in light, as measured at any property line other than a street line, shall not exceed one foot-candle.

9.09 TEMPORARY SIGNS

The following signs are allowed for a period up to one year without a permit:

Construction signs: one unlighted sign of up to sixteen (16) square feet identifying parties involved in construction of the premises where the sign is located. These signs must be removed within 14 days after the ending of the intended activity.

Real Estate signs: one unlighted sign of up to sixteen (16) square feet pertaining to the sale, rental, or lease of the premises on which the sign is displayed, to be removed within 14 days after sale, rental or lease.

Event signs: unlighted signs of up to 32 square feet displayed on private property and limited to one per each premise, announcing a campaign, drive or event of a political, civic, philanthropic, educational or religious organization, to be removed within 14 days after the event.

Temporary displays or signs advocating the election of a candidate or candidates or the passage or disapproval of an issue shall not be governed by the provisions of this Article provided the same are removed within fourteen days after the completion of the election involved. Failure to remove such signs as required herein shall be deemed a violation of this Resolution.

Display window signs: signs on the surface of or inside display windows lighted only by building illumination and covering no more than 20% of the display window area.

9.10 PROHIBITED DEVICES

No sign or light shall move, flash, or make noise.

Colored lights and illuminated signs employing colors in use in traffic signal lights are prohibited within view of any signalized intersection.

Any imitation of official traffic signs or signals and the use of such words as “stop”, “look”, “danger”, “go slow”, “caution”, or “warning” are prohibited.

Fluorescent colors in the yellow to red spectrum are prohibited.

9.11 PORTABLE SIGNS

No movable sign, mounted on wheels and/or transportable, shall flash, rotate or make noise. Portable signs shall be setback from the edge of the road right-of-way the established distance for each type of district. In no event shall the permitted square footage for signs for each district be exceeded. All sign areas, permanent or portable are added together in determining the sign area requirement.

A zoning permit shall be obtained before placing a portable sign on a predetermined site.

9.12 ADMINISTRATION

No sign, except those specifically exempted by this resolution, shall be erected without a permit issued by the Township Zoning Inspector, application for which shall be accompanied by such scale drawings, photographs, and other information as the building official may require.

All signs shall display a tag supplied by the building official as evidence of the permit.

Fees for sign permits shall be as fixed by the Township Trustees.

Appeals may be made to the Board of Zoning Appeals by the same rights and procedures governing other zoning appeals. Appeals shall be reviewed by the Zoning Inspector which shall advise the Board of their findings.

ARTICLE TEN - OFF STREET PARKING AND LOADING FACILITIES

10.00 GENERAL REGULATIONS - DRIVEWAY REQUIREMENTS

A driveway shall be a minimum of ten (10) feet in width for its entire length from the property line to the dwelling unit or garage, whichever is furthest from the road.

A minimum thirty-six (36) foot culvert pipe will be installed.

Adequate space shall also be maintained for the turning-around of emergency vehicles if the driveway has curves or extends more than one-hundred and fifty (150') from the edge of the road.

The driveway shall be constructed to a minimum depth of eight inches (8) inches. Residential driveways shall be constructed of one or more of the paving materials as defined under paving in Article One, or acceptable aggregate. Commercial occupancies shall be required to use one or more of the paving materials as defined under paving in Article I, and maintain such driveways and parking lots in a dust-free condition.

Fences, walls, gates and other similar improvements shall be placed no closer to either outer edge of the driveway than three feet (3') horizontally.

Plantings and/or natural vegetative growth shall be maintained by occupant or owner so as to be no closer to either outer edge of the driveway than three feet (3') horizontally or lower than twelve feet (12') vertically.

Access to a property owner's lot shall be permitted to be constructed only on that owner's property. No shared access shall be permitted for multiple residential lots. Each lot shall have at least one access for emergency vehicle use and constructed to and maintained as specified in this article.

10.01 GENERAL REQUIREMENTS

No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained driveways, off-street parking and loading spaces have been provided in accordance with the provisions of this Resolution.

The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this Resolution.

Whenever a building or structure constructed after the effective date of this Resolution is changed or enlarged in floor area, number of housing units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change, provided whenever a building or structure existing prior to the effective date of this is enlarged to the extent of fifty (50) percent or more in floor area, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

10.02 DRAINAGE

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.

10.03 MAINTENANCE

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all trash and other debris.

10.04 LIGHTING

Any parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

10.05 SCREENING AND/OR LANDSCAPING, PARKING AREA CAPACITY

Whenever a parking area is located in or adjacent to a residential district it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptably designed wall, fence, or planting screen. Such fence, wall or planting screen shall not be less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition.

In the event that terrain or other natural features are such that the erection of such a fence, wall, or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required.

No one area for off-street parking of motor vehicles shall exceed forty (40) cars in capacity. Separate parking areas on a parcel shall be physically separated from one another by ten (10) foot planting strips.

10.06 REQUIRED TRASH AREAS

All commercial, industrial, and multi-family residential uses that provide trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four (4) feet in height if such area is not within an enclosed building or structure.

Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Trustees shall be required.

10.07 DISABLED VEHICLES

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

10.08 MINIMUM DISTANCE AND SETBACKS

No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one family residence, the parking area shall not be located within the front yard required for such building.

Parking areas should be setback at least ten (10) feet from side and rear lot lines.

In no case shall any part of a parking area be closer than fifteen (15) feet to any established street or alley right-of-way.

10.09 ACCESS

Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private street shall be traveling in a forward motion.

Access of driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such lot shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

10.10 SIGNS

The entrances and exits to the parking area shall be clearly marked. Interior vehicular circulation by way of access road shall maintain the following minimum standards:

Access roads for two-way traffic shall have a minimum width of twenty-four (24) feet. Parking areas having more than one aisle or driveway shall have directional signs or marking in each aisle or driveway.

10.11 STRIPING

All parking areas with a capacity over twelve (12) vehicles shall be striped with double lines six (6) inches both sides of center between stalls to facilitate the movement into and out of the parking stalls.

10.12 PARKING SPACE REQUIREMENTS

For the purposes of this Resolution, the following parking space requirements shall apply:

TYPE OF USE	PARKING SPACES REQUIRED
<u>Residential:</u>	
Single family or two-family dwelling	Two for each unit
Apartment hotels, apartments, or multi-family dwellings	Two for each unit
Mobile homes	Two for each unit
<u>Commercial:</u>	
Automobile service stations which also provide repair	One for each two gasoline pumps and two for each service bay
Hotels, motels	One per each sleeping room plus one space for each two employees
Funeral parlors, mortuaries, and similar type uses	One for each 100 square feet of floor area in slumber rooms, parlors, or service rooms

Recreational or Entertainment:

PARKING SPACES REQUIRED

Dining rooms, restaurants, taverns,
nightclubs, etc.

Bowling alleys

One for each 200 square feet of floor area

Dance floors, skating rinks

Four for each alley or lane plus one additional
space for each 100 square feet of the area
used for restaurant, cocktail lounge, or similar
use

Outdoor swimming pools, public or
community club

One for each 100 square feet of floor area
used for the activity

Auditoriums, sports arenas, theaters and
similar uses

One for each 5-person capacity plus one for
each 4 seats or one for each 30 square feet
floor area used for seating purposes –
whichever is greater

Banks, financial institutions and similar uses

One for each 4 seats

One for each 200 square feet of floor area

Offices, public or professional administration,
or service buildings

One for each 400 square feet of floor area

All other types of business or commercial
uses

One for each 300 square feet of floor area
permitted in any commercial district

Institutional:

Churches and other places of religious
assembly

One for every four seats

Hospitals

One for each bed

TYPE OF USE	PARKING SPACES REQUIRED
Sanitariums, homes for the aged, nursing homes, children's homes, asylums, and similar uses	One for each two beds
Medical and dental clinics	One for every 200 sq. ft. of floor area of examination, treating room office, and waiting room
Libraries, museums, and art galleries	One for each 400 sq. ft. floor area
Schools:	
Elementary and junior high schools	Two for each classroom and one for every eight seats in auditoriums or assembly halls
High school	One for every ten students and one for each teacher and employee
Business, technical and trade schools	One for each two students
Colleges, universities	Two for each classroom but not less than six for the building
Industrial:	
All types of manufacturing, storage and wholesale uses permitted in any industrial district	One for every 2 employees (on the largest shift for which the building is designed) plus one for each motor vehicle used in the business
Cartage, express, parcel delivery, and freight terminals	One for every 2 employees (on the largest shift for which the building is designed) and one for each motor vehicle maintained on the premises

10.13 GENERAL INTERPRETATIONS

In the interpretation of this Article, the following rules shall govern:

Parking spaces for other permitted or conditional uses not listed in this Article shall be determined by the Board.

Fractional numbers shall be increased to the next whole number.

10.14 PLOT PLAN REVIEW

Whenever twelve (12) or more vehicles are required for a given use under the requirements of this Article, plans and specifications for the construction or alteration of an off-street parking area shall be submitted to the Zoning Inspector before a zoning permit can be issued. Such plans and specifications shall show the location, basis and capacity calculation, size, site design, surfacing, marking, lighting, drainage, curb cuts, entrances, exits, and any other detailed feature essential to the complete design and construction of the parking area.

ARTICLE ELEVEN - ADMINISTRATION / ENFORCEMENT

11.00 ZONING PERMITS REQUIRED

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector that does not conform with the provisions of his ordinance unless he/she receives a written order from the Board of Zoning Appeals deciding on appeal or permitting a conditional use or variance, as provided by this Resolution.

11.01 CONTENTS OF APPLICATION FOR ZONING PERMIT

The application for a zoning permit shall be signed by the owner or applicant attesting to tell the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within six (6) months or substantially completed within eighteen (18) months. At a minimum, the application shall contain the following information:

Name, address, and phone number of applicant.

Legal description of property.

Existing use.

Proposed use.

Zoning District.

Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alterations.

Building height.

General floor plan of house.

Number of off-street parking spaces or loading berths.

Number of dwelling units.

Such other matter as may be necessary to determine conformance with, and provide for the enforcement of this Resolution.

11.02 APPROVAL OF ZONING PERMIT

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this ordinance. All zoning permits shall, however, be conditional upon the commencement of work within six (6) months. Completion of all work shall be accomplished within eighteen months (18) months from the issuance of a permit. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after he shall have marked such copy either as approved or disapproved and attested to the same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution.

11.03 SUBMISSION TO STATE HIGHWAY DIRECTOR

Before any zoning permit is issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the State Highway Director or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered or certified mail to the Highway Director. The Zoning Inspector shall not issue a zoning permit for one hundred twenty (120) days from the date the notice is received by the Highway Director.

If the Highway Director notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the Zoning permit. If the Highway Director notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period of any extension thereof agreed upon by the Highway Director and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this Resolution, issue a zoning permit.

11.04 EXPIRATION OF ZONING PERMIT

If the work described in any zoning permit has not begun within six months from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within eighteen months (18) of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

11.05 FAILURE TO OBTAIN A ZONING PERMIT

Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this Resolution and punishable under Article Thirteen of this Resolution.

11.06 CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, or arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Resolution, and punishable Article Thirteen of this Resolution.

11.07 COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. The complaint shall be signed and dated by the person making said complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. He shall properly record such complaint, immediately investigate, and take action thereon as provided by this Resolution.

11.08 SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Township Trustees shall establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, appeals and all other matters pertaining to this Resolution. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only through the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

11.09 INITIATION OF ZONING AMENDMENTS

Amendments to this ordinance may be initiated in one of the following ways:

By adoption of a motion by the Zoning Commission

By adoption of a resolution by the Township Trustees

By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

11.10 CONTENTS OF APPLICATION

The application for amendment shall contain at least the following information:

Name, address, and phone number of applicant.

Proposed amendment to the text or legal description.

Present use.

Present zoning district.

Proposed use.

Proposed zoning district.

A vicinity map at scale approved by the Zoning Inspector showing property lines, streets, existing and proposed zoning and such other items as the Zoning Inspector may require.

A list of all property owners within, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case.

A statement on how the proposed amendment relates to the comprehensive plan.

A fee as established by the Township Trustees.

11.11 TRANSMITTAL TO ZONING COMMISSION

Immediately after the adoption of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Commission.

11.12 SUBMISSION TO COUNTY OR REGIONAL PLANNING COMMISSION

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in question to the Regional Planning Commission. The Regional Planning Commission shall recommend the approval or denial of the

proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

11.13 SUBMISSION TO STATE HIGHWAY DIRECTOR

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the State Highway Director, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the State Highway Director. The Commission may proceed as required by law, however, the Township Trustees, shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the State Highway Director. If the State Highway Director notifies the Township that he shall proceed to acquire the land needed, then the Township shall refuse to approve the rezoning. If the State Highway Director notifies the Township that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Highway Director and the property owner, the Township Trustees shall proceed as required by law.

11.14 PUBLIC HEARING BY ZONING COMMISSION

The Zoning Commission shall schedule a public hearing after the adoption of a motion, transmittal of a resolution from the Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be held twenty (20) to forty (40) days from the date of the receipt of such motion, transmittal of such resolution, or the filing of such application.

11.15 NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing notice of such hearing shall be given in at least one (1) Publication in one or more newspapers of general circulation of the Township at least ten (10) Days before the date of said hearing. This notice shall be set forth the time and place of the Public hearing, the nature of the proposed amendment, and a statement, and a statement that After the conclusion of such public hearing the matter will be referred to the Township Trustees for further determination.

11.16 NOTICE TO PROPERTY OWNERS BY ZONING COMMISSION

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing may be mailed by the Zoning Commission, by first class mail, at least twenty (10) days before the date of the hearing to all owners of property within, contiguous to, and directly across the street from such area proposed

to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Township Trustees. The notice shall contain the same information as required of notices published in newspapers as specified in this Article.

11.17 RECOMMENDATIONS BY ZONING COMMISSION

Within thirty (30) days after the public hearing, the Zoning Commission shall recommend to the Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested or it may recommend that the amendment be not granted. The Zoning Commission shall transmit its recommendation to the Township Trustees.

11.18 PUBLIC HEARING BY THE TOWNSHIP TRUSTEES

Upon receipt of the recommendation from the Zoning Commission, the Township Trustees shall schedule a public hearing. Said hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission.

11.19 NOTICE OF PUBLIC HEARING IN NEWSPAPER

Notice of the public hearing shall be given by the Township Trustees by at least one (1) publication in one (1) or more newspapers of general circulation in the Township affected. Said notice shall be published at least ten (10) days before the date of the required hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment.

11.20 NOTICE TO PROPERTY OWNERS BY THE TOWNSHIP TRUSTEES

If the proposed amendment intends to rezone or redistrict ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Township Clerk, by first class mail, at least ten (10) days before the day of the public hearing to all owners of property within, contiguous to, and directly across the street from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Township Trustees. The failure to deliver the notification, as provided in this section shall not invalidate any such amendment. The notice shall contain the time and place of the public hearing and the nature.

11.21 ACTION BY THE TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees deny or modify the recommendation of the Zoning Commission, it must do so by majority vote of the Township Trustees.

11.22 EFFECTIVE DATE AND REFERENDUM

Such amendment adopted by the Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the passage of the ordinance there is presented to the Township Clerk, a petition, signed by a number of qualified voters residing in the Township equal to not less than eight (8) percent of the total votes cast in such area at the last preceding general election at which a Governor was elected, requesting the Township Trustees to submit the zoning ordinance to the electors of the Township for approval or rejection at the next general election.

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

ARTICLE TWELVE - BOARD OF ZONING APPEALS (BZA)

12.00 PURPOSE

The purpose of the BZA shall be to decide any issue involving the interpretation of the provisions contained in this Resolution to grant variances from the strict letter of the Resolution in instances of unnecessary hardship and to authorize conditional uses as herein provided.

12.01 ORGANIZATION AND PROCEDURE

Appointment:

The BZA shall be composed of five (5) members, all of whom are residents of the Township. Members shall be appointed by the Trustees for a period of five (5) years. The terms shall be so arranged so that the term of one member shall expire each year. Should any vacancy on the Board occur for any reason, the Trustees shall appoint a successor to serve the unexpired term. The Trustees shall have the right to remove any members of the Board with due cause.

Organization and Rules:

The BZA shall organize annually and elect a chairman, vice chairman and secretary from its membership. The secretary need not be a member of the Board. The BZA shall adopt rules as may be necessary to carry into effect the provisions of this Resolution and to exercise the powers and jurisdiction conferred upon it by the Resolution.

The chairman shall preside at all meetings of the BZA. He shall decide on all points of order and procedure unless otherwise directed by a majority of the BZA. The chairman may appoint committees deemed necessary to carry out the business of the BZA. The chairman may administer oaths and compel the attendance of witnesses. The chairman's signature shall be the official signature of the BZA and shall appear on all decisions as directed by the BZA.

The vice chairman shall serve in the absence of the chairman. He shall have all the powers of the chairman during his absence, disability or disqualification.

The secretary shall keep minutes of all meetings and shall be responsible for all official correspondence of the BZA. Meetings:

Meetings of the BZA shall be held at the call of the chairman and at such other times as the BZA may determine. All meetings shall be open to the public.

Voting:

All actions of the BZA shall be taken by resolution, the vote of each member being recorded. The majority of the BZA shall constitute a quorum to do business and the concurring vote of three (3) members shall be necessary to reverse any order, requirement, decision or determination of the Zoning Inspector.

No member of the BZA shall vote on any matter in which he is personally or financially interested.

Minutes and Records:

The secretary of the BZA 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 action, all of which shall be certified correct and filed in the Township Hall and shall be a public record.

Witnesses and Oaths:

The BZA shall have the power to subpoena and require the attendance of witnesses, administer oaths, and compel testimony and the production of books, papers and other evidence pertinent to any issue before the Board.

Department Assistance:

The BZA may call on any applicable County or State Agency for assistance in the performance of its duties, and it shall be the duty of such departments to render assistance to the BZA as may be required. In addition, the Zoning Commission may make an analysis and present a report on any matter before the BZA. Such report shall be considered by the BZA at the time of hearing on the matter.

12.02 GOVERNING GUIDELINES

The Board shall be governed by the provisions of all applicable state statutes, local laws, and rules set forth herein.

The Board shall become familiar with all enacted resolutions and laws of the Township under which it may be expected to act as well as with applicable state enabling legislation.

The Board shall uphold the Zoning Resolution and Official Zoning Map of Wellington Township as adopted and shall serve primarily as a judicial review in the performance of its duties.

The Board shall become familiar with the community goals, desires and policies. All decisions shall be guided by such Policies and relief only granted which will insure that the agreed upon goals and policies will be preserved, substantial justice is done and the public interest is protected. Through the performance of its duties, the Board may not act as a legislative body; or through interpretation, the granting of variances of the setting of conditions, alter the basic intent of the Zoning Resolution to be generally and equally applicable to all persons covered by a zoning district.

12.03 JURISDICTION AND POWERS

The Board shall operate so as to carry into effect the powers and jurisdiction conferred upon it as follows:

To hear and decide appeals where is alleged there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of the Resolution.

To hear and decide on such conditional uses as the Board is specifically authorized to pass on by the terms of this Resolution.

To interpret the provisions of the Zoning Resolution or Map where there is doubt as to the meaning or application. The Board shall have the specific power to:
Interpret the precise location of the boundary lines between zoning districts.

Interpret the classification of a use which is not specifically mentioned as part of the use regulations of any zoning district so that it conforms to a comparable permitted or prohibited use, in accordance with the intent and purpose of each district.

To exercise such other powers as may be granted to the Board by this Resolution amendment thereto or by the general laws as set forth in the Ohio Revised Code as amended.

The Board shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms or intent of this Resolution, but does have power to act on those matters where the Resolution provides for judicial review, interpretation, variance or conditional use as defined in this Article.

12.04 PROCEDURE AND REQUIREMENTS FOR APPEALS AND VARIANCES

Appeals and variances shall conform to the procedures and requirements of this Resolution.

12.05 APPEALS

Appeals to the BZA concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing with the Zoning Inspector and with the BZA, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the BZA all the papers constituting the record upon which the action appealed from was taken.

12.06 FEES

To be set by the Township Trustees.

12.07 STAY OF PROCEEDINGS

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the BZA after the notice of appeal is filed with him, that by reason of facts stated in the application, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the BZA or by a court of record on application, with a notice to the Zoning Inspector from whom the appeal is taken.

12.08 VARIANCES

The BZA may authorize upon appeal in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions of this resolution would result in unnecessary hardship. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance.

12.09 APPLICATION AND STANDARDS FOR VARIANCES

A variance from the terms of this Resolution shall not be granted by the BZA unless and until a written application for variance is submitted to the Zoning Inspector and the BZA containing:

Name, address, and phone number of applicants.

Legal description of property.

Description of nature of variance requested.

A narrative statement demonstrating that the requested variance conforms to the following standards:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution.

That special conditions and circumstances do not result from the actions of the applicant.

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution, to other lands, structures, or buildings in the same district.

12.10 GUIDELINES FOR GRANTING VARIANCES

Variations may be granted by the Board where the strict application of any provision of this Zoning Resolution would result in peculiar and exceptional difficulties or undue hardship to the property owner. A request for a variance may be made to the BZA through the Inspector, by an aggrieved property owner.

A variance from the provisions or requirements of this Resolution shall not be authorized by the Board unless it finds that all the following facts and conditions exist:

Those unnecessary hardships would result from the literal enforcement of the provisions of this Zoning Resolution. Alleged hardships, such as theoretical loss or limited possibilities of economic advantage, shall not be considered real hardships. A hardship based on conditions created by the owner shall not be considered a sufficient hardship for the granting of a variance. It must be demonstrated that peculiar and special hardships exist which apply only to the property in question and are separate and distinct from the general conditions pertaining throughout the district.

That there are unique physical circumstances or conditions applying to the property in question such as irregularity, narrowness or shallowness of lot size or shape; exceptional topographical or other physical conditions.

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Resolution and that authorization of a variance is, therefore, necessary to enable the reasonable use of the property.

That said variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity and that the granting of such variance will not be injurious to persons working or residing in the neighborhood.

That the granting of such variance will not be contrary to the public interest (health, safety) or the intent and purpose of this Resolution and other adopted plans.

That said variance will not permit the establishment within a district of any use other than those permitted by right within that district, or any use for which a conditional permit is required.

That said variance may not be construed to mean a change of use but shall mean only a variation or modification from the strict provisions of this Resolution.

That said variance, if granted, is the minimum modification that will make possible the reasonable use of the land, building or structure.

That in no instance shall a variance be considered for the following reasons:

Presence of nonconformities in the zoning district.

Previous variances granted in the zoning district.

Uses in adjoining zoning districts.

The applicant's belief that the intended use would be permitted upon his purchase of the land.

The character standing of the applicant.

Hardship being demonstrated beyond the context of zoning; e.g. economics.

Variations to Nonconforming Uses and Buildings:

The Board shall have no powers to authorize, as a variance, the establishment of a nonconforming building or use, extension of or changes in nonconforming uses where none previously existed.

The substitution of a nonconforming use existing at the time of enactment of this Zoning Resolution for another nonconforming use shall be allowed provided no structural alterations are made except those required by law or resolution.

The Board shall adhere to all regulations contained in Article One of this Resolution in acting upon all nonconforming uses and modifications thereto.

12.11 CONDITIONS IMPOSED BY THE BOARD

The Board shall have the power to impose additional conditions and safeguards other than those stated in the Zoning Resolution when granting variances and conditional uses. Such additional conditions shall be reasonable and necessary to promote and preserve the public safety, general welfare and economic viability of the neighborhood and community and shall be imposed solely for the purpose of minimizing the effect of the variance or conditional use on surrounding property and the community as a whole. Violations of such conditions and safeguards, when made a part of the terms under which the variance or conditional use is granted, shall be deemed a violation of this Resolution and punishable under Article Thirteen of this Resolution.

12.12 LAPSES OF VARIANCES

A variance, once granted, shall not be withdrawn or changed unless there is a change of circumstances, or it, after the expiration of six months, no construction has taken place in accordance with the terms and conditions for which said variance was granted, the Zoning Inspector shall give a notice in writing, and thirty (30) days thereafter the variance shall be deemed null and void and all regulations governing said premises in question shall revert to those in effect before the variance was granted.

12.13 PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

12.14 NOTICE OF PUBLIC HEARING NEWSPAPER

Before holding the public hearing, notice of such hearing shall be given in one or more newspapers of general circulation of the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

12.15 NOTICE TO PARTIES IN INTEREST

Before holding the public hearing, notice of such hearing shall be mailed by the Chairman of the BZA, by first class mail, at least ten (10) days before the day of the hearing to all adjoining property owners. The notice shall contain the same information as required of notices published in newspapers as specified in this Article.

12.16 PROCEDURE AND REQUIREMENTS FOR CONDITIONAL USE APPROVAL

General:

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, and design, size, method of operation, circulation, and public facilities that each specific use must be considered individually.

12.17 CONTENTS OF APPLICATION FOR CONDITIONAL USE PERMIT

An application for conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals by at least one owner or lessee of property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

Name, address and phone number of applicant.

Legal description of property.

Description of existing use.

Present zoning district.

Description of proposed conditional use.

A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service area, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirement of this Resolution.

A narrative statement evaluating the economic effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and relationship of the proposed use to the comprehensive zoning plan. Such other information as required.

12.18 GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES

In addition to the specific requirements for conditionally permitted uses, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive zoning resolution.

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.

Will not be hazardous or distributing to existing or future neighboring uses.

Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

Will not create excessive additional requirements at the public cost for public facilities and services will not be detrimental to the economic welfare of the community.

Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general

welfare by reason of excessive production of traffic, smoke, noise, fumes, glare, or odors.

Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

12.19 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable.

12.20 PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

The Board shall hold a public hearing within twenty (20) days from the receipt of the application for a conditional use.

12.21 NOTICE OF PUBLIC HEARING IN NEWSPAPER

Before holding the public hearing, notice of such hearing shall be given in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed conditional use.

12.22 NOTICE TO PARTIES IN INTEREST

Before holding a public hearing, written notice of such hearing shall be mailed by the Chairman of the Board, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified in this Article.

12.23 EXPIRATION OF CONDITIONAL USE PERMIT

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than six (6) months.

12.24 DECISIONS OF THE BOARD

The Board shall decide all applications for variances, conditional uses and appeals within thirty (30) days after the final hearing thereon.

The applicant shall be notified in writing of the Board's decision and the finding of fact which were the basis for the Board's determination.

The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination of the Zoning Inspector as in its opinion ought to be made on the premises. The decision shall state any conditions and safeguards necessary to protect the public interest.

In reading a decision, the Board shall be guided by standards specified in this Resolution as well as by the community goals and policies specified in a comprehensive zoning plan and any recommendations made by the Zoning Commission.

A certified copy of the Board's decision including all terms and conditions shall be transmitted to the Zoning Inspector and shall be binding upon and observed by him. The Zoning Inspector shall fully incorporate these same terms and conditions in the permit to the applicant whenever a permit is authorized by the Board.

All findings and decisions shall be clearly set forth in the minutes of the Board.

In rendering a decision, the Board shall show that:

It has considered and evaluated all available information and evidence.

It has heard all parties in question.

Any personal knowledge the Board may have of the subject under question has been taken into account.

The Board has received a report on the case based upon an inspection of the parcel in question.

**12.25 DUTIES OF ZONING INSPECTOR, BOARD OF ZONING APPEALS
TOWNSHIP TRUSTEES AND COURTS ON MATTERS OF APPEAL**

It is the intent of this Resolution that all questions of interpretation and enforcement shall first be presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Administrator, and that recourse from the decision of the Board shall be to the courts as provided by the Ohio Revised Code.

It is further the intent of this Resolution that the duties of the Township Trustees in connection with this Article shall not include hearing and deciding question of interpretation and enforcement that may arise; these being the powers of the Board. Under this Article, the Township Trustees shall have only the duties of considering, adopting or rejecting proposed amendments or the repeal of all or part of this Resolution, as provided by law and of establishing a schedule of fees and charges.

If, in the course of carrying out the intent of this Article and after review of all appeal cases brought before it, the Board finds a series of similar irregularities or inequities, it shall be incumbent upon the Board to inform the Township Trustees and Zoning Commission of these inadequacies in order that the Zoning Resolution Map may be appropriately amended.

12.26 APPEAL TO COURTS

A person aggrieved by a decision of the Board may appeal to the Court of Common Pleas of Lorain County, Ohio.

ARTICLE THIRTEEN - PENALTY FOR VIOLATION

13.00 PENALTIES FOR VIOLATION

Violation of the provisions of this Resolution or failure to comply with any of its requirements (including violations of conditions and safeguards established in various articles of this Resolution) shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100 or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violations.

13.01 CIVIL ACTION

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, the Township Trustees, the County Prosecutor or Township Legal Advisor, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation may be in addition to other appropriate action, enter proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

13.02 REMEDIES CUMULATIVE

The exercise of the rights and remedies granted in this Article and the above paragraphs shall in no way preclude or limit the township or any person from exercising any other right or remedy now or hereafter granted to them under the laws of Ohio.

ARTICLE FOURTEEN – MISCELLANEOUS PROVISIONS

14.00 INTERPRETATION

In interpreting and applying the provisions of this Resolution, they shall be held to be the minimum requirements for the promotion of public health, safety or general welfare. Where this Resolution imposes greater restrictions upon the use of a building or land or upon the height, bulk or size of a building or structure or requires larger open spaces than are imposed or required by other Resolutions, rules, regulations, or permits, or any easements, covenants or agreements, impose greater restriction upon the use of a building or land, or upon the heights, bulk or size of a building or structure, or require larger open spaces that are required under the regulations of this Resolution, such provision shall govern.

14.01 VALIDITY

If any section, clause, provision or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or impair any other Article or part thereof.

14.02 EFFECTIVE DATE

This Zoning Resolution shall take effect and be in force at the earliest date permitted by the Ohio Revised Code.

14.03 REPEAL

Resolution No. _____ of Wellington Township and any subsequent resolution amending the same and all other resolutions or parts of resolutions in conflict herewith or contrary hereto be and the same are repealed.

Passed: _____

Effective: _____

Chairman, Board of Trustees

Attest: Township Clerk

Trustee

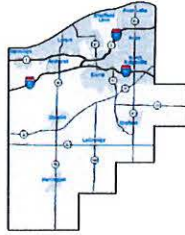
Trustee

Trustee

ADOPTED 8-06-2013 EFFECTIVE 9-06-2013

APPENDIX

WELLINGTON TOWNSHIP



Virginia Haynes
Fiscal Officer
PO Box 425
Wellington, Ohio 44090
Phone: (440) 647-7194
Fax: (440) 647-3814

BOARD OF TRUSTEES

Leroy Brasee
Nancy Fisher
Fred Pitts

LORAIN COUNTY OHIO

I, Virginia Haynes Fiscal Officer of Wellington Township in Lorain County, Ohio, whose custody the Files, Journals and Records of said Board are required by the Laws of the State of Ohio to be kept, do hereby certify that this Zoning Resolution is the true and accurate copy adopted in Resolution #21-033 by the Board on the 2nd day of March 2021.

Witness my signature, this 2nd day of March 2021

A handwritten signature in blue ink, appearing to read "Virginia Haynes", written over a horizontal line.

Virginia Haynes, Township Fiscal Officer

Wellington Township, Ohio Official Zoning Map

This zoning map is a graphic representation of the zoning resolutions of Wellington Township. It is not intended to replace the zoning resolutions for legal purposes of determining zoning designation.

Zoning Designations

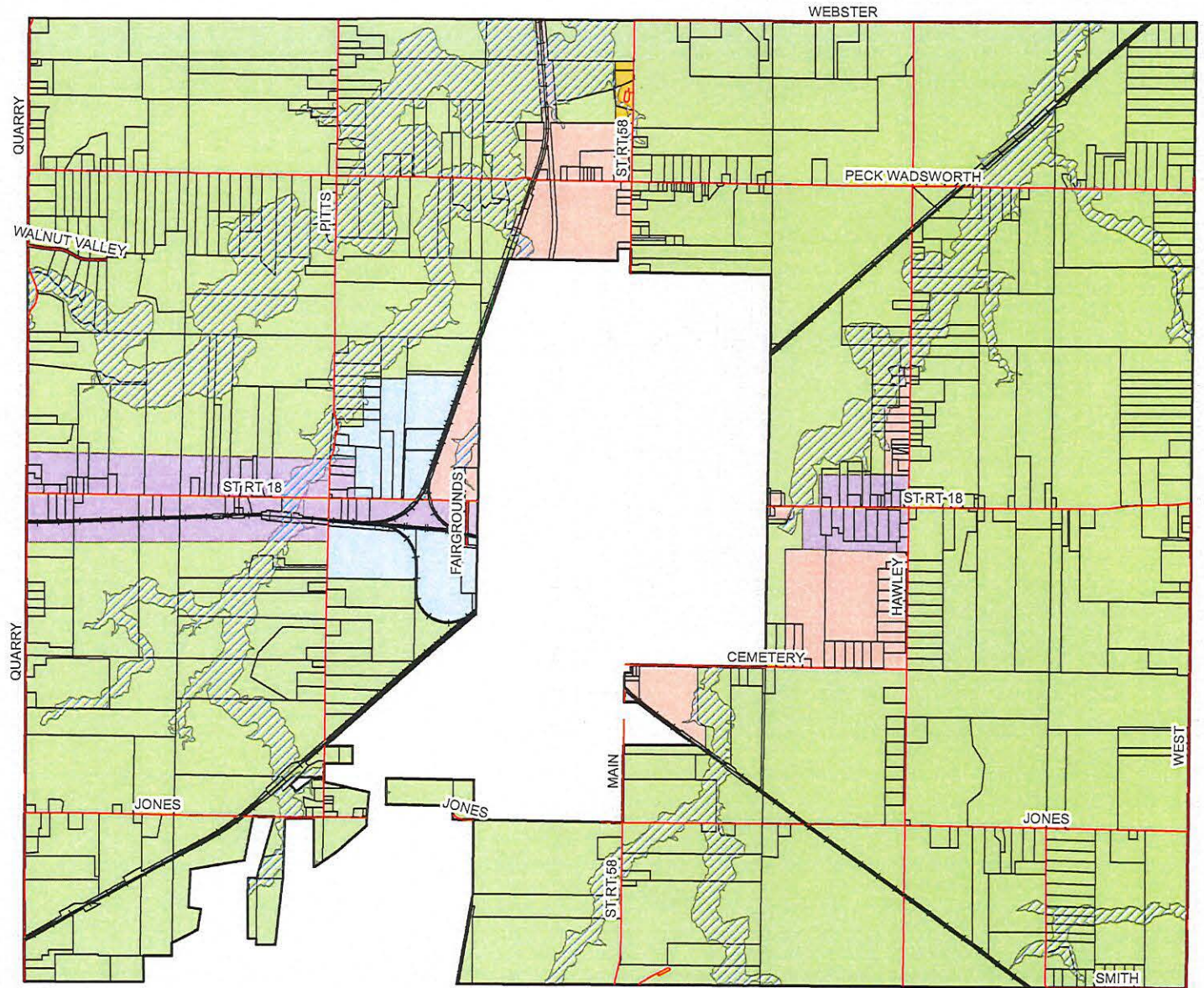
-  Agricultural Residential District
-  Highway Business
-  Light Industrial
-  Low Density Residential
-  Mobile Home Park
-  Flood Zone

0 0.25 0.5 1 Miles

1 inch = 2,390 feet

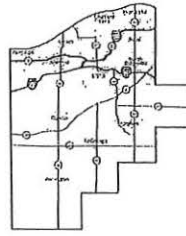
Map Produced by:

Lorain County Auditor
J. Craig Snodgrass, CPA, CGFM
GIS Department
06/05/2019 - SS



WELLINGTON TOWNSHIP

Virginia Haynes
 Fiscal Officer
 PO Box 425
 Wellington, Ohio 44090
 Phone: (440) 647-7194
 Fax: (440) 647-3814
<https://www.wellingtontownship.org>



BOARD OF TRUSTEES

Leroy Brasee
 Nancy Fisher
 Fred Pitts

LORAIN COUNTY OHIO

Zoning Permit Fee Schedule

New Construction	Residential Commercial/Industrial	\$0.20/ft² \$0.40/ft²	Residential minimum \$320 (1,600 ft ²); maximum \$500 Commercial/Industrial minimum \$400.00
Addition/Remodel (Exterior alteration)	Residential Commercial/Industrial	\$0.15/ft² \$0.30/ft²	Residential minimum \$100; maximum \$300 Commercial/Industrial minimum \$300
Accessory Building, Residential (Garage, Barn, Storage facility, etc.)	Portable <200 ft ² Permanent >200 ft ²	\$50.00 \$0.15/ft²	Permanent building minimum \$100
Fence	Residential Commercial/Industrial	\$25.00 \$50.00	
Sign	Residential (Home Occupation) Commercial/Industrial	\$50.00 \$150.00	
Pool	Above ground In ground	\$25.00 \$50.00	
Pond	Minimum ¼ acre	\$100.00	
Cellular/Communications Tower	Antenna adds	\$1,000.00 \$250.00	Annual renewal \$200
Temporary Trailer		\$2,400	To be placed in escrow account
Zoning Documents	Zoning Resolution Book Zoning Map	\$20.00 \$5.00	May be downloaded from website at no cost.
Board of Zoning Appeals (BZA) Meeting	Appeal Variance Conditional Use Conditional Use Renewal (Annual)	\$250.00 \$250.00 \$250.00 \$100.00	Plus deposit of \$175 for the cost of a court stenographer; if the cost of the stenographer is less, a refund will be returned. If the cost is more, a copy of the invoice will be sent showing the balance due to the township. Each addition meeting (if needed) \$200
Zoning Commission Meeting		\$250.00	Each addition meeting (if needed) \$200

Note: Beginning construction prior to obtaining the appropriate permit will result in double the cost of fee shown.

WELLINGTON TOWNSHIP

BOARD OF TRUSTEES

JAMES BARBOR
NANCY FISHER
DALE T. MCAVENA



Spirit
Of '76

FISCAL OFFICER

W. LOUISE GROSE
P. O. BOX 425
WELLINGTON, OHIO 44090
PHONE (440) 647-2219

At a regular meeting of the Wellington Township Trustees held on September 4, 2012, the following resolution was passed with a vote of 2 - 1:

#12-200 NOISE RESOLUTION: Barking and Howling Dogs - a.) No person shall keep or harbor any dog within the Township which, by frequent and habitual barking, howling or yelping creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Township. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered as harboring such dog.

b.) Whoever violates this section is guilty of a minor misdemeanor.

Wellington Township, Lorain Township Zoning Resolution
5/12/2011

APPENDIX 1.2011 – BARKING OR HOWLING DOGS

BARKING OF HOWLING DOGS.

No owner, harbored, or keeper shall keep or harbor any dog within the Township which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Township. Any person who shall allow any dog habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such dog.

Whoever violates this section is guilty of a minor misdemeanor.

WELLINGTON TOWNSHIP
P. O. BOX 425
WELLINGTON, OH 44090