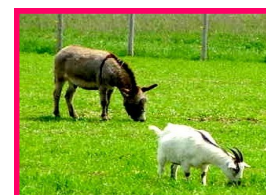
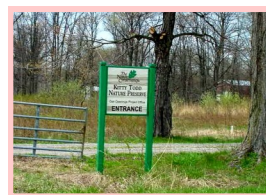


HARDING TOWNSHIP



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HARDING TOWNSHIP

Lucas County, Ohio

2015 TOWNSHIP ROSTER

BOARD OF TRUSTEES

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HARDING TOWNSHIP
ZONING RESOLUTION

ADOPTED

NOVEMBER 3, 1970

TEXT AMENDMENTS

Z37-C3	NOVEMBER 12, 1973
Z37-C6	JUNE 25, 1979
Z37-C9	FEBRUARY 9, 1987
Z37-C10	AUGUST 10, 1987
Z37-C13	DECEMBER 3, 1990
Z37-C19	APRIL 7, 1997
Z37-C20	MARCH 8, 1999
Z37-C22	OCTOBER 9, 2000
Z37-C24	FEBRUARY 11, 2008
Z37-C25	APRIL 6, 2009
Z37-C28	JANUARY 11, 2010
Z37-C29	APRIL 12, 2010
Z37-C31	AUGUST 13, 2012
Z37-C32	OCTOBER 13, 2014

ZONING MAP AMENDMENTS

Z37-C26	FEBRUARY 14, 2011
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SPECIAL USE APPROVALS

Z37-C30	FEBRUARY 14, 2011
Z37-C27	OCTOBER 12, 2011

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SECTION 1
GENERAL PROVISIONS

100 ENACTMENT; TITLE

The Board of Township Trustees in accordance with the enabling legislation for Township Zoning as provided in Chapter 519 of the Ohio Revised Code hereby provides as follows: This Resolution shall be known as and may be cited to as the "Zoning Resolution" of Harding Township, as amended and is referred to herein as "Resolution."

101 PURPOSE

The purpose of this Resolution is to promote the public health, safety, and general welfare of the residents of Harding Township. This Resolution shall serve the general good of the community as a whole, protect property values, and secure the most appropriate use of the land in accordance with the adopted 2004 Harding Township Future Land Use Plan (as amended from time to time). This Resolution amends the Zoning Resolution of the Board of Trustees of Harding Township, Lucas County, Ohio, effective November 3, 1970, as amended to the date of the adoption of this amending Resolution, in each and every part thereof that is inconsistent with this amending Resolution.

102 INTERPRETATION AND RELATIONSHIP TO OTHER REGULATIONS

The interpretation and application of any provision of this Resolution shall be held to be the minimum requirements, adopted for the promotion of the public health, safety, and general welfare. When the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations or resolutions, the most restrictive requirements imposing the higher standards shall apply.

103 SEVERABILITY

Should this Resolution, or any section of this Resolution, be declared by a court to be unconstitutional or invalid, such a decision shall not affect the validity of this Resolution as a whole, or any other parts thereof, other than the part declared unconstitutional or invalid; in the event of such a declaration, then the applicable provision of the prior Zoning Resolution (Zoning Resolution November 3, 1970, as amended) is hereby re-instated.

104 REPEAL OF CONFLICTING RESOLUTIONS

All resolutions in conflict with this Resolution, or inconsistent with the provisions of this Resolution, are hereby repealed to the extent necessary to give this Resolution full force and effect.

105 EFFECTIVE DATE

This Resolution shall become effective from and after the date of its approval and adoption by the Board of Township Trustees, as provided in ORC 519.12.

106 AREA OF JURISDICTION

The provisions of this Resolution apply to all unincorporated areas of Harding Township, Lucas County, Ohio.

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**SECTION 2
APPLICABILITY**

200 GENERAL APPLICABILITY OF ZONING RESOLUTION

No structure or part thereof shall be placed upon or moved onto land, constructed, reconstructed, enlarged, or structurally altered, nor shall any structure, building or land be used or occupied in a manner which does not comply with the district regulations established by this Resolution for the district in which the building, structure, and/or land is located.

A. Lot Size Requirements and the Subdivision of Land

No lot or lot of land held under one ownership, with or without a building, at the time this Resolution became effective, shall be reduced, nor shall any such lot be subdivided in any manner below the minimum lot width and lot area required by this Resolution. No lots shall be built on unless the lot has frontage along a public street or private place.

B. Reductions in Yard Requirements

No building may be enlarged which would result in decreasing a yard to less than below the minimum requirements of the applicable zoning district.

C. Location of Uses on a Single Lot

Unless otherwise specifically allowed in Section 907 Supplemental Regulations, only one principal building whether presently existing or hereafter constructed, relocated or structurally altered shall be located on a single lot.

D. Unsafe Buildings

Nothing in this Resolution shall prevent the strengthening, or restoring to a safe condition any structure, or part thereof declared unsafe by a proper authority.

E. Conversion of Dwellings

The conversion of any structure into a dwelling or the conversion of any dwelling to accommodate an increased number of dwelling units is permitted only in accordance with all requirements of this Resolution.

F. Parking Requirements

No land use may change from one use to another use without first meeting the parking requirements for the new use.

201 AGRICULTURE

Pursuant to the Ohio Revised Code, the use of land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land on which such buildings or structures are located, shall be permitted in all districts established by this Resolution. No Zoning Certificate shall be required for any such building or structure, except where regulated within platted areas on lots of less than five (5) acres, farm markets, or as specifically listed below.

A. Dwellings in an Agriculture District

Dwellings on the same property as agricultural operations are not herein defined as agricultural structures and are subject to all requirements contained in this Resolution.

201 AGRICULTURE (cont'd)

B. Raising / Maintaining Livestock (Farm Animals)

In a platted subdivision approved under the Ohio Revised Code Section 711.05, 711.09 or 711.10, or in any area consisting of fifteen or more lots approved under the Ohio Revised Code Section 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, the following regulations shall apply:

1. On lots of three (3) acres or less, the breeding, raising or maintaining of farm animals such as horses, pigs, cows, sheep, goats, chickens, and similar livestock is prohibited.
2. On lots of greater than three (3) acres but less than five (5) acres, a lot owner may stable or keep livestock provided buildings or stables incident to the housing of livestock shall not be permitted within fifty (50') feet of a dwelling or an adjacent property line.
3. Buildings, pens, pastures, or enclosures used for housing or containing animals shall be located a minimum of one hundred (100') feet from the centerline of any adjacent road.
4. There shall be at least one (1) acre per horse or pony on a single property on which the horses or ponies are stabled.
5. No lot owner shall permit the use of any lot for the keeping of farm animals or livestock that produces, directly or indirectly, the noxious odor of the animals and livestock, insects, flies or other carriers of waste material, including, but not limited to, the transmission or flow of animal waste through the ground or by air from the lot to any adjoining lot or public right-of-way, or any other result of an animal or an animal husbandry ownership or use, which endangers the public's health, safety and general welfare on the lot or the owners or occupant of any adjoining lot. The Board of Township Trustees may determine and find any such use to be a nuisance and that such nuisance causes injury to the property of another, endangers life and health, is offensive to the senses, violates laws of decency, or obstructs the reasonable and comfortable use of one's property.

C. Farm Market

Farm markets are allowed in any zoning district if fifty (50%) percent or more of the gross income received from the farm market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. Farm markets that do not provide more than fifty (50%) percent of the gross income from produce raised on land owned or operated by the market operator are prohibited. Farm markets are subject to Section 12 - Site Plan Review for consideration of size/setback of structure(s), parking areas, and ingress/egress.

202 EXCEPTIONS

Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties or unnecessary hardships in carrying out the strict letter of this Resolution providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Section 19. Hardship shall be based on the physical limitations of the land or structures and shall not encompass financial considerations.

**SECTION 3
PROVISIONS FOR OFFICIAL ZONING MAP**

300 OFFICIAL ZONING MAP

The zoning district locations and boundaries are shown on the map titled "The Official Harding Township Zoning Map" herein. This map is at the Harding Township Hall and is hereby declared to be a part of this Resolution.

301 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the Zoning Map, the following rules shall apply:

A. Parallel District Boundaries

Where district boundaries appear to be approximately parallel to the center line or road lines of the road, or the center line or right-of-way lines of highways, such district boundaries shall be construed as parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.

B. Lot Lines, Railroad Lines, and Waterways

Where district boundaries approximately follow lot lines such lot lines shall be construed as a boundary of a zoning district. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line. Where the boundary of a district follows (or is parallel to) a waterway, such boundary shall be deemed to be located in the middle of the waterway.

C. Interpretation by Board of Zoning Appeals

Any questions of interpretation of the Official Zoning Map, which cannot otherwise be resolved, shall be referred to the Board of Zoning Appeals for determination, in accordance with Section 19 - Board of Zoning Appeals.

302 ESTABLISHMENT OF DISTRICTS

For the purpose of regulating and restricting the location of buildings, structures and land use, Harding Township is divided into zoning districts as shown on the Official Zoning Map. These districts include the following and are illustrated on the Official Zoning Map:

ZONING DISTRICTS

- P/O** Public/Open Space District
- A** Agricultural
- C** Commercial
- M** Industrial

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SECTION 4
P/O PUBLIC/OPEN SPACE DISTRICT

400 PURPOSE

The purpose of the Public/Open Space (P/O) District is to preserve and protect significant natural areas, drainage ways and flood plains, and to designate land for public use in of Harding Township.

401 PERMITTED USES

The following uses are permitted in the Public/Open Space District:

Accessory uses and structures
Cemetery (public/private)
Conservation area(s)
Public uses
Public parks/recreation
Private School (K-12)

402 CONDITIONAL USES

The following uses may be requested in accordance with Section 15 - Procedures and Requirements for Conditional Uses:

(Rev. 8-13-12. Z37-C31.)

Telecommunication tower (See Section 914)

403 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

A. Height limits

No building shall be constructed or enlarged to exceed forty-five (45') feet in height.

B. Area Requirements:

All lots shall meet the following area, coverage, and yard requirements.

Lot Area: There is no minimum lot area.

Lot Coverage: Sixty (60%) percent maximum

Front Yard: Thirty-five (35') feet minimum

Side Yard: Ten (10%) percent or ten (10') feet minimum, whichever is less

Rear Yard: Thirty-five (35') feet minimum

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SECTION 5
A AGRICULTURAL

500 PURPOSE

The purpose of the A Agricultural District is to provide areas for single-family dwellings on lots one (1) net acre in size or larger and agricultural activities and related uses.

501 PERMITTED USES

The following uses are permitted in the A Agricultural District:
(Rev. 10-13-14. Z37-C32.)

Accessory uses and structures	Elevator storage
Agricultural product sales/Farm markets	Home occupation (See Section 905)
Dwelling, single-family	Permanently sited manufactured home
	Public service facilities

502 CONDITIONAL USES

The following uses may be approved pursuant to Section 15 - Procedures and Requirements for Conditional Uses:
(Rev. 8-13-12. Z37-C31.)

Adult correctional rehabilitation facility	Mineral extraction (See Section 906)
Bed and Breakfast	Recreational facility, indoor or outdoor
Church or place of worship	Commercial Riding stables/boarding of domesticated animals
Club	School
Day Care	Small Wind Turbine (See Section 921)
Golf Course	Telecommunication tower (See Section 914)
Group Living	Two-family dwelling
Kennel	
Landscape/nursery	

503 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

A. Height Limits

No building, except those for agricultural purposes, shall be constructed or enlarged to exceed thirty-five (35') feet in height.

B. Area Requirements

All lots shall meet the following minimum requirements:

Lot Area: One (1) net acre

Lot Width: One hundred fifty (150') feet

Front Yard: One hundred twenty (120') feet from the centerline of SR 295, one hundred (100') feet from the centerline of all other roads

Side Yard: Twenty-five (25') feet

Rear Yard: Fifty (50') feet

503 DEVELOPMENT STANDARDS (cont'd)

C. Floor Area Requirement

All single-family dwellings and permanently sited manufactured homes shall have a minimum floor area of 1500 sq. ft. In determining floor area, only livable areas may be included. Garages, breezeways, basements and porches are excluded.

SECTION 6
RR RURAL RESIDENTIAL

600 PURPOSE

The purpose of the RR Rural Residential District is to provide areas for low-density, single family dwellings, on lots one (1) net acre in size or larger. Dwellings must provide water and sewage disposal in accordance with Toledo-Lucas County Health Department regulations.

(Rev. 8-13-12. Z37-C31.)

601 PERMITTED USES

The following uses are permitted in the RR Rural Residential District:

(Rev. 8-13-12. Z37-C31.)

Accessory uses and structures
Agricultural product sales
Dwelling, single-family

Home occupation (See Section 905)
Public service facilities

602 CONDITIONAL USES

The following uses may be approved pursuant to Section 15 - Procedures and Requirements for Conditional Uses:

(Rev. 8-13-12. Z37-C31.)

Adult correctional rehabilitation facility
Bed and Breakfast
Church or place of worship
Club
Day Care
Golf Course
Group Living
Kennel
Landscape/nursery

Mineral extraction (See Section 906)
Recreational facility, indoor or outdoor
Commercial Riding stables/boarding of domesticated animals
School
Small Wind Turbine (See Section 921)
Telecommunication tower (See Section 914)
Two-family dwelling

603 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

(Rev. 8-13-12. Z37-C31.)

A. Height Limits

No building, except those for agricultural purposes, shall be constructed or enlarged to exceed thirty-five (35') feet in height.

B. Area Requirements

All lots shall meet the following minimum requirements:

Lot Area: One (1) net acre

Lot Width: (Road Frontage) One hundred fifty (150') feet

Front Yard: One hundred twenty (120') feet from the centerline of SR 295, one hundred (100') feet from the centerline of all other roads

Side Yard: Twenty-five (25') feet

Rear Yard: Fifty (50') feet

604 DEVELOPMENT STANDARDS (cont'd)

(Rev. 8-13-12. Z37-C31.)

C. Floor Area Requirement

All single-family dwellings and permanently sited manufactured homes shall have a minimum floor area of 1500 sq. ft. In determining floor area, only livable areas may be included. Garages, breezeways, basements and porches are excluded.

SECTION 6.5
C COMMERCIAL DISTRICT

650 PURPOSE

The purpose of the C Commercial District is to provide areas for general commercial uses. These uses are typically located along major roadways and may serve a broad market area.
(Rev. 8-13-12. Z37-C31.)

651 PERMITTED USES

The following uses and similar uses as interpreted by the Zoning Inspector are permitted in the C Commercial District:
(Rev. 8-13-12. Z37-C31.)

Accessory uses and accessory structures	Manufactured home sales
Amusement arcade	Medical/dental office
Meeting or reception hall	Office
Automobile service center	Plant nursery
Automobile sales	Recreation facility, indoor or outdoor
Bank / financial center	Recreational vehicle sales
Bar/lounge	Restaurant
Carwash	Self serve storage
Club	Sexually oriented business (See Section 902)
Funeral home	Veterinary hospital
Gasoline sales	

652 CONDITIONAL USES

The following uses may be approved pursuant to Section 15 – Procedures and Requirements for Conditional Uses:
(Rev. 8-13-12. Z37-C31.)

Motor vehicle salvage yards – not to include junk yards (See Section 920)

653 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the C Commercial District shall meet the following development standards:

A. Height Limit:

No structure shall be constructed or enlarged to exceed thirty-five (35') feet in height.

B. Coverage and Setback Requirements

All lots shall meet the following requirements:

Lot Coverage: Sixty (60%) percent maximum

Front Yard: One hundred twenty (120') feet from the centerline of SR 295, one hundred (100') minimum feet from all other roads

Side Yard: Ten (10') feet minimum (See Section 912)

Rear Yard: Twenty (20') feet minimum (See Section 912)

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SECTION 7
M INDUSTRIAL DISTRICT

700 PURPOSE

The purpose of the M Industrial District is to provide areas for industrial uses that are separated from residential areas except in those instances where natural features and buffer areas separate the two uses.

701 PERMITTED USES

The following uses are permitted in the M Industrial Zoning District:

Accessory uses and accessory structures	Lumber yard
Automobile/truck repair garage	Production/storage of petroleum-related product(s)
Contractor yard	Truck terminal
Manufacturing	

702 CONDITIONAL USES

The following uses may be approved pursuant to Section 15 Procedures and Requirements for Conditional Uses:

(Rev. 8-13-12. Z37-C31.)

Correctional facility	Material recovery facility
Landfill	Motor vehicle salvage yards and junk yards (See Section 920)
Storage and distribution of compressed gases	Processing/manufacture/storage of asphalt, concrete, or other excavated materials
Mineral extraction, storage, processing, and manufacture (See Section 906)	Production, storage, and distribution of volatile materials

703 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the M Heavy Industrial District shall meet the following development standards:

(Rev. 8-13-12. Z37-C31.)

A. Height Limit

No structure shall be constructed or enlarged to exceed forty-five (45') feet in height.

B. Coverage and Setback Requirements

All lots shall meet the following requirements:

Lot Coverage: Sixty (60%) percent maximum

Front Yard: One hundred twenty (120') feet minimum from the centerline of SR 295, one hundred (100') feet minimum from all other roads

Side Yard: Thirty (30') feet minimum (See Section 912)

Rear Yard: Forty (40') feet minimum (See Section 912)

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SECTION 8
PUD PLANNED UNIT DEVELOPMENT

800 PURPOSE

The Planned Unit Development (PUD) is a voluntary procedure that provides an overlay zoning district intended to encourage innovative design and conserve and/or create significant natural features such as those found in the Oak Openings region. (Information pertaining to the Oak Openings region may be obtained by contacting the local Nature Conservancy field office.) The Planned Unit Development allows greater design flexibility so that natural features and/or usable, accessible, consolidated open space may be preserved, enhanced, and/or created by concentrating development in a coordinated and efficient manner. The developer should attempt to conserve and maintain significant wildlife habitats in existing wooded areas, meadows, and hedgerows and tree lines between fields or meadows as physically possible.

The Harding Township Board of Trustees acknowledge that the adopted Harding Township Land Use Plan discourages development without sanitary sewer and waterlines and that most likely it will be many years into the future before a PUD is an appropriate land use for Harding Township.

801 DESCRIPTION

The Planned Unit Development may be a residential, commercial, office and research, or industrial development or may be a combination of uses with no minimum site area required. Where a combination of uses are proposed, a maximum of twenty-five (25%) percent of the total acreage may be developed with uses not permitted in the underlying zoning district. The Board of Township Trustees are responsible in determining if the combination of uses meet the standards set forth in this section. Signs for uses developed pursuant to the aforesaid twenty-five (25%) percent provision, shall conform to the district in which the use is permitted and subject to Section 11 - Signs and Outdoor Advertising of this Resolution.

802 PROCEDURE

The Planned Unit Development application shall be submitted and processed pursuant to Section 16 Zoning Changes and Text Amendments. The decisions to rezone land to a PUD classification and to approve a Development Plan are accomplished concurrently. The applicant shall submit a "Request for Zoning Change" application with twenty (20) copies of the development plan along with the required application fees. The development plan shall include the following:

A. Development Plan Information

1. Name, address, phone number, and fax number of the applicant.
2. Name, address, and phone number of the registered surveyor, engineer and/or landscape architect who prepared the plan.
3. Legal description of the property.
4. An electronic file of the site plan and associated plans.
5. A vicinity/project location map.
6. A conceptual drainage plan.
7. The location and amount of usable, accessible, consolidated open space(s).

802 PROCEDURE (cont'd)

8. The gross lot acreage, net lot acreage, maximum allowable density, and the proposed density with calculations indicated.
 9. The amount of site coverage.
 10. Topography at two-foot contour intervals.
 11. Existing features of the development site, streets, easements, utility lines, and land uses.
 12. Street layout and names along with sidewalks/ pedestrian walkway locations.
 13. The existing buildings to remain or to be removed, and if the existing buildings remain, indicate proposed use.
 14. All proposed signs (with setbacks from the right-of-way) excluding street signs.
 15. Location, area and dimensions of all lots, setbacks, and building envelopes.
 16. Typical building envelope with all proposed setbacks.
 17. The development plan shall illustrate any and all existing natural land features such as trees, forest cover, and water resources and all proposed changes to these features including the size and type of material(s) to be replaced on the site.
 18. A detailed landscaping plan showing the location of trees and plant materials to be preserved and trees and plant materials to be installed.
- B.** Once the application is deemed complete by the Zoning Inspector, the Development Plan may be forwarded to the Lucas County Planning Commission for their review and recommendation(s).
- C.** The developer is required to receive Final Plat approval from the Lucas County Planning Commission prior to receiving Zoning Certificates. An approval of the subdivision plat by the Lucas County Planning Commission that is significantly different from the PUD Development Plan approved by the Board of Trustees shall nullify the Township approval and shall require application for amendment review and approval.

803 ADDITIONAL INFORMATION

The Board of Township Trustees, Zoning Commission, and/or Zoning Inspector may require additional information such as professionally prepared maps, tree inventory, studies or reports including environmental assessments and/or traffic impact studies for the development. The expense for this information is the responsibility of the applicant.

A. General

1. The development shall be in conformance with the goals and objectives of the Harding Township Land Use Plan, Zoning Resolution and applicable Subdivision Regulations (as amended from time to time).
2. The development shall be compatible with the proposed and existing surrounding land uses.

803 ADDITIONAL INFORMATION (cont'd)

3. The arrangement of land uses and buildings on the site shall be integrated with the topography, natural features, and open space of the property.

B. Specific - Residential

1. The maximum number of dwelling units (DU's) permitted per gross site acreage (GSA) is one (1) per acre.
2. No more than forty (40%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway pavement, and parking area pavement.
3. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard, shall be allocated to usable, accessible, and consolidated common open space.
4. A thirty-five (35') foot yard area void of parking shall be maintained along all perimeter property lines of the Planned Unit Development. When a residential area of a Planned Unit Development abuts a "C" or "M" district, a perimeter yard area shall be provided that has a minimum depth of seventy five (75') feet.
5. Building height shall be in accordance with the underlying zoning district.
6. Minimum lot size, lot width, building or structure setback requirements may be waived as part of the PUD approval process.
7. Telephone, electrical, cable, and other utility appurtenances shall be sufficiently screened.

C. Specific – Commercial

1. Commercial developments shall be planned with common parking areas and common points of ingress and egress. Parking requirements shall be provided pursuant to Section 14 - Parking Requirements, and the number of spaces required shall be determined by each specific use within the Planned Unit Development.
2. A yard area void of parking shall be maintained along all perimeter property lines of the Planned Unit Development as follows:
 - A minimum yard depth of thirty (30') feet shall be provided unless a greater rear yard setback is required as listed in the underlying zoning district.
 - A minimum yard depth of seventy-five (75') feet shall be provided when abutting an "A" district.
3. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard, shall be allocated to usable, accessible, and consolidated common open space.
4. No more than sixty (60%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street, driveway and parking area pavement.
5. Landscaping or screening for parking shall be required pursuant to Section 13 - Landscaping Requirements.

803 ADDITIONAL INFORMATION (cont'd)

6. Minimum lot size, lot width, building, or structure setback requirements may be waived as part of the PUD approval process.
7. Telephone, electrical, cable, and other utility appurtenances shall be sufficiently screened.

D. Specific - Industrial

1. Industrial Planned Unit Developments shall utilize natural features to screen lighting, parking, outdoor storage and any other unsightly feature of the development.
2. Landscaping or screening for parking pursuant to Section 13 Landscaping Requirements.
3. A minimum yard depth of seventy-five (75') feet, void of parking, shall be provided and maintained on all perimeter property lines of the Planned Unit Development unless a greater setback is required by the Resolution.
4. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard, shall be allocated to usable, accessible, and consolidated common open space.
5. Minimum lot size, lot width, building or structure setback requirements may be waived as part of the PUD approval process.
6. No more than sixty (60%) of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway pavement, and parking area pavement.

804 FINDINGS REQUIRED

The Lucas County Planning Commission, after considering the requirements of this Section may recommend the approval, approval with modifications, or disapproval of the development plan. The Planning Commission shall forward this recommendation to the Township Zoning Commission. The Township Zoning Commission may recommend and Township Trustees may approve, or approve with modifications, or disapprove the Planned Unit Development. The Township Trustees may approve the PUD provided the following findings are made:

- A. The PUD requirements are in conformance with this Resolution.
- B. The uses proposed will not be detrimental to the present and potential uses in the surrounding area and in the development, but will have a beneficial effect, which could not be achieved under any other district.
- C. Exceptions from this Resolution, if any, are warranted by the design and amenities incorporated into the planned unit development.
- D. Land surrounding the proposed development can be planned and developed in coordination with the proposed development and with compatible uses.
- E. The proposed Planned Unit Development District and any required change in the underlying zoning is in conformance with recognized principles and standards of community and neighborhood planning and development, the Lucas County Major Street and Highway Plan, and the Harding Township Land Use Plan.

804 FINDINGS REQUIRED (cont'd)

- F. Existing and proposed streets are suitable and adequate to carry anticipated traffic within and in the vicinity of the Planned Unit Development.
- G. Utility sources are adequate or will be prior to the issuance of a Zoning Certificate.
- H. The proposed Planned Unit Development can feasibly be developed within a reasonable time so that large tracts of lands will not for long periods of time remain undeveloped, but committed to specific developments most needed to serve the public at some future time.

805 CHANGE TO APPROVED PLAN

Changes or alterations to the development plan as approved by the Board of Township Trustees may be administratively reviewed and approved by the Zoning Inspector, except in the following circumstances which will require approval by the Township Trustees:

- A. Change in the overall acreage of the Planned Unit Development.
- B. Any change in use in the Planned Unit Development.
- C. Substantial alteration of open space areas and their location(s).
- D. A significant change in street pattern.
- E. A significant change in the landscape plan.
- F. An increase in the number of buildings.
- G. Changes in the building or building envelope location(s).
 - Any changes or alterations approved by the Township Trustees or the Zoning Inspector under this Section are administrative in nature and shall not be considered an amendment to the Township Zoning Resolution for the purposes of ORC Section 519.12.

806 EXPIRATION AND EXTENSION OF APPROVAL PERIOD

If construction of any phase of the approved Planned Unit Development begins within two (2) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within two (2) years after approval is granted, the Planned Unit Development shall be void and the land shall revert to the original zoning classification prior to the PUD application. An extension of the time limit may be approved by the Board of Township Trustees.

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SECTION 9
SUPPLEMENTAL REGULATIONS

900 GENERAL

In addition to the zoning district requirements, the following Supplemental Regulations shall regulate certain uses and structures in Harding Township:

901 ACCESSORY BUILDING OR STRUCTURE

An accessory building or structure shall be subject to the following requirements:

- A. Can only be located on a parcel that has a principal building.
- B. It shall be located behind or adjacent to the principle building, but may not project in front of the principle building.
- C. The minimum distance of the accessory building or structure from the principal building shall be fifteen (15') feet in all districts.
- D. The minimum distance of the accessory building or structure from any lot line shall be twenty-five (25') feet and shall not be located within any required planting strip pursuant to Section 13. Where the accessory building is located on a corner lot, the rear of which abuts upon the side lot line of another lot, the accessory building shall not project within the front yard line required on the lot in the rear of such corner lot.
- E. In any district, accessory buildings shall not exceed the maximum allowable height of the district.
- F. A canopy is an accessory structure and shall be permitted in the General Commercial (C) District on a lot used for gasoline sales.
- G. A trash receptacle container (dumpster) is an accessory structure that shall conform to the provisions of this section and shall be screened on all sides with a solid material.
- H. No Zoning Certificate is required for any accessory building or structure that is less than two hundred (200) square feet in size; all other requirements of this section apply.
- I. Propane tanks that are over 100 pounds size and used for heating or residential use are considered structures and must be placed alongside or behind the principal building. Screening and zoning certificates are not required for this structure.
(Rev. 8-13-12. Z37-C31. Rev. 10-13-14. Z37-C32)

902 SEXUALLY ORIENTED BUSINESS

- A. Because research has shown that sexually oriented business activities can cause or contribute significantly to the deterioration of residential neighborhoods, can impair the character and quality of such neighborhoods and the housing located therein, and can inhibit the proper maintenance and growth of such neighborhoods, limiting or reducing the availability of quality, affordable housing for area residents, and reducing the value of property in such areas, sexually oriented businesses shall only be permitted as follows:
- B. Sexually oriented businesses are permitted uses in the C District provided the proposed locations of such uses are more than five hundred (500') feet from the following uses:

902 SEXUALLY ORIENTED BUSINESS (cont'd)

1. Any residential or agricultural zoned district, place of worship, school, day care, library or public playground, or park.
 2. Any other recreational facility, sports field or amusement park regularly attended by persons under 18 years of age.
 3. Any other sexually oriented business or within a radius of one thousand (1,000') feet of any two sexually oriented businesses.
- C. The measure of distance for purposes of this section shall be from the property line of the sexually oriented business use to the property line of the sensitive use along the shortest possible course, regardless of any customary or common route or path.
- D. The Zoning Inspector shall only consider the standards specified in this Resolution in determining whether to approve a sexually oriented business application for a zoning certificate. The determination shall be made without a public hearing being held and must be made within 20 days of the receipt of a complete application for a Zoning Certificate.
- E. No person, other than an applicant who has been denied a Zoning Certificate, may appeal the decision of the Zoning Inspector to the Board of Zoning Appeals.

903 ARCHITECTURAL PROJECTIONS

- A. Cornices, eaves, sills, canopies, window wells, or other similar architectural features (not including vertical projections) may extend or project into the required side yard not more than two (2") inches for each one (1') foot of width of side yard and may extend or project into a required front or rear yard not more than three (3') feet.
- B. Chimneys may project into a required yard not more than two (2') feet.
- C. Open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard not more than four (4') feet.
- D. Decks
1. A zoning certificate is required for a deck if it is:
 - a. Attached to a building.
 - b. Unattached but close enough to a building that it can be reached by stepping from the building to the deck.
 - c. Over 200 square feet in area.
 2. Zoning certificate application requirements:
 - a. A site plan must show:
 - i. The locations of leach field(s), septic tank, well, and the like.
 - ii. Distance from property lines.
 - iii. Location and size of deck.
 - b. Health Department "Pink Slip"

903 ARCHITECTURAL PROJECTIONS (cont'd)

- 3. Decks may not be placed over or obstruct access to a well, leach field, septic tank, cistern, or hauled water tank without approval of the Health Department.
 - 4. Decks shall be constructed in accordance with the OBBC regulations.
(Rev. 8-13-12. Z37-C31.)
- E. Wheelchair ramps shall conform to all ADA requirements and may project into any required yard areas. A wheelchair ramp requires a Zoning Certificate that will be issued at no expense to the applicant.

904 FENCES

A. General Requirements

- 1. A Zoning Certificate shall be obtained to construct, enlarge, alter and/or replace any fence.
- 2. Fences are permitted to be placed along a property line but shall not extend beyond the property line or into any right-of-way area. It is a property owner's responsibility to locate property lines and a survey is required to locate a fence along a property line.
- 3. All fences shall be properly maintained with respect to height, appearance, and safety so as not to become a nuisance. A finished side of the fence shall face the adjacent property.

B. Agricultural/Open Space Districts

The following regulations apply to all fences in any Agricultural or Public/Open Space District:

- 1. Fences within a required front yard setback area shall not exceed forty-eight (48") inches in height above grade.
- 2. Fences between the principal building and both roads on corner lots shall not exceed forty-eight (48") inches in height above grade.
- 3. Fences to the side or rear of a building shall not exceed six (6') feet in height above grade.
- 4. Fences enclosing swimming pools shall have a minimum height of forty-eight (48") inches and a maximum height of six (6') feet above grade and shall have a lockable, self-latching gate.

C. Commercial/Industrial Districts

The following regulations apply to all fences in any Commercial or Industrial District:

- 1. Fences between the principal building and a road shall not exceed forty-eight (48") inches in height above grade.
- 2. Fences between the principal building and both roads on corner lots cannot exceed forty-eight (48") inches in height above grade.

904 FENCES (cont'd)

3. Fences to the side or rear of a building shall not exceed six (6') feet in height above grade in the Commercial District and cannot exceed eight (8') feet in height above grade in the Industrial District.

D. Prohibited Fences

The following types of fencing are prohibited in all districts:

1. Barbed wire, razor ribbon and similar types except in conjunction with agricultural activities.
2. Any fence that impedes the view of vehicular traffic or creates any type of safety hazard.
3. Fencing that is charged or connected with an electrical current, except in conjunction with agricultural activities.
4. No fence, structure or planting shall be maintained within thirty (30') feet of the corner (point of intersection of the two (2) road right-of-ways) at a height exceeding 2 1/2 feet above the adjacent pavement grade.

905 HOME OCCUPATION

Home occupations are permitted subject to the following requirements:

- A. A home occupation may be conducted in the dwelling or in an accessory building. The home occupation use in an accessory building shall not exceed 10% of the lot area or 5,000 square feet in area maximum.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of floor area of the dwelling unit shall be used in the operation of the home occupation.
- C. Only members of the family residing on the premises shall be engaged in the home occupation.
- D. There shall be no change in the outside appearance of the building or premises no outside storage of materials incidental to the home occupation, and no other visible evidence of the conduct of such home occupation other than one (1) sign not exceeding two (2) square feet in area that is non-illuminated.
- E. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution, and shall not be located in a required front yard.
- F. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference that is detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

906 MINERAL EXTRACTION AND ANCILLARY ACTIVITIES

The following principles of acceptance, submission, and design requirements shall apply to mineral extraction and ancillary activities. Mineral extraction may be permitted as Conditional Use in any zoning district when the excavation is related to a lake development as part of a residential, commercial, or industrial development. In addition to the provisions of Section 15 - Procedures and Requirements for Conditional Uses, the following provisions shall be considered in the review of a proposed lake development and mineral extraction and ancillary activities:

(Rev. 8-13-12. Z37-C31.)

A. Principles of Acceptance

In reviewing the location and the development plan of a proposed mineral extraction operation, the following general principles of acceptance shall be considered with respect to the particular location and the present and future development of the area:

1. The mineral extraction operation shall not be detrimental to the adjacent land and surrounding area.
2. Storm water runoff shall not be increased onto surrounding properties as a result of excavating or elevating portions of the property.
3. The use and development of the mineral extraction operation and its adjacent area shall be properly planned so as to prevent ground water contamination.
4. After completion, the excavated area shall be properly maintained so that it will not become a danger and nuisance to area residents.

B. Submission Requirements

The following items shall be submitted with the Conditional Use application:

(Rev. 8-13-12. Z37-C31.)

1. A topographical survey and soils report analysis of the property, prepared by a professional engineer, surveyor, or geologist.
2. A site plan drawn to scale showing the location of the proposed excavated area, final grades, location of any existing or proposed buildings, septic tanks, leach fields, wells, easements, ditches, and utility lines within one-hundred (100') feet of the perimeter of the area.
3. General location map.
4. Location of haul roads on the property and proposed truck routes to the property.
5. A drainage plan indicating the directional flow of water, drain ways, holding canals, natural waterways used for drainage, and the ditches or tributaries receiving this discharge.
6. A reclamation plan of the area to be affected, including a specific reuse of the property upon completion of the excavation.

C. General Conditions and Design Requirements

The mineral extraction operation shall be conducted in accordance with the following conditions:

1. The site shall have a minimum of twenty-five (25) acres.
2. The excavated area shall be a minimum of five (5) acres and shall not exceed twenty (20%) percent of the total site area.

906 MINERAL EXTRACTION AND ANCILLARY ACTIVITIES (cont'd)

3. The excavated area shall have a one hundred (100') foot minimum set back from any public road right-of-way.
4. An excavated area shall be located no closer than three hundred (300') feet to a septic tank or leach field and two-hundred (200') feet to a water well.
5. The side slope of a pond/lake shall be horizontal to vertical at a ratio or 3:1 except where a beach is desired. This ratio shall be maintained to a minimum depth of seventeen (17') feet. Where a beach is desired, from the shoreline away from the water, the beach grade shall be no greater than 4:1.
6. No materials shall be hauled to the property for use as fill, except for clean clay material, which may be required for a lake.
7. All topsoil must be left on the site in order to re-establish and maintain vegetation.
8. All backfilling and excavated material distribution shall be certified in writing to the Township Zoning Inspector as conforming to the site grading plan and reclamation plan. The written certification shall be submitted by a Professional Engineer or surveyor and shall be submitted at the time of completion or in phases as required by the provisions of the Conditional Use approval.
9. Any areas not backfilled must be drained with ditches, which shall include culverts under all driveways to eliminate any standing water.
10. All haul roads shall be properly maintained to control dust, and shall have a gate to control ingress and egress. All truck routes shall be cleaned and maintained daily.
11. The entire excavated area and equipment storage area shall be completely fenced in before any excavation begins and shall be maintained until the completion of the excavation.
12. The hours of operation shall be limited to:
Monday through Friday: 7:00 a.m. to 7:00 p.m.
Saturday: 9:00 a.m. to 5:00 p.m.
Sunday: Not Permitted

907 MORE THAN ONE PRINCIPAL BUILDING

No more than one (1) principle building may be located on a single lot except for the following uses:

- | | |
|--------------|---|
| Group Living | Nursing Home |
| Church | Public Use (School, Fire Station, etc.) |
| Greenhouses | Self-Service Storage Facility |

908 NOISE

No person shall operate or use any machine, equipment, or mechanical device on a lot, except for agricultural purposes, so as to create any noise which would cause the noise level, measured at the lot line of the lot affected by the noise emission, to exceed the applicable fixed noise level set forth in this section. If the measurement location is on the boundary between two zoning districts, the lower noise level shall apply.

908 NOISE (cont'd)

Noise limits shall not exceed the following:

A.	Zoning District	Time Period	Sound Level (dbA)
	P/O, A	10:00 p.m. to 7:00 a.m.	55
		7:00 a.m. to 10:00 p.m.	60
	C	10:00 p.m. to 7:00 a.m.	65
		7:00 a.m. to 10:00 p.m.	70
	M	Anytime	70
		Anytime	75

B. Provisions of this section shall not be applicable to any governmental emergency signaling devices required by law; nor to any standby equipment operated only in a governmental emergency situation.

909 PONDS/LAKES

A. General Requirements

1. Ponds/lakes are permitted as an accessory use in any P/O or A District on any parcel three (3) acres or greater and are permitted as an accessory use in any C or M District on any parcel five (5) acres or greater. Site plan review shall be required for all ponds/lakes and shall meet the additional requirements of Section 12 - Site Plan Review as applicable. Ponds that are 200 square feet in size or smaller and considered a landscape feature are exempt from the provisions of this Section.
2. Prior to the issuance of a Zoning Certificate for a pond/lake, and pursuant to Section 17 - Enforcement, of this Resolution, an approval must first be obtained from the Toledo-Lucas County Board of Health.
3. Pond/Lake construction shall be completed within one (1) year from the date of the issuance of a Zoning Certificate.
4. Ponds/Lakes shall conform to current Lucas County Soil Conservation specifications and guidelines.
5. All ponds shall have a site grading plan reviewed and approved by the Lucas County Engineer and Building Regulations Department prior to obtaining a Zoning Certificate.

B. Area and Design Requirements.

1. Minimum pond/lake surface area shall be one half (1/2) acre, with a maximum surface area not to exceed twenty-five (25%) percent of the total site area.
2. The side slope of a pond/lake shall be horizontal to vertical at a ratio of 3:1 except where a beach is desired. This ratio shall be maintained to a minimum depth of seventeen (17') feet. Where a beach is desired, from the shoreline away from the water, the beach grade shall be no greater than 4:1, with an overall minimum average pond/lake depth of not less than nine (9') feet.

909 PONDS/LAKES (cont'd)

3. To prevent adverse drainage effects on adjoining properties, a drainage system satisfactory to the Lucas County Engineer shall be installed to accommodate overflow and surface drainage from the pond/lake. This system shall be diverted to a suitable outlet or drainage ditch.
4. All excavated soils shall remain on the same lot as the pond/lake unless recommended by the Township Zoning Commission and approved by the Board of Trustees to remove such. In that event, excavated materials may only be removed to the extent as permitted by the Board of Trustees.
5. All pond/lake backfilling and excavated material distribution shall be certified in writing to the Township Zoning Inspector as conforming to the approved site plan's grading and reclamation requirements. The written certification shall be submitted by a Professional Engineer or surveyor and shall be submitted at the time of completion or in phases as required by the provisions of the site plan approval.
6. A bond of ten thousand dollars (\$10,000) per pond/lake site acre (minimum \$10,000) or other surety satisfactory to the Board of Township Trustees shall be filed with the Township Fiscal Officer to guarantee satisfactory development, completion, and maintenance of the pond/lake. The entire project shall be bonded at once, and not bonded one acre at a time. All bonds shall be obtained prior to the start of any earthwork. Bonds may be released by the Board of Township Trustees following fulfillment of all conditions of site plan approval.
7. The hours of pond/lake construction operation shall be limited to:

Monday through Friday:	7:00 a.m. to 7:00 p.m.
Saturday:	9:00 a.m. to 5:00 p.m.
Sunday:	Not Permitted

C. Setback Requirements

1. A pond/lake shall be set back one hundred (100') feet minimum from any public road right-of-way.
2. Ponds/lakes shall have a side and rear yard setback of not less than twenty-five (25') feet.
3. A pond/lake shall be located no closer than one hundred (100') feet to a septic tank or leach field.

910 CAUSES OF BLIGHT OR BLIGHTING FACTORS

- A. It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. No person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any premises owned, leased, or occupied by such persons, firm or corporation.
1. The storage upon any premises of any inoperable vehicle for a period of more than two (2) weeks, except in a completely enclosed building. For purposes of this ~~section~~, Resolution a vehicle is considered inoperable if for any reason it is not immediately drivable and/or it does not have a valid license plate on it.
 2. The outdoor storage upon any premises of building materials unless a building permit has been issued by the Lucas County Department of Building Regulations not more than one (1) year previously for construction upon said premises, and said materials are for use in connection with such construction. Building materials shall include, but shall not be limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, ductwork, shingles, mortar, concrete or cement, nails, screws, or any other materials used in construction and structure. Outdoor storage of building materials which is not in violation of applicable zoning or safety regulations is permitted if said materials are kept out of view of the public and the abutting premises. All construction debris shall be removed from any premises within 30 days after occupancy thereof.
 3. The storage or accumulation of junk, trash, rubbish, or refuse of any kind, except domestic refuse stored in inconspicuously located trash receptacles. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants or wood, metal or any other materials or other castoff materials of any kind whether or not same could be put to any reasonable use.
 4. The existence of any vacant dwelling, garage, or other out-building unless the same is kept securely locked, fenestrations kept glassed or neatly boarded up, roof maintained in good repair and otherwise protected to prevent entrance thereto by vandals, or other animals.
 5. In any area the existence of any structure or part of structure which because of fire, wind or other natural disaster, or physical deterioration is no longer habitable as a dwelling, and not useful for any other purpose for which it may have been intended.
 6. In any area the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid Zoning Certificate issued by the Township and a building permit issued by the Lucas County Department of Building Regulations and unless exterior construction is completed within one (1) year after issuance thereof.
 7. Areas which contain grass, groundcover plantings, shrubs, trees that are not kept in a healthy, neatly trimmed condition or woodpiles, skids or other burnable materials that harbor rodents, or other animal or insect infestation. Grass height must not exceed eight (8") inches. The placement of any new planting cannot have the mature canopy overhanging onto adjacent property. Grass or appropriate ground cover must be used in all normally landscaped areas of the property. Vegetation must not encroach on adjacent properties.

910 CAUSES OF BLIGHT OR BLIGHTING FACTORS (cont'd)

- 8. Woodpiles, skids or other building materials must be kept neat and orderly as to not harbor pests or rodents. Tree stumps located in the front yard must be removed. Woodpiles must be elevated 6".
- 9. Building exteriors must be kept in good condition with no partially completed siding or painted areas.

(Rev. 10-13-14. Z37-C32)

911 SATELLITE DISH ANTENNAS

Any satellite dish antenna shall be located in the rear yard, shall have rear and side property line setbacks equal to or greater than the height of the proposed structure, and, in the case of a corner lot, shall not project beyond the front yard required or existing on the adjacent lot. In accordance with the Telecommunications Act of 1996, satellite dish antennas with a diameter of one (1) meter (39.397") inches or less are exempt from the provisions of this Resolution. Satellite dish antennas with a diameter in excess of one (1) meter (39.97") inches in any District or in excess of two (2) meters (78.74") inches in a C or M Districts are permitted provided:

- 1. The satellite dish antenna shall be located toward the rear of the lot, at least ten (10') feet away from the main building, and setback from the rear and side property line a minimum of ten (10') feet.
- 2. Where a satellite dish antenna is proposed to be independently supported, it shall not exceed fifteen (15') feet above surrounding grade.
- 3. Where a satellite dish antenna is proposed to be attached to a roof of a building, the maximum height shall not exceed fifteen (15') feet above the highest point of the roof it is located on.

912 SUPPLEMENTAL YARD REGULATIONS

In addition to all yard regulations specified in each zoning district, the following provisions shall be required as indicated:

A. Setback Requirements for Corner Lots

On a corner lot, the principal building and any accessory structures shall be the same setback distance from all right-of-way lines as is required for the front yard setback in the district in which the structures are located.

B. Additional Yard Requirements for Buffering Purposes

To secure a desirable transition between land zoned for residential purposes and other zoning districts C and M, larger yard setbacks shall be provided on the lot that is not zoned for residential purposes. The additional setback shall be along the lot line(s) that abut land zoned for residential purposes. When property that is zoned C or M abuts A zoned property, the yard requirements for that yard adjacent to the A zoned property for the main building, parking areas, and any/all accessory structures shall be increased two times the usual setback, up to a maximum setback of seventy-five (75') feet.

913 SWIMMING POOLS

Outdoor swimming pools are permitted as an accessory use and regulated as follows:

A. Residential Swimming Pools

Private swimming pools are permitted as an accessory use in any district provided the following conditions are met:

1. The pool shall be used solely for occupants and guests of the principal use of the lot on which the pool is located.
2. The pool shall not be located closer than ten (10') feet to any lot line of the property on which it is located and shall be located behind the principal building in the rear yard.
(Rev. 8-13-12. Z37-C31.)
3. The swimming pool area shall have a fence or wall that has a minimum height of four (4') feet, and shall be maintained. A swimming pool that is at least four (4') feet above grade on all sides shall be secured with a lockable or removable ladder and no fencing shall be required.
4. Wading pools, landscaping pools, and similar decorative pools which have a maximum depth capacity of twenty-four (24") inches or less are exempt from the provisions of this section.

B. Community or Club Swimming Pool

Community or Club Swimming Pools shall comply with the following conditions and requirements:

1. The pool shall be for the sole use of the members and guests of the association or club.
2. The pool and other accessory uses including decks and patios shall be setback a minimum distance of twenty-five (25') feet from any lot line.
3. The swimming pool area shall have a perimeter fence or wall of a minimum height of (4') feet, and shall be maintained.

914 TELECOMMUNICATION TOWER

In accordance with the Telecommunications Act of 1996 and ORC 519.211, when a telecommunication tower is planned to be constructed the procedures indicated therein shall be followed. All zoning districts where dwellings of any kind are permitted shall be construed to be an area zoned for residential use. All telecommunication towers are subject to Section 12 - Site Plan Review and shall meet the following standards when located within a district where residential dwellings are permitted:

- A. The applicant shall provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation).
- B. The applicant shall demonstrate that no suitable site is available in a non-residential district.
- C. All accessory buildings shall be screened with fencing, masonry material(s), or shrubbery.
- D. The applicant shall notify the Township Zoning Inspector within thirty (30) days of ceasing operations at the site. The removal of the structures and buildings is required within sixty (60) days of ceasing operations.

914 TELECOMMUNICATION TOWER (cont'd)

- E. No advertising or illumination other than that which is required by law may be located on the structure.
- F. The telecommunication tower and all accessory structures shall meet all required area and setback requirements and shall not exceed one hundred twenty (120') feet in height.
- G. The applicant shall demonstrate that a "co-location" of the telecommunication tower equipment with other telecommunication towers or facilities in the vicinity was considered. Co-location is encouraged wherever feasible.

915 TEMPORARY BUILDINGS AND USES

- A. Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work may be permitted only on the parcel on which construction is occurring and only during the period construction work is in progress. Such temporary facilities shall be removed upon completion of the construction work. Temporary housing is not permitted.
- B. A Zoning Certificate is required by the Zoning Inspector for outside or seasonal sales within the Commercial District. All goods located outside must be within four (4') feet of the principal building or as indicated on an approved site plan. Such outside or seasonal sales shall not create a safety, fire, vehicular, or pedestrian hazard. Temporary structures used for seasonal or outside sales may be permitted for one (1) continuous sixty (60) day period each calendar year. The temporary structure shall not create a safety, fire, vehicular, or pedestrian hazard and all goods shall be located within the temporary structure.

916 YARD / GARAGE SALES

Yard/ Garage Sales are permitted in the Agricultural District as an accessory use and are regulated as follows:

- A. No more than two (2) yard/garage sales shall be conducted within any consecutive twelve (12) month period on any property.
- B. Yard/Garage sales shall not to exceed three (3) consecutive days.
- C. Items displayed for sale shall not encroach into the right-of-way at any time.

917 VEHICLE SALES IN AN AGRICULTURAL DISTRICT

- A. No more than one automobile and/or recreational vehicle can be sold at the same time on a single parcel in an Agricultural District and its location may not encroach into any right-of-way or create a safety hazard.
- B. The sale of any non-farm commercial vehicle shall be prohibited in an Agricultural District.

918 ACCESS FOR FIRE PROTECTION

Access for fire protection shall be provided to all lots and to all buildings and structures on all parcels prior to construction of any building or structure thereon. "Access For Fire Protection" means an all-weather roadway capable of supporting fire department vehicles and related equipment from the public roadway to the lot and to the building or structure located or proposed to be located thereon.

919 SELF STORAGE FACILITIES

A. General Requirements:

1. Self storage facilities shall be limited to rental of storage units, pickup and deposit of storage.
2. Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units. A copy of the lease agreement shall be filed with the Zoning Inspector as a condition of the Zoning Certificate.

B. Specific Requirements:

1. **Lot Area:** Minimum lot area shall be five (5) acres.
3. **Lot Coverage:** Maximum lot coverage of units and storage areas shall be as specified in the underlying zoning district(s).
4. **Setback:**
 - a. Front Yard – seventy (70') feet
 - b. Side or Rear Yard – twenty-five (25') feet when abutting or opposite an "A" District and fifteen (15') feet when opposite or abutting a "C" or "M" District.
5. **Height:** Height of structures shall be in conformance with or equal to the average height of structures on properties abutting or opposite to self storage facilities. Where no adjacent structures exist, the maximum height shall be fifteen (15') feet to highest point of building.
6. **Lighting:** Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arranged to direct light away from adjoining property or any public right-of-way.
7. **Pavement:** All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement.
8. No door opening for any storage unit shall be constructed facing any agriculturally zoned property or public right-of-way.
9. Fencing, and/or landscaping/plant screening shall be required around the perimeter of the facility.
10. **Special Requirements:** Where adjacent to a Agricultural District Fencing shall consist of decorative materials compatible with surrounding residential dwellings.

Hours of operation shall not be earlier than 7:00 a.m. or later than 9:00 p.m. daily.
11. Outside storage shall be prohibited.

920 MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS

A. Submission Requirements

1. The applicant shall provide a complete and accurate legal description of the entire site to the Zoning Inspector at the time of application for a license from the state or county.
2. A site plan meeting all provisions of Section 12 shall be submitted to the Zoning Inspector. The plan shall also indicate the storage area, driveways, fencing, and landscape material.

B. Storage

1. Motor vehicle salvage and junk yards shall maintain a list of vehicles in stock and submit this list to the Township upon request.
2. All loading and unloading of vehicles/parts and/or temporary storage of these items shall occur within the salvage or junk yard behind the required fencing and out of view from the public.
3. When adding indoor storage facilities, the applicant shall permanently reduce the number of vehicles or junk in the storage yard by an amount equal to the storage capacity of the new storage facility.

C. Licensing

All motor vehicle salvage yards shall be licensed as required by Chapter 4738 of the Ohio Revised Code. All junk yards shall be licensed in accordance with Chapter 4737 of the Ohio Revised Code.

D. Hours of Operation

Hours of operation shall be no earlier than 7:00 a.m. nor later than 6:00 p.m., Monday through Saturday.

E. Fencing and Screening

Any area used as a motor vehicle salvage yard or junk yard shall be effectively screened on all sides by means of walls, fences and plantings. The fence and or walls must be not less than 15 feet from the lot line. Walls or fences shall be a minimum of eight (8') feet in height and a maximum of ten (10') feet in height with no advertising thereon. Storage of materials shall not exceed this height and remain within the fenced/screened area. A strip of land not less than fifteen (15') feet in width on the perimeter of the yard shall be planted and maintained with evergreen hedges or other plant material with year round foliage. The plant material shall be equal to or greater than the height of the fence or wall at the time of planting.

(Rev. 8-13-12. Z37-C31.)

F. Yard Requirements

1. **Front Yard:** There shall be a front yard of not less than fifty (50') feet, but where such a yard is opposite an A District or a residential district it shall be a minimum of one hundred (100') feet and the first twenty-five (25') feet thereof shall be used only for landscaping purposes.
2. **Side Yard:** There shall be a side yard of not less than twenty-five (25') feet, but where abutting an A District or a residential district it shall be a minimum of fifty (50') feet.

(Rev. 8-13-12. Z37-C31.)

920 MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS (cont'd)

3. **Rear Yard:** There shall be a rear yard of not less than fifty (50') feet, but where such a yard is abutting an A District or a residential district it shall be a minimum of one hundred (100') feet.

G. Pavement

All roadways internal to the site be paved or maintained to minimize dust.

H. Existing Non-conforming Uses

Conditional Uses for those motor vehicle salvage and junk yards that were lawfully established prior to the adoption of zoning may be granted. The purpose of the Conditional Use shall be to permit the motor salvage operator(s) to construct new or additional storage buildings. An expansion of an existing non-conforming motor vehicle salvage yard onto additional ground or area with a Conditional Use is strictly prohibited.

921 SMALL WIND TURBINE

A. General Requirements

1. Small wind turbines are permitted as a Conditional Use in Agricultural "A" districts on parcels three (3) acres or greater in size.
(Rev. 8-13-12. Z37-C31.)
2. The small wind turbine shall service only one residence.

B. Specific Requirements

1. **Height:** The total height of the tower shall not exceed one hundred (100') feet. The minimum distance between the ground and any protruding blades shall be fifteen (15') feet as measured at the lowest point of the arc of the blades.
2. **Fall zone:** The small wind turbine shall be a distance of at least 125% of height of the total structure from any property line, dwelling, or right-of-way.
3. **Set-back:** No part of the small wind turbine structure, including guy wire anchors, shall extend closer than ten (10') feet to the property line.
4. **Lighting:** The maximum lighting used on the structure is a low intensity red light regulated by the Federal Aviation Administration.
5. **Electrical generator:** The small wind turbine shall have a rated capacity of not more than 15 kW.
6. **Noise:** Noise coming from the small wind turbine shall not exceed 65 dBA to the nearest property line.
7. **Fencing:** The supporting tower shall be enclosed with a six (6) foot high fence unless the base of the tower is not climbable for a distance of twelve (12') feet.
8. **Base:** All tower support bases shall be made of concrete.
9. The applicant shall notify the Zoning Inspector if operations of the wind turbine cease and the wind turbine shall be removed within 60 days of ceasing operations.

921 SMALL WIND TURBINE (cont'd)

10. The small wind turbine transmission lines shall be underground.

922 WASTE DISPOSAL

The dumping and/or spreading of commercial or industrial liquid, solid, gaseous wastes or hazardous waste, and any byproduct of the treatment of such waste products is prohibited within the Township, except if regulated or permitted by other local or state authority. When permitted or regulated by such authority, proof of such permit/regulation shall be documented and filed with the Township Zoning Inspector prior to the disposal of such waste.

923 ACCESS MANAGEMENT

To maintain and improve safety along all roadways in the Township, all access to individual parcels shall be in accordance with the Lucas County Engineer's Access Management Regulations.

**SECTION 10
NON-CONFORMITY**

1000 PURPOSE

In order to encourage development and redevelopment consistent with this Zoning Resolution and to enable property owners with a reasonable use of their land, it is the intent of Harding Township to allow uses, structures, and lots that came into existence legally, and conformed with then-applicable requirements, to continue to exist and to bring as many aspects of such non-conformities into compliance with existing requirements as is reasonably possible. Non-conformities shall not be enlarged, expanded or extended, and shall not be used for adding or substituting other structures, buildings or uses that are prohibited in the same district. This section establishes the regulations governing uses, structures, lots, and other zoning related items that came into existence legally but that do not conform to one or more requirements of this Resolution.

1001 AUTHORITY TO CONTINUE

Any nonconformity that legally existed on or before November 3, 1970, or that becomes nonconforming upon the adoption of any subsequent amendment to this Zoning Resolution, may be continued in accordance with the provisions of this section, except as otherwise provided for.

1002 NON-CONFORMING LOTS OF RECORD

In any district in which a single-family dwelling is permitted, a single-family dwelling and accessory building may be constructed on any single lot of record on the effective date of this amended Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot shall not be contiguous to any other lot of the same ownership, shall not be less than fifty (50') feet in width at the building line and shall comply with all other district requirements as to height, lot coverage, and setback requirements.

1003 NON-CONFORMING USE OF LAND

The lawful use of land which use would not be permitted by the provisions of this Resolution may be continued so long as such use remains otherwise lawful, and provided:

- A. No such non-conforming use shall be enlarged or increased in its size, dimension, intensity and shall not be extended to occupy a greater area of land than such use occupied at the effective date of this Resolution.
- B. No such non-conforming use shall be moved in whole or in part to any area of the lot other than that occupied by such use at the effective date of this Resolution.
- C. Once a nonconforming use is abandoned, the use's nonconforming status is lost and any subsequent use of the property shall comply with the regulations of the zoning district in which it is located. A non-conforming use will be considered abandoned when any of the following occurs:
 - 1. The intent of the owner to discontinue the use is apparent;
 - 2. The use has been voluntarily discontinued for a period of two (2) years or more as specified in ORC 519.19;
 - 3. The characteristic equipment and the furnishings associated with the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the two (2) year period;
 - 4. The nonconforming use has been replaced by a conforming use;

1003 NON-CONFORMING USE OF LAND (cont'd)

5. A Zoning Certificate to reconstruct a damaged nonconforming use has not been secured within one (1) year of the date of occurrence of such damage, or construction has not been diligently pursued.
- D. No additional structures shall be located on a lot with a non-conforming use of land.
- E. When a building or structure, the use of which does not conform to the provisions of this Zoning Resolution, has been damaged to the extent of more than sixty (60%) percent of the property's fair market value; the use may not be restored except in conformity with the regulations of the underlying zoning district.

1004 NON-CONFORMING BUILDINGS AND STRUCTURES

Where a lawful building or structure exists at the effective date of this Resolution that is not otherwise permitted pursuant to this Resolution due to building area, lot coverage, height, setbacks, yards, or location on the lot, such building or structure may continue so long as it remains otherwise lawful, subject to the following:

- A. In the event that any non-conforming building, or structure, is destroyed by any means to the extent or more than sixty (60%) percent of the cost of replacement of such structure, exclusive of foundation, it shall not be rebuilt, restored, or reoccupied for any use unless it conforms to all regulations of this Resolution. When such a non-conforming structure is damaged or destroyed to the extent of sixty (60%) percent or less of the replacement cost, no repairs, or rebuilding shall be permitted except in conforming with all applicable regulations of this Resolution and the following conditions:

 1. A Zoning Certificate for such restoration shall be first obtained within one (1) year of such damage or destruction;
 2. Such repair shall not cause a new or additional nonconformity; such repair shall not increase the size, dimension or intensity of the non-conformity that existed prior to such damage or destruction.
- B. Non-conforming buildings and/or structures shall not be enlarged, expanded or extended in any way.

1005 REPAIRS AND MAINTENANCE

Repairs and maintenance on any non-conforming structure or portion thereof containing a nonconforming use may be done on ordinary maintenance repair, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided the cubic content that existed when it became non-conforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a Zoning Certificate for such activities shall be required.

SECTION 11 SIGNS AND OUTDOOR ADVERTISING

1100 PURPOSE

This section provides standards for the time, place and circumstances in the use of **Signs**. These standards are to provide for the public health and safety, pedestrian and traffic safety, and to control adverse effects of **Signs** on public and private property; and (where legislatively permitted) to provide for the general welfare of the public.

1101 DEFINITIONS

Abandoned Sign: A **Sign** or **Sign Structure** which no longer identifies or advertises a business, service, owner, product, or activity, or is in disrepair. Such **Sign** and **Sign Structure** shall be removed within 30 days of notice to the property owner by the Zoning Inspector.

Animated Sign: A **Sign** or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means of power. Such **Signs** have lights or illuminations that change the visual image depicted, including visual images that may flash, move, rotate, flicker, depict action, or create a scene, blink, vary in intensity or color, or use intermittent electrical impulses, scrolling text or a **Sign** which has revolving, or rotating parts or other visible mechanical movements. An **Animated Sign** does not include a **Changeable Copy Sign**.

Area Identification Sign: A **Sign**, which identifies a subdivision or a group of building whether residential, commercial, or industrial.

Awning/Canopy Sign: A **Sign** attached to an awning covering a doorway, window, or face of the building. **Awning/Canopy Signs** are **Wall Signs**, as provided for in Section 1107.

Banner: A temporary display including a **Sign** on a **Flag**, strip of lightweight material, paper, cloth, or fabric which may be located on the ground or attached to a building, another **Sign**, or any other structure.

Billboard: (see **Off-Premise Sign**)

Building Face Or Wall: All window and wall area of a building in one plane or elevation.

Building Frontage: The length of the outside **Building Wall** along a right-of-way.

Changeable Copy Sign: A **Sign**, or portion thereof with letters, numbers, or illustrations that can be periodically manually changed or rearranged without altering the underlying or supportive face of or surface of the **Sign**.

Clearance of Sign: The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any **Sign**, including its framework extending over that grade.

Commercial Message: Any wording, logo, or other visual **Copy** that directly or indirectly identifies, advertises, or calls attention to a business, product, service, or other commercial activity.

1101 DEFINITIONS (cont'd)

Copy: The graphic content of a **Sign** surface in either permanent or removable letter, pictographic, symbolic (logo), or alphabetic form.

Directional Sign: An on-premise **Sign** that is designed to facilitate traffic flow, does not contain any advertising and provides direction to an on-premise place or object.

Double-Faced Sign: A **Sign** with two faces.

Electronic Message Center: A **Sign** whose visual display includes alphabetic, numeric or symbolic content that can be changed or altered on a fixed display screen composed of electronically illuminated segments.

Embellishment: The decorative or ornamental structure or frame that contains a **Sign**. **Embellishments** are not included in the square footage of the **Sign's** area calculation; **Embellishments** shall not exceed twenty-five percent (25%) of the single face area and shall not exceed the **Sign's** maximum permitted height or be located within required setbacks.

Exempted Signs: Exempted from sign permit requirements.

Façade: The entire building front including the parapet.

Flag: Any fabric displaying the name insignia, emblem, colors, patterns or symbols used as a **Message** of a political subdivision or private entity.

Future Development Sign: A **Temporary**, freestanding **Sign** located on the premises of a proposed development/construction project that indicates the future construction or development of a building or area which may identify the architect, financial institution, contractor, subcontractor, and/or material supplier participating in the construction on the property.

Height: The vertical distance measure from the highest point of the **Sign**, including decorative **Embellishments**, to the grade of the adjacent street or the surface grade beneath the **Sign**, whichever vertical distance is less.

Low Profile/ Monument Sign: A **Sign** placed directly on the ground, and independent from any building or other structure on the lot.

Message: The wording or **Copy** on a **Sign**, **Flag** or **Pennant**.

Non-Conforming Sign: A **Sign** which was placed on the lot legally, but which does not comply with Section 11 of this Resolution.

Off-Premise Sign (Billboard): A **Sign Structure** advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished on the lot on which said **Sign** is located.

Pennant: Any lightweight plastic, fabric, or any other material, frequently in a series, whether or not containing a **Message** of any kind, suspended from a rope, wire, or string, designed to move in the wind.

Pole Sign: Any **Sign** supported by upright structure(s) or support(s) that are anchored in the ground and that are independent from any building or other structure on the lot.

1101 DEFINITIONS (cont'd)

Portable Sign: Any **Sign** not permanently attached to the ground or other permanent structure, or a **Sign** designed to be transported including, but not limited to: **Signs** designed to be transported by wheels; "A" or "T" frame **Signs**; menu and sandwich board **Signs**; umbrellas used for advertising; and **Signs** and/or **Copy** attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used regularly in the usual and customary operations of the business. **Yard Signs** are not included in this category.

Political Sign: A **Yard Sign** used in connection with a local, state, or national governmental election, or ballot, with respect to an issue or office.

Projecting Sign: A **Sign** that projects more than fifteen inches (15') from a **Building Wall** or other structure and not specifically and solely designed to support the **Sign**.

Real Estate Sign: A **Yard Sign** advertising the real estate upon which the **Sign** is located as being for rent, lease, or sale.

Roof Sign: Any **Sign** erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically' above the highest portion of the roof

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person, entity, product, service, establishment, activity or sale which communicate information of any kind.

Sign Area: Total area for one (1) side of sign.

Sign Face: Area of the **Sign** upon which **Copy** can be placed.

Sign Structure: Any structure, which supports, has supported, or is capable of supporting a **Sign**, including a decorative cover.

Temporary Sign: Any type of ~~Portable Sign, Flag, Pennant, Banner, balloon, garage sale Sign, searchlight, twirling light, sandwich board, inflatable figures, or public election and candidate Sign~~ that is used temporarily ~~or is~~ and not permanently mounted. Examples include **Yard Signs, Flags, Pennants, Banners, balloons, searchlights, twirling lights, sandwich boards, and inflatable figures.**

Wall Sign: A **Sign** attached to, painted on, or placed against a wall of a building, with the **Sign Face** parallel to the **Building Wall** and extending away from the **Building Wall** parallel to the adjacent grade not more than fifteen (15") inches there from, which **Copy** advertises the use carried on within such building.

Window Sign: Any **Sign** placed inside a window in a building or structure or upon the building's interior window panes or glass or an opening recessed from the **Building Face** such that the ~~window sign~~ **Copy** is visible from the exterior of the premises.

Yard Sign: Any sign placed in the front or side yard of a residence that is a **Temporary Sign**. Examples include, but are not limited to, real estate sale, auction, **Political**, for rent, for sale, garage sale, yard sale, student enrolment or graduation.

(Rev. 10-13-14. Z37-C32)

1102 GENERAL PROVISIONS

- A. Unless otherwise provided by this Resolution, all new **Signs** shall require a Zoning Certificate prior to the sign's installation. An application for a zoning certificate shall be made to the Zoning Inspector. Fees shall be in accordance with the Permit Fee Schedule. No Zoning Certificate is required for the maintenance of a **Sign** or for a change of **Copy** on painted, printed, **Changeable Copy Signs**, or **Electronic Message Centers** so long as the **Sign Area** or **Sign Structure** is not modified in any way for the existing business.
- B. An application for a Zoning Certificate shall include the following information:
1. Name and address of the owner of the **Sign**.
 2. Street address or location of the property on which the **Sign** is to be located, along with the name and address of the property owner.
 3. The type of **Sign** or **Sign Structure** as defined in this Resolution.
 4. A site plan with dimensions showing the proposed location of the **Sign** with vertical and horizontal measurements from all property lines and right-of-ways along with the location of all existing **Signs** and buildings on the same premises.
 5. A drawing/picture of the proposed **Sign** showing the following specifications: dimensions, ~~height from grade,~~ **Height, Clearance of Sign, Copy**, illumination, and construction details (materials, structural supports, and electrical components)
 6. A list of the total number and the square footage of existing and proposed **Signs** on the premises.
- (Rev. 10-13-14. Z37-C32)
- C. No **Sign** shall be placed or project into any right-of-way. No **Sign** shall obstruct traffic visibility at the road or highway intersections.
- D. If a **Sign** is installed, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify the property owner and the **Sign** owner or lessee thereof to alter such **Sign** so as to comply with this Resolution. Any owner, lessee, or **Sign** contractor who installs a **Sign** without a Zoning Certificate shall be subject to three (3) times the normal fee schedule at the discretion of the Zoning Inspector.
- E. All **Signs** that do not presently conform to this Resolution shall be removed within five (5) years and six months from the effective date of this Resolution.
- F. All **Signs, Marquees, and Awnings/Canopy** shall be maintained at all times in a safe structural condition and in a neat and clean condition, and shall be kept free from defective or missing parts or peeling paint. **Signs** which provide time and/or temperature readings shall be maintained to reflect current readings.
- G. All **Directional Signs** shall not exceed four (4) square feet per face with a maximum **Height** of forty-two (42') inches. Such **Signs** shall not contain the business name or logo. **Directional Signs** are not included in the **Sign Area** calculations; a zoning certificate is required.

1102 GENERAL PROVISIONS (cont'd)

- H. The following regulations shall apply to **Electronic Message Centers**:
1. No more than one (1) **Electronic Message Center** attached to a permitted on-premise freestanding **Sign** shall be allowed per property.
 2. Each **Message** displayed on an **Electronic Message Center** must be static and must be depicted for a minimum of eight (8) seconds. When a **Message** is changed, the change shall occur within three (3) seconds. The continuous scrolling of **Messages** is prohibited.
 3. All **Electronic Message Centers** shall have a dimming device for day/night operation. The illumination shall not create excessive brightness and/or pose a safety hazard to the public.
 4. No freestanding **Electronic Message Center** shall exceed fifty (50%) percent of the total allowable square footage for any on-premise freestanding **Sign**.
 5. The addition of any **Electronic Message Center** to any **Non-Conforming** freestanding **Sign** is prohibited.

1103 PROHIBITED SIGNS

The following types of **Signs** are prohibited in all districts:

- A. **Abandoned Signs**
- B. **Animated Signs**
- C. ~~Temporary~~ **and Portable Signs**
- D. Any **Sign** or other object attracting attention to a business that interferes with the safety of the traveling public.
- E. **Roof Signs** that exceed the highest point of the roof that the **Sign** is installed upon or that expose bracing and other mounting materials.
- F. **Signs** that resemble or conflict with traffic control **Signs** or signals.
- G. **Signs** or devices that emit audible sound, smoke, gas and/or odor.
- H. **Window Signs** occupying greater than thirty percent (30%) of the total window area.
- I. Any **Sign** containing obscene matter.
- J. Any **Sign** unlawfully installed, erected, or maintained.

1104 EXEMPTIONS

The following **Signs** do not require a Zoning Certificate:

- A. Government **Signs** erected by the Township, County, State, or the Federal government in furtherance of their governmental responsibility.

1104 EXEMPTIONS (cont'd)

- B. Any **Sign** wholly inside a building which does not exceed thirty percent (30%) of the total window area and is unable to be read or be discerned from any property line or any public right-of-way.
- C. Informational **Signs** attached to a building and not exceeding three (3) square foot and are limited to business identification, hours of operation, address, and emergency information of the occupant(s) of the building. Such **Signs** shall be permitted in addition to other permitted **Signs**.
- D. Non-illuminated **Real Estate Signs** not exceeding six (6) square feet in **Sign Area** for agriculturally zoned property and thirty-two (32) square feet in **Sign Area** for all non-residential districts, which advertises the sale, rental, or lease of the premises upon which such **Sign** is located.
- E. An on-premise non-illuminated **Real Estate Signs** not exceeding thirty-two (32) square feet per face in **Sign Area** and five (5') feet in **Height** which advertise the sale or lease of a subdivision or undeveloped acreage of ten (10) acres or greater.
- F. **Future Development Signs** and construction **Signs** placed upon the lot under construction. These **Signs** shall not exceed five (5) feet in **Height** and thirty-two (32) square feet in **Sign Area**, shall be non-illuminated, and shall be removed upon completion of the project or within two (2) years of the **Signs** erection, whichever occurs first.
- G. Memorial **Signs** or tablets, name of buildings and dates of construction, provided that such **Signs** do not exceed two (2) square feet in **Sign Area**.
- H. Garage/yard sale **Signs**, public election and candidate **Signs**. These **Signs** shall be removed no later than five (5) days after completion of the election, event, or transaction.
- I. Address numbers for dwellings shall not exceed two (2) square feet in area and address numbers for commercial or industrial buildings shall not to exceed six (6) square feet in area unless the address number is an integral component of a **Sign** for which a Zoning Certificate is required by this Resolution.
- J. **Flags**. All **Flags** shall be displayed as follows:
 - 1. Maximum **Flag** size forty (40) square feet.
 - 2. Maximum pole **Height** thirty-five (35') feet or not more than ten feet above the roof line of the primary building, whichever is less.
 - 3. All **Flags** shall be flown on a pole, with a maximum of three **Flags** per lot with no more than one (1) **Flag** other than that of a nation, state, or political subdivision.
 - 4. **Flags** may not be located in such a way as to intentionally attract the attention of the public for commercial purposes.
 - 5. The **Flag** and flag pole shall be maintained in good condition.
 - 6. Flag pole(s) must be set back from all property boundaries a minimum of fifteen (15') feet or setback a distance which is at least equal to the **Height** of the pole, whichever is greater.

1105 OFF-PREMISE SIGN

A total of one (1) **Off-Premise Sign** per parcel is permitted in non-residential districts and on lands used for agricultural purposes per ORC Section 519.20. **Off-Premise Signs** shall be setback a minimum distance of one hundred (100') feet from the nearest right-of way and one hundred (100') feet from any property line. **Off-Premise Signs** shall not exceed fifteen (15') feet in **Height** and shall not exceed one hundred (100) square feet of **Sign Area**.

1106 SIGNS IN AGRICULTURAL AND PUBLIC/OPEN SPACE DISTRICTS

- A. One (1) **Low Profile** or one (1) **Wall Sign** shall be allowed for each lot which contains a non-residential main building permitted in the district. Low-profile **Signs** in an A Districts shall not exceed sixty (60") inches in **Height** and thirty-two (32) square feet per face (maximum of two (2) faces) and shall be setback a minimum distance of fifteen (15') feet from the nearest right-of-way line and setback a minimum of ten (10') feet to any adjacent lot. **Wall Signs** in residential districts shall not exceed twenty-four (24) square feet of **Sign Area**.
- B. Home occupation **Signs** shall not exceed two (2) square feet in **Sign Area** and shall be a **Wall Sign**.
- C. A church or school allowed by this Zoning Resolution may locate two (2) **Signs** on the lot; one **Sign** shall be a **Wall Sign**; the face of which shall not exceed twenty-four (24) square feet in area, and a second **Sign**, which shall be a free-standing **Low Profile Sign** not to exceed thirty two (32) square feet per face (maximum of two (2) faces) and shall be setback from the nearest right-of-way a minimum distance of fifteen (15') feet and setback a minimum distance of ten (10') feet to any adjacent lot. **Low Profile Signs** shall not exceed five (5') feet in **Height**.
- D. No **Sign** of any type shall be permitted in an A District, other than as specifically permitted in this Section 1106.

1107 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

- A. The following **Signs** as listed below may be permitted on a lot in the Commercial and Industrial Zoning Districts as follows:

ZONING DISTRICT	TYPE OF SIGN PERMITTED	MAXIMUM SIGN AREA IN SQ. FT. Wall Sign (2) (4)	MAXIMUM SIGN AREA IN SQ. FT. Low Profile / Monument Sign (1) (3) (5)	MAXIMUM SIGN AREA IN SQ. FT. Projecting Sign (1) (3)
C	Wall, Low Profile Projecting	1.5 feet per Linear Foot of Building Frontage <i>Maximum 120 total</i>	60 per face	30 per face
M	Wall, Low Profile	1.5 feet per Linear Foot of Building Frontage <i>Maximum 180 total</i>	60 per face	Not Permitted

- 1) There shall be a maximum of two (2) faces for low-profile/monument, pole, and projecting signs.
- 2) Awning and canopy signs are wall signs for the purposes of this table.
- 3) No low profile/monument sign or projecting sign is permitted when a pole sign is located on the lot.
- 4) For multi-tenant buildings, the total square footage permitted shall be based on each occupant's linear building frontage
- 5) One pole or one low profile/monument sign, or one projecting sign may be used in combination with a wall sign.

1107 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS (cont'd)

B. Pole Signs and Low-profile/ Monument Signs on Double Frontage Lots

If a lot is bordered by two streets that do not intersect at the lot's boundaries (double frontage lot), then the lot may (subject to total **Sign Area** limitation in Section 1107 (A)) have a pole or **Low Profile/Monument Sign** on each street.

C. Wall Signs

The square footage for a **Wall Sign** is calculated on the wall area facing the right of way. On corner lots, only one **Building Frontage** may be used in the size calculation. Multiple **Wall Signs** are permitted provided the combined **Sign Area** is less than the total **Wall Sign** size limit set forth in Section 1107A. **Awning/Canopy Signs** are allowed and are calculated as part of the overall square footage. **Awning/Canopy Signs** shall not be lower than eight feet (8') above curb grade and **Awning/Canopy Signs** shall not project vertically above the surface of the canopy or awning.

D. Low-profile/ Monument Signs

Shall be setback from the nearest right-of-way a minimum distance of fifteen (15') feet and shall be setback a minimum of ten (10') feet to any adjacent lot line, and not to exceed five (5') in **Height**.

E. Projecting Signs

One **Projecting Sign** is allowed per business. The maximum projection length beyond the **Building Face** shall be four (4') feet. A **Projecting Sign** must have its lower edge a minimum of eight (8') feet above the surrounding grade. **Projecting Signs** shall not exceed the **Height** of the wall that they are attached on.

F. Special Event Signs

1. For the opening of a new business or re-opening of a seasonal business located in a commercial or industrial district, a temporary, on-site **Sign** advertising the grand opening may be permitted for a total periods of thirty (30) continuous days, and shall have a Zoning Certificate.
2. For existing businesses, temporary, on-site **Signs** advertising a special event may be permitted for two (2) two (2) week continuous periods per calendar year. Each special event **Sign** requires a Zoning Certificate. The **Sign** shall be removed on or before the end of the two week period. These **Signs** shall not exceed thirty-two (32) square foot in size and shall be located on the wall of the building where the special event is taking place.

SECTION 12
SITE PLAN REVIEW

1200 PURPOSE

Site plan review provides a procedure with specific standards for development proposals. Items to be considered include but are not limited to traffic & storm water management, preservation of existing natural features, adjacent land uses, general welfare and safety.

1201 APPLICATION

Site plan review and landscaping pursuant to this Section is required for all new construction. Site plan review is also required for the alteration, modification, change of use, or an enlargement of an existing structure whereby the enlargement is greater than 5,000 square feet or whereby the enlargement is greater than twenty-five (25%) percent of the existing floor area. Single family and two-family dwellings and related accessory structures and buildings are exempt from the Site Plan Review procedure.

1202 REQUIREMENTS

An applicant shall file with the Zoning Inspector the following documents along with the application fee:

A. Basic Requirements

1. A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan which contains both the owner's and the applicant's phone number and mailing address.
2. The site plan documents shall include a complete legal description of the property and a general location sketch showing nearby section lines and/or residential and major roadways.
3. All site plans shall have a title - "Site Plan Review". The site plan shall indicate the scale of the drawing and shall use an engineer's scale. The site plan shall have the north arrow pointing either toward the top of the drawing or to the left side of the drawing. The location map and site plan orientation shall be the same.
4. The following documents shall be filed: Fifteen (15) blueline or blackline prints of the site plan on paper no larger than 24" x 36". Detailed drawings other than the site plan need not be submitted for the purpose of site plan review.

B. Site Plan Requirements

1. The site plan shall show the zoning classification(s) and existing uses of the property and all abutting property; the approximate location of buildings and driveway locations opposite to, and adjacent to the property.
2. The site plan shall indicate the dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.
3. The site plan shall indicate the distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to the front, side and rear property lines.
4. The site plan shall indicate the name of all adjacent roadways and right-of-way and pavement widths measured from the centerline of the roadway.

1202 REQUIREMENTS (cont'd)

5. The site plan shall indicate the location, height, and material of all existing and proposed fencing and/or walls on the property.
6. The site plan shall show the location, height, lighting and dimensions of existing or proposed signs on the property.
7. The site plan shall indicate the width(s) and location(s) of existing or proposed drive approach aprons. The drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat.
8. The site plan shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, two-foot (2') contours and the 100-year high water elevation shall be shown on the site plan. Information regarding this requirement may be obtained from the Lucas County Engineer's Office or the Lucas County Building Regulations Office.
9. The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.
10. The site plan shall show existing and proposed sanitary and storm sewers, water mains, and the location of fire hydrants if present. In the event these improvements are not proposed, the site plan shall indicate the location of proposed or existing wells and sewer systems both on-site and on abutting parcels.
11. The site plan shall indicate the location of existing or proposed off-street parking spaces and drive aisles with complete dimensions, the number and size of the proposed parking stalls including handicap spaces and the type of pavement composition of the parking area, such as asphalt or concrete, and if the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any, between the two areas.
12. A site plan with a proposed drive-thru window operation shall indicate where the vehicle will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.
13. Exterior building elevation(s) visible from all abutting roads and highways.

1203 APPROVAL PROCEDURE

- A. Site plans shall be filed with the Zoning Inspector. Site plans shall not be circulated for review and recommendation unless all required information is submitted and/or indicated on the site plan.
- B. The applicant must post and maintain one or more on-site notices as provided. The applicant is responsible for removing the posted notices within ten (10) day after the decision of the Zoning Inspector. No one except the applicant, agent or Zoning Inspector shall remove or tamper with any such notice during the time it is required to be posted and maintained.
- C. The Zoning Inspector shall transmit the site plan to appropriate governmental agencies for review, report and recommendation.
- D. Once all recommendations have been received, the Zoning Inspector shall transmit the site plan and recommendations to the Zoning Commission for review and approval or denial.

1203 APPROVAL PROCEDURE (cont'd)

- E. As part of the site plan review, a bond, escrow, or other suitable guarantee to ensure the implementation of site improvements may be required by the Zoning Commission.
- F. Changes to the approved site plan may require resubmittal for review pursuant to this section. The Zoning Inspector may administratively approve changes to the approved plan provided the change(s) in the plan do not:
 - 1. Result in an increase in the number of units;
 - 2. Encroach materially into the setback areas;
 - 3. Encroach into parking areas so as to cause an alteration in the layout of the access drives or provisions for additional parking spaces;
 - 4. Create a large building mass either through an increase in its height, length, or width that would magnify its effect on the adjoining areas;
 - 5. Alter specific conditions approved by the Zoning Commission.

1204 EXPIRATION AND EXTENSION OF SITE PLAN APPROVAL

If construction of any phase of the approved site plan begins within two (2) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within two (2) years after the approval is granted, the site plan's approval shall be void. An extension of the time limit may be approved by the Zoning Commission.

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SECTION 13
LANDSCAPING REQUIREMENTS

1300 PURPOSE

The landscaping requirement is to establish standards to enhance appearance, preserve native vegetation, and natural features unique to Harding Township and the Oak Openings region. To the greatest extent practical, development should preserve natural features. The use of native vegetation is encouraged and may be approved as part of the landscape review process.

1301 REQUIREMENTS

A. General

Landscaping for all uses except single and two-family dwellings, shall be provided in the following areas:

1. At the perimeter of sites to buffer, separate, and/or screen adjacent land uses;
2. At the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses;
3. In the interior of parking lots to provide shade;
4. Around the perimeter of buildings to enhance the appearance of structures;
5. When barriers or fences are utilized, plant material shall be included;
6. Required landscape areas shall not include any portion of the right-of-way;
7. All loading areas shall be landscaped for screening purposes;
8. Trash receptacles shall be screened and shall not be placed within any required setback areas.

B. Specific

1. A planting strip at least five (5') feet in width shall be located along the perimeter of a parking area but not within any right-of-way. Within this area, there shall be one (1) two and a half (2.5") inch caliper deciduous shade trees per fifty (50) linear feet or perimeter parking area. There shall also be a four (4') feet tall solid hedge of shrubs (evergreen or deciduous) to provide screening. An alternative arrangement or perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the site plan review process.

1301 REQUIREMENTS (cont'd)

2. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff but to break up visually the expanse of paved areas. The use of shade trees in these landscape areas shall be required. Any open parking area (including loading areas) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide the following interior landscaping in addition to the required perimeter screening:
 - An area equal to five percent (5%) of the total area devoted to parking spaces and aiseways shall be landscaped and permeable.
 - For parking areas over thirty thousand (30,000) square feet in size, the required landscaping shall be designed to break up the visual expanse with landscape features such as boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses, if designed so as to provide an attractive natural asset to the site.
 - All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicle encroachment.
 - The required plant materials for the interior of parking areas shall be one deciduous tree for every three thousand (3,000) square feet of area. Where site distance or maneuvering conflicts exist, trees shall have a clear trunk of at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two feet in height.
 - Foundation plantings are required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. Ten (10) shrubs shall be required for every one hundred (100') lineal feet of horizontal exterior building wall visible from the road, street, or highway. If foundation plantings are deemed not practical due to unique features of the site and/or building, an alternative plan may be considered as part of the site plan review process.
 - A landscape strip between the roadway building and/or parking area shall be provided along the full width of a lot, except when a front access drive is provided pursuant to Section 25 – Access Management. The width of this landscape strip shall be not less than fifteen (15') feet measured from the right-of-way line. The landscape strip shall be unoccupied except for landscape material, steps, walks, terraces and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1), two and one-half (2 ½") inch caliber deciduous or two (2), six (6') foot high evergreen trees, or a combination, shall be installed for each one hundred (100') feet of property frontage along with other appropriate landscape materials.
 - An irrigation system shall be installed in all required landscape areas unless drought resistant, native species are utilized.

1302 PLANT MATERIAL SPECIFICATIONS

The following section includes specifications for plant materials. Alternatives to these specified plant materials which demonstrate both the intent and requirements of this Resolution, may be approved as part of the Site Plan:

A. Deciduous Trees

A minimum caliper of at least two and one-half (2 1/2") inches measured twelve (12") inches above ground level at time of planting.

B. Evergreen Trees

A minimum of six (6') feet high and a minimum spread of three (3') feet at time of planting.

C. Shrubs

Shrubs shall be at least thirty (30") inches average height and twenty-four (24") inches in width at the time of planting.

D. Ground Cover and Grass

Ground cover shall be planted a minimum of eight inches on center and shall be planted in such a manner so as to present a finished appearance and seventy-five percent (75%) coverage after one complete growing season. If approved as part of a Site Plan, ground cover may also consist of rocks, pebbles, shredded bark, mulch, and other material. Grass shall be planted in species normally grown as permanent lawns.

E. Prohibited Tree/Shrub Species

The following tree and shrub species shall not be used unless already existing in the proposed landscape area:

Box Elder (*Acer negundo*)
Mulberry (*Morus Alba*)
Willow (*Salix babylonica*)
Siberian Elm (*Ulmus pumila*)
Hickory (*Carya sp.**)
European Alder-Buckthorn (*Rhamnus frangula*)
Common Buckthorn (*Rhamnus cathartica*)
Autumn Olive (*Elaeagnus Umbellata*)
Multiflora Rose (*Rosa multiflora*)
Purple Loosestrife (*Lythrum salicaria*)
Tree of Heaven (*ailanthus altissima*)
Black Walnut (*Juglans nigra*)
Silver Maple (*Acer Saccharinum*)
Black Locust (*Robinia pseudo-acacia*)
Catalpa (*sp.**)
Cottonwood (*Populus deltoids*)

Poplar

Native in the Oak Openings. Existing larger trees may be permitted to remain on site.

This is a species of the genus *Populus* which includes Cottonwoods. This also includes Aspens, which are native to the Oak Openings. Aspens should remain on-site if they exist at the time of development.

1303 MAINTENANCE AND REPLACEMENT REQUIREMENTS

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

- A. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
- B. Within two years of installation (or incorporation of existing vegetation), all trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.
- C. Replacement plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within the next planting season.
- D. As part of the Site Plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Inspector to ensure the landscape material is installed and maintained for a two (2) year period. No Zoning Certificate shall be issued until the bond, escrow or other suitable guarantee is received.

**SECTION 14
PARKING REQUIREMENTS**

1400 GENERAL PARKING REQUIREMENTS

Any building, structure or use of land that is constructed, enlarged, or used shall provide off-street parking spaces for automobiles in accordance with the following minimum provisions:

1401 OFF-STREET PARKING DESIGN STANDARDS

All off-street parking, including driveways, entrances, exits, circulation and maneuvering areas, aisles and interior lanes, and parking spaces shall be in accordance with the following minimum standards and specifications:

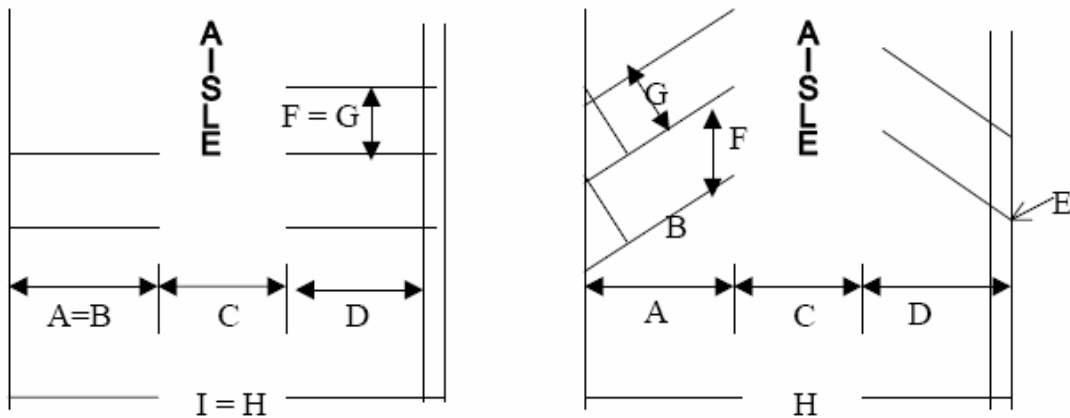
A. Parking Space Dimensions

All new or altered parking lots shall conform to the parking space stall width and length and aisle width, as set out in Table 1 and illustrated in Figure 1.

TABLE 1

DIMENSION	ANGLE			
	45	60	75	90
A. STALL DEPTH TO WALL	17	18.5	19	18
B. STALL DEPTH PARALLEL TO	18	18	18	18
C. VEHICLE AISLE WIDTH	12	18	22	25
D. STALL DEPTH TO INTERLOCK	15	17	18	18
E. STALL DEPTH REDUCTION DUE TO INTERLOCK	2	1.5	1	0
F. STALL WIDTH PARALLEL TO AISLE 1	12.7	10.4	9.3	9
G. STALL WIDTH PERPENDICULAR TO VEHICLE	9	9	9	9
H. MODULE WIDTH WALL TO WALL	45	54	60	61
I. MODULE WIDTH INTERLOCK TO INTERLOCK	42	51	52	51

FIGURE 1



1401 OFF-STREET PARKING DESIGN STANDARDS (cont'd)

EXCEPTION TO TABLE 1:

1. For bumper overhang deduct one and one-half (1 1/2') feet from stall depth to wall or three (3') feet from wall to wall for 45 degree and 60 degree parking. The equivalent dimensions for 75 degree and 90 degree parking are two (2') feet and four (4') feet respectively.
2. Where natural and/or man-made obstructions or other features such as landscaping, support columns, or grade difference exist, the Zoning Commission may approve a reduction in required stall width, length, and/or aisle width as part of the Site Plan review process. In all instances where a reduction is requested, emergency vehicle access shall be considered and incorporated in the parking lot design.

B. Access

For single or two family residential dwellings, driveways shall be a minimum of nine (9') feet in width. For all other uses, driveways shall be a minimum width of twenty-two (22') feet.

C. Setbacks

1. Off-street parking areas in commercial districts shall not be located in the required landscapes strips, or closer than five (5') feet from any side or rear property line. No part of any loading space shall be permitted closer than fifty (50') feet to any residential district nor closer than five (5') feet to any right-of-way.
2. Whenever any commercial, industrial, or public use/open district adjoins a residential district, the off-street parking for the non-residential use shall not be located within twenty (20') feet from the residential district boundary, and shall not be located within ten (10') feet of any right-of-way.

D. Surfacing

All off-street parking spaces, driveways, aisles, entrances, exits, circulation and maneuvering areas, and interior lanes for all nonresidential uses, shall be surfaced prior to occupancy of the building. Surfacing shall be accomplished with asphalt, concrete or masonry-type material. Stone or gravel is not considered a masonry-type material.

E. Drainage

All parking spaces, driveways, entrances, exits, circulation and maneuvering areas and interior lanes, shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area, and shall be designed to prevent the excess drainage of surface water onto adjacent properties, walkways, or onto the public roads. Adequate arrangements shall be made to insure acceptable diversion to an adequate storm water drainage system.

F. Striping

All parking areas shall be marked with paint lines, curbs, or some other manner approved by the Zoning Inspector, and shall be clearly identified.

G. Maintenance

Parking areas shall be maintained in good condition and free of dust, trash, or other debris.

1401 OFF-STREET PARKING DESIGN STANDARDS (cont'd)

H. Signs

Where necessary, entrances, exits, and the intended circulation pattern of the parking area shall be clearly marked.

I. Parking of Commercial Vehicles

Truck tractors and/or truck trailers, dump trucks, and other vehicles with a gross vehicle weight of 12,000 lbs. or greater shall not be parked, stored or kept on any parcel in any A District except when making deliveries. An exemption to this section is authorized subject to conformance with all of the following criteria:

In an A or RR District

1. Only one (1) legally insured and plated commercial vehicle, 12,000 lbs or greater may be parked on the parcel.
2. The operator of the vehicle shall reside on the parcel on which the commercial vehicle is kept.
3. The commercial vehicle may only be parked (without being moved) for seven (7) consecutive days.
4. No portion of the commercial vehicle shall extend forward of the front line of the primary structure and no closer than one hundred (100') feet from road right-of-way.
5. ~~The parking area shall be screened on both sides with a continuous evergreen hedge. Plant material shall be a minimum of five (5') feet at time of planting.~~
6. The parking area, and drive leading to it, shall be made of sufficient aggregate, black top or concrete to support the vehicle being parked there.
7. The commercial vehicle shall be parked no closer than twenty feet (20') from the side property lines.
8. ~~Vehicles used for agricultural purposes are exempt from this section.~~

(Rev. 10-13-14. Z37-C32)

J. Parking and Storage of Non-Commercial Vehicles and Trailers

1. No vehicle or trailer which infringes on the residential character of an "A" or "RR" district shall be stored or parked in that district, excluding vehicles which are stored in an enclosed building.
2. No inoperable vehicle shall be parked within an "A" or "RR" district for a period of more than two (2) weeks, but may be stored in an enclosed building.
3. Recreational vehicles, boats, boat trailers and/or utility trailers shall not be parked or stored in a front yard of an "A" or "RR" District, except when loading and unloading for a temporary period not to exceed 48 hours. The aforementioned shall be a minimum of 10 feet from a lot line.

1401 OFF-STREET PARKING DESIGN STANDARDS (cont'd)

- b. For parcels less than 5 (five) acres the maximum number of aforementioned shall not exceed the number shown in the following table:

PARCEL SIZE IN ACRES	MAXIMUM NUMBER OF RECREATIONAL VEHICLES OR TRAILERS
Less than Three	Max. of 4 Trailers or Combination
Three to Five	Max. of 5 Trailers or Combination

- 4. Recreational vehicles shall not be permanently connected to electrical, water or sanitary utilities while being parked on the parcel. Connections may not be maintained for longer than 30 consecutive days.

(Rev. 10-13-14. Z37-C32)

1402 PARKING SPACE REQUIREMENTS

A. Residential Uses:

Single-family or two-family dwelling: Two per dwelling unit.

B. Commercial Uses:

Amusement arcade: One for each two hundred (200) square feet of gross floor area.

Auditorium, stadium, theater, conference center, or large place of assembly: One for each thirty (30) square feet of gross floor area of the auditorium or assembly space.

Automobile car wash, automatic, self-service: Two per site. A washing space is not a parking space.

Automotive repair: Two per bay. A service bay is not a parking space.

Automobile sales: One for each 5,000 square feet of developed lot area used for vehicle display and one for each 300 square feet of gross floor area.

Bank or financial institution: One for every 200 square feet of floor area.

Barber and beauty shop: One for every 200 square feet of gross floor area.

Bowling Alley: Five per alley or lane

Funeral Home: One for every 150 square feet of gross floor area.

Furniture Store: Two plus one for every 300 square feet of gross floor area over 1,000 square feet.

General Office: One for each 300 square feet of gross floor area.

Golf Course: Six (6) for each hole.

Hotel or motel: One per guest room.

1402 PARKING SPACE REQUIREMENTS (cont'd)

Salvage Yard: One space per acre.

Medical or Dental Office or Clinic: One for each 200 square feet of gross floor area.

Meeting or Reception Hall: One for each 200 square feet of gross floor area.

Outdoor Recreation: One for each 500 feet of use area.

Self-service storage facility: Four plus one space per employee.

Retail: One (1) for each 250 square feet of gross floor area.

Restaurant or tavern: One (1) for each 75 square feet of gross floor area or one (1) for each 125 square feet of gross floor area when located within a multi-tenant building.

Sexually Orientated Business: One for each 100 feet of floor area.

Any other type of commercial use: One for each 250 square feet of gross floor area.

C. Institutional Uses:

Day Care Facility: One space per each 250 square feet of gross floor area.

Church or place of worship: One for each forty square feet of gross seating area of the sanctuary, auditorium, or main place of worship, whichever has the greater area.

Club or lodge: One for each five members.

Elementary school (K-9): Two per classroom and one for each sixty square feet of gross floor area in the auditorium or assembly hall.

Library, museum, or art gallery: Ten plus one for each 300 square feet of gross floor area in excess of 2,000 square feet.

D. Industrial Uses:

Manufacturing, Utility, Research, and Development facilities: One per one and one-half employees.

Truck Terminal: One space per loading dock.

1403 OFF-STREET AREAS WITH DRIVE-UP/DRIVE-THRU SERVICE

Establishments shall provide off-street vehicle storage areas in accordance with the following requirements:

- A. Photo pickups, restaurants, drive-thru beverage docks, and other similar commercial establishments that can normally serve customers in 3 minutes or less shall provide no less than five (5) vehicle storage spaces per window, not including the space at the window. Drive-thru restaurants and other similar uses which require additional stopping points for ordering and paying for goods or services shall provide a minimum of three (3) additional storage spaces for each stopping point.
- B. Other commercial establishments such as banks, savings and loan offices, or other similar facilities with service or money windows shall provide no less than four (4) storage spaces per window.

1403 OFF-STREET AREAS WITH DRIVE-UP/DRIVE-THRU SERVICE (cont'd)

- C.** Self-service automobile washing facilities shall provide no less than four (4) stacking spaces per stall. All other automobiles washing facilities shall provide a minimum of ten (10) storage stacking spaces per entrance.
- D.** Motor vehicles service stations shall provide no less than two (2) storage stacking spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than fifteen (15') feet to any right-of-way line.

SECTION 15
PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USES

1500 PURPOSE

- A. In addition to those uses specifically permitted in each Zoning District, there are certain uses that are desirable, compatible with permitted uses, and necessary for the good of the property owner or the public, but typically affect an area more intensely than those uses permitted in the zoning district. Due to the potential impact on the community, these uses require additional review and consideration. Such uses shall be listed as “Conditional Uses” within the respective zoning districts.
- B. The Harding Township Board of Zoning Appeals (BZA) may grant conditional approval for use of the land, buildings, or other structures and may allow such a use to be established where such approval will be consistent and harmonious with the general purpose and intent of this Harding Township Zoning Resolution (HTZR) and Harding Township Land Use Plan.

1501 PROCEDURAL OUTLINE

- A. Obtain a Conditional Use application form from Zoning Inspector.
- B. File 10 copies of the Conditional Use application form and all attachments with the Zoning Inspector including fee.
- C. Zoning Inspector advises Trustees of application at the next scheduled Trustee meeting.
- D. Trustees determine what other resources should be contacted for advice, counsel and input such as Harding Township Zoning Commissioners, Lucas County Planning Commission, Lucas County Engineers, Toledo-Lucas County Health Department, Lucas County Building Regulation, etc. The Zoning Inspector shall contact these organizations.
- E. Trustees notify the Chairman of the BZA.
- F. Zoning Inspector forwards copies of the application form to the chairman of the BZA.
- G. BZA reviews the application and sets a date for a public hearing.⁷
- H. Notification of public hearing.
- I. Zoning Inspector forwards all input from external sources to the Chairman of the BZA.
- J. BZA holds public hearing.
- K. BZA advises applicant and Trustees of findings.

1502 APPLICATION FOR CONDITIONAL USE

- A. The application for a Conditional Use must be submitted by the property owner or a designated agent of the property owner. Applications for a Conditional Use may be obtained from, and filed with, the Harding Township Zoning Inspector. No application will be considered unless the same is fully completed and accompanied by the fee and all required information listed on the application form. At a minimum the application shall contain the following information:

1502 APPLICATION FOR CONDITIONAL USE (cont'd)

1. Name, address, and phone number of applicant(s) and property owner.
2. Street address, parcel number and legal description of the property.
3. Present zoning district.
4. Description of proposed request for the Conditional Use.
5. Site plan.
6. A statement stipulating how the proposal meets the intent and general requirements of the current Harding Township Land Use Plan and HTZR.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, light, fumes and vibration on adjoining property; and a discussion of the general compatibility with adjacent and other parcels within the immediate area of the proposed Conditional Use.
8. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the deliberations of the Board.
9. The names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from, the property under consideration, as appearing on the Lucas County Auditor's tax list.

1503 FEE

- A. The Township Trustees shall establish a fee as deemed appropriate to defray the costs associated with expenses incurred.

1504 PUBLIC HEARING

- A. The BZA shall meet within 14 days of the receipt of the application to perform a preliminary review of the application and schedule a public hearing. Notice of such hearing shall be advertised 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 public hearing and the nature of the proposed request. Notice of such hearing shall be sent by first class mail to the parcel owners within 200 feet of the proposal, contiguous to, and across the street, as appearing on the Lucas County Auditor's current tax list or the Lucas County Treasurer's mailing list at least ten (10) days prior to the public hearing.

1505 GENERAL STANDARDS FOR CONDITIONAL USES

- A. The BZA shall not approve a Conditional Use unless it makes specific findings of fact directly based on the particular evidence presented to it that support conclusions that such Conditional Use at the proposed location shall meet all the following requirements:
 1. It will be consistent with the general objectives, or with any specific objective or purpose, of the HTZR.
 2. It will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

1505 GENERAL STANDARDS FOR CONDITIONAL USES (cont'd)

3. It will be served adequately by essential public or private facilities and services such as, but not limited to:
 - a. Law enforcement, fire and EMS protection
 - b. Adequate highways, streets and drainage
 - c. Water and sanitary facilities
 - d. Disposal of refuse, water, and sanitary waste
 - e. Schools
4. It will not involve uses, activities, processes, materials, equipment or conditions of operation that will be significantly disturbing or detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, particulate matter, shading, glare, vibration, pulsation, smoke, fumes, or odors.
5. It will have vehicular approaches to the property that shall be so designated as not to create interference with existing traffic on surrounding public streets or roads.

1506 SUPPLEMENTARY CONDITIONS

- A. In granting any Conditional Use, the BZA shall insure that the specific conditions and standards established in Section 9, Supplemental Regulations have been adequately addressed. The Board may prescribe other appropriate conditions and safeguards, as it deems necessary to insure that the use will be conducted in conformance with the intent and purpose of the HTZR.

1507 ACTION BY BOARD of ZONING APPEALS

- A. The BZA shall make its decision within fourteen (14) days of the public hearing. The BZA shall act by Resolution, in which three (3) members concur, and every action shall be accompanied by written findings of fact, based on testimony and evidence and specifying the reason(s) for granting or denying the request. A copy of the BZA's Resolution, accompanied by the BZA's findings of fact, shall be mailed to the Applicant by ordinary mail.

1508 EXPIRATION OR REVOCATION OF CONDITIONAL USE

- A. The Conditional Use shall automatically expire or may be revoked if:
 1. The Conditional Use has not been instituted or utilized within one (1) year from the date on which the Conditional Use was granted.
 2. For any reason the use shall cease for more than a two (2) year continuous period.
 3. Violation of any condition(s) of approval of the Conditional Use.

1509 PUBLIC INFORMATION

- A. All communications to members of the BZA, written or oral, which pertain to any matter before the BZA shall be reduced to writing and made a part of the record. The official record of the BZA's proceeding in any matter shall be kept on file in the Harding Township Hall, subject to the order of the Lucas County Common Pleas Court and available for inspection by the public.

1510 SITE PLAN

- A. The site plan shall, in general, be per Section 1200 of the HTZR. Where "Zoning Commission" is mentioned, it shall be changed to "BZA" for compliance with this section.
 - B. The site plan shall be drawn at a legible scale showing the location of all the following:
 - 1. Buildings
 - 2. Parking, loading areas and traffic circulation
 - 3. Open space and landscaping
 - 4. Refuse and service areas
 - 5. Utilities, wells, leach fields, septic tanks, and sanitary systems
 - 6. Easements and yard setbacks
 - 7. Signs
 - 8. Drainage ditches
 - 9. Similar items to above on neighboring parcels
- (Rev. 8-13-12. Z37-C31.)*

SECTION 16
ZONING CHANGES AND TEXT AMENDMENTS

1600 AUTHORITY

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the Board of Township Trustees may, by resolution, after the Zoning Commission recommendations, and subject to the procedures required by law, amend, supplement, change or repeal the regulations, restrictions, district boundaries or classification of property now or hereafter established by this Resolution or amendments hereof.

1601 PROCEDURES

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

- A. By passage of a resolution by the Board of Township Trustees;
- B. By a motion of the Zoning Commission;
- C. By the filing of an application by at least one (1) owner, or a duly authorized agent of the owner of the property within the area proposed to be changed.

1602 APPLICATION AND FEES

The application for any change of district boundaries or classifications of property shall be made on forms obtainable at the office of the Zoning Inspector. The application shall be accompanied by information as may be prescribed by the Zoning Commission, and verified by the owner as to accuracy. A fee shall be paid upon the filing of the application and no action shall be taken on an application until all fees are paid in full.

1603 TRANSMITTAL TO COUNTY PLAN COMMISSION

Within five (5) days after the adoption of such motion, or the certification of such Resolution, or the filing of such application, the Commission shall transmit a copy thereof, together with text and map to the Lucas County Planning Commission. The Lucas County Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment or supplement.

1604 PUBLIC HEARING AND NOTICE BY ZONING COMMISSION

Upon the adoption of such motion, or the certification of such resolution, or the filing of such application, the Zoning Commission shall hold a public hearing. The Zoning Commission shall set a date for the public hearing, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution or the date of the adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given as follows:

- A. The applicant must post and maintain one or more on-site notices as provided. The applicant shall remove the posted notices within ten (10) days after the decision of the Board of Township Trustees. No one except the applicant, agent or Township shall remove or tamper with any such notice during the time it is required to be posted and maintained.

1604 PUBLIC HEARING AND NOTICE BY ZONING COMMISSION (cont'd)

- B. A notice shall be published in one (1) or more newspaper of general circulation in the township at least ten (10) days before the date of such hearing. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such hearing the matter will be referred for further determination to the Board of Township Trustees.
- C. 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 shall be mailed by Zoning Commission, first class mail, at least (10) days before the date of the public hearing, to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned to the addresses of such owners appearing on the Lucas County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

1605 RECOMMENDATION BY ZONING COMMISSION

The Zoning Commission shall study the proposed change in the terms of public necessity, convenience, general welfare and good zoning practice. The Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or the approval of some modification thereof, and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Lucas County Planning Commission thereon, to the Board to Township Trustees.

1606 PUBLIC HEARING AND NOTICE BY BOARD OF TOWNSHIP TRUSTEES

Within 30 days of receipt of the recommendation of the Zoning Commission, the Board of Township trustees shall hold a public hearing. Notice of the public hearing shall be given by the Board of Township Trustees with at least one (1) publication in a local newspaper of general circulation at least 10 days before the date of the public hearing. This notice shall set forth the time and place of the public hearing and the nature of the proposed request.

1607 ACTION BY THE BOARD OF TOWNSHIP TRUSTEES

Within twenty (20) days after such public hearing, the Board of Township Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees deny or modify the recommendation of the Zoning Commission, the unanimous vote of the Board of Township Trustees will be required.

1608 EFFECTIVE DATE AND REFERENDUM

- A. The amendment adopted by the Board of Township Trustees shall become effective in thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Township Trustees a petition, signed by a number of registered electors residing in the unincorporated area of the Township equal to not less than eight percent (8%) of the total vote cast for all candidates for governor in such area in the most recent general election at which a governor was elected, requesting the Board of Trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election.
- B. No amendment for which such referendum vote 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.

SECTION 17
ENFORCEMENT

1700 ZONING INSPECTOR

The Zoning Inspector shall be appointed by the Board of Township Trustees and shall have the following responsibilities:

- A. Review Applications for Zoning Certificates, site plan review, Conditional Uses, and zoning change.
- B. On-Site Inspections.
- C. Investigation of violations and enforcement of this Resolution.
- D. Maintain records of zoning activity including non-conforming and Conditional Uses.

1701 ZONING CERTIFICATE REQUIRED

No building or other structure, including temporary structure, shall be constructed, moved, added to, altered, nor shall any building, structure, or land be established or changed in use without a Zoning Certificate issued by the Zoning Inspector. Zoning Certificates shall be issued only in conformity with the provisions of this Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal or variance. Zoning Certificates may be issued for the following:

- A. **Construction**
Before any pond or structure, as defined in this Resolution is constructed, erected, enlarged, or placed on a property, a Zoning Certificate shall be required. The Zoning Inspector shall issue a Zoning Certificate when satisfied that according to the information submitted by the applicant, the proposed structure will conform to all requirements of this Resolution.
- B. **Change of Use**
When the use of a property or a building or structure is proposed to be changed, a Zoning Certificate is required. The Zoning Inspector shall issue a Zoning Certificate when the requirements of this Resolution are met.
- C. **Signs**
Before any sign except those exempted in Section 1104 may be placed, constructed, or structurally altered, on or attached to a building, or on a parcel of land, a Zoning Certificate is required.

1702 APPROVAL OF ZONING CERTIFICATE

Within twenty (20) days after the receipt of an application for a Zoning Certificate, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All Zoning Certificates shall, however, be conditional upon the commencement of work within six (6) months. If the work described in any Zoning Certificate has not begun within six (6) months from the date of issuance thereof, said Zoning Certificate shall expire. All Zoning Certificates shall expire after a one (1) year period but may be renewed subject to the filing of an application with the Zoning Inspector. Zoning Certificate shall only be issued to the owner of the property or to a duly authorized contractor.

1703 ENFORCEMENT AND PENALTIES

- A.** The Resolution shall be enforced by the Board of Township Trustees or such enforcement officer as may be designated by the Board of Township Trustees. No Zoning Certificate(s) may be issued if the building or use currently is or would be in violation of any of the provisions of this Resolution except in those cases where it is being obtained to remedy an existing violation on the property.
- B.** Except as expressly provided in this Resolution, it shall be unlawful to locate, erect, construct, reconstruct, enlarge, structurally alter, or use any building or structure or use and land without obtaining a Zoning Certificate.
- C.** Any Zoning Certificate issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Certificate shall be revoked by notice in writing to be delivered to the holder of the void zoning certificate upon the premises concerned, or in case such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed, thereafter, with such work or use without having obtained a new Zoning Certificate, in accordance with this Resolution, shall be deemed guilty of violation thereof.
- D.** In case any building is located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of this Resolution, the Board of Township Trustees, the County Prosecutor, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.
- E.** Any person, firm, or corporation violating any provision of this Resolution shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00). Each and every day, during which illegal construction, reconstruction, enlargement, change, maintenance, or use continues, may be deemed a separate offense.
- F.** Failure to obtain a Zoning Certificate shall result in paying three (3) times the regular fee schedule.

1704 SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Board of Township Trustees shall, by Resolution, establish a schedule of fees, charges, and expenses and a collection procedure for Zoning Certificates, amendments, appeals, variances, conditional use permits, site plan approvals, and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be available in the Office of the Zoning Inspector and may be amended only by the Board of Township Trustees. No Zoning Certificate will be issued until the appropriate fee has been paid. No hearing or appeal will be conducted until the fee has been paid.

1705 NOTICE OF ZONING VIOLATION

- A.** Whenever the Zoning Inspector determines that there has been a violation of any provision of the Harding Township Zoning Resolution (HTZR), the Zoning Inspector shall give written notice of such violation to the property owner and require compliance with the HTZR, as hereinafter provided.
 - 1.** Service of Notice:

1705 NOTICE OF ZONING VIOLATION (cont'd)

- a. Shall be served on the owner by one of the following methods:
 - i. in person,
 - ii. by registered or certified mail

- b. If a registered or certified mail envelope is returned with an endorsement showing that service was:
 - i. Refused, the notice may be served by ordinary mail to the last known mailing address, residence or place of business. The mailing shall be evidenced by a "certificate of mailing", and service shall be deemed complete on the date of mailing.
 - ii. Unclaimed, the notice may be served by ordinary mail to the last known address, residence or business. The mailing shall be evidenced by a certificate of mailing, and service shall be deemed complete on the date of mailing, provided that the ordinary mail envelope is not returned to the postal authorities with any endorsement showing failure of delivery.

- c. If service is not accomplished by any of the above means, then a notification of the existence of the notice and order may be published at least once in a local newspaper of general circulation.

B. Written Notice Shall:

- 1. Include a list of violations and refer to the section or sections of the HTZR that are violated.
- 2. Specify remedial action which will effect compliance with the HTZR.
- 3. Specify a time for performance of the remedial action.
- 4. A copy of the law fixing the penalty for Zoning Violations.

C. The Zoning Violation Notice may, in the alternative, be served by:

- 1. Leaving it at the entrance to the last known residence or place of business or,
- 2. Giving it to a family member or other responsible person of suitable age and discretion at that location who shall be informed of the general nature of the contents thereof.

(Rev. 10-13-14. Z37-C32)

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SECTION 18
ZONING COMMISSION

1800 HARDING TOWNSHIP ZONING COMMISSION

The Harding Township Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Harding Township and who shall be appointed by the Board of Township Trustees. Vacancies shall be appointed by the Board of Township Trustees for any unexpired term. The Board of Township Trustees may appoint alternate members in accordance with the provisions of the ORC.

1801 ORGANIZATION

The Zoning Commission shall organize and keep a written record of its actions and determinations, adopt rules and procedures to carry out its duties and obligations, all of which shall be filed in the office of the Township Fiscal Officer and shall be a public record.

1802 MEETINGS

At the first meeting of each year the Zoning Commission shall elect a Chairperson and Vice-Chairperson for a term of one (1) year. There shall be a fixed place of the meeting and all meetings shall be open to the public. The Zoning Commission shall keep a record of its proceedings indicating the action of the Zoning Commission and indicating the vote of each member on each request considered. All recommendations of the Zoning Commission shall be filed in the Office of the Township Fiscal Officer. A quorum to conduct a meeting shall consist of at least three (3) members of the Zoning Commission.

1803 DUTIES OF THE ZONING COMMISSION

The Zoning Commission shall have the following authority:

- A. Initiate proposed amendments to this Resolution;
- B. Consider, review, and recommend all proposed amendments to the Board of Township Trustees;
- C. Consider, review, and approve or deny on all site plans pursuant to Section 12 of this Resolution;
- D. Consider and review all proposed Special Uses and make recommendations to the Board of Township Trustees.

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SECTION 19
BOARD OF ZONING APPEALS

1900 HARDING TOWNSHIP BOARD OF ZONING APPEALS

The Harding Township Board of Zoning Appeals shall consist of five (5) members who shall be residents of the unincorporated area of Harding Township. The terms of all members shall be so arranged so that the term of one (1) member expires each year. The Board to Township Trustees shall fill by appointment any vacancies including un-expired terms. The Board of Township Trustees may appoint alternates in accordance with the provisions of the ORC.

1901 MEETINGS

At the first meeting of each year the Board of Zoning Appeals shall elect a Chairperson and Vice-Chairperson for a term of one (1) year. There shall be a fixed place of the meeting and all meetings shall be open to the public. The Board of Zoning Appeals shall keep a record of its proceeding indicating the action of the Board of Zoning Appeals and indicating the vote of each member on each request considered. All records of the Board of Zoning Appeals shall be filed in the Office of the Township Fiscal Officer. A quorum to conduct a meeting shall consist of at least three (3) members of the Board of Zoning Appeals.

1902 DUTIES OF THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall have the following authority:

- A. To organize, adopt rules, hold meetings and keep records as required by law.
- B. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determinations made by the Zoning Inspector in the enforcement of this Resolution. This includes hearing and deciding matters of interpretation of the provisions of the text of this Resolution and the "Official Harding Township Zoning Map".
- C. To 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 Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done. No variance shall be granted except in conformance with the provisions of Section 1904 of this Resolution.

1903 APPEAL REQUIREMENTS

Appeals to the Board may be taken by any person aggrieved or by any officer 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 Board of Zoning Appeals, a notice of appeal specifying the grounds. The following information shall be included in any application brought before the Board of Zoning Appeals for consideration of any appeal or matter of interpretation:

- A. The request shall include the action or order of the Zoning Inspector, such as the citation of zoning violation and/or a Zoning Certificate being denied or revoked.
- B. The specific reference, including chapter(s) and section(s), of the zoning text or portions of the "Official Harding Township Zoning Map" that may be appealed.

1903 APPEAL REQUIREMENTS (cont'd)

- C. The facts and information showing the basis of the appeal, including factors of characteristics unique to a parcel.
- D. The specific remedy proposed or description of the proposed interpretation.

1904 REQUIREMENTS FOR A VARIANCE REQUEST AND APPROVAL

The Board of Zoning Appeals may authorize in specific cases a variance from the terms of this Resolution as will not be contrary to the public interest, where, owing to specific conditions, a literal enforcement of the Resolution will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done. The Board of Zoning Appeals shall consider the following:

- A. That due to exceptional narrowness, shallowness, or shape, or exceptional topographic conditions or other extraordinary situation or condition of a lot, the strict application of the terms of this Resolution would result in peculiar and exceptional practical difficulties.
- B. That special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or building in the vicinity.
- C. That a variance from the strict application is necessary to relieve such difficulties or hardship, and that such relief may be granted without substantial detriment to the public good and without substantially altering the intent of this Resolution.
- D. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
- E. The condition from which relief or a variance sought did not result from action by the applicant.
- F. No variance may be applied for or granted which would allow a use that is not allowed in a zoning district.
- G. The authorization of a variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair the health, safety, convenience, or general welfare of the inhabitants of the Township.

1905 CONDITIONS OF APPROVAL

In granting a variance, the Board of Zoning Appeals may stipulate the manner in which the variance shall be carried out, and may require other improvements and safeguards for the protection of the public health, safety, and welfare. In such cases the Board of Zoning Appeals may attach conditions.

1906 APPLICATIONS

All applications shall be in writing, shall be signed by the owner of the property involved or their duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be filed in the office of the Zoning Inspector.

1907 PUBLIC HEARING AND NOTICE

- A.** Once the application has been received, the applicant shall post and maintain one or more on-site notices as provided. The applicant is responsible for removing the posted notices within ten (10) days after the decision of the Board of Zoning Appeals. No one except the applicant, agent or Township shall remove or tamper with any such notice during the time it is required to be posted and maintained.
- B.** The Board shall schedule a reasonable amount of time for the hearing of a matter to come before it and shall give at least ten (10) days notice to the parties in interest, stating the time and place. In addition, notice of such public hearing shall be given in one publication in one or more newspapers of general circulation at least ten (10) days before the date of such hearing. The Board of Zoning Appeals shall make its findings and determination in writing within sixth (60) days from the date of the filing of the request. At the hearings, any party may appear in person by agent or by attorney and shall be given the opportunity to be heard. A copy of the findings and determination made by the Board of Zoning Appeals shall be transmitted to the applicant within fourteen (14) days following the hearing.

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SECTION 20 DEFINITIONS

2000 DEFINITIONS

For the purpose of this Resolution certain terms and words are defined in the various Section - Signs and Outdoor Advertising and in this section. Words used in the present tense include the future, and the plural includes the singular, and the singular the plural. The word "shall" is mandatory; "occupied" or "used" shall be considered as though followed by the words or intended, arranged, or designed to be used or occupied. Except where specifically defined, all words used in this Resolution shall carry their customary meanings.

Abandoned: To cease or discontinue a use or activity without intent to resume, but excluding temporary or short term interruptions to use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, during normal periods of vacation or seasonal closure.

Accessory Structure: A subordinate structure including those without a permanent foundation, detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Accessory Use: A use incidental to, and on the same lot as, a principal use. Accessory uses include any use of a subordinate nature to the principal use on the same lot.

Adult Correctional Rehabilitation Facility: A dwelling or place used as a halfway house providing residential care or rehabilitation for adult offenders in lieu of institutional sentencing; a halfway house providing for persons leaving correctional institutions; and residential rehabilitation centers for alcohol and drugs abusers, provided that detoxification is expressly prohibited on such premises.

Agriculture: The use of land for farming; ranching; aquaculture; 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; any 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. Agriculture shall not include Kennels or commercial riding stables/boarding of domesticated animals except as a Conditional Use.

Alteration: Any change, addition, or modification in construction or use of an existing structure.

Amusement Arcade: A building or part of a building in which five or more video games or other similar player-operated amusement devices are maintained.

Assisted Living Facility: A residential living facility licensed by the State of Ohio for four or more persons that provides assistance with daily needs which may include medical assistance, transportation, meal preparation, and laundry services. Such facility may also provide other services, such as transportation for routine social and medical appointments, and counseling.

Automobile/Truck Repair Garage: A place where services such as painting, bodywork, rebuilding and reconditioning are performed.

2000 DEFINITIONS (cont'd)

Automobile Service Center: A place that provides routine maintenance and replacement of parts such as tires, mufflers, and oil changes within a completely enclosed building with no service or storage outside.

Automobile Wrecking Yard (see also Salvage Yard): The place where the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two (2) or more motor vehicles, which, for a period exceeding thirty (30) days, have not been capable or operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima-facie evidence of an automobile wrecking yard.

Bar or Lounge: Any premises wherein alcoholic beverages are sold at retail for consumption on the premises.

Building: A structure having a roof supported by columns or walls; for the shelter, support, enclosure or protection of persons, animals, or property. When separated by party walls, each portion of such a building shall be considered a separate structure.

Building Height: The vertical distance between the average finished grade at the foundation wall to the highest point of the roof.

Car Wash: An area of land and/or structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

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

Church or Place of Worship: A place that people regularly attend for religious services, meeting, and other activities, which may include day care services. The word "Church" shall not carry a secular connotation. Church shall include buildings in which religious services and related activities of any denomination are held.

Clinic: A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.

Club: Buildings or facilities occupied for social, educational, or recreational purposes, but not primarily for profit or for rendering a service that is customarily carried on as business and not open to the general public.

Commercial Activity: Any activity involving the making of a product or providing a service for gain.

Commercial Riding Stables: A building or structure and land where horses are sheltered, fed, and/or trained for compensation.

Community or Club Swimming Pools: A community or club swimming pool shall be any pool constructed by an association of lot owners, or by a private club for use and enjoyment by members of the association or club.

Conservation Area: Areas having significant natural vegetation, wildlife or physical features.

Contractor Yard: A place used for the storage of heavy equipment and materials used for construction or maintenance purposes.

2000 DEFINITIONS (cont'd)

Day Care Facilities: A building or part thereof other than a permanent residence which administers to the needs of children or adults providing social, recreational, or educational activities on a daily basis with no provisions for resident care.

Density: The number of dwelling units permitted per net acre of land (excluding right-of-way).

Development: All structures and other modifications of the natural landscape above and below ground or water, on a particular site.

Distribution Center: The storage, wholesale, and distribution of manufactured products, supplies, and equipment.

Drive-thru Facility: An establishment that by design or by service or packaging procedures permits customers to receive a service or obtain a product while remaining in an automobile.

Dwelling: A building or portion thereof use exclusively for residential purposes, including one-family, two-family, and multiple family dwellings. The term "dwelling" shall include Ohio Basic Building Code (OBBC) certified units, and shall not include mobile homes, recreational vehicles, hotels, motels, boarding or lodging houses.

Dwelling, Multi-Family: A building or portion thereof used for occupancy by two or more families living independently of each other and containing three or more dwelling units.

Dwelling Unit: A place for residential occupancy by one family with separate toilets and facilities for cooking and sleeping.

Family: One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel herein defined. This definition shall include the following:

- A. A group of persons with disabilities (meaning persons who are considered handicapped or disabled as those terms are defined either by the Fair Housing Act or the Americans with Disabilities Act) who need not be related by blood or marriage or adoption, living together as a single housekeeping unit.
- B. A foster home as defined by Ohio Revised Code Section 2151.

Frontage: That side of a lot abutting on a public street or private place and ordinarily regarded as the front of the lot.

Funeral Home: A building or part thereof used for human funeral services. Such building may contain space and facilities for:

- A. Embalming and the performance of other services used in preparation of the dead for burial;
- B. Performance of autopsies and other surgical procedures;
- C. Storage of caskets, funeral urns, and other related funeral supplies;
- D. Storage of funeral vehicles, but shall not include facilities for cremation;
- E. A funeral chapel

2000 DEFINITIONS (cont'd)

Group Living: The residential use of a building other than by a household where the units do not have kitchens. Such facilities include but are not limited to adult family houses, nursing homes, and homes for the aging.

Highway, Major: A street or road of considerable continuity and used primarily as a traffic artery.

Home Occupation: An occupation carried on by the occupant of a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the external character of the dwelling, does not produce a sound that is audible beyond the dwelling.

Hospital: A care facility providing clinical and emergency services of a medical or surgical nature to human patients and licensed by the State of Ohio to provide such facilities and services.

Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured home or a mobile home as defined in this resolution. For this purpose of this resolution, an industrialized unit is a dwelling.

Kennel: A facility housing more than five (5) dogs, cats, or other household pets, over four (4) months of age, where grooming, breeding, boarding, training, or selling of animals is conducted.

Lake: A body of water at least five (5) acres in surface area.

Landfill: A site for the disposal of solid wastes in a manner that minimizes environmental hazards by spreading, compacting, to the smallest volume, and applying cover material over all exposed waste at the end of each operation day.

Landscape Strip: An area of land located along the right-of-way.

Laundry, Self-service: A business that provides washing, drying, and/or ironing machines for hire to be used by customers on the premises.

Lot: A parcel of land.

Lot, Corner: A lot with frontage on and at the intersection of the rights-of-way of two or more streets.

Lot, Interior: An interior lot is a lot other than a corner lot.

Lot Area (net): Total area bounded by property lines excluding any roadway easements and rights-of-ways.

Lot Coverage: Determined by dividing the total surface of all buildings, including covered porches and accessory buildings, and any other impervious surfaces located on the lot by the total area of the lot.

Lot Depth: The average horizontal distance of the lot between the front and rear lot lines.

Lot Line: A line dividing one lot from another lot or from the street or alley.

Lot of Record: A lot that has been recorded or registered in a deed or on a plat.

2000 DEFINITIONS (cont'd)

Lot Width: The horizontal distance of the lot between side lot lines measured at the adjacent right-of-way.

Manufactured Home : A building unit or assembly of closed construction fabricated in an off-site facility and constructed in conformance with the Federal Construction and Safety Standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974" and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. (ORC 3781.063 (C) (4))

Manufactured Home Park: Any tract of land upon which three or more manufactured or mobile homes used for the habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used intended for a use as a part of the facilities of the park. Manufactured Home Park does not include any of the following:

- A. A tract of land used solely for the storage or display for sale of manufactured or mobile homes or solely as a temporary park-camp;
- B. A tract of land that is subdivided and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes used for habitation and the roadways are dedicated to the local government authority; and
- C. A tract of land within an area that is subject to local zoning authority and subdivision requirements and is subdivided, and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes for habitation.

Massage Parlor: An establishment or place primarily in the business of providing massage services operated by anyone not a duly licensed medical doctor, osteopath, chiropractor, nurse, physical therapist treating patients recommended by a licensed physician under a duly licensed physician's direction, state licensed massage therapist or person practicing the art of massage on the face or hands in a duly licensed beauty parlor or barber shop.

Mineral Extraction, Storage, and Processing: Any mining, quarrying or processing of limestone, sand, gravel, oil, natural gas, or other mineral resources.

Mobile Home: building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home or as an industrialized unit as defined in this resolution. (ORC 4501.010)

Mobile Home Park: Any lot, parcel or tract of land under single ownership which has been planned and improved for the placement of two (2) or more manufactured homes which contain a mobile component or mobile homes used for human habitation are parked, either free of charge or for revenue purposes and including any roadway, building, structure, vehicle or enclosure used or intended for use as a part of the facilities of such mobile home park; and falling within the definition of a "Manufactured Home Park" in this resolution.

Modular Home: A complete, livable permanent dwelling that is designed and factory-built in more than one unit, transported to the construction site, placed on a foundation, and assembled with some onsite construction. A modular home does not have a chassis, axles, or wheels. A modular home is not a mobile home, manufactured home, or recreational vehicle. **(See Industrialized Unit)**

(Rev. 10-13-14. Z37-C32)

2000 DEFINITIONS (cont'd)

Motel/Hotel: A facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

Net Acre: An acre of land that does not include any right-of-way or any roadway easement.

Non-Conforming Building: Any building that does not meet the requirements of this Resolution for building size and location on a lot, for the district in which the building is located.

Non-Conforming Lot: A lot which does not meet the requirements of this Resolution.

Non-Conforming Use: A use of land that does not comply with the use regulations for its zoning district.

Nursing Home: Any building used for the residence and care of more than three (3) persons who require assisted living, intermediate or skilled nursing care. The nursing home shall be licensed by the State of Ohio.

Outdoor Storage: Any goods, junk, material, merchandise, or vehicles in the same exterior place for more than twenty-four (24) consecutive hours.

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

Permanently Sited Manufactured Home: A manufactured home that meets all of the following criteria:

- A. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- B. The structure, excluding any addition, has a width of at least twenty-two (22') feet at one point, a length of at least twenty-two (22') feet at one point, and a total living area of at least fifteen hundred (1500) square feet, excluding garages, porches, or attachments;
- C. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
- D. The structure was manufactured after January 1, 1995;
- E. The structure is not located in a manufactured home park, as defined in this resolution.

Personal Service: A business that provides services such as hair care, shoe repair, laundry mat, dry cleaning, travel agency, beauty salon.

Pink Slip: A pink slip is issued by the Toledo-Lucas County Health Department to assure that any proposed new construction or remodeling on a property (additions, garages, pole-barns, etc) does not infringe on the isolation distance requirements from existing wells and/or septic systems per the Ohio Administrative Code. A pink slip is also required to obtain a demolition permit. This will assure that proper well and/or septic abandonment is performed and documented prior to the structure being demolished.

(Rev. 8-13-12. Z37-C31.)

Plant Nursery: The cultivation of crops, fruit trees, nursery stock, and garden products or similar plant materials outside or within greenhouses.

2000 DEFINITIONS (cont'd)

Pond: A body of water covering at least an area of one half acre that meets the requirements of Lucas County Soil Conservation and the Toledo-Lucas County Health Department.

Principal Use: The main use of land or structures, as distinguished from a secondary or accessory use.

Principal Building: A building in which the primary use of the lot on which the building is located is conducted.

Private Place: A private thoroughfare other than a street or alley permanently reserved as a lot on a recorded plat as the principal means of access to abutting property approved under applicable Subdivision Regulations by the Toledo-Lucas County Plan Commission in accordance with O.R.C. Chapter 711 and 713.

Public Use: Any land, use or activity owned and operated by a public agency such as a post office, government building/structure, school, police or fire station, open space or park.

Recreational Facilities:

Outdoor: Public or private facilities including golf courses, driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, carnivals, campgrounds, tennis courts or basketball courts.

Indoor: Public or private facilities including bowling alley, racquetball courts, tennis courts, basketball courts, swimming pools, ice skating rinks, firing range, exercise facilities, arcade.

Recycling Center: An area where recoverable resources, such as newspapers, glassware, and metal cans are collected, but no processing of recyclable materials occur.

Rooming House: A building that is the primary residence of the owner and where lodging is provided by the owner, for compensation, to three or more unrelated adult persons.

Salvage Yard: (see also automobile wrecking yard) An area where inoperable used materials are bought, sold, exchanged, stored, processed, or handled. The word "materials" shall include but are not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. An Automobile Wrecking Yard is also considered a Salvage Yard.

School: A facility that provides a curriculum of academic instruction, including kindergartens, elementary, middle, junior, and high schools, colleges and universities.

School, Business: A facility that provides a limited curriculum for a specific skill or trade.

Screening: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other methods.

Self-Service Storage Facility: A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods excluding boats or recreational vehicles.

Setback(s): The required minimum distance between the building line and the nearest front, side, or rear property line.

2000 DEFINITIONS (cont'd)

Sexually Oriented Business: Means an adult bookstore, adult video store, adult movie house, adult amusement or entertainment, adult cabaret, or massage establishment.

- A. **Adult Book Store:** An establishment which has a substantial portion of its inventory in books, magazines or other periodicals, from which minors are excluded by virtue of age.
- B. **Adult Video Store:** An establishment which has a substantial portion of its stock in movies, for sale or for rent, from which minors are excluded by virtue of age.
- C. **Adult Movie Store:** An establishment displaying movies that are rated X, XX or XXX which is customarily not open to the general public by excluding minors by virtue of age.
- D. **Adult Amusement or Entertainment:** An establishment customarily engaged in the presentation of nude and seminude exhibitions and performances for commercial or pecuniary gain which exclude minors by virtue of age. This definition does not apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau or production in any theater, concert hall, museum of fine arts, school; l, institution of higher learning or similar establishment which is primarily devoted to such exhibitions, presentations, show information, art of drama as differentiated from commercial or business advertising, promotion, selling or servicing products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern, or dance hall.
- E. **Adult Cabaret:** Means a nightclub, bar, restaurant, or similar establishment in which persons appear in a state of nudity in the performance of their duties.
- F. **Massage Establishment:** Means any place of business where a person offers massages either in exchange for something of value, or in connection with providing another legitimate service, and which is operated by anyone other than persons who are certified to practice under Ohio Revised Code Section 4731.15 and 4731.16 or who are engaged in the practice of providing therapeutic massage as a licensed physician, chiropractor, podiatrist, nurse or other health professional licensed, certified or registered to practice in Ohio.

Site Plan: A plan, to scale, showing uses and structures proposed for a parcel of land as required by this Resolution. Includes lot lines, roads, building sites, open space, buildings, major landscape features- both natural and manmade and depending on requirements, the locations of proposed utility lines.

Story: The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above it.

Structure: See building.

Truck Terminal: Land and buildings used as a relay station for the transfer of a load from one vehicle or building to another or one party to another. The terminal facility may include truck storage and repair.

Yard: Any open space located on the same lot with a building, unoccupied and unobstructed from the ground, except for accessory structures, parking, or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard is the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

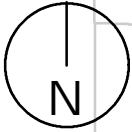
2000 DEFINITIONS (cont'd)

Yard, Front: A yard extending along the full width of the lot between side lot lines and from the front lot line to the front building line.

Yard, Rear: A yard extending across the full width of the lot between the side lot lines and lying between the rear lot line and the nearest wall of the main building. Rear yard depth shall be measured from the rear building wall to the nearest point of the rear lot line.

Yard, Side: A yard lying between the side lot line of the lot and the nearest building wall of the main building, between the front yard and the rear yard.

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Zoning Map

Harding Township

