

**LITCHFIELD TOWNSHIP ZONING RESOLUTION
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LITCHFIELD TOWNSHIP ZONING RESOLUTION

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ARTICLE I INTRODUCTION

This Zoning Resolution has been adopted by the Board of Trustees of Litchfield Township in the interest of the public health, safety, convenience, comfort, prosperity and general welfare of the Township and its residents as a general plan of zoning. This is an affirmative regulation. Uses which are not specifically permitted shall be considered prohibited.

SECTION 101
PURPOSE

For the purpose of promoting public health, safety, convenience, comfort, prosperity and general welfare of the residents of Litchfield Township, Medina County, Ohio; to conserve and protect property and property values; to secure the most appropriate use of land; to facilitate adequate but economical provision of public improvements; to provide for the maintenance of the rural character of Litchfield Township; to manage orderly growth and development in said Township, the Board of Trustees has found it necessary and advisable to adopt these zoning regulations as a comprehensive plan of zoning which will regulate the location, height, bulk, number of stories, size of buildings and other structures, including tents, cabins, and trailer coaches, percentage of lot area which may be occupied, set back building lines, sizes of yards and other open spaces, the density of population, the uses of buildings and other structures including tents, cabins, and trailer coaches, and the use of land for trade, industry, residence, recreation or other purposes and for such purposes divides the area of Litchfield Township into zoning Districts and to provide for the administration and enforcement of such regulations.

Zoning Resolution regulations shall apply for each class or kind of building or other structure or use throughout any district or zone, except as specifically provided. This Zoning Resolution was developed to address the interests of the community and the objectives of the Litchfield Township Comprehensive Plan and applicable provisions of the Ohio Revised Code.

SECTION 102
TITLE

This resolution shall be known as the Litchfield Township Zoning Resolution, hereafter referred to as "Resolution".

SECTION 103
AUTHORIZATION

The authority for establishing the Litchfield Township Revised Zoning Resolution is derived from Sections 519.01 to 519.99 inclusive, of the Ohio Revised Code.

SECTION 104
INTERPRETATION

This is an affirmative regulation. Uses which are not specifically permitted shall be considered prohibited. In interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements adopted for the promotion of public health, and safety, convenience, comfort, prosperity and general welfare. Nothing herein shall repeal, abrogate, annul or in any way impair or interfere with any

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provisions of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.

Where this Resolution imposes greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of this Resolution shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution. This is an affirmative regulation. Uses which are not specifically permitted shall be considered prohibited.

SECTION 105-VALIDITY AND SEPARABILITY

It is hereby declared to be the legislative intent that, if any provisions of this Resolution, or the application thereof to any zoning lot, building or other structure, or tract of land, are declared by a court of competent jurisdiction to be invalid or ineffective in whole or part, or to be inapplicable to any person or situation, the effectiveness of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or the factual situation involved in the finding of inapplicability. All other provisions of this Resolution shall continue to be separate and fully effective, and the application of any such provision to other situations shall not be affected.

In the event any of the requirements or regulatory provisions of this Resolution are found to be internally incompatible or inconsistent one with another, the more restrictive or greater requirement shall be deemed in each case to be applicable.

SECTION 106-REVISIONS AND AMENDMENTS

The Litchfield Township Zoning Resolution was adopted August 21, 1950. Revision dates noted are dates revisions effective, per Article VII ADMINISTRATION. (See appendix A)

wells are Permitted use in all Districts and shall comply with Chapter 1509 of the Ohio Revised Code and/or applicable Federal laws.

202.03 AGRICULTURE as defined in Chapter 519 of the Ohio Revised Code

Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land. Anyone erecting an agricultural structure may be requested to sign a statement confirming the fact that the building under construction is being built for and will be used for agricultural purposes. If the agricultural building purpose is changed from the definition of agriculture as stated in the Ohio Revised Code, the owner must obtain a zoning certificate and meet the current zoning resolution requirements.

202.03.1 FARM MARKET defined under Section 519.01, 519.21 of the Ohio Revised Code.

Any permanent building/structure for a Farm Market, where fifty (50) per cent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year, is subject to the same requirements as stated in paragraphs 1-4 of Section 202.03.3 Agritourism of this Resolution.

202.03.2 ROADSIDE STAND: Stands or vehicles used for the seasonal display and sale of agricultural products shall be located outside of the road right of way.

202.03.3 AGRITOURISM: Any type of structure used primarily for agritourism activities shall:

1. Not exceed eight hundred (800) square feet in area or twenty-five (25) feet in height;
2. Be subject to all applicable zoning district building setbacks and restrictions
3. No have a parking area exceeding two thousand (2,000) square feet
4. Provide a minimum width for ingress/egress of thirty (30) feet at the public roadway.

202.04 GOVERNMENT: All Litchfield Township governmental use/buildings, structures, and land are exempt from this zoning resolution.

SECTION 203

PROHIBITED USES

No use shall be allowed or authorized to be established which is not in compliance with the provisions of this Resolution, and any additional conditions and requirements prescribed as hazardous, noxious, or offensive due to the emission of odor, dust, smoke, fumes, cinders, gas, noise, vibration, electrical interference, refuse matter, and/or water carried wastes of which will interfere with adjacent landowner's enjoyment of the use of their lands. This shall include the non-permitted use of any land, building or structure, whether for private, commercial and/or industrial purposes, where waste, discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, disabled motor vehicles, paper, rags, rubber, cordage, barrels, carpet, outdoor play equipment or toys, are sold or stored for more than thirty (30) days, bought, exchanged, baled, packed, sorted, disassembled, dismantled, or handled. In addition, the dumping, storing, burying, reducing, disposing of, or burning of rubbish is prohibited.

SECTION 204

RIPARIAN SETBACK REQUIREMENT

No building/structure or paved area, including driveways and parking areas shall be located closer than thirty (30) feet to the edge of any river, stream, creek, channel or designated wetland with the exception of structures used with vehicular and/or pedestrian traffic crossings over the waterway. The setback area shall be provided along the entire length and on both sides of the river, stream, creek or channel as measured from the ordinary high-water mark.

SECTION 205 Reserved for Future Use

SECTION 206

BUILDINGS AND STRUCTURES REGULATIONS

206.01 Construction Begun Prior to Zoning Changes

Nothing contained in these regulations shall hinder the construction of buildings or structures or prohibit its use where construction has started before the effective date of these regulations provided that a valid Zoning Certificate has been obtained. (See Section 603 of this Resolution)

206.02 Driveway and/or Ditch Permit Requirements

Construction of driveway/drive pipes/ditch enclosures and the installation of drive pipes within the right-of-way of state, county and township-maintained highways and roads must be approved by the Medina County Engineer's Office or Ohio Department of Transportation. A copy of the driveway permit issued by the Medina County Engineer's Office, or the Ohio Department of Transportation shall be furnished to the Zoning Inspector before a Zoning Certificate will be issued. (See Section 603 of this Resolution)

206.03 Erosion Control Requirements

A Storm Water Management and Sediment Control Permit must be obtained from the Medina County Engineer's Office for any non-farm soil disturbance activity over five thousand (5,000) square feet. (See Section 603 of this Resolution)

206.04 Septic System Requirements

Any dwelling, building or structure requiring the use of indoor plumbing shall not be constructed unless reasonable provision is made for an adequate sanitary sewage disposal system as required by the Medina County Health Department. A Zoning Certificate will be issued by the Zoning Inspector with evidence that the sanitary sewage disposal system based on the maximum occupancy and /or square feet and use of the building/structure has been approved by the Medina County Health Department or the Ohio EPA and furnished with the application for said Certificate. (See Section 603 of this Resolution)

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206.05 Water Supply Requirements

No dwelling, building or structure requiring the use of indoor plumbing shall be constructed unless reasonable provision is made for an adequate, dependable, pure water supply from a public system, drilled well, cistern, dug well, spring, or a pond/lake in accordance with the Medina County Health code.

206.06 Maximum Height of Buildings

Any building that is to be erected, converted, enlarged, reconstructed or structurally altered, shall be less than thirty-five (35) feet in height unless otherwise provided in this Resolution. Fire and/or parapet walls, flagpoles, chimneys, exhaust stacks, storage tanks or similar structures may not be more than fifteen (15) feet above the building height limit; nor shall such structure be used for any purpose other than a use incidental to the principal use of the building unless otherwise stated in this Resolution.

206.07 Building Use and Placement Restriction

Only one (1) Principal Residential; Principal Commercial; or Principal Conditional Use; building/structure is permitted on one (1) parcel.

SECTION 207

RESIDENTIAL DWELLING REQUIREMENTS

207.01 Principal Residential Dwelling Requirements

TYPE	FLOOR AREA	HEIGHT	ZONING CERT	SECTION
New construction of residential dwelling	1,200 sq. ft. minimum	Less than 35 ft	Required	603
External modification or enlargement of dwelling	No min. or max. sq. ft.	Less than 35 ft	Required	603

Principal residential structures are limited to a maximum of one (1) dwelling unit per parcel and must be affixed to a permanent foundation with connections to appropriate water and sewage/septic facilities. The structure shall have floor area designed and used for a single dwelling unit of not less than twelve hundred (1,200) square feet. The floor area for a single-story structure shall be considered as the outside measurement of the foundation or foundation walls. In a two-story structure, floor area shall be considered as the outside measurement of the foundation or foundation walls plus the outside measurement of the second story structure. Excluded from floor area minimum square foot measurements are attics, basements, porches, garages, stoops, breezeways, or terraces in both single and two-story structures.

207.02 Manufactured Home Requirements

TYPE	FLOOR AREA	HEIGHT	WIDTH	ZONING CERT.	SECTION
New construction of manufactured home	1,200 sq. ft. min.	Less than 35 ft	22 ft. Min.	Required	603
External modification or enlargement of dwelling	No min. or max. sq. ft.	Less than 35 ft	No min or max.	Required	603

Manufactured homes as defined under the Ohio Revised Code division (c)(6) Section 3781.06 built after January 1, 1995 having a permanent label or tag certifying compliance with all applicable federal construction and safety standards are permitted for residential use. Residential structures are limited to a maximum of one (1) dwelling unit and must be affixed to a permanent masonry, concrete footing or foundation with connections to appropriate water and septic facilities. The structure shall have total floor area designed and used for a single dwelling unit of not less than one thousand, two hundred (1,200) square feet. The floor area shall be considered as the outside measurement of the structures exterior walls. Excluded from floor area minimum square foot measurements are attics, basements, porches, garages, stoops, breezeways, or terraces.

207.03 Temporary Dwelling Unit Requirements

No more than one (1) travel trailer, motor coach or mobile home may be used as a temporary residential dwelling unit on a parcel while a permanent residential dwelling is under construction.

A Zoning Certificate is required for the first six months and is renewable every three (3) months for a maximum of one (1) year.

207.04 Dwelling Unit Restrictions per Parcel

No more than one (1) principal residential dwelling of any type shall be permitted on a parcel unless otherwise specifically stated in this Resolution. Other buildings located on the parcel are classified as accessory or incidental to the residential use and subject to the requirements of Section 209 of this Resolution.

SECTION 208 Reserved for future use

SECTION 209 **ACCESSORY BUILDINGS/STRUCTURES**

209.01 Accessory Buildings or Structures

Any use of an accessory building or structure shall be subordinate, incidental to and be located on the same parcel and zoning district occupied by the Principal Building. Accessory buildings or structures constructed onsite or pre-manufactured shall comply with the zoning district parcel area and placement regulations of which said building or structures are located, except for one (1) Permanent Portable Carport which may be located on a permanent parking area or driveway directly adjacent to a residential garage or house on a parcel with nonconforming existing building setbacks, but not closer than twenty-five (25) feet from the public road right-of-way. No accessory building or structure shall be used completely or partially as a permanent or temporary dwelling unit in any zoning district unless otherwise specifically stated in this Resolution. Accessory building or structures shall only be issued a zoning certificate in conjunction with the Principle use building or after the Principle use building on the lot has been built, but not before.

209.01.1 Accessory Building or Structure for Residential Use

AREA	HEIGHT	ZONING CERTIFICATE	SECTION
Less than 200 sq. ft.	Less than 35 ft.	Not Required	
200 sq. ft. or greater		Required	603

A Zoning Certificate is required, unless otherwise stated in this Resolution, for an accessory building/structure and the enlargement of an existing accessory building or structure including the adjoining of, another building or structure, which thereby increases the total square footage to two-hundred (200) square feet or greater. No Zoning Certificate shall be issued for any accessory building or structure unless a legal residential dwelling exists on the same parcel or unless an unexpired Zoning Certificate for a proposed residential dwelling is in effect.

209.01.2 Accessory Building or Structure for Commercial, Industrial or Conditional Use

AREA	MAX. HT.	ZONING CERTIFICATE	SECTION
Less than 200 sq. ft.	Less than 35 ft.	Required	603
200 sq. ft. or greater		Approved site plan and zoning certificate required	211, 601, 602, 603

An Approved Site Plan and Zoning Certificate is required, unless otherwise stated in this Resolution, for an accessory building/structure and any enlargement of an existing accessory building or structure including the adjoining of, another building or structure, which thereby increases the total square footage to two-hundred (200) square feet or greater.

209.02 Reserved for future use

SECTION 210 Reserved for future use

SECTION 211 PRINCIPAL COMMERCIAL, INDUSTRIAL & CONDITIONAL USE BUILDINGS

LOCATION	AREA	SECTION	ZONING CERTIFICATE	HEIGHT
Residential District	5000 sq. ft maximum	304, 305, 601, 602, 603	Approved site plan required for buildings over 200 sq. ft.	Less than 35 ft.
Circle District	3000 sq. ft maximum	306, 601, 602, 603		
Commercial District	No max. sq. ft. restrictions	307, 601, 602, 603		
Industrial District	No max. sq. ft. restrictions	308, 601, 602, 603		

211.01 Principal Building or Structure Restrictions

Unless otherwise stated in this Resolution, only one (1) Principal commercial use building/structure is permitted on a parcel. Other buildings/structures located on the parcel shall be classified as accessory or incidental to the principal commercial use. Multiple businesses are permitted to be separately operated out of a principal commercial use building.

211.02 Enlargement of a Building or Structure

External modification of an existing building or structure including the adjoining of, another building or structure, which thereby increases the total square footage to two-hundred (200) square feet or greater is subject to review and approval of a Site Plan and issuance of a Zoning Certificate unless otherwise specifically stated in this Resolution.

211.03 Screening Requirements

Any building, structure, parking area, outdoor use or storage area of equipment, machinery, products or material shall be screened from view on each side adjacent to, or abutting a principal residential use building or Residential District parcel. (See Section 224 of this Resolution)

211.04 Refuse and Storage Areas

All outdoor refuse and storage areas shall be screened from view from adjacent properties. Refuse and storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests by use of appropriate means including rodent-proof containers or dumpsters. Such containers or dumpsters shall be located in compliance with the minimum yard clearances and setbacks established for the applicable District.

211.05 Temporary Business Use Unit

No more than one (1) travel trailer, motor coach or mobile home may be used as a temporary business unit on a parcel while a permanent Commercial, Industrial or Conditional Use building is under construction. A Zoning Certificate is required for the first six months and is renewable every three (3) months for a maximum of one (1) year.

211.06 Accessory Dwelling Units

Accessory dwelling units (ADU) are limited to a maximum of one (1) per parcel and may be located within a principal commercial use building. The utilities and sanitary system for an ADU shall not be separate from that of the principal building. Establishing an ADU within a principal building requires a site plan review and zoning certificate subject to zoning district requirements.

SECTION 212 **EXTERIOR LIGHTING**

Exterior lighting shall be permitted in all Zoning Districts to the extent necessary for the normal use, function and enjoyment of property for Permitted Uses and Conditionally Permitted uses as necessary for purposes of safety provided all other requirements of this Resolution have been met in addition to the following requirements;

212.01 Exemptions

Lighting fixtures and standards required by federal, state or county agencies, including street lights within the public right-of-way. Seasonal use Holiday lighting fixtures.

212.02 Architectural and Landscaping Lighting

Outdoor lighting used to illuminate flags, statues, signs or other objects mounted on a pole, pedestal or platform, all spotlighting or floodlighting used for architectural or landscape purposes, must use cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light is substantially confined to the object intended to be illuminated.

212.03 High Intensity Light Beams

Outdoor searchlights, lasers or strobe lights are prohibited.

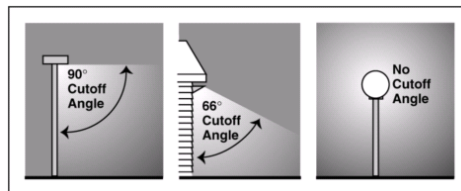
212.04 Shielding & Height Requirements

All lighting shall be directed away from adjacent streets or roads so as not to impair safe movement of traffic. Shielding shall be use when necessary to prevent light from shining directly onto adjacent properties. Total height of pole, building or wall mounted outdoor lighting fixtures shall not exceed thirty-five (35) feet in height from grade level.

212.05 Commercial, Industrial or Conditional Use Additional Requirements

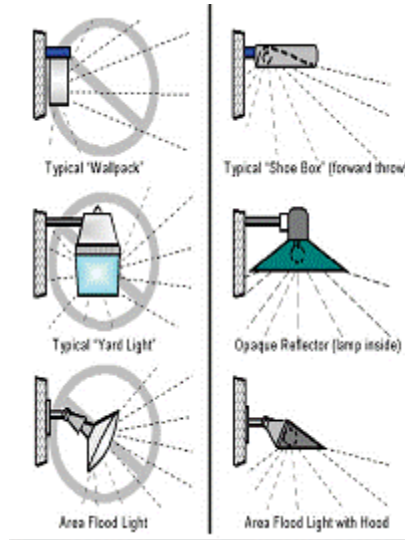
212.05.1 Cut-Off Lighting Fixtures

Cut-off lighting fixtures are required for all outdoor walkway, parking lot, canopy, building, roof or wall mounted lighting. Cut-off fixtures are not required for lights that are properly installed in an architectural space (such as under a porch roof or a roof overhang) that provide the functional equivalent of a cut-off fixture. See fixture examples shown below;



212.05.2 Setback or Shielding Requirement

On parcels which adjoin a Residential District or residential use, where the height of the fixture is greater than two (2) times the distance to the adjacent property line, "house-side shielding" must be used on the residential property side of the lighting fixture. A house-side shield typically consists of a visor or shielding panel that attaches to a lighting fixture. This provision is applicable for both light poles and lighting fixtures mounted on the side and/or top of a building or structure. See examples shown below;



212.05.4 Parking Lot Lighting Curfews

Parking lots which contain three (3) or more parking lot light poles, parking lot lighting levels for ground surface parking lots must be reduced by at least fifty (50) percent of full operational levels within sixty (60) minutes after the close of business.

SECTION 213 Reserved for future use

SECTION 214

WIND ENERGY TURBINES

Wind energy turbine systems and associated facilities as defined under Section 519.213 of the Ohio Revised Code with a single connection to the electrical grid and/or off-grid, designed for, or capable of, operation at an aggregate capacity of less than five (5) megawatts shall be permitted in all Zoning Districts subject to following requirements:

214.01 Residential Use

214.01.1 Free Standing Tower-mounted

Tower-mounted designs need to have a minimum setback of 1.1 times the height of the tower from the road right-of-way, inhabited structures, and neighboring property lines. The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine blade tip. No part of the wind turbine energy system structure, including guy wire anchors, may extend closer than fifteen (15) feet to the property line. A free-standing Wind Energy Turbine is considered a structure and a Zoning Certificate is required.

214.01.2 Attached to Building or Roof-mounted

A Wind Energy Turbine attached to buildings or roof mounted shall not exceed the roof height of the building upon which it is mounted by more than 15' to the highest position of the turbine blade tip. The turbine must be placed so if it falls it is contained within the property boundaries. A Wind Energy Turbine attached to a building or roof-mounted is considered a structure and a Zoning Certificate is required.

214.02 Commercial, Industrial or Conditional Use

214.02.1 Free Standing Tower-mounted

Tower-mounted designs need to have a minimum setback of 1.1 times the height of the tower from the road right-of-way, inhabited structures, and neighboring property lines. The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine blade tip. No part of the wind turbine energy system structure, including guy wire anchors, may extend closer than twenty (20) feet to the property line. A free-standing Wind Energy Turbine is considered a structure and is subject to review and approval of a Site Plan and issuance of a Zoning Certificate unless otherwise specifically stated in this Resolution. (See Sections 601, and 603 of this Resolution)

214.02.2 Attached to Building or Roof-mounted

A Wind Energy Turbine attached to a building or roof-mounted designs needs to have a minimum setback of 1.1 times the height of the tower from the road right-of-way, inhabited structures, and neighboring property lines. The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine blade tip. A Wind Energy Turbine attached to a building or roof-mounted is considered a structure and subject to review and approval of a Site Plan and issuance of a Zoning Certificate unless otherwise specifically stated in this Resolution. (See Sections 601, and 603 of this Resolution)

SECTION 215 Reserved for future use

SECTION 216

OUTDOOR STORAGE REGULATIONS

216.01 Outdoor storage of specific private, residential, commercial and/or industrial use items described below on a parcel in any District shall be subject to all other provisions of this Resolution and the following;

216.01.1 Vehicle, RV, Boat, and/or Equipment

Storage of any vehicle, trailer, boat, recreational vehicle, recreational camping vehicle, trailer coach or non-agricultural equipment is permitted in permanent parking areas and driveways. Outdoor storage of the previous items shall be permitted in side yard or rear yard areas no closer than twenty (20) feet to any property line. Screening is required for non-residential permitted or conditionally permitted uses. (See Section 224 of this Resolution)

216.01.2 Inoperable, junk, wrecked vehicles, equipment and parts

All junk motor vehicles; inoperable motor vehicles; wrecked vehicles; dismantled vehicles; vehicle parts; inoperable or damaged construction vehicles, equipment or parts; and such vehicles, equipment, and parts stored on trailers or truck beds; shall be stored inside of a fully enclosed building/garage and/or within the side and rear yard of the property enclosed on all sides with a permanent solid type fence meeting all zoning requirements so that such items as stated herein cannot be seen from another property from outside of the side and rear yard and from the public roadway. Such outdoor storage shall not result in or create a Junk Yard and/or a Dump (see Sec 901 definitions) within the enclosed fenced in side and rear yard area of the parcel.

216.01.3 Garbage, Refuse, Debris and/or Recyclables

Storage of garbage, trash, rubbish, debris and/or recyclables awaiting disposal shall be kept in dumpsters, garbage cans or disposal bins. No junk, garbage, refuse, debris and/or recyclables shall be exposed outdoors on the parcel to public view.

216.01.4 Discarded or Damaged Items and Junk

Outdoor storage of miscellaneous junk materials, including all discarded and broken or damaged items such as; furniture, carpet, household appliances, outdoor play equipment or toys, building materials, tires of any type, and other manufactured goods that are so worn, deteriorated, obsolete or dismantled as to make them unusable, shall not be exposed outdoors on the parcel to public view.

216.01.5 Other Vehicle Types

Outdoor storage of any vehicle, other items with wheels, runners or a hull not described in Section 216.01.1 and Section 216.01.2 is permitted in permanent parking areas and driveways. Outdoor storage of the previous items shall be permitted in side yard or rear yard areas no closer than twenty (20) feet to any property line. Screening is required for non-residential permitted or conditionally permitted uses. (See Section 224 of this Resolution)

216.01.6 Private, Residential, Commercial and/or Industrial Use Items

Outdoor storage for all private, residential, commercial and/or industrial use items not listed under the previous paragraphs above, shall be permitted in side yard or rear yard areas no closer than twenty (20) feet to any property line. Screening is required for non-residential permitted or conditionally permitted uses. (See Section 224 of this Resolution)

216.01.7 Agricultural Use Items

Outdoor storage of agricultural use equipment is permitted on the front, side, and rear yard of the property.

SECTION 217

HOME-BASED BUSINESS

A home-based business may be permitted as an accessory use provided that all other provisions of this Resolution have been met in addition to the following requirements;

217.01 Type 1 Definition and Criteria

OPERATOR	LOCATION	SIGN	ZONING CERT.	SECTION
Resident(s)	Entirely within the Residence	1 non-illuminated, 4 sq. ft. maximum	Not Required	407

217.01.1 A Type 1 home-based business is a non-residential use conducted entirely within a residence and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the residence for residential purposes and does not change the character of the residence.

217.01.2 The use of the residences and/or land shall not constitute primary or incidental storage facilities for a business, industrial, or other commercial activity not conducted at the residence.

217.01.3 No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood.

217.01.4 Any license or permit required to operate the business shall be regulated by the applicable local, State or Federal authority.

217.02 Type 2 Definition and Criteria

OPERATOR	LOCATION	SIGN	ZONING CERT.	SECTION
Resident(s) & 1 non-resident employee	Within one (1) accessory building only	One (1) non-illuminated, 4 sq. ft. maximum area	Conditional Use Certificate Required	602, 603, 407

217.02.1 A Type 2 home-based business is a non-residential use utilizing one (1) accessory building on a residential property and is carried on by the property’s residents and a maximum of one (1) employee, which use is clearly incidental and secondary to the use of the property for residential purposes.

217.02.2 Such utilization shall be clearly incidental and subordinate to the land use for residential purposes, and there shall be no new buildings, structures or expansion thereof, specifically for any home occupation.

217.02.3 All activity, material, goods or equipment indicative of the occupation, shall be conducted and stored within an enclosed structure.

217.02.4 The use of the accessory building and/or land shall not constitute primary or incidental storage facilities for a business, industrial, or other commercial activity conducted not conducted at the residential property.

217.02.5 No traffic shall be generated by such operation in greater volume than would normally be expected in a residential neighborhood.

217.02.6 No equipment or process shall be used in such home occupation, which would cause a nuisance to neighbors such as noise, vibration, glare, fumes, odors or electrical interference. Evidence of the above objectionable elements shall not be discernible beyond the parcel lines of the property.

217.02.7 Any license or permit required to operate the business shall be regulated by the applicable local, State or Federal authority.

SECTION 218

TELECOMMUNICATION TOWERS

Telecommunication towers and related accessory structures are regulated under the Ohio Revised Code and if the provisions of division (B) and (C) of 519.211 are met and an objection received, a telecommunication tower shall be subject to the following regulations;

218.01 Tower location, equipment facilities, including support structures and attachments shall conform to current District setback requirements. A Zoning Certificate and Site Plan is required. (See Sections 601 and 602 of this Resolution)

218.02 Towers and antennas shall be designed to meet all Medina County Building Department requirements. Except as required by the Federal Aviation Administration (FAA), antennas and towers shall not be illuminated. Any lighting for security purposes shall be directed away from adjacent properties or streets. Security fencing shall surround the tower and equipment and include a sign showing the names of companies and their respective twenty-four (24) hour emergency telephone numbers. In the event a separate access road is necessary, it shall be constructed of suitable width and road materials to allow Emergency vehicles year-round access.

218.03 Existing mature tree growth and natural landforms on the site shall be preserved where possible. The tower, equipment facilities and support structures shall be screened to maintain the maximum aesthetic value possible. (See Section 224 of this Resolution)

218.04 Co-location and site sharing shall be used whenever possible. Telecommunication facilities should accommodate Township fire and safety communications.

SECTION 219

LAKES AND PONDS

Lakes or ponds shall meet the specifications of the Medina County Storm Water and Sediment Control Rules and Regulations, the Medina County Soil and Water Conservation District, and Section 1521 of the Ohio Revised Code. Lakes or ponds used for domestic water supply shall also meet the requirements of the Medina County health code.

219.01 Residential Use

A lake or pond is considered a structure and a Zoning Certificate is required. (See Section 603 of this Resolution) A copy of the proposed lake and/or pond plan application approved by the Medina County Engineer’s Office shall be submitted to the Zoning Inspector before a zoning certificate is issued.

219.01.1 Lake and Pond Placement Minimum Setback

(As measured from the ordinary high-water mark)

Front Yard Setback	80 ft. from center of the road
Side Yard Setback	15 ft. from property line.
Rear Yard Setback	15 ft. from property line
Corner Parcel	80 ft. from center of each road

219.02 Commercial, Industrial and Conditional Use

A lake or pond is considered a structure and a Zoning Certificate and Site Plan is required. (See Sections 601 and 603 of this Resolution). A copy of proposed lake and/or pond plan application approved by the Medina County Engineer’s Office shall be submitted to the Zoning Inspector before a zoning certificate is issued.

219.02.1 Lake and Pond Placement Minimum Setback

(As measured from the ordinary high-water mark)

Front Yard Setback	100 ft. from center of the road
Side Yard Setback	20 ft. from property line.
Rear Yard Setback	20 ft. from property line
Corner Parcel	100 ft. from center of each road

SECTION 220

FENCES

Fences shall be compatible with the existing character of the immediate area and shall not be placed within the road right-of-way. Fences may be permitted within any yard area, or along the edge of any yard, provided that such fences conform to District setback requirements in addition to the following;

220.01 Installation and Type

Fences and posts shall be installed on the owners’ side of the property line with finished side of fencing facing towards abutting property. Permitted types of partition or enclosure fences include; picket, privacy, chain link, post & rail, lattice, ornamental or a living fence consisting of the growth or placement of hedges, trees, bushes, plants or a combination thereof. Security fencing such as barbed wire, razor wire, concertina coils and anti-climbing spikes in any combination are permitted

when required by the appropriate Federal, State or County authority pertaining to the safety and security of the development area, facility, building or structure. Fencing used to contain farm animals do not require zoning certificates.

220.02 Clear Sight Distance Requirements

An unobstructed sight distance triangle area at the intersection of a public road and private driveway or access way shall begin at a minimum distance of fifteen (15) ft. from the edge of the public road. The minimum distance from the edge of the driveway or access way along the length of the public road shall be thirty (30) ft in each direction. Where a view obstruction is created by a fence within a sight distance triangle area, the Zoning Inspector shall require a modification to the height or location of the fence as required to prevent or eliminate the hazard. All fencing, including a living fence shall be maintained in so as not to present a hazard to adjoining property owners, neighboring uses or create a view obstruction within a sight distance triangle area. (See Fencing Example 220.04)

220.03 Temporary Snow Fences

A snow fence shall be temporary in nature and purpose and may be erected or placed in any District during the period from November 1st to May 1st for the sole purpose of preventing the drifting of snow on roadways, driveways, or sidewalks and shall not require a Zoning Certificate. Snow fencing shall not be used as a permanent fence at any time.

220.04 Residential Use Height and Setback

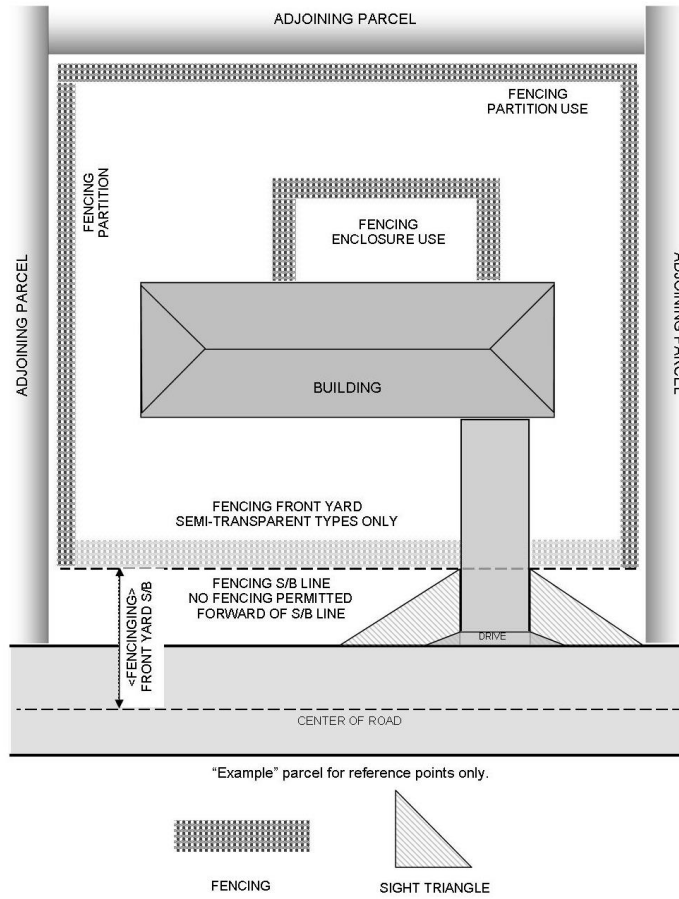
AREA PLACEMENT	HEIGHT AND TRANSPARENCY	ZONING CERTIFICATE	SECTION
Front Yard fencing setback beginning at road right-of-way. Small portions of fencing used for landscaping, or temporary snow fencing forward of the setback line do not require a Zoning Certificate.	4 ft. max. height for any partition or enclosure use. Semi-transparent types only.	Required.	304,305, 306,307, 308
Side Yard fencing may be placed on the owners side of the property line beginning at road right of way. Fencing may be placed in side yard buffer areas.	8 ft. max. height for any partition or enclosure use. No transparency requirements.	Required.	304,305, 306,307, 308
Rear Yard fencing may be placed on the owner's side of the property line. Fencing may be placed in rear yard buffer areas.	8 ft. max. height for any partition or enclosure use. No transparency requirements.	Required.	304,305, 306,307, 308

220.05 Commercial, Industrial or Conditional Use Height and Setback

AREA PLACEMENT	HEIGHT AND TRANSPARENCY	ZONING CERTIFICATE	SECTION
Front Yard fencing setback beginning at the road right of way. Small portions of fencing used for landscaping, or temporary snow fencing forward of the setback line do not require a Zoning Certificate.	4 ft. max. height for any partition or enclosure use. Semi-transparent types only.	Required.	304,305, 306,307, 308
Side Yard fencing may be placed on the owner's side of the property line beginning at the road right of way. Fencing may be placed in side yard buffer areas.	8 ft. max. height for any partition or enclosure use. No transparency requirements.	Required.	304,305, 306,307, 308
Rear Yard fencing may be placed on the owner's side of the property line or District line	8 ft. max. height for any partition or	Required.	304,305, 306,307,

LITCHFIELD TOWNSHIP ZONING RESOLUTION

if mixed District parcel. Fencing may be placed in rear yard buffer areas.	enclosure use. No transparency requirements.		308
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SECTION 221 Reserve for future use

SECTION 222 SWIMMING POOLS

222.01 Residential Use

The construction, plumbing, electrical requirement, inspection, and other safety facilities shall be regulated by the applicable County Authority.

TYPE	SIZE	SETBACK	ZONING CERT.
Inflatable		District building line setback, side, rear yard clearances.	Not Required
Above ground permanent	Sidewall height greater than 3 ft.	District building line setback, side, rear yard clearances.	Required
In-ground	All	District building line setback, side, rear yard clearances.	Required

222.02 Commercial, Industrial or Conditional Use

A swimming pool for public use is subject to review and approval of a Site Plan and issuance of a Zoning Certificate unless otherwise specifically stated in this Resolution. (See Sections 601, 602 and 603 of this Resolution)

SECTION 223 SOLAR PHOTOVOLTAIC (PV) SYSTEMS

Solar Photovoltaic (PV) systems and associated facilities with a single connection to the electrical grid and/or off-grid shall be permitted in all Zoning Districts provided all other requirements of this Resolution have been met in addition to the following requirements;

223.01 Residential Use

223.01.1 Ground-mounted or Freestanding

The location of any ground-mounted or freestanding solar photovoltaic systems and other equipment associated with the energy system shall conform to setback, side yard and rear yard clearance requirements for the use of the applicable District. The height of the solar collectors and any mounts shall not exceed twelve (12) feet when oriented at maximum tilt, except where topographic or other conditions require a greater height. The solar collectors shall be located to prevent any glare directed towards an adjoining property or street. The use of fencing or natural vegetative screening may be required to obscure glare. A Solar Photovoltaic System is considered a structure and may be subject to review and approval of a site plan. Issuance of a Zoning Certificate is required.

223.01.2 Attached to Building or Roof-mounted

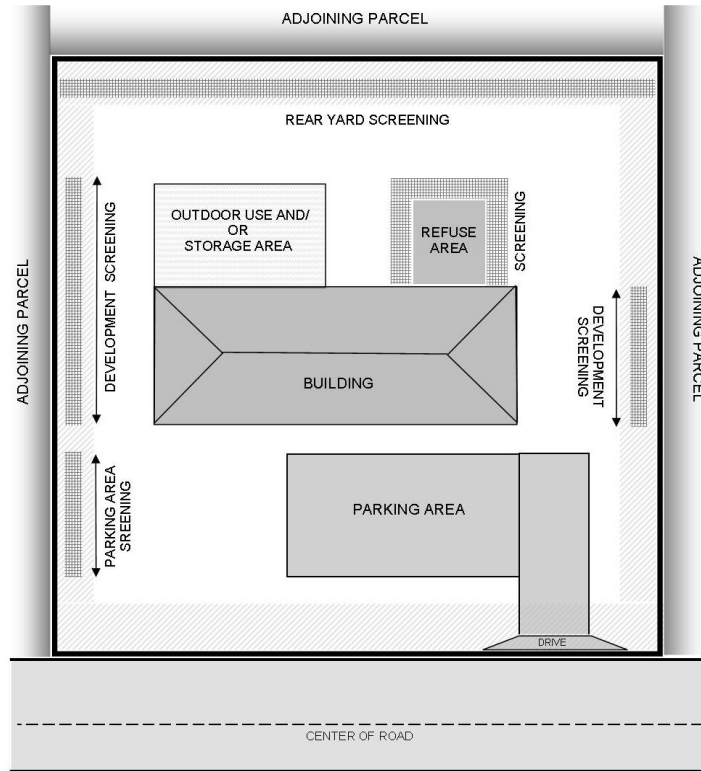
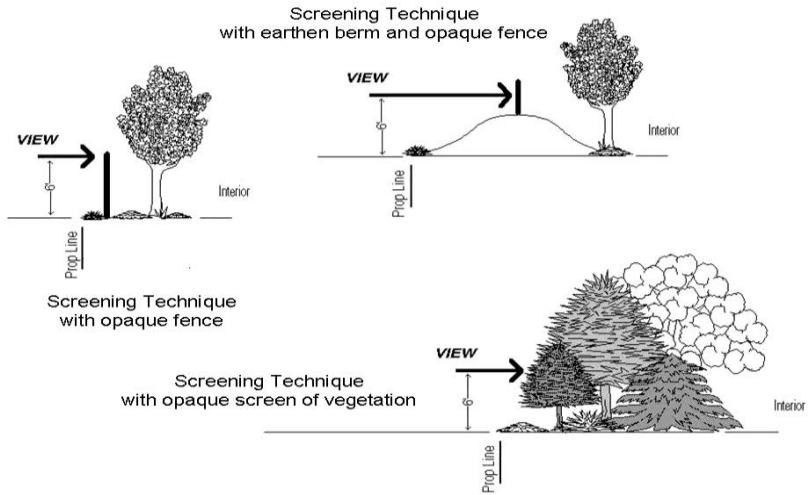
Solar panels and all accessory equipment associated with the energy system attached to a building or roof-mounted, is considered a structure subject to issuance of a Zoning Certificate.

223.02 Commercial, Industrial or Conditional Use

223.02.1 Ground-mounted or Freestanding

The location of any ground-mounted or freestanding solar photovoltaic systems and other equipment associated with the energy system shall conform to setback, side yard and rear yard clearance requirements for the use of the applicable District. The height of the solar collectors and any mounts shall not exceed twelve (12) feet when oriented at maximum tilt, except where topographic or other conditions require a greater height. The solar collectors

LITCHFIELD TOWNSHIP ZONING RESOLUTION



"Example" parcel for reference points only.



SECTION 225

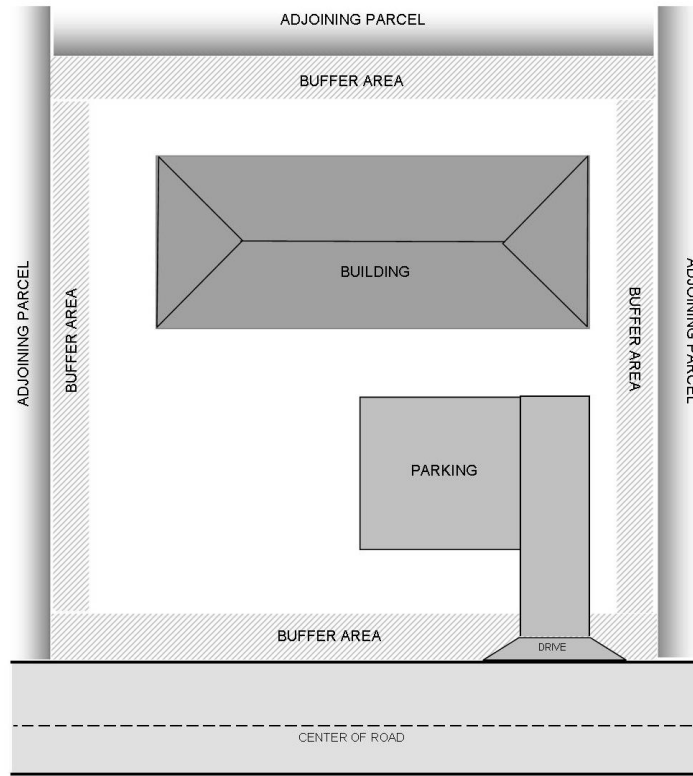
BUFFER AREA REQUIREMENTS

All non-residential Permitted or Conditionally Permitted use parcels shall have a buffer area consisting of a landscaped and planted strip running continuous with the property line using techniques such as; natural vegetation, grass or lawn in any combination. No building, structure, vehicle, equipment, machinery, product or materials, whether permanent or temporary are permitted in the buffer area unless otherwise stated in this Resolution.

225.01 Buffer Area Placement

AREA	MINIMUM DIMENSIONS	SECTION
Front Yard Buffer Area; Beginning at the edge of the road	20 ft. in width and running the entire frontage of the parcel except curb cuts and driveways	304, 305, 306,307, 308
Side Yard Buffer Area; Beginning at the side yard property line	20 ft. in width and running the entire length of the buildable area for each side yard (15 ft. in width for Circle District only)	304, 305, 306,307, 308
Rear Yard Buffer Area; Beginning at the rear yard property line	20 ft. in width and running the entire length of the buildable area rear yard	304, 305, 306,307, 308

LITCHFIELD TOWNSHIP ZONING RESOLUTION



"Example" buildable parcel for reference points only.

SECTION 304 RESIDENTIAL DISTRICT – BUILDABLE PARCEL

The purpose is to provide for Residential uses and Conditional uses that will maintain the overall rural character of Litchfield Township.

304.01 Permitted Use/Improvements

The following uses listed are permitted on buildable parcels in this District provided all other requirements of this Resolution have been met. A Zoning Certificate is required unless otherwise specifically stated in this Resolution. (See Section 603 of this Resolution)

USE	SECTION
Accessory Buildings	209
Accessory Structures	209
Accessory Dwellings Units	207,
Additions to Building/ Structures	209.01, 211.02, 503.01,
Alternative Energy Utility Systems	214, 223
Items exempted from requiring a Zoning Certificate	603.03, 202
Fences	220
Lakes/Ponds	219
Manufactured Homes	207
Outdoor Storage	216
Home-based business Type 1.	217
Temporary Trailer	207.03, 211.05
Swimming Pool	222
Residential dwelling House	207

304.02 Conditionally Permitted Use/Improvements

The following uses may be permitted on buildable parcels in this District as Conditional uses upon review and approval of a Site Plan and issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals. (See Section 602 of this Resolution)

USE	SECTION
Adult day/respice care. Business structure not to exceed total area of 5,000 sq. ft.	
Bed and breakfast. Business structure not to exceed total area of 5,000 sq. ft.	
Child day-care. Business structure not to exceed total area of 5,000 sq. ft.	
Churches or other places of worship. Structure not to exceed total area of 5,000 sq. ft.	
Golf course. Club house or other structures not to exceed total area of 5,000 sq. ft.	
Home-based business Type 2.	217
Telecommunications Tower	218

304.03 Residential District Buildable Parcel Area and Placement Requirements

	MINIMUM DIMENSIONS	SECTION
Buildable Parcel Area	3 acres.	304.03.1
Buildable Parcel Frontage	200 ft. in width.	304.03.2
Building S/B to Road	100 ft. from the road right of way	304.03.3
Building Side Yard S/B	15 ft. from the side yard property line. (25 ft. for non-residential Permitted or Conditionally Permitted use.)	304.03.3
Building Rear Yard S/B	15 ft. from the rear yard property line. (non-residential Permitted or Conditionally Permitted use; 25 ft. from the rear yard property line or District line if mixed District parcel.)	304.03.3
Driveway Side Yard S/B	5 ft. from the side yard property line. (20 ft. for non-residential Permitted or Conditionally Permitted use)	801
Driveway Curb Cut	1 per parcel minimum, 30 ft. minimum width	801
Driveway Width	10 ft. minimum. (16 ft. non-residential Permitted or Conditionally Permitted use.)	801
Parking Front Yard S/B	60 ft. from the center of the road.	801
Parking Side Yard S/B	5 ft. from the side yard property line. (20 ft. non-residential Permitted or Conditionally Permitted use.)	801
Parking Rear Yard S/B	15 ft. from the rear yard property line. (non-residential Permitted or Conditionally Permitted use; 20 ft. from the rear yard property line or District line if mixed Zoning District parcel.)	801
Fencing Front Yard S/B	Beginning at the road right of way.	220
Fencing Side Yard S/B	Side yard property line beginning at the road right of way.	220
Fencing Rear Yard S/B	Rear yard property line. (non-residential Permitted or Conditionally Permitted use; rear yard property line or District line if mixed District parcel.)	220
Buffer Area Front Yard (non-residential Permitted or Conditionally Permitted use.)	20 ft. in depth beginning at the edge of the road.	225
Buffer Area Width (non-residential Permitted or Conditionally Permitted use.)	20 ft. in width on all sides measured from the property lines.	225
Screening (non-residential Permitted or Conditionally Permitted use.)	Screening on each side which adjoins a residential use or residential District parcel.	224
Road right-of-way	As shown on the recorded parcel records of Medina County.	304.03.4
Nonconforming Parcel	Placement shall follow the setbacks, of the previous building, structure, driveway and parking area. Where none exists, or previous clearances are unknown, an area variance is required.	602, 504

304.03.1 Buildable Parcel Area

The minimum buildable parcel area of a parcel for Residential use or Conditionally Permitted use shall be three (3) acres. All buildable parcels shall have sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

304.03.2 Buildable Parcel Frontage

The minimum buildable parcel frontage on a public road shall be two hundred (200) feet wide continuous to the minimum building setback line. Corner parcels shall comply with the frontage requirement for each street on which the parcel has frontage.

304.03.3 Building Setbacks

Existing structures that were legally approved with lesser building setback line requirements shall use those structures' setback lines for any addition or new structure. Corner parcels shall comply with the minimum setback for each street on which the parcel has frontage. Building side yard setback distances are measured from the side yard property line. Building rear yard setback distances are measured from the rear yard property line on single District parcels. If mixed Zoning District parcel, rear yard setback distances are measured from the District line for all non-residential Permitted or Conditionally Permitted buildings or structures.

304.03.4 Road Right-of-Way

The road right-of-way line shall be as shown on the recorded parcel records of Medina County. The road right-of-way area shall be maintained free from physical above the ground obstructions as possible. No permanent building or structures are permitted within the road right-of-way unless otherwise permitted by the Medina County Engineer's Office, Ohio Department of Transportation and U.S. Postal Service.

SECTION 305 RESIDENTIAL DISTRICT – BUILDABLE REAR PARCEL

The purpose is to provide for Residential uses and Conditionally Permitted uses on buildable rear Residential District parcels that will maintain the overall rural character of Litchfield Township.

305.01 Permitted Use/Improvements

The following uses listed are permitted on buildable rear Residential District parcels provided all other requirements of this Resolution have been met. A Zoning Certificate is required unless otherwise specifically stated in this Resolution. (See Section 603 of this Resolution)

USE/Improvement	SECTION
Accessory Storage Buildings	209
Accessory Structures	209
Accessory Dwellings Units	207,
Additions to Building/ Structures	209.01, 211.02, 503.01,
Alternative Energy Utility Systems	214, 223
Items exempted from requiring a Zoning Certificate	603.03, 202
Fences	220
Lakes/Ponds	219
Manufactured Homes	207
Outdoor Storage	216
Home-based business Type 1	217
Temporary Trailer	207.03, 211.05
Swimming Pool	222
Residential dwelling House	207

305.02 Conditionally Permitted Use/Improvements

The following uses may be permitted on buildable rear Residential District parcels as Conditional uses upon review and approval of a Site Plan and issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals. (See Section 602 of this Resolution)

USE	SECTION
Churches or other places of worship. Structure not to exceed total area of 5,000 sq. ft.	
Home-based business Type 2	217
Telecommunications Tower	218

305.3 Residential District Buildable Rear Parcel Area and Placement Requirements

	MINIMUM DIMENSIONS	SECTION
Buildable Parcel Area	3 acres exclusive of access-way area.	305.03.1
Buildable Parcel Frontage	200 ft. in width on the side facing the public road.	305.03.2
Building S/B	The point where the minimum parcel width of 200 ft. has been maintained for at least 50 ft. from the parcel front property line.	305.03.3
Building Side Yard S/B	15 ft. from the side yard property line. (25 ft. for non-residential Permitted or Conditionally Permitted use.)	305.03.3
Building Rear Yard S/B	15 ft. from the rear yard property line. (non-residential Permitted or Conditionally Permitted use; 25 ft. from the rear yard property line.)	305.03.3
Driveway Side Yard S/B	5 ft. from the side yard property line. (20 ft. for non-residential Permitted or Conditionally Permitted use.)	801
Driveway Curb Cut	1 per parcel, 30 ft. minimum width.	801
Driveway Width	10 ft. minimum. (16 ft. non-residential Permitted or Conditionally Permitted use.)	801
Parking Front Yard S/B	The point where the minimum parcel width of 200 ft. has been maintained for at least 15 ft. from the parcel front property line.	801
Parking Side Yard S/B	5 ft. from the side yard property line. (20 ft. non-residential Permitted or Conditionally Permitted use.)	801
Parking Rear Yard S/B	15 ft. from the rear yard property line. (non-residential Permitted or Conditionally Permitted use; 20 ft. from the rear yard property line.)	801
Fencing Front Yard S/B	15 ft. from the edge of the road for access-way area. Front property line for remainder of parcel.	220
Fencing Side Yard S/B	Side yard property line.	220
Fencing Rear Yard S/B	Rear yard property line.	220
Buffer Area Front Yard (non-residential Permitted or Conditionally Permitted use.)	20 ft. in depth beginning at the at the point where the minimum parcel width is 200 ft. on the parcel front property line.	225
Buffer Area Width (non-residential Permitted or Conditionally Permitted use.)	20 ft. in width on all sides from the property lines.	225
Screening (non-residential Permitted or Conditionally Permitted use.)	Screening on each side which adjoins a residential use or residential District parcel.	224
Road right-of-way	As shown on the recorded parcel records of Medina County.	305.03.4
Nonconforming Parcel	Placement shall follow the setbacks, of the previous building, structure, driveway and parking area. Where none exists, or previous clearances are unknown, an area variance is required.	602, 504

305.03.1 Buildable Parcel Area

Buildable Rear Parcel development for Residential use and Conditionally Permitted use is permitted when located behind a parcel, or parcels that meet current buildable parcel requirements. The minimum buildable area for a rear parcel shall be three (3) acres exclusive of the access-way area.

The access-way area shall have at least thirty (30) feet of frontage on a public road maintained through its full depth. No more than two (2) access-ways of different rear parcels shall abut one another. The buildable area and access-way area must be zoned the same Residential District and shall be joined as a single parcel deeded to the parcel owner and duly recorded in the office of the Medina County Recorder. The use or granting of an easement of necessity or right-of-way is not permitted to meet the requirement of an access strip.

All buildable Rear Parcels shall have sufficient area for the installation of an on-site septic system pursuant to the regulations of the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

305.03.2 Buildable Parcel Frontage

The minimum buildable parcel width of the buildable area shall be two hundred (200) feet running the entire front of the parcel that is adjoined to the access-way area on a public road.

305.03.3 Building Setbacks

The minimum building setback is established at the point where the minimum parcel width of two hundred (200) feet has be maintained for at least fifty (50) feet from the parcel front property line. Building side yard setback distances are measured from the side yard property line. Building rear yard setback distances are measured from the rear yard property line.

305.03.4 Road Right-of-Way

The road right-of-way line shall be as shown on the recorded parcel records of Medina County. The road right-of-way area shall be maintained free from any physical above the ground obstructions as possible. No permanent building or structures are permitted within the road right-of-way unless otherwise permitted by the Medina County Engineer's Office, the Ohio Department of Transportation, or U.S. Postal Service.

SECTION 306

CIRCLE DISTRICT – BUILDABLE PARCEL

The purpose is to provide a mixed-use area for residential dwellings and a variety of retail services and professional establishments which shall conform to the basic use and character of the area known as Litchfield Circle.

306.01 Permitted Use/Improvements

The following uses listed are permitted on buildable parcels in this District upon review and approval of a Site Plan, if applicable, and upon issuance of a Zoning Certificate, if required, provided all other requirements of this Resolution have been met. (See Sections 601 and 603 of this Resolution)

USE/Improvement	SECTION
Adult day/respite care. Business structure not to exceed 3,000 total sq. ft.	
Bed and breakfast. Business structure not to exceed 3,000 total sq. ft.	
Child day-care. Business structure not to exceed 3,000 total sq. ft.	
Food and beverage store or business such as; restaurant, tavern, bar, pub, specialty food or beverages, bakery, delicatessen, juices, confectionary, dairy, coffee or soda shop, ice cream, health foods, food or beverage preparation to be retailed on or off premises including carry-out or delivery. Business structure not to exceed 3,000 total sq. ft.	
Home-based business Type 1	217
Offices such as; financial, legal, accounting, real estate, insurance, engineering, architectural, technology, health specialist, travel agencies, marketing or sales, counseling	
Residential dwelling House All improvements/uses that are permitted in the residential zoning district	207, 304, 305
Retail store or business such as; general merchandise, grocers, pharmacy, clothing or apparel, furniture, appliances, florist, gifts, hardware, sporting goods, antiques, electronics, specialty goods, convenience store, discount merchandise, resale or consignment store, art gallery, artisan/craftsman goods or merchandise, collectible or hobby items. Business structure not to exceed 3,000 total sq. ft. Outdoor displays of merchandise or goods shall not exceed 10% of the business structure square footage	
Service store or business such as; healthy & beauty, barber shop, hair salon, nail and tanning salon, tailor or dressmaker, pet grooming (no outdoor kennel), photography, fitness or personal training, dance studio, martial arts, small electronic or consumer goods repair or restoration. Business structure not to exceed 3,000 total sq. ft.	

306.02 Conditionally Permitted Use/Improvements

The following uses may be permitted on buildable parcels in this District as Conditional uses upon review and approval of a Site Plan and issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals. (See Section 602 of this Resolution)

USE	SECTION
Churches or other places of worship. Structure not to exceed 3,000 total sq. ft.	
Home-based business Type 2	217
Automotive fueling station including retail store	
Telecommunications Tower	218

306.03 Circle District Buildable Parcel Area and Placement Requirements

	MINIMUM DIMENSIONS	SECTION
Buildable Parcel Area	3 acres (2 acres if non-Residential Permitted or Conditional use)	306.03.1
Buildable Parcel Frontage	200 ft. in width	306.03.2
Building Front Yard S/B	75 ft. from the road right of way	306.03.3
Building Side Yard S/B	15 ft. from the side yard property line (20 ft. for non-Residential Permitted or Conditionally Permitted use)	306.03.3
Building Rear Yard S/B	15 ft. from the rear yard property line (non-Residential Permitted or Conditional use; 20 ft. from the property line or District line if mixed District parcel)	306.03.3
Driveway Side Yard S/B	5 ft. from side yard property line (15 ft. for non-residential Permitted or Conditionally Permitted use)	801
Driveway Curb Cut	1 per parcel, 30 ft. minimum length	801
Driveway Width	10 ft. minimum (16 ft. for non-Residential Permitted or Conditionally Permitted use)	801
Parking Front Yard S/B	45 ft. beginning at road right of way	801
Parking Side Yard S/B	5 ft. from side yard property line (15 ft. for non-residential Permitted or Conditionally Permitted use)	801
Parking Rear Yard S/B	15 ft. from the rear yard property line	801
Fencing Front Yard S/B	15 ft. beginning at road right of way	220
Fencing Side Yard S/B	Side yard property line beginning at the road right of way	220
Fencing Rear Yard S/B	Rear yard property line	220
Buffer Area Front Yard S/B (non-residential Permitted or Conditionally Permitted use.)	20 ft. in depth beginning road right of way	225
Buffer Area Width (non-residential Permitted or Conditionally Permitted use.)	15 ft. in width on all sides measured from the property lines	225
Screening (non-residential Permitted or Conditionally Permitted use.)	Screening on each side which adjoins a residential use or residential District parcel	224
Road right-of-way	As shown on the recorded parcel records of Medina County	306.03.4
Nonconforming Parcel	Placement shall follow the setbacks, of the previous building, structure, driveway and parking area	602, 504
Outdoor display of goods or merchandise	Outside display areas no greater than 300 sq. ft. are permitted except within buffer areas and the road right of way.	306.01

306.03.2 Buildable Parcel Area

The minimum buildable parcel area of a parcel for Residential use shall be three (3) acres. Where there is no Residential use proposed on the parcel, the buildable parcel area may be reduced to two (2) acres providing it meets all other requirements. All buildable parcels shall have sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

306.03.3 Buildable Parcel Frontage

The minimum buildable parcel frontage on a public road shall be two hundred (200) feet wide continuous to the minimum building setback line for Residential use. Corner parcels shall comply with the frontage requirement for each street on which the parcel has frontage.

306.03.4 Building Setbacks

Existing structures that were legally approved with lesser building setback line requirements shall use those structures' setback lines for any addition or new structure. Corner parcels shall comply with the minimum setback for each street on which the parcel has frontage. Building side yard setback distances are measured from the side yard property line. Building rear yard setback distances are measured from the rear yard property line on single District parcels. If mixed District parcel, rear yard setback distances are measured from the District line for all non-residential Permitted or Conditionally Permitted buildings or structures.

306.03.5 Road Right-of-Way

The road right-of-way line shall be as shown on the recorded parcel records of Medina County. The road right-of-way area shall be maintained as free from physical above the ground obstructions as possible. No permanent building or structures are permitted within the road right-of-way unless otherwise permitted by the Medina County Engineer's Office, the Ohio Department of Transportation and U.S. Postal Service.

SECTION 307

COMMERCIAL DISTRICT – BUILDABLE PARCEL

The purpose is to provide a mixed-use area for residential dwellings and a variety of retail, service, and commercial business establishments which would have no objectionable effects on the Township.

307.01 Permitted Use/Improvements

The following uses listed are permitted on buildable parcels in this District upon review and approval of a Site Plan, if applicable, and upon issuance of a Zoning Certificate, if required, provided all other requirements of this Resolution have been met. (See Sections 601 and 603 of this Resolution)

USE/Improvement	SECTION
Adult day/respite care facility or center	
Bed and breakfast	
Car wash facility	
Child day-care facility or center or camp	
Churches or other places of worship	
Food and beverage retail or wholesale store or business such as; restaurant, tavern, bar, pub, specialty food or beverage store, bakery, delicatessen, juices, confectionary, dairy, health foods, food or beverage preparation and related processing retailed on or off premises including carry-out or delivery	
Home-based business Type 1	217
Offices such as; financial, legal, accounting, real estate, insurance, engineering, architectural, technology, health-care specialist, medical doctor, dentist, travel agencies, marketing or sales, counseling	
Outdoor displays of goods or merchandise	
Retail or wholesale store or business such as; general merchandise, grocers, pharmacy, clothing or apparel, furniture, appliances, florist, gifts, hardware, sporting goods, antiques, electronics, specialty goods, convenience store, discount merchandise, resale or consignment store, art gallery, artisan/craftsman goods or merchandise, collectible or hobby items, parts store	
Residential dwelling, House, All Uses and Improvements permitted In the Residential zoning district	207
Service store or business such as; healthy & beauty, barber shop, hair salon, nail and tanning salon, tailor or dressmaker, pet grooming (no outdoor kennel), photography, fitness or personal training, dance studio, martial arts	
Shops such as; repair or restoration, installation or retro-fitting, contractors, technicians, artisan/craftsman, machinist, tool & die	
Transportation; towing, trucking, cartage or rigging	
Vehicle, equipment, RV; sales or rental parcel, new or used	
Warehousing and storage facilities including outdoor storage yards	

307.02 Conditionally Permitted Use/Improvements

The following uses may be permitted on buildable parcels in this District as Conditional uses upon review and approval of a Site Plan and issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals. (See Section 602 of this Resolution)

USE/Improvement	SECTION
Animal Shelter	
Assisted living, nursing, residential care facility	
Automotive fueling stations including associated retail store	
Cemeteries	
Event/conference/wedding or party center	
Funeral home	
Golf course or golf driving range	
Government uses and facilities	
Hospital, emergency and urgent care facilities	
Libraries or museums; public or private	
Manufacturing processes	
Recreational sports fields or facilities (non-motorized)	
Recycling facilities	
Home-based business Type 2	217
Schools; public, private and parochial	
Sporting club (non-firearms)	
Telecommunications Tower	218
Veterinary clinic or other related services	

307.03 Commercial District Buildable Parcel Area and Placement Requirements

	MINIMUM DIMENSIONS	SECTION
Buildable Parcel Area	3 acres (2 acres if non-Residential Permitted or Conditional use)	307.03.1
Buildable Parcel Frontage	200 ft. in width	307.03.2
Building S/B	100 ft. from the road right of way	307.03.3
Building Side Yard S/B	30 ft. from the property line	307.03.3
Building Rear Yard S/B	25 ft. from the property line (non-residential Permitted or Conditionally Permitted use; 25 ft. from the property line or District line if mixed District parcel)	307.03.3
Driveway Side Yard S/B	20 ft. from the side yard property line	801
Driveway Curb Cut	1 per parcel, 30 ft. minimum width	801
Driveway Width	10 ft. minimum (16 ft. for non-Residential Permitted or Conditionally Permitted use)	801
Parking Front Yard S/B	50 ft. from the center of the road	801
Parking Side Yard S/B	20 ft. from the side yard property line	801
Parking Rear Yard S/B	20 ft. from the rear yard property line (non-residential Permitted or Conditionally Permitted use; 20 ft. from the rear yard property line or District line if mixed District parcel)	801
Fencing Front Yard S/B	Beginning at the road right of way	220
Fencing Side Yard S/B	Side yard property line beginning at the road right of way	220
Fencing Rear Yard S/B	Rear yard property line (non-residential Permitted or Conditionally Permitted use; rear yard property line or District line if mixed District parcel)	220
Buffer Area Front Yard (non-residential Permitted or Conditionally Permitted use.)	20 ft. in depth beginning at the road right of way	225
Buffer Area Width (non-residential Permitted or Conditionally Permitted use.)	20 ft. in width on all sides measured from the property lines	225
Screening (non-residential Permitted or Conditionally Permitted use.)	Screening on each side which adjoins a residential use or residential District parcel	224
Road right-of-way	As shown on the recorded parcel records of Medina County	307.03.4
Nonconforming Parcel	Placement shall follow the setbacks, of the previous building, structure, driveway and parking area. Where none exists, or previous clearances are unknown, an area variance is required	602, 504
Outdoor display of goods or merchandise	Outside display areas are permitted on the parcel except for the buffer zone areas and road right of way	

307.03.1 Buildable Parcel Area

The minimum buildable parcel area of a parcel for Residential use shall be three (3) acres. Where there is no Residential use proposed on the parcel, the buildable parcel area may be reduced to two (2) acres providing it meets all other requirements. All buildable parcels shall have sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

307.03.2 Buildable Parcel Frontage

The minimum buildable parcel frontage on a public road shall be two hundred (200) feet wide continuous to the minimum building setback line for Residential use. Corner parcels shall comply with the frontage requirement for each street on which the parcel has frontage.

307.03.3 Building Setbacks

Existing structures that were legally approved with lesser building setback line requirements shall use those structures' setback lines for any addition or new structure. Corner parcels shall comply with the minimum setback for each street on which the parcel has frontage. Building side yard setback distances are measured from the side yard property line. Building rear yard setback distances are measured from the rear yard property line on single District parcels. If mixed Zoning District parcel, rear yard setback distances are measured from the District line for all non-residential Permitted or Conditionally Permitted buildings or structures.

307.03.4 Road Right-of-Way

The road right-of-way line shall be as shown on the recorded parcel records of Medina County. The road right-of-way area shall be maintained as free from physical above the ground obstructions as possible. No permanent building or structures are permitted within the road right-of-way unless otherwise permitted by the Medina County Engineer's Office, the Ohio Department of Transportation and the U.S. Postal Service.

SECTION 308 INDUSTRIAL DISTRICT – BUILDABLE PARCEL

The purpose is to provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, distribution, and sexually oriented businesses, free from the encroachment of residential, retail, and institutional uses.

308.01 Permitted Use

The following uses listed are permitted on buildable parcels in this District upon review and approval of a Site Plan, if applicable, and upon issuance of a Zoning Certificate, provided all other requirements of this Resolution have been met. (See Sections 601 and 603 of this Resolution)

USE/Improvement	SECTION
Alternative Energy Utility Systems	
Sexually oriented businesses and adult entertainment establishments.	309
Scrap metal processing facility	
Shops such as; repair or restoration, installation or retro-fitting, contractors, technicians, artisan/craftsman, machinist, tool & die	
Transportation; towing, trucking, cartage or rigging	
Warehousing and storage facilities including outdoor storage yards	
Wholesaling and distribution facilities	

308.02 Conditionally Permitted Use

The following uses may be permitted on buildable parcels in this District as Conditional uses upon review and approval of a Site Plan and issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals. (See Section 602 of this Resolution)

USE	SECTION
Manufacturing processes	
Recycling facilities	
Salvage motor vehicle yard	
Sanitation and waste services	
Telecommunications Towers	218

308.03 Industrial District Buildable Parcel Area and Placement Requirements

	MINIMUM DIMENSIONS	SECTION
Buildable Parcel Area	2 acres	308.03.1
Buildable Parcel Frontage	200 ft. in width	308.03.2
Building S/B	100 ft. from the center of the road	308.03.3
Building Side Yard S/B	30 ft. from the side yard property line	308.03.3
Building Rear Yard S/B	25 ft. from the rear yard property line	308.03.3
Driveway Side Yard S/B	20 ft. from the side yard property line	801
Driveway Curb Cut	1 per parcel, 30 ft. minimum width	801
Driveway Width	16 ft. minimum	801
Parking Front Yard S/B	50 ft. from the center of the road	801
Parking Side Yard S/B	20 ft. from the side yard property line	801
Parking Rear Yard S/B	20 ft. from the rear yard property line	801
Fencing Front Yard S/B	Beginning at the road right of way	220
Fencing Side Yard S/B	Side yard property line beginning from the road right of way	220
Fencing Rear Yard S/B	Rear yard property line	220
Buffer Area Front Yard	20 ft. in width beginning at the road right of way	225

Buffer Zone Width	20 ft. in width on all sides measured from the property lines	225
Screening (non-residential Permitted or Conditionally Permitted use.)	Screening on each side which adjoins a residential use or residential District parcel	224
Road right-of-way	As shown on the recorded parcel records of Medina County	308.03.4
Nonconforming Parcel	Placement shall follow the setbacks, of the previous building, structure, driveway and parking area. Where none exists, or previous clearances are unknown, an area variance is required	602, 504

308.03.1 Buildable Parcel Area

The minimum buildable parcel area of a parcel shall be two (2) acres and shall have sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

308.03.2 Buildable Parcel Frontage

The minimum buildable parcel frontage on a public road shall be two hundred (200) feet wide continuous to the minimum building setback line. Corner parcels shall comply with the frontage requirement for each street on which the parcel has frontage.

308.03.3 Building Setbacks

Existing structures that were legally approved with lesser building setback line requirements shall use those structures' setback lines for any addition or new structure. Corner parcels shall comply with the minimum setback for each street on which the parcel has frontage. Building side yard setback distances are measured from the side yard property line. Building rear yard setback distances are measured from the rear yard property line on single District parcels. If mixed District parcel, rear yard setback distances are measured from the District line for all non-residential Permitted or Conditionally Permitted buildings or structures.

308.03.4 Road Right-of-Way

The road right-of-way line shall be as shown on the recorded parcel records of Medina County. The road right-of-way area shall be maintained as free from physical above the ground obstructions as possible. No permanent building or structures are permitted within the road right-of-way unless otherwise permitted by the Medina County Engineer's Office, the Ohio Department of Transportation or U.S. Postal Service.

SECTION 309

INDUSTRIAL DISTRICT – SEXUALLY ORIENTED BUSINESS (SOB)

It is the purpose and intent of the provisions of this Zoning Resolution which specifically apply to Sexually Oriented Businesses and Adult Entertainment establishments as defined under Sections; 2907.38, 2907.39, 503.51–503.53 of the Ohio Revised Code, to regulate such business with the intent of promoting the health, safety, and welfare of Litchfield Township, establishing reasonable and uniform regulations and thereby reducing or eliminating the adverse secondary effects from such businesses. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented materials. Similarly, it is not the intent or effect of this Zoning Resolution to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor the effect of this Zoning Resolution to condone or legitimize the distribution of obscene material. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material including sexually oriented materials.

309.01 Supplemental SOB Requirements

A Sexually Oriented Business or Adult Entertainment establishment is subject to review and approval of a Site Plan and issuance of a Zoning Certificate providing all other requirements of this Resolution have been met in addition to the following;

309.01.1 Shall be a Permitted use in the Industrial District only and is prohibited in Residential, Circle and Commercial Districts and residential dwellings in any District.

309.01.2 Shall not be located on any parcel within three hundred (300) feet of any residential dwelling; or within one thousand (1,000) feet of any public park, library, church, public playground, private or public school, licensed day care or preschool, or any other facility where children are kept day or night.

309.01.3 Shall be located a minimum of one thousand (1,000) feet from any other Sexually Oriented Business or Adult Entertainment establishment.

309.01.4 A Sexually Oriented Business or Adult Entertainment establishment shall be restricted to one (1) business per Principal structure, and one (1) structure per parcel.

309.01.5 Structures shall be designed to prevent internal activities and displays from being seen from outside. No pornographic advertisement displays or other promotional materials shall be shown or exhibited in any manner visible to the public from pedestrian sidewalks, roadways, or other public areas.

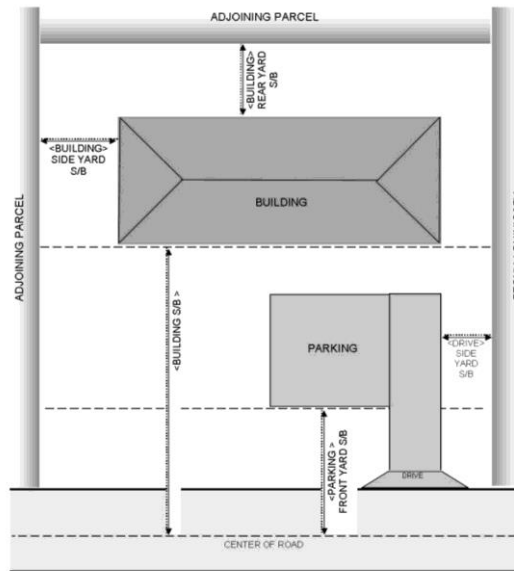
309.01.6 All activities, programs, and other events of the use shall be adequately and properly supervised to prevent any hazard, disturbance or nuisance to surrounding properties or residents.

309.01.7 A Sexually Oriented Business or Adult Entertainment establishment which is lawfully and legally located and operating as a Conforming use pursuant to the regulations set forth in this resolution, shall not be rendered as a Non-conforming use if a public park, library, church, public playground, private or public school, licensed day care or preschool, or any other facility where children are kept day or night locates within one thousand (1,000) feet of the Sexually Oriented Business or Adult Entertainment establishment.

SECTION 310
BUILDABLE PARCEL PLACEMENT EXAMPLES

**310.01 Buildable Parcel Example – Residential, Circle, Commercial and Industrial Districts
 Parcels;**

Example is for reference points only. Refer to the applicable District for all minimum lot dimensions and setback requirements-(See Sections 304 – Residential; 306 – Circle; 307 Commercial; 308 – Industrial)



310.02 Buildable Rear Parcel Example – Residential District Parcels

Buildable Rear Parcel development for Residential use and Conditionally Permitted use is permitted when located behind a parcel, or parcels that meet current buildable parcel requirements. (See Section 305 of this Resolution)

ARTICLE IV-SIGNAGE

SECTION 401. PURPOSE

The purpose of this article is to provide a guide to control the use, size, type and location of all allowable signage within the Township so as to protect and preserve the appearance, character and value of adjacent properties and thereby promote the general welfare and safety by providing for the installation of signage of a unified and consistent appearance. It is further intended to reduce the sign or advertising distractions and obstructions that may contribute to traffic accidents.

SECTION 402. COMPLIANCE

Unless specifically exempted in the Article, a sign permit shall be required for each sign in accordance with the Resolution to assure compliance with the following regulations. A sign for which a permit has been issued, cannot be modified, altered, and/or replaced without first securing another permit. The repainting, repairs and/or preventive maintenance of a sign for which a permit has been issued, shall not be considered an alteration requiring a permit. The provisions of this resolution shall not amend or in any way interfere with other rules or regulations governing traffic or public safety signs.

SECTION 403. ZONING CERTIFICATE REQUIRED

- 403.01.** A zoning certificate issued by the Zoning Inspector shall be required prior to the erection, display, relocation, replacement, reinstallation or alteration of any sign, including temporary signs. In addition to the standard requirement regarding applications for zoning certificates, application for signs shall also be accompanied by detailed information regarding the design of the sign including dimensions, materials, method of attachment or support, source of illumination, and the relationship to any building, structure, or road right of way to which it is or is proposed to be installed or affixed.
- 403.02.** ODOT Permits – All signs within six hundred and sixty (660) feet of the right-of-way of Routes 18 and 83 are also subject to regulation by the Ohio Department of Transportation (ODOT) under Ohio Revised Code, Chapter 5516 and the regulations adopted pursuant to Chapter 5516. Zoning certificates for signs within six hundred and sixty (660) feet of the right-of-way shall not be issued without evidence that a permit has first been issued by ODOT; or notice from ODOT that a state permit is not necessary. Unless the sign meets the exception in Ohio Revised Code 5516.06.

SECTION 404. ZONING CERTIFICATE EXCEPTIONS

No zoning certificate shall be required for:

- 404.01.** Periodic repairs, repainting or maintenance provided the sign is not altered, including but not limited to, the sign face, design or structure.
- 404.02.** Changing the lettering, graphics or information on a sign, specifically approved as a changeable copy sign, whether automatic or manual, and changing the face of any sign (provided such change does not alter the dimensions of the sign).

- 404.03. All signs erected and maintained by a government body or otherwise erected pursuant to law shall be exempt from requiring a zoning certificate.
- 404.04. Signs not exceeding four (4) square feet in area.
- 404.05. A sign(s) as permitted in Section 407.
- 404.06. A maximum of three (3) temporary signs not exceeding 4 square feet per sign in area per lot or parcel.

SECTION 405. GENERAL REQUIREMENTS

- 405.01. Height
The height of a free-standing sign shall be measured from the finished grade at the base of the sign to the highest point or element of the sign.
- 405.02. Frontage
For the purposes of calculating permitted sign area, the frontage of a building shall be the number of linear feet of the facade facing the principal street or containing the main entrance. The frontage of a lot shall be the number of linear feet that the lot abuts on the principal street.
- 405.03. Illumination
Signs in the Residential districts shall not be illuminated. Signs in the Circle, Commercial, and Industrial districts may be illuminated. Permitted illuminated signs shall conform to the following requirements.
 - 405.03.1 All illuminated signs shall comply with the requirements of the National Electric Code.
 - 405.03.2 Electrical wiring serving any sign shall be installed underground, or on, or within the structure to which the sign is attached.
 - 405.03.3 Any illuminated sign shall employ only light(s) emitting a light of constant intensity. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving light(s).
 - 405.03.4 Any illuminated sign shall be shielded so as to prevent direct light and/or glare from being cast into any adjoining residential area or at vehicles traveling on a public right of way.
- 405.04. Signs are prohibited in All Districts in the following locations:
 - 405.04.1 No sign shall be attached to or supported by a utility pole, street sign, or traffic control pole.
 - 405.04.2 No sign shall be located within or shall obstruct any public right of way, traffic control device or street identification sign at intersections.
 - 405.04.3 No sign shall be located so as to obstruct sight distance for vehicles.
 - 405.04.4 No sign shall be located or maintained in which any portion of its surface or its supports will interfere in any way with a fire lane, exit or standpipe.

405.05 Prohibited Signs
Unless otherwise specifically permitted herein, the following signs are prohibited in all districts:

405.05.1 No signs may be placed on parked vehicles or trailers on business premises, residential premises and/or lot for the purpose of advertising a business, product, service or the like, except an identification sign which is affixed to a vehicle regularly operated in the pursuance of the day to day business or activity of an enterprise.

405.05.2 No sign visible from a road shall contain any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.

405.05.3 No signs shall hang less than eight and one-half (8.5) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path.

405.05.4 No sign shall obstruct the egress from any building.

405.05.5 Signs that employ any parts or elements which revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention in a commercial or industrial district.

405.05.6 Signs or parts containing or consisting of flags, pennants, ribbons, streamers, spinners, or balloons in a commercial or industrial area.

405.05.7 Beacons or searchlights.

405.06 Signs, Measurement of:

The dimensions of a sign shall be calculated based upon the area normally visible from any one direction. The area shall be measured by the smallest square, rectangle, circle or combination thereof, which will encompass the entire advertising device including decorative border, trim cutout and extension. Frames and other structural members, not including advertising matter, shall not be included in calculation of the surface area. A logo, however, is to be considered part of the sign. (For example, a rectangular sign measuring four (4) feet by six (6) feet with a display of both sides shall be considered twenty-four (24) square feet, as would a four (4) feet by six (6) feet sign with a display on only one (1) side.) When separate elements are organized to form a single sign but the elements are separated by open space, the area shall be calculated by determining the geometric form or combination of forms, which comprise all the display area including the space between the elements. (See drawings at end of section.)

SECTION 406. ENFORCEMENT

406.01. Maintenance

The Zoning Inspector may order any sign to be painted or refurbished at least once each year, if needed, to keep the sign in a neat and safe condition. All supports, guides, braces and anchors for such signs shall be maintained in a safe condition. The Zoning Inspector may order removal of any such sign that is not so maintained, and it shall be unlawful for the owners or persons having charge of such sign not to remove the same after receiving notice from the Zoning Inspector to do so.

406.02. Removal

If the Zoning Inspector finds that any sign or other advertising structure is unsafe or insecure to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Resolution, notice shall be given in writing by the Zoning Inspector, to the

owner, agent or person having beneficial use of said sign, who shall thereafter immediately correct the condition for which said notice was given. Upon receipt of written notice of the Zoning Inspector, the owner thereof or the person maintaining the same, shall proceed, at once, to put such sign in a safe, secure and/or presentable condition or remove the sign within thirty (30) days.

406.03. Violation

If the Zoning Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of the Resolution, notice shall be given in writing by the Zoning Inspector. If the structure is not removed or altered so as to comply with the standards herein set forth within the time set by the Zoning Inspector, except for portable or temporary signs which must be removed immediately upon notice, in addition to any other lawful remedy, the Trustees then shall have the right to order removal of said sign according to the authority granted to the Trustees by State Legislature.

SECTION 407. SIGNS PERMITTED IN (R) RESIDENTIAL DISTRICTS

407.01. Permanent Signs:

407.01.1 One non-illuminated sign not exceeding four (4) square feet. If Freestanding, such sign shall not be located closer than ten (10) feet from the right of way.

407.01.2 One free-standing sign at each entrance to a residential development not to exceed twenty-four (24) square feet in area and not to exceed six (6) feet in height. Such sign shall not be located closer than twenty-five (25) feet to any road right of way and fifteen (15) feet to any property line. The base and foundation of any sign shall be landscaped.

407.02. Temporary Signs

407.02.1 Three temporary signs, which may be either a wall, or freestanding sign, not exceeding twelve (12) square feet in area shall be permitted for each lot or parcel.

407.02.2 One temporary freestanding sign may be erected on a site during construction or reconstruction of a building for which a valid building permit has been obtained. Such sign shall not exceed twenty-four (24) square feet in area or eight (8) feet in height. Such sign shall not be located closer than ten (10) feet from any right of way or closer than fifteen (15) feet from any property line and shall be removed within five (5) days after permanent occupancy of the lot or structure.

SECTION 408. SIGNS PERMITTED IN CIRCLE DISTRICT, COMMERCIAL DISTRICT, AND (I) INDUSTRIAL DISTRICT

The following signs shall be permitted in the above Districts and shall conform with the regulations set for herein:

408.01. Detachable Building Sign

408.01.1 Ground or Pole Signs

408.01.1.1 On a lot where multiple business' are located, these regulations permit one (1) freestanding sign that shall not exceed fifty (50) square feet in area nor twenty (20) feet in height.

408.01.1.2 Parcels that have frontage on two (2) or more streets may have a second free-standing sign provided the second ground sign is located on a different street and does not exceed thirty (30) square feet in area nor eight (8) feet in height.

408.01.1.3 Ground signs shall not be located closer than ten (10) feet from any road right of way or closer than twenty-five (25) feet for Commercial/Commercial side lot line or seventy-five (75) feet for Commercial/Residential side lot line. The placement of the ground sign shall be located in the required landscaping or buffer strip, if one is required.

408.01.1.4 Portable signs shall conform to 42 square feet and shall not be located closer than ten (10) feet from any road right of way or closer than twenty-five feet for Commercial/Commercial side lot line or seventy-five (75) feet for Commercial/Residential side lot line.

408.02 Affixed Building Signs

In addition to the other signs permitted by this section, each business shall be permitted only one (1) each of the following:

408.02.1 Wall Signs:

The dimensions of a wall sign shall be based on the linear measurement of the amount of the front of the building or unit(s) utilized by the business. One square foot of sign for each linear foot of this exterior measurement is allowed up to a maximum of eighty (80) square feet per business. For instance, a business utilizing thirty-four (34) feet of the linear front of a given structure would be permitted up to a thirty-four (34) square foot sign regardless of the buildings overall dimensions. All signs shall not project more than 18 inches from the building wall to which they are attached nor shall more than 20% of the signs total height be extended above the top of the wall.

408.02.2 Awning Signs:

Awning signs shall conform to the dimensional restrictions described in the preceding paragraph (408.02.1) of this section. No awning shall extend above the building wall. Posts or columns beyond the building lines shall not be permitted for awnings. Every awning shall be securely attached to and supported by the building.

408.02.3 Projection sign shall be 8 ½ feet above a walkway and not to exceed four (4) feet from the building and to not exceed twelve (12) square feet in size.

408.03 Billboard Signs:

Billboards shall be permitted only in commercial and Industrial districts and land used for agriculture, as required by Section 519.20 of the Ohio Revised Code, and shall require a zoning certificate. Such signs shall be located so as to maintain the same minimum front, side and rear yard requirements as for buildings in that district, except that no such sign shall be located closer than five hundred (500) feet to a dwelling. Nor shall any such sign be permitted closer than five hundred (500) feet to a public park, public or parochial school, library, church, hospital or similar institution. The maximum area of such sign shall be three hundred (300) square feet. The maximum height of such sign shall be thirty five (35) feet. Such signs visible to approaching traffic on either or both sides of a right of way shall have a minimum spacing of at least five hundred (500) feet.

408.04 Service Station Signs

In addition to the other signs permitted in this section, gasoline filling stations may have more than one unlighted, double-faced accessory sign per pump island. Such signs shall have a maximum total area of five (5) square feet and shall be attached to the pump island.

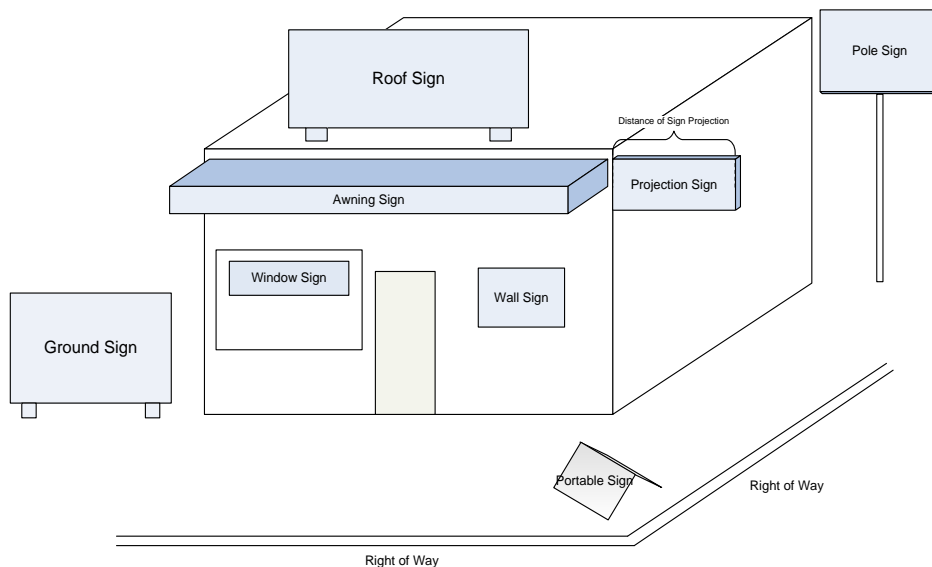
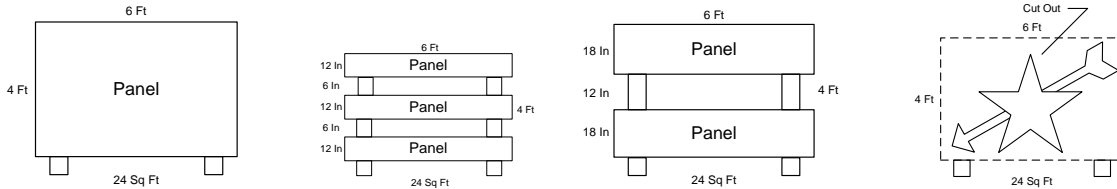
408.05 One three (3) foot by five (5) foot flag sign per business is permitted with no permit required.

408.06 Temporary Signs:

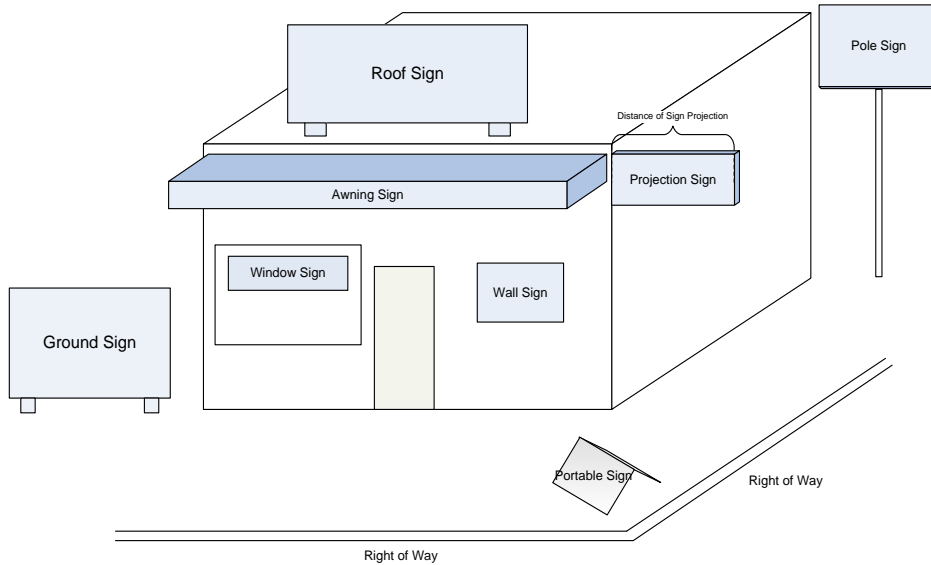
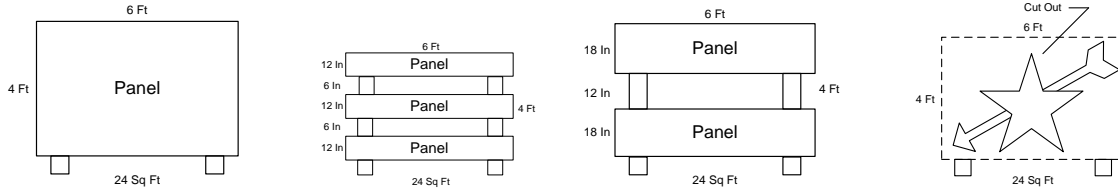
408.06.1 One sign per business, which may be a wall, banner, poster or free-standing, not exceeding thirty-two (32) square feet in area, shall be permitted for not more than 90 days per calendar year. Free-standing temporary signs shall not exceed six (6) feet in height nor shall such signs be located closer than ten (10) feet from the front or any side lot line and must conform with permanent sign placement requirements.

408.06.2 One temporary free-standing sign may be erected on a site during construction or reconstruction of a building for which a valid building permit has been obtained. Such sign shall not exceed thirty-two (32) square feet in area not eight (8) feet in height. Each sign shall be located a minimum of fifteen (15) feet from any street right of way or property line and shall be removed within five (5) days after permanent occupancy of the building.

409 SIGN TYPES AND EXAMPLES



408 SIGN TYPES AND EXAMPLES



8 ½ feet from bottom of Projection Sign to walkway.

ARTICLE V

NON-CONFORMING

SECTION	TITLE
501	Purpose
502	Nonconforming Use
503	Nonconforming Building or Structure
504	Nonconforming Parcel
505	Completion of Approved Construction
506	Legal Status of Uses

SECTION 501
PURPOSE

The purpose of this Article is to provide for the regulation of uses, buildings, structures, and parcels lawfully established prior to the enactment of this Zoning Resolution and amendments hereto, but which do not conform to the existing provisions of this Resolution.

Lawfully established uses, buildings, structures, and parcels may be continued, despite their nonconforming conditions, subject to the provisions of this Resolution which provide for their completion and continued use, but also provide for reasonable regulation of their restoration, reconstruction, extension, and substitution.

While it is the intent of this Resolution to permit nonconforming conditions to continue until abandoned, removed, or abated, a nonconformity is deemed incompatible with currently Permitted uses and requirements in the zoning District in which it exists and with the adopted plans of the Township and shall be discontinued, especially where the nonconformity constitutes a nuisance or hazard.

SECTION 502
NONCONFORMING USE

502.01 Continuance of Lawful Nonconforming Use

The lawful use of any building, structure or land existing at the effective date of this Resolution or amendments may be continued, although the use does not conform with the provisions of this Resolution subject, however, to the provisions in Article V of this Resolution.

502.02 Discontinuance or Abandonment

Whenever a nonconforming use has been voluntarily discontinued for a period of two (2) years or more, any further use shall be in conformity with provisions of this Resolution. A nonconforming use which has been abandoned shall not be replaced by a nonconforming use.

502.03 Change in Use

A nonconforming use may be changed to another nonconforming use, provided that the changed nonconforming use is similar or in less conflict with the character and use of the district than the existing nonconforming use as determined by the Board of Zoning Appeals.

502.04 Displacement

Except as provided in Sections 502.05 & 503.01 of this Resolution, no nonconforming use shall be enlarged or extended to displace an existing conforming use.

502.05 Enlargement of Use

A nonconforming use may be altered or enlarged to expand the area of the use in one or more additions, provided that the total area of the expansions does not exceed twenty-five percent (25%) of the area of the use as it existed at the time the use became nonconforming, and provided that the area or intensity, nature or character of the use shall not be altered or enlarged in any manner

which creates or increases a nuisance or hazard affecting or potentially affecting the surrounding properties or the community.

502.06 District Changes

Whenever the boundaries of a District are changed so as to transfer an area from one District to another of a different classification, the foregoing provisions shall also apply to any nonconforming use existing therein.

SECTION 503
NONCONFORMING BUILDING OR STRUCTURE

503.01 Alterations or Enlargements

A nonconforming building or structure may be altered or enlarged to extend such building or structure to a total area not to exceed twenty-five percent (25%) more than the area of the building or structure as it existed at the time it became nonconforming.

503.02 Restoration of Damaged Building or Structure

Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding, and continued use of any nonconforming building or structure damaged by fire, collapse, explosion, demolition or acts of God, subsequent to, or after the date of this Resolution.

503.03 Unsafe Buildings or Structures

Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

503.04 Repairs and Maintenance

Repairs and maintenance work as required to keep a nonconforming building or structure in sound condition are permitted.

SECTION 504
NONCONFORMING PARCEL

504.01 When a nonconforming parcel of record can be used in conformity with all applicable provisions of this Zoning Resolution, except that the area of the parcel is nonconforming, then the parcel may be used as a buildable parcel.

504.02 When conforming building, structure or use of a nonconforming parcel of record cannot reasonably be established due to the yard or setback requirements of the district in which the parcel is located, the Board of Zoning Appeals may grant variances to yard or setback requirements as necessary to establish a Permitted use of the District;

504.03 Building Setbacks

For a single parcel of record conforming to the Resolution at the time it was recorded, the placement of a new building or structure shall follow the setback, side yard and rear yard requirements of the previous building, structure, driveway and parking area. Any new accessory structure shall follow the setback requirements established by the principal structure having a nonconforming setback. Any change of the setbacks, building or structure area requires a variance from the Board of Zoning Appeals.

504.04 Any nonconforming, legally created unimproved buildable parcel of record, prior to the effective date of this amendment, shall be reviewed by the Zoning Inspector for placement of buildings or structures. (See Section 603 of this Resolution)

SECTION 505
COMPLETION OF APPROVED CONSTRUCTION

Nothing in this Resolution shall prohibit the completion of construction and the use of a nonconforming building or structure for which a zoning certificate has been issued prior to the effective date of this Resolution, or any amendment, if construction is completed within two (2) years after the zoning certificate was issued. (See Section 603.06 of this Resolution)

SECTION 506
JURISDICTION

506.01 Whenever an application for a Zoning Certificate is submitted to the Zoning Inspector for a use, building or structure which displaces a nonconforming use, building or structure; or the use of a nonconforming parcel in a manner which is in compliance with the provisions of this Zoning Resolution; or an alteration to a dwelling which does not increase the nonconformity of the dwelling, the Zoning Inspector shall take action upon the application as provided in this Resolution.

506.02 Except as provided in Section 506.01 above, whenever an application is submitted to the Zoning Inspector for a zoning certificate for the alteration, expansion, substitution, reconstruction, or replacement of a nonconforming use or of a nonconforming building or structure, or for a use or construction upon a nonconforming parcel, the land owner shall submit the application to the Zoning Inspector for review and action.

SECTION 507
LEGAL STATUS OF USES

507.01 Conforming Use

The use meets all applicable standards and regulations as established in this Zoning Resolution.

507.02 Nonconforming Use

The use does not meet all applicable standards and regulations as established in the Zoning Resolution, but the use or property received the required Township approval through a variance; or was legally instituted prior to the adoption of this Resolution; or predated Zoning Resolution standards.

507.03 Illegal Use

A use which may or may not conform to zoning, but never received the appropriate Township approval.

Article VI. METHODS AND PROCEDURES

SECTION 601. *SITE PLAN REVIEW AND CONFORMANCE*

601.01 Purpose

The purpose of this Section is to provide adequate review of proposed developments where the uses are of such a nature, because of their size, scale or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety and welfare of the community. Further, the purpose of this Section is to provide for the planning of land and the design of buildings as a coordinated process and for the integration of new developments with the surrounding environment.

601.02 General Requirements

Permitted commercial uses, industrial uses, change of use or other such uses as specifically required by this Resolution shall have a Site Plan Application approved prior to issuance of a Zoning Certificate or a conditional Zoning Certificate. Application requirements, procedures, and review standards of a Site Plan are established below. A Site Plan shall be reviewed by the Zoning Commission to ensure that the general requirements of this Section and the specific requirements of the Zoning Resolution are complied with in the interest of the community and objectives of the Litchfield Township Comprehensive Plan.

601.03 Optional Informal Non-binding Review of Site Plan

It is recommended, but not required, that prior to going through the expense of preparing and submitting a Site Plan Application for formal review and action by the Zoning Commission, a prospective applicant meet for an informal non-binding review with the Zoning Inspector or the Zoning Commission. The purpose is to discuss early and informally the intent and effect of the Zoning Resolution on the proposed development.

601.03.1 To aid the discussion, the applicant may at their discretion, prepare a preliminary plan showing the relationship of the development to surrounding properties, locations of buildings and parking areas, internal circulation pattern, proposed sizes of buildings, and proposed uses to be included in the development.

601.03.2 The informal review is non-binding on either party. No commentary, opinions, suggestions, or recommendations at the pre-application meeting shall be relied upon by either party as to indicate subsequent approval or disapproval of the plan.

601.04 Waiver of a Site Plan Review

A Site Plan Review of minor external changes to an existing site may not require a formal board Site Plan Review when the Zoning Inspector determines that the proposed external change does not have an effect on any of the site plan review criteria in Section 601.06.

A Zoning Certificate is required for the external change to the site as required by this Zoning Resolution.

601.05 Application and Submission Requirements for Site Plan Review include the following:

601.05.1 Completed Application for Site Plan Review including sufficient copies of drawings and supporting documents as stated on the application, are to be submitted to the Zoning Inspector.

601.05.2 Fee as set by Township Trustees. (see Section 604 of this Resolution)

601.05.3 Site Plan development features, present, proposed or revised, are to be drawn to a legible scale, and shall show topographical features of the lot, building placement, accessory buildings, signs, and screening for trash or other outdoor storage areas, activity areas, and shall include a circulation and parking plan, planting and landscape plan, and drawings of the exterior of structures. A description of the proposed development features and operation shall be provided in sufficient detail to include adjacent properties as well as existing structures and/or new building placement in proportion to these adjacent properties.

601.05.4 Completed application, including all supporting documentation, for Site Plan Review of permitted uses shall be submitted to the Zoning Inspector for review by the Zoning Commission. If the application is deemed to be incomplete the Zoning Inspector shall not accept the application until applicant has corrected the deficiency to the satisfaction of the Zoning Inspector.

601.05.5 Within ten (10) calendar days of receipt by the Zoning Inspector of the satisfactorily completed Application for Site Plan Review as described above including all required copies as specified on the application, the Zoning Inspector shall forward the application and supporting documentation to the Secretary of the Zoning Commission for distribution to the Zoning Commission members.

601.06 Site Plan Review Criteria

During the Site Plan Review process, the Zoning Commission shall determine that the Site Plan complies with the applicable requirements, provisions and purpose of this Zoning Resolution and the Litchfield Township Comprehensive Plan, including but not limited to the following review criteria:

601.06.1 The Site Plan shall show that a proper relationship will exist between public roads, service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands.

601.06.2 All the development features including the principal buildings, open spaces, service roads, driveways, and parking areas shall be so located and related as to minimize the possibility of adverse effects upon adjacent development.

601.06.3 The architectural design of buildings shall be developed with consideration given to the relationship of adjacent development in terms of building height, mass, line and pattern, and character.

601.06.4 Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.

601.06.5 Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and landscaping.

601.06.6 Screening of parking areas, service areas, and refuse storage areas from surrounding properties shall be provided through landscaping, ornamental walls, or fences where necessary to promote harmony with adjacent development.

601.06.7 On-site traffic circulation shall be designed to make possible adequate fire and police protection.

601.06.8 Grading shall be designed to minimize adverse effects on abutting properties, streams, and public roads and to minimize the possibility of erosion. The Zoning Commission may require that such grading plans be reviewed by the proper Medina County authority with any costs borne by the developer.

601.06.9 Curb cuts, internal drives, parking areas, and pedestrian walkways shall be arranged to promote safe and efficient movement within the site, between adjacent sites, and between the site and the adjacent thoroughfare system.

601.06.10 Access from the site to adjacent roads shall meet the plan of the applicable road authority. In the absence of such authority, the number and location shall be designed to maintain the traffic movement function of arterial and collector roads.

601.06.11 The overall development concept shall reflect the intent and consideration of the Litchfield Township Comprehensive Plan.

601.06.12 All lighting shall be directed away from adjacent roads so as not to impair safe movement of traffic. No lighting shall shine directly on adjacent properties.

601.07 Procedure for Site Plan Review

Applications for a Site Plan Review for permitted uses shall be submitted to the Zoning Inspector for review by the Zoning Commission.

601.07.1 Site Plan Review Date

A Site Plan shall be reviewed by the Zoning Commission at one or more of its regular public meetings. The Site Plan Review date shall be at least twenty (20) calendar days, but not more than forty (40) days from the date the application is received by the Board Secretary. Application and supporting documentation shall be distributed to all members of the Zoning Commission at least fourteen (14) days prior to the Site Plan Review date.

601.07.2 Notice to Property Owners

Written notice shall be sent ten (10) days before the Site Plan Review to the applicant and to all owners of property within five hundred (500) feet from the corner pin on both corners of the road frontage including all owners of property contiguous to, directly across from, and directly behind the property in question.

601.07.3 Site Plan Review Assistance

The extent and complexity of certain Site Plan Applications may require that the Zoning Commission and/or Township Trustees obtain review assistance, statements of opinion, and reports from qualified professionals including but not limited to civil engineers, planners, appraisers, architects, and attorneys.

601.07.4 Site Plan Review Continuance

Site Plan Continuance may be necessary if during the course of the review deficiencies are discovered in the Site Plan Application or supporting documentation that prevents the Zoning Commission from completing the review at one or more of its regularly scheduled meetings. The applicant will be notified by the Zoning Commission of the deficiencies, specific corrective measures and mutually agreed time allotted in order to complete the Site Plan Review.

601.07.5 Action by the Zoning Commission

Within forty-five (45) days after the Site Plan Review is completed, or in the case of a Site Plan Review Continuance (Section 601.07.3) where the applicant failed to provide requested documentation within the allotted time, the Zoning Commission shall approve, approve with modifications, or disapprove the Site Plan at the next scheduled meeting.

601.08 Approved Site Plan

An approved Site Plan shall become a binding commitment of the specific elements approved for the development. The approved Site Plan may be transferred to another person, corporation, or group of individuals or corporations who shall be subject to all requirements set forth in the approved site plan. All construction and development under any Zoning Certificate shall be in accordance with the approved Site Plan. Any departure from such plan shall be a violation of this Zoning Resolution. Any changes in an approved Site Plan shall be resubmitted to the Zoning Commission for consideration in accordance with the Zoning Resolution and accompanied by the required documentation.

601.09 Modification of Site Plan

Modifications and/or alterations during construction where the Zoning Inspector determines that the development does not adhere to the approved Site Plan will result in the issuance of a stop work order by the Zoning Inspector. Sufficient documentation supporting the modifications and/or alterations shall be submitted to the Zoning Inspector for review and action by the Zoning Commission at one or more of its scheduled public meetings.

601.10 Performance Bond

601.10.1 A performance bond or other financial guarantee may be required to be placed on deposit with Township Trustees to ensure all Site Plan requirements are fulfilled. Such bond or guarantee shall be based on an estimate approved by the Township Trustees and shall be for a period not to exceed three (3) years.

601.10.2 When a performance bond or guarantee is in place, the Zoning Inspector must report to the Township Trustees when all aspects of the development of the approved Site Plan are complete. Upon the satisfactory completion of the development provisions, the Township Trustees can release the bond or guarantee.

601.10.3 In the event that the development provisions are not met the Township Trustees will liquidate the bond or guarantee.

601.11 Issuance and Expiration of Zoning Certificate.

601.11.1 Upon receipt of the approved Site Plan Application, and the deposit of a performance bond and/or other financial guarantee in the appropriate amount, if required, the Zoning Inspector, for permitted uses, shall issue a Zoning Certificate specifying all development features of the approved Site Plan . (See Section 603 of this Resolution)

601.11.2 The Zoning Certificate shall expire one (1) year after the date of issuance unless, prior thereto, construction is begun, or an extension has been granted by the Zoning Inspector. The date of expiration shall be noted on the Zoning Certificate. At the expiration of one (1) year any deposit of a performance bond or financial guarantee shall be returned to the depositor where construction has not been undertaken, and each reapplication thereafter shall be accompanied by the required documentation and fees. (See Section 603 of this Resolution)

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SECTION 602. CONDITIONAL ZONING CERTIFICATES

602.01 Purpose

When a proposed use is designated in any District as a Conditional Use, as set forth in the District regulations, a Conditional Zoning Certificate is required and the application for such Conditional Zoning Certificate shall be submitted and reviewed according to the guidelines outlined in this chapter. The purpose of this Section is to provide adequate review of proposed developments where the uses are of such a nature, because of their size, scale, location, design, operation, or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety and welfare of the community. Further, the purpose of this Section is to provide for the planning of land and the design of buildings as a coordinated process and for the integration of new developments with the surrounding environment.

602.02 General Procedures

Permitted Conditional Uses as specifically required shall have an application for Conditional Use and Site Plan approved prior to issuance of a Conditional Zoning Certificate. Application requirements, procedures, and review standards of a Site Plan are established below. A Site Plan shall be reviewed by the Board of Zoning Appeals to ensure that the general requirements of this Section and the specific requirements of the Zoning Resolution are complied with in the interest of the community and surrounding development

602.03 Application Requirements Include the Following:

602.03.1 Completed application for Conditional Zoning Certificate including sufficient copies of drawings and supporting documents as stated on the application are to be submitted to the Zoning Inspector.

602.03.2 Fee as set by Township Trustees. (See Section 604 of this Resolution)

602.03.3 Site Plan development features, present, proposed or revised, are to be drawn to a legible scale, and shall show topographical features of the lot, building placement, accessory buildings, signs, and screening for trash or other outdoor storage areas, activity areas, and shall include a circulation and parking plan, planting and landscape plan, and drawings of the exterior of structures. A description of the proposed development features and operation shall be provided in sufficient detail to include adjacent properties as well as existing structures and/or new building placement in proportion to these adjacent properties.

602.03.4 Completed application, including all supporting documentation, for Conditional Zoning Certificate uses shall be submitted to the Zoning Inspector for review by the Board of Zoning Appeals. If the application is deemed to be incomplete the Zoning Inspector shall not accept the application until applicant has corrected the deficiency to the satisfaction of the Zoning Inspector.

602.04 Procedure for Conditional Zoning Certificate

602.04.1 Action by Board of Zoning Appeals

Within ten (10) calendar days of receipt by the Zoning Inspector of the completed application and supporting documentation as described above, the Zoning Inspector shall provide a copy of the application and supporting documentation to the Secretary of the Board of Zoning Appeals to be placed on the agenda of the Board of Zoning Appeals.

602.04.2 On-Site Review and Workshop

The Board of Zoning Appeals will set a date convenient to the majority of the Board of Zoning Appeals and applicant for an on-site review of the premises and proposed use. In addition the Board of Zoning Appeals may deem it necessary to conduct a workshop for its members in order to review and become familiar with the application as it pertains to the Zoning Resolution.

602.04.3 Distribution of Application for Conditional Zoning Certificate

The Secretary of the Board of Zoning Appeals shall provide a copy of the application and supporting documentation to the Fiscal Officer of the Township Trustees and the Secretary of the Zoning Commission to be distributed to the appropriate members for their review and comment.

602.04.4 Review by Township Trustees and Zoning Commission

The Township Trustees and the Zoning Commission may, at its discretion, review the application for Conditional Zoning Certificate at its next regularly scheduled meeting, or convene a special meeting, in order to prepare written comments and suggestions that will be submitted to the Secretary of the Board of Zoning Appeals to be read aloud for consideration during the Board of Zoning Appeals public hearing on the Conditional Zoning Certificate.

602.05 Procedure for Public Hearing

602.05.1 Date of Public Hearing

After adequate review and study of an application, the Board of Zoning Appeals shall set a date for a public hearing on the application and hold a public hearing. The date of the Public Hearing shall be at least twenty (20) calendar days, but not more than forty (40) calendar days from the date the application is received by the Chairman of the Board of Zoning Appeals.

602.05.2 Notice to Property Owners

At least ten (10) days prior to the date of the public hearing, notice of such public hearing shall be given by first class mail to the owners of property within and contiguous to and directly across the street from the property on which the use is proposed, including property that is located in an adjoining community. Failure of delivery of such notice shall not invalidate action taken on such application.

602.05.3 Notice to Public

Further notice shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed Conditional Use. The Board of Zoning Appeals may recess such hearing and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. Any person may appear before the Board of Zoning Appeals at the public hearing and state their reasons for or against the proposal.

602.06 Review Criteria for Conditional Zoning Certificate

The Board of Zoning Appeals shall review the proposed Conditional Use, as presented on the submitted plans and specifications, to determine whether or not the proposed use shall conform with the purpose and intent of this Zoning Resolution and the Litchfield Comprehensive Plan. In making such a determination, the Board of Zoning Appeals shall find that both the general criteria established for all Conditional Uses and the specific requirements established for that particular use, as set forth in this Resolution, are satisfied by the establishment and operation of the proposed use.

602.06.1 Shall review the Site Plan for the proposed Conditional Use according to the Site Plan review procedures set forth in Section 601 of this Resolution.

602.06.2 Shall review any request for Variance of any regulation set forth in this Zoning Resolution pertaining to the proposed Conditional Use, provided the request for Variance has been submitted in compliance with the procedures set forth in the Zoning Resolution.

602.06.3 May require the applicant to submit such additional information as deemed necessary including the carrying out of special studies and the provisions of expert advice. The cost, if any, of such additional information shall be borne by the applicant, as stated in the schedule of fees. (See Section 604 of this Resolution)

602.07 Action by Board of Zoning Appeals

After the conclusion of the public hearing, the Board of Zoning Appeals shall take one of the following actions:

602.07.1 Approval of Application for Conditional Zoning Certificate

If the proposed Conditional Use meets the general requirements of this Section and the specific requirements set forth in the Zoning Resolution for that particular use, the Board of Zoning Appeals shall approve the application for a Conditional Zoning Certificate. The Board of Zoning Appeals shall set such conditions of operation, as it deems necessary to ensure that the Conditionally Permitted Use shall operate in strict accordance with what was accepted by the Board of Zoning Appeals based on the application and the on-site review. The conditions of operation set by the Board of Zoning Appeals together with the Application for Conditional Zoning Certificate and supporting documentation approved by the Board of Zoning Appeals, shall become a part of the Certificate.

602.07.2 Denial of Application for Conditional Zoning Certificate

If the proposed use is found not to be in compliance with the specifications of this Zoning Resolution, or not conform with the purpose, policies and intent this Resolution the Board of Zoning Appeals shall reject the application and provide written notice to the applicant.

602.08 Modification of Conditional Zoning Certificate

Any change in the Conditionally Permitted Use from that set forth in the Certificate shall require application to the Board of Zoning Appeals for review. (See Section 602.03, 602.04. of this Resolution)

602.09 Terms of Conditional Certificate

A Conditional Zoning Certificate shall be deemed to authorize a particular Conditional Use on a specific parcel for which it was approved.

602.09.1 Term of Conditional Certificate

The Conditional Zoning Certificate shall expire one (1) year after the date of issuance unless, prior thereto, construction is begun. If the construction described in any Conditional Certificate has not been completed within two (2) years of the date of issuance, said Certificate shall expire and the Zoning Inspector shall send written notice thereof to the persons affected, together with notice that further construction as described in the expired Certificate shall not proceed until a new Conditional Zoning Certificate has been obtained or an extension has been granted. Construction is deemed to have begun for the purpose of the Conditional Zoning Certificate, upon the start of any excavation, setting of piers, footers, or foundation of the building or structure as described on the Conditional Zoning Certificate application.

602.09.1.1 Conditional Certificate Extension

Upon showing valid cause, the Zoning Inspector may grant a one (1) time extension of the conditional Zoning Certificate for a period up to, but not to exceed one hundred and eighty (180) days.

602.09.2 Violation and Enforcement of Conditional Use Certificate

A Conditional Zoning Certificate issued pursuant to this Section shall be valid only for the use and the operation of such use as specified on the Certificate. The breach of any of the terms, conditions or requirements of the Conditional Certificate shall constitute a violation of the Zoning Resolution and of the Zoning Certificate. Repeated violations, or failure to correct a violation, may result in revocation of the Zoning Certificate such violation shall be punishable as permitted by the Ohio Revised Code and this Resolution. (See Section 606 of this Resolution)

602.10 Review of Conditional Use Operations

Whenever the operation of the approved Conditional Use is regulated either by conditions set forth in this Section or by conditions, stipulations, safeguards and limitations prescribed by the Board of Zoning Appeals, the Conditional Zoning Certificate issued by the Zoning Inspector shall indicate that the operation of the Conditional Use shall be reviewed regularly from the date of issuance to determine if the use has been, and is being operated in compliance with the conditions stipulated on the Conditional Zoning Certificate. If Conditional Use has been discontinued or abandon for a period of at least two (2) years, said Certificate shall expire and the Zoning Inspector shall send written notice thereof to the persons affected.

602.11 Reapplication Procedure

No application for a Conditional Zoning Certificate which has been denied wholly or in any part by the Board of Zoning Appeals of the Township shall be re-submitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which a majority of the Board of Zoning Appeals determine sufficient to justify reconsideration. The original application including all supporting documentation shall be submitted to the Zoning Inspector for review by the Board of Zoning Appeals.

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SECTION 603. ZONING CERTIFICATE APPLICATION AND ISSUANCE

603.01 Zoning Certificate Required.

Before locating, erecting, enlarging, constructing, reconstructing or altering any sign, fence, structure, or building, or utilizing any land or change of use, application shall be made to the Zoning Inspector for a Zoning Certificate. A Zoning Certificate shall be issued only when the plans for the proposed use, building or structure fully comply with the regulations set forth in this Zoning Resolution.

603.02 Zoning Certificate Application and Submission Requirements

The completed Application Form for a Zoning Certificate including sufficient copies of drawings and supporting documentation as stated on the application, and the following requirements listed below when applicable, are to be submitted to the Zoning Inspector.

603.02.1 Residential Use Principal Building Certificate

Applications for construction of principal buildings shall submit the following:

603.02.1.1 Completed Application Form for a Zoning Certificate.

603.02.1.2 Fee as set by Township Trustees.

603.02.1.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed building with distances to property lines and road right-of way.

603.02.1.4 A scale drawing (front and side views) of the proposed building showing length, width, height to the roof peak and floor plan.

603.02.1.5 Documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.

603.02.1.6 Evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

603.02.1.7 Copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.

603.02.1.8 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.2 Residential Use Accessory Building/Structure Certificate

No Zoning Certificate shall be issued for any accessory building/structure unless a legal Principal building exists on the same parcel within the same Zoning District, or unless an unexpired Zoning Certificate for a proposed Principal building is in effect.

603.02.2.1 Completed Application Form for a Zoning Certificate.

603.02.2.2 Fee as set by Township Trustees.

603.02.2.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed building/structure with distances to property lines and road right-of way.

603.02.2.4 A scale drawing (front and side views) of the proposed building/structure showing length, width, height to the roof peak.

603.02.2.5 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.3 Zoning Certificate for Commercial Permitted Use

Applications for Zoning Certificates for Commercial permitted uses, with or without building construction, shall include the following submission requirements:

603.02.3.1 Completed Application Form for a Zoning Certificate.

603.02.3.2 Fee as set by Township Trustees.

603.02.3.3 Approved Site Plan (See Section 601 of this Resolution)

603.02.3.4 Documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.

603.02.3.5 Evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

603.02.3.6 Copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.

603.02.3.7 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.4 Zoning Certificate for Conditional Use

Applications for Zoning Certificates for Conditional Use shall include the following submission requirements:

603.02.4.1 Completed Application Form for a Zoning Certificate.

603.02.4.2 Fee as set by Township Trustees.

603.02.8.3 Approved Site Plan. (See Section 602 of this Resolution)

603.02.4.4 Documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.

603.02.4.5 Evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

603.02.4.6 Copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.

603.02.4.7 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.5 Structural Alteration/Addition of Commercial Use Building

603.02.5.1 Completed Application Form for a Zoning Certificate.

603.02.5.2 Fee as set by Township Trustees.

603.02.5.3 Approved Site Plan. (See Section 601 of this Resolution)

603.02.5.4 Copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.6 Zoning Certificate for Business Use

No business shall be conducted within an existing single or multi-unit commercial building without first obtaining a Zoning Certificate to conduct a permitted Commercial Use within the Commercial space before occupancy.

603.02.6.1 Completed Application Form for a Zoning Certificate.

603.02.6.2 Fee as set by Township Trustees.

603.02.6.3 Approved Site Plan if applicable.

603.02.7 Fence Certificate

603.02.7.1 Completed Application Form for a Zoning Certificate.

603.02.7.2 Fee as set by Township Trustees.

603.02.7.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed fence with distances to property lines and road right-of way.

603.02.7.4 A scale drawing (front and back views) or description of the proposed fence showing length, width, height.

603.02.8 Lake and Pond Certificate

603.02.8.1 Completed Application Form for a Zoning Certificate.

603.02.8.2 Fee as set by Township Trustees.

603.02.8.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed land or pond with distances to property lines and road right-of way.

603.02.8.4 Copy of Lake and Pond Permit issued by the Medina County Engineer's Office or Medina County Soil and Water Conservation District.

603.02.8.5 Approved Site Plan if applicable. (See Section 601 of this Resolution)

603.02.9 Swimming Pool Certificate (Non-Commercial Use)

603.02.9.1 Completed Application Form for a Zoning Certificate.

603.02.9.2 Fee as set by Township Trustees.

603.02.9.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed swimming pool with distances to property lines and road right-of way.

603.02.9.4 Copy of Medina County Storm water Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.02.10 Sign Certificate (See Article IV of this Resolution)

603.02.10.1 Completed Application Form for a Zoning Certificate.

603.02.10.2 Fee as set by Township Trustees.

603.02.10.3 A legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing improvements, and showing placement of proposed sign with distances to property lines and road right-of way.

603.02.11 Temporary Trailer Usage

603.02.11.1 Completed Application Form for a Zoning Certificate.

603.02.11.2 Fee as set by Township Trustees.

603.03 Exceptions for Zoning Certificate

The following do not require a Zoning Certificate: driveway resurfacing; additional driveway and culvert placement; walkways; concrete pads; children's play set or treehouse; wheelchair ramp; boat dock; temporary portable car port; door, window, siding or roof replacement; landscape or holiday decorations and as stated in other sections of this Zoning Resolution and as provided by law.

603.04 Issuance of Zoning Certificate

The Zoning Inspector shall, within ten (10) days of receiving a submitted application, review the application to determine accuracy and compliance with the applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Inspector shall notify the applicant of necessary changes. When the application is deemed complete and the application fee has been paid, the Zoning Inspector shall officially accept the application for consideration of the action(s) requested on the date such determination is made.

603.04.1 The Zoning Inspector shall approve and issue the Zoning Certificate after determining that the application meets all requirements of this Resolution, including the application requirements specified herein. In conducting a review of the application, the Zoning Inspector may consult with any department, agency, public body, official, company, or individual necessary to determine whether the application complies with the regulations of this Resolution. The cost, if any, of such additional consultation shall be borne by the applicant, as stated in the schedule of fees. (See Section 604 of this Resolution)

603.05 Denial of Zoning Certificate Application

A Zoning Certificate shall not be issued if any aspect of the development would violate one or more provisions of this Resolution. In such case, the Zoning Inspector shall state on the application the reason for the denial, including the regulation(s) which would be violated by the proposed use, and shall send one copy thereof to the applicant along with one copy of the Site Plan, signed, dated and noted as disapproved.

603.06 Term of Zoning Certificate.

The Zoning Certificate shall expire one (1) year after the date of issuance unless, prior thereto, construction is begun. If the construction described in any Zoning Certificate has not been completed within two (2) years of the date of issuance, said Certificate shall expire and the Zoning Inspector shall send written notice thereof to the property owner, together with notice that further construction as described in the expired Certificate shall not proceed until a new Zoning Certificate has been obtained or an extension has been granted. Construction is deemed to have begun for the purpose of the Zoning Certificate,

LITCHFIELD TOWNSHIP ZONING RESOLUTION

upon the start of any excavation, setting of piers, footers, or foundation of the building or structure as described on the Zoning Certificate application.

603.06.1 Zoning Certificate Extension

Upon showing valid cause, the Zoning Inspector may grant a one (1) time extension of the Zoning Certificate for a period up to, but not to exceed one hundred and eighty (180) days.

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SECTION 604. SCHEDULE OF FEES, CHARGES AND EXPENSES

The 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 Certificates, 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 posted in the office of the Zoning Inspector, and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

SECTION 605. RESERVED FOR FUTURE USE

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SECTION 606. ENFORCEMENT AND PENALTY

606.01 Zoning Inspector to Enforce Resolution

It shall be the duty of the Zoning Inspector to enforce the regulations found in this Resolution. In performing this duty, the Zoning Inspector may take any reasonable action necessary to substantiate the existence of a zoning violation including entering onto the site of a possible violation.

606.02 Zoning Violation

Any person or persons who participates in a violation of this Resolution, or supplement or amendment thereto, shall be responsible for that violation and subject to the actions and penalties described herein or as otherwise provided by law.

606.03 Actions to Comply with Zoning Resolution

606.03.1 Notification of Zoning Violation

The Zoning Inspector shall, upon inspection and identification of each zoning violation, deliver a written notice of each violation to the landowner or responsible party requiring him/her to remedy each violation.

606.03.2 Correction Period

All violations shall be corrected within a period of ten (10) days after the written notice is issued or a longer period of time as indicated by the Zoning Inspector. Any violations not corrected within the specified time period shall be referred to the County Prosecutor who shall initiate prosecution procedures

606.03.3 Action by Township and/or other parties

In case any building or development feature is or proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or proposed to be used in violation of any provisions of this Zoning Resolution, the Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, stop work order, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use. The Township Trustees may employ special counsel to represent the Township in any proceedings or to prosecute any actions brought under this section. The Zoning Inspector shall have the majority approval of the Board of Township Trustees before referring violations to the Medina County Prosecutor for legal actions.

606.04 Penalty

Whoever violates any of the provisions of this Resolution or fails to comply with any of the provisions shall be fined not more than five hundred (500) dollars for each offense as stipulated in Chapter 519.99 of the Ohio Revised Code. Each day such violation or failure exists shall constitute a separate violation.

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Article I. ADMINISTRATION

SECTION 701. ZONING INSPECTOR

- 701.01. General**
For the purposes of enforcing the zoning regulations, the Township Trustees shall establish and fill the position of Township Zoning Inspector, together with such assistants as the Trustees deem necessary. The term of employment, rate of compensation, and other such conditions shall be set by the Township Trustees. The Zoning Inspector shall keep records of all applications for zoning permits and the action taken thereon.
- 701.02. Bond**
The Township Zoning Inspector, before entering upon the duties of his office, shall give bond, signed by a bonding or surety company authorized to do business in Ohio or, at his option, signed by two or more freeholders having real estate in the value of double the amount of the bond, over and above all encumbrances to the state, in the sum fixed by Ohio Statute and the Township Trustees. Such surety company or real estate bond shall be approved by the Township Trustees and the bond shall be conditioned upon the faithful performance of such Zoning Inspector's official duties. Such bond shall be deposited with the Township Clerk.

SECTION 702. ZONING COMMISSION

- 702.01. Powers**
The Zoning Commission shall have the following duties:
- 702.01.1.** Initiate proposed amendments to the text or map of this Resolution.
 - 702.01.2.** Review all proposed amendments to this Resolution and make recommendations to the Township Trustees.
 - 702.01.3.** Review all site plans as specified in the section on Site Plan Review and assist the Board of Zoning Appeals in reviewing conditional use applications as specified in the section on Conditional Zoning.
 - 702.01.4.** Make recommendations to the Township Trustees on all matters concerning planning, zoning and development in Litchfield Township.
- 702.02. Members**
The Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Litchfield Township, to be appointed by the Township Trustees. The terms of the members shall be of such length and so arranged that the term of one member will expire each year on December 31st. Members shall serve until their successors are appointed and qualified. Members shall be removable for non-performance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees; after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten (10) days prior to the hearing. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the

Township Trustees and shall be for the unexpired term.

702.03. Procedures

- 702.03.1.** The Zoning Commission shall annually elect officers from its members. The Zoning Commission may prescribe rules for the conduct of its affairs as are not in conflict with this Resolution or Ohio statute. Three members of the board shall constitute a quorum at all meetings. A concurring vote of three members shall be necessary to effect an order, take action, make decisions, or act on any authorization. The Zoning Commission shall keep records of its proceedings and shall meet at least quarterly or as the need arises.
- 702.03.2.** Site Plan requirements and conditions are valid only if they are made part of motion to approve Site Plan and/or if denoted on Site Plan.
- 702.03.3.** The Litchfield Zoning Board requires that any zoning map change to require an area/parcel map change and a detailed text amendment to be included with the request. This map would become part of the meeting minutes and also be forwarded to the Department of Planning Services.

702.04. Conduct

- 702.04.1.** The chairperson shall request all Board members and the general public to please turn off or place on vibrate any type of electronic device, cell phone, pager and or laptop computer.
- 702.04.2.** It is the responsibility of the regular Board Members to keep current when absent from a meeting, especially if discussion of subject matter is continuing to the next months meeting. Staying current and informed will reduce the unnecessary revisiting of previously discussed topics.
- 702.04.3.** The chairperson shall initially determine whether or not a particular matter can be revisited, but a majority vote of the Board can override the decision of the chairperson.
- 702.04.4.** In the event that a regular member has been absent for two consecutive meetings concerning the same matter and the same alternate has been present for both meetings, said alternate shall remain on the Board until that subject is voted on or discussion of subject ceases, regardless of how many months' subject remains on agenda.
- 702.04.5.** Alternate member(s) shall remain on the Board for the entire meeting once the chairperson strikes the gavel and calls the meeting to order regardless of if or when regular member arrives. If regular member arrives, he or she will be counted as present but will remain seated with the general public.
- 702.04.6.** If any regular member is absent for four meetings in a calendar year and absenteeism is not health related, it shall be grounds for dismissal at the discretionary will of the Trustees. (Policies and Procedures to be voted on and approved by the Board of Zoning Commission).

SECTION 703. BOARD OF ZONING APPEALS

- 703.01. General**
A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by law and by this Resolution.
- 703.02. Composition and Appointment**
The Board shall consist of five (5) members appointed by the Township Trustees. The members shall be residents of the unincorporated area of Litchfield Township. The term of office shall be five (5) years and the terms shall be so arranged that the term of one member will expire each year on December 31st. Members shall serve until their successors are appointed and qualified. Members shall be removable for the same causes and in the same manner as provided for in ZONING COMMISSION (Refer to Section 702.02)-Members. Vacancies shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term.
- 703.03. Organization**

 - 703.03.1. Officers, Rules**
The Board shall elect a Chairman from its membership, shall appoint a Recording Secretary, and shall prescribe rules for the conduct of its affairs.
 - 703.03.2. Quorum**
Three members of the Board shall constitute a quorum at all meetings. A concurring vote of three members shall be necessary to affect an order, take action, make decisions, or act on any authorization.
 - 703.03.3. Meetings**
The Board shall meet at the call of its Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public.
 - 703.03.4. Witnesses**
The Board Chairman or Acting Chairman may administer oaths and the Board may compel the attendance of witnesses in all matters coming within the purview of the Board.
 - 703.03.5. Proceedings**
The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep legible records of its examinations and other official actions all of which shall be immediately filed in the office of the Township Trustees and shall be a public record.
- 703.04. Powers**
The Board of Zoning Appeals shall have the following powers:

 - 703.04.1. Appeals - Both Administrative Appeals and Variance Appeals**
 - 703.04.2. Conditional Zoning Permits**
 - 703.04.3. Such other powers as described in this Resolution.**
- 703.05. Administrative Appeals**
The Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution. Administrative appeals shall be reviewed in the

manner further specified below in Section 703.06-Procedure for Administrative and Variance Appeals.

703.05.1. Variance Appeals

703.05.1.1. General

The Board of Zoning Appeals shall have the power to authorize, upon appeal in specific cases, variances from the terms of the Zoning Resolution.

703.05.1.2. Use Variance

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

703.05.1.3. Area Variance

The Board of Zoning Appeals may authorize, upon appeal in specific cases, an area variance from the terms of the Zoning Resolution where it determines that practical difficulties exist. In determining that practical difficulties exist, the Board shall consider, but is not limited to, the following factors:

- 703.05.1.3.1.** Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- 703.05.1.3.2.** Whether the variance is substantial;
- 703.05.1.3.3.** Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- 703.05.1.3.4.** Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage);
- 703.05.1.3.5.** Whether the property owner purchases the property with the knowledge of the zoning restriction;
- 703.05.1.3.6.** Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
- 703.05.1.3.7.** Whether the spirit and intent of the Zoning Resolution will be observed and substantial justice done by granting the variance.

703.05.1.4. General Findings - In order to approve any variance, the Board shall make specific finding that:

- 703.05.1.4.1.** The literal interpretation of the provisions of the Resolution deprive the applicant of the rights commonly enjoyed by properties in the same district under the terms of this Resolution.
- 703.05.1.4.2.** That the granting of the variance will not be detrimental to the public interest or to the property or improvements in the district in which the variance is sought and will not materially impair the purpose of this Resolution.

703.05.1.5. Limitation - The Board of Zoning Appeals shall not grant a use variance for any use expressly prohibited by the terms of this Resolution.

The Board of Zoning Appeals may grant a use variance for any use not expressly prohibited by the terms of this Resolution in the district involved upon a finding that the conditions of Section 519.14 (B) of the Ohio Revised Code and Number 2 of this section have been met. No non-conforming use of the neighboring land, structures, or buildings in the same district and not currently permitted on non-conforming use of the land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

703.05.1.6. Supplementary Conditions - In granting a variance, the Board may impose such conditions as it may deem necessary to protect the public health, safety, and morals and, in furtherance of the purpose and intent of this Resolution, including a requirement of a bond guarantee that insures compliance with special conditions imposed by the Board.

703.06. PROCEDURE FOR ADMINISTRATIVE AND VARIANCE APPEALS

703.06.1. General - Appeals to the Board of Zoning Appeals concerning the powers specified for administrative appeals and variance appeals may be taken by any person or corporation or by any officer of Litchfield Township adversely affected by any decision of the Zoning Inspector. The appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector, a notice of appeal specifying the grounds upon which the appeal is taken. Within five (5) days the Zoning Inspector shall transmit to the Secretary of the Board of Zoning Appeals the notice of appeal and all papers constituting the record of the action, which is appealed.

703.06.2. Stay of Proceedings - An appeal shall stay all proceedings in furtherance of the action appealed, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed by other than a restraining order granted by the Board or by a court having lawful jurisdiction.

703.06.3. Public Hearing and Notices - The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of an appeal from the Zoning Inspector. Notice of the hearing shall be published in a newspaper at least ten (10) days before the date of the public hearing. The notice shall state the time, place and object of the public hearing. Notices shall be sent at least ten (10) days before the hearing to all parties involved in the appeal and to all property owners adjacent to or across the road from the subject property. The Board may recess such hearing, and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.

703.06.4. Assistance - Applications for appeals may be submitted by the Board to the Zoning Commission for review and comment. The findings of the Zoning Commission shall be submitted in writing to the Board prior to its public hearing and shall be included in the minutes of the hearing. The Board may also seek assistance from any other appropriate source.

703.06.5. Decisions - Within twenty (20) days after the public hearing, the Board of Zoning Appeals shall either approve, approve with supplementary conditions, or disapprove the request for appeal. A certified copy of the Board's decision shall be transmitted to the applicant or appellant and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and shall be incorporated in the terms and conditions of the

Zoning Permit whenever a Permit is authorized by the Board. Any appellant, having been denied his appeal by the Board, may appeal to the Court of Common Pleas.

SECTION 704. AMENDMENTS

General

The Trustees of Litchfield Township may, from time to time, amend by resolution the number, shape, area, or regulations of districts established on the Zoning Districts Map (Appendix A) or the regulations set forth in this Resolution. All amendments shall be made according to the procedures required by Section 519.12 of the Ohio Revised Code and this Article, and only after receipt of recommendations from the Zoning Commission.

704.01. Initiation of Amendments
Amendments to the Zoning Resolution, either regulations or map, may be initiated by one of the following:

704.01.1. Motion of the Township Zoning Commission.

704.01.2. Passage of a resolution by the Township Trustees and certification to the Zoning Commission.

704.01.3. Filing of an application with the Zoning Commission by one or more owners of property within the area proposed to be changed or affected by the proposed amendments to the Zoning Resolution.

704.02. Applications
Applications for zoning amendments shall be made in a form prescribed by the Township, payment of the appropriate fees and shall include at least the following:

704.02.1. Zoning District Map:

704.02.1.1. Name, address, and phone number of applicant;

704.02.1.2. Location and description of property, including size and permanent parcel number;

704.02.1.3. Plat map showing property to be changed and adjoining properties.

704.02.1.4. Present use

704.02.1.5. Present zoning district

704.02.1.6. Proposed use

704.02.1.7. Proposed zoning district

704.02.1.8. If ten (10) or less parcels are to be rezoned, a list of all property owners and their mailing addresses who are within, contiguous to, or directly across the road from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case.

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

704.02.2. Zoning Regulations:

704.02.2.1. Name, address, and phone number of person offering proposal.

704.02.2.2. Section number and exact wording of proposed Regulation amendment.

704.02.2.3. Statement of the intended purpose and effect of the proposed amendment.

704.02.2.4. Statement on how the proposed amendment relates to the comprehensive plan.

- 704.03.** Referral to Medina County Planning Commission
Within five (5) days after initiation of a zoning amendment, the Zoning Commission shall transmit a copy of the amendment to the Medina County Planning Commission. The Medina County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit the recommendation to the Zoning Commission. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.
- 704.04.** Referral to Ohio Department of Transportation
The Director of the Ohio Department of Transportation shall be notified concerning proposed zoning amendments affecting any land within three hundred (300) feet of the centerline of a certified (journalized) new highway or highway improvement or within five hundred (500) feet from the intersection of an existing public road with said centerline. Upon receipt of an application for rezoning in this area, the Zoning Commission shall notify the Director by registered or certified mail and shall then proceed with the requirements of this Article. However, the Township Trustees shall not approve the amendment for a period of one hundred twenty (120) days from receipt of the notice by the Director. During the one hundred twenty (120) day period, or any extension agreed to by the Director and the property owner, the Director shall proceed to acquire the land required for the highway improvement, or to determine that acquisition at that time is not in the public interest. Upon receipt of notice from the Director that the property will be acquired, the Trustees shall refuse to rezone the land that the Director intends to acquire. If the Director provides notice that acquisition at that time is not in the public interest or at the expiration of the 120-day period or any extension, the Trustees shall proceed to approve or disapprove the amendment in the manner specified below.
- 704.05.** Public Hearing by Zoning Commission
Upon the initiation of an amendment to the Zoning Resolution, the Zoning Commission shall set a date for a public hearing. The hearing shall be held more than twenty (20) but less than forty (40) days from the date of initiation of the amendment.
- 704.06.** Notice
Notice of the Zoning Commission public hearing shall be given as follows:
- 704.06.1.** Newspaper
Notice shall be given by publication in one or more newspapers of general circulation in the Township at least ten (10) days before the date of the hearing. The notice shall state the time and place of the public hearing, the nature of the proposed amendment or supplement, and a statement that after the conclusion of the hearing the matter will be referred for further determination to the Township Trustees. The time limitation stated above shall be changed as necessary to remain in compliance with the Ohio Revised Code.
- 704.06.2.** Property Owners
If the proposed amendment or supplement 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 the Zoning Commission by first class mail, at least twenty (20) days before the date of the public hearing, to all owners of property within, contiguous to, and directly across the road from the area proposed to be rezoned. The notice shall include the same information required above for newspaper notices.
- 704.07.** Action of the Zoning Commission
The Zoning Commission shall, within thirty (30) days after the hearing, recommend the approval, denial, or the approval of some modification of the proposed amendment. The Zoning Commission shall submit the recommendation, together with the application and

the recommendation of the Medina County Planning Commission, to the Township Trustees.

704.08. Public Hearing and Notice by Township Trustees
The Township Trustees shall, upon receipt of the recommendation, set a time for a public hearing on the proposed amendment or supplement. The hearing shall be held within thirty (30) days from the date of the receipt of the recommendation from the Zoning Commission. Notice of the public hearing shall be given by the Township Trustees by one publication in one or more newspapers of general circulation in the Township, at least ten (10) days before the date of the hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment. The time limitation stated above shall be changed as necessary to remain in compliance with the Ohio Revised Code.

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

704.10. Effective Date, Referendum
Amendments adopted by the Township Trustees shall become effective in thirty (30) days after the date of such adoption unless within that period a referendum petition is presented to the Trustees. The petition must be signed by a number of qualified voters residing in the unincorporated area of the Township equal to at least eight percent (8%) of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected. The petition shall request the Township Trustees to submit the amendment to the electors of such area for approval or rejection at the next primary or general election.

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

NOTE: The requirement for notice to the Ohio Department of Transportation is from Section 5511.01 of the Ohio Revised Code and is usually overlooked. The notice applies only to journalized improvements, that is those improvements with a definitely established right-of-way and for which a local public hearing has been held. If there is doubt about which improvements have been journalized, consult ODOT District 3 at 906 Clark Street in Ashland, 44805. Telephone (419) 324-1511. The same notice requirements in Section 5511.01 also apply to building permits, zoning permits, and subdivision plats.

ARTICLE VIII

DRIVEWAY & PARKING REGULATIONS

SECTION	TITLE
801	General Requirements
802	Parking Space Requirements
803	Schedule of Parking Space Minimums

SECTION 801

GENERAL PARKING REQUIREMENTS

No building or structure shall be erected, substantially altered, or its use changed unless an adequate permanently maintained off-street parking area outside of the public right-of-way has been provided in accordance with the provisions of this Section and applicable District Regulations.

801.01 All required driveway and parking spaces shall be located on the same lot as the use for which they are required unless otherwise specifically stated in this Resolution.

801.02 All permanent access driveway and parking surface areas shall be located on an all-weather improved surface such as; stone or gravel, asphalt, brick, bituminous, concrete or other equivalent material. Driveway and parking areas shall be graded and drained to dispose of all surface water in a manner designed to minimize adverse effects on abutting properties, streams, and public roads.

801.03 All lighting used to illuminate such driveway and parking areas shall be directed away from adjoining properties or roads. (See Section 212 of this Resolution)

801.04 Entrances and exits to parking or loading/delivery areas shall be located and designed to avoid undue interference of off-site and on-site vehicular and pedestrian traffic.

801.05 All non-residential Permitted and Conditionally Permitted use permanent parking areas adjacent to a Residential use or Residential District are required to provide screening on the side which adjoin the Residential use or Residential District. (See Sections 220 fences, 224 screening, of this Resolution)

801.06 Driveways and parking areas shall follow the minimum side and rear yard setback for the applicable District.

DISTRICT	SECTION
Residential	304.3, 305.3
Circle	306.3
Commercial	307.3
Industrial	308.3

SECTION 802

PARKING SPACE REQUIREMENTS

802.01 The minimum parking spaces for uses listed in Section 803 shall be required whenever such use is permitted by the applicable District regulations. The inclusion of a use listed below shall not be construed as permitting that use, nor is the exclusion of a use to be construed as prohibited unless otherwise stated in this Resolution.

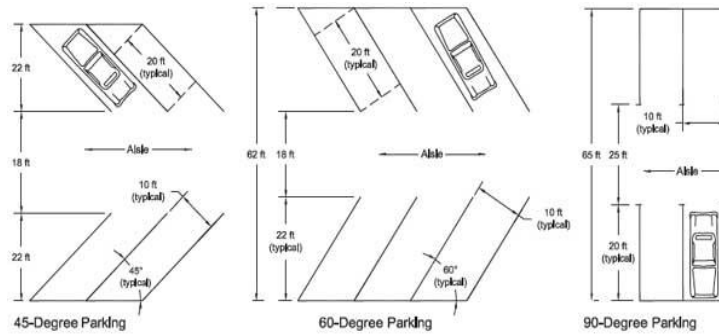
802.02 All vehicles shall be parked or stored in designated parking areas. Parking or storage of any vehicle, equipment, machinery, product or material that encroaches into the minimum required District side yard or rear yard setback area requirement is prohibited. Off-street parking and loading/delivery requirements for a use shall be developed as to be sufficient to meet all of the parking and loading/delivery needs of the proposed use. No parking, loading, delivery or servicing

shall be done on the right-of-way of any public road, block vehicular access of or to a public road, or cause undo interference on or to a public road, otherwise said condition may be considered a nuisance under Section 203 of this Resolution.

802.03 Where two (2) or more uses are located on the same parcel, the total number of minimum spaces required for each use shall equal the total requirements for the parcel.

802.04 Where evidence is presented that a Permitted use will require fewer parking or loading spaces than required by this Resolution, the Zoning Commission may approve initial construction of fewer spaces than required, provided that conditions are established reserving or 'banking' space on the site where additional parking or loading can be constructed in compliance with this Resolution.

802.05 Off road indoor or outdoor parking areas for all uses shall provide individual parking spaces of not less than ten (10) feet in width, and not less than twenty (20) feet in length, exclusive of access driveways or aisles, unless otherwise stated in this Resolution. (See examples below.)



SECTION 803

SCHEDULE OF PARKING SPACE MINIMUMS

USE	OFF-STREET SPACES REQUIRED
Adult day/respite care facility or center.	1 space per 5 adults, plus 1 space per 2 employees.
Assisted living, nursing, residential care facility.	1 space per 2 beds, plus 1 space per 2 employees.
Automotive fueling stations including associated retail store.	2 spaces for each gasoline pump and/or service bay, plus 1 space per 2 employees, plus 1 space for loading/delivery area.
Bed and breakfast.	1 space per bed plus 1 space per 2 employees.
Car wash facility.	1 space for each bay.
Cemeteries.	Driveways shall be wide enough to accommodate parking while allowing normal on-site circulation.
Child day-care facility, center or camp.	1 space per 10 children, plus 1 space per 2 employees.
Churches or other places of worship.	1 space for each 3 seats.
Event/conference/wedding or party center.	1 space per 3 attendees and/or participants based on the maximum attendance that the building, facility or center was designed to accommodate.
Food and beverage retail or wholesale store or business such as; restaurant, tavern, bar, pub, specialty food or beverage store, bakery, delicatessen, juices, confectionary, dairy, health foods, food or beverage preparation and related processing retailed on or off premises including carry-out or delivery.	Non-dine-in business; 1 space for each 400 sq. ft of floor area, plus 1 space for loading/delivery area. Dine-in business; 1 space for each 200 sq. ft. of dining floor area, plus 1 space for loading/delivery area.
Funeral home.	1 space for each 100 sq. ft. of parlor floor area.
Golf course or golf driving range.	1 space per 3 attendees and/or participants based on the maximum attendance that the course, clubhouse or range was designed to accommodate plus 1 space for loading/delivery area.
Hospital, emergency and urgent care facilities.	1 space for each exam room or bed plus 1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Libraries or museums; public or private.	1 space for each 5 seats in assembly halls or auditoriums.
Manufacturing processes.	1 space per 2 employees based on the maximum shift for which the building or facility is designed plus 1 space for loading/delivery area.
Offices such as; financial, legal, accounting, real estate, insurance, engineering, architectural, technology, health-care specialist, medical doctor, dentist, travel agencies, marketing or sales, counseling.	1 space for each 400 sq. ft. of floor area.
Recreational sports fields or facilities (non-motorized).	1 space per 3 attendees and/or participants based on the maximum attendance that the building, facility, center or park was designed to accommodate.
Recycling facilities.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.

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Residential dwelling.	1 space per dwelling unit.
Retail or wholesale store or business such as; general merchandise, grocers, pharmacy, clothing or apparel, furniture, appliances, florist, gifts, hardware, sporting goods, antiques, electronics, specialty goods, convenience store, discount merchandise, resale or consignment store, art gallery, artisan/craftsman goods or merchandise, collectible or hobby items, parts store.	1 space for each 200 sq. ft. of floor area, plus 1 space for loading/delivery area.
Sanitation waste services.	1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Salvage motor vehicle yard.	1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Schools; public, private and parochial.	1 space for each 5 seats in assembly halls or auditoriums.
Scrap metal processing facility.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.
Service store or business such as; healthy & beauty, barber shop, hair salon, nail and tanning salon, tailor or dressmaker, pet grooming (no outdoor kennel), photography, fitness or personal training, dance studio, martial arts.	1 space for each 200 sq. ft. of floor area.
Sexually oriented business and adult entertainment establishments.	1 space for each 200 sq. ft. of floor area.
Shops such as; repair or restoration, installation or retro-fitting, contractors, technicians, artisan/craftsman, machinist, tool & die.	1 space for each 200 sq. ft. of floor area, plus 1 space for loading/delivery area.
Sporting clubs (non-firearms).	1 space per 3 attendees and/or participants based on the maximum attendance that the building, facility, center or park was designed to accommodate.
Storage building.	1 space.
Transportation; towing, trucking, cartage or rigging.	1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Vehicle, equipment, RV; sales or rental lot, new or used.	1 space for each 400 sq. ft. of indoor floor area, plus 1 space per 2 employees, plus 1 space for loading/delivery area.
Veterinary clinic or other related service.	1 space for each exam room, plus 1 space for each 2 employees.
Warehousing and storage facilities including outdoor storage yards.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.
Wholesaling and distribution facilities.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.

ARTICLE IX

DEFINITIONS

SECTION	TITLE
901	Definitions

SECTION 901
DEFINITIONS

Access/Access-way/Permanent Access; A strip of land providing ingress and egress for a rear lot as described in Rear Lot Development.

Accessory Use or Building; Use or building customarily incidental and subordinate to the principal use or building, located in the same zoning District and on the same parcel as the principal use or building.

Accessory Dwelling Unit (ADU); One (1) or more rooms providing complete living facilities with utilities for one (1) family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping, and eating.

Activity Area; The area of outdoor land use within a lot or parcel.

Agriculture; See Ohio Revised Code Section 519.01 and 519.21

All Weather Improved Surface; A non-vegetative dirt surface improved with stone, gravel, asphalt, brick bituminous, concrete, or other equivalent material.

Alteration; As applied to a building or structure, is a change or rearrangement in the structural parts or in the exit facilities or an enlargement, whether by extending on a side or by increasing the height, or by moving from one location to another.

Apportioned; To divide and assign proportionally.

Attic; An unheated or unfinished floor space that is not accessible by means of a permanent and immovable stairway.

Automotive Fueling Station; A place where gasoline, kerosene, or any other motor fuel, lubricating oil, or grease for operating motor vehicles is offered for sale to the Public; including the sale of snack food, tobacco, drinks, newspapers and similar convenience goods as accessory or appurtenant to the principal use.

Basement; A story having more than one half of its height below average grade.

Buffer Area; A neutral space between adjacent parcels that help minimize disturbances of neighboring land uses.

Buildable Area; The area of developable land use within a lot or parcel.

Building; Any structure having a roof supported by columns or by walls and intended for the enclosure, storage, shelter or housing of persons, animals or chattels.

Building Height of; The vertical distance from the finished grade to the highest point of the ridge of gable, hip, or gambrel roof.

Building Line; A line parallel to the center line of the road to which the lot has access and intersecting the nearest point of the foundation of the principal building to that center line.

Building Setback Line, Minimum: A line parallel to the road right of way at a distance there from equal to the required depth of the front yard, extending across the full width of the lot.

Building, Principal: The building on a parcel used to accommodate the primary use of the property.

Carport, Permanent: A permanent portable automobile parking structure with a roof, but not enclosed on all sides by walls or doors.

Carport, Temporary: A temporary use portable canvas shelter supported by a frame for storing a vehicle.

Co-locate: To locate and share an appropriate location on the telecommunication facility (monopole) with other telecommunication carriers in order to provide service.

Development Features: Any present, proposed or revised item located in the buildable area of a parcel or lot such as; buildings, structures, signs, screening, outdoor use areas, parking, landscaping, and /or lighting.

Driveway: An all weather improved surface used for parking and/or storing vehicles.

Dwelling: Any building, or portion thereof, which is designed or used primarily for residential purposes but not including hotels, motels, boarding houses, lodging houses, or tourist homes.

Dwelling, Single-family: Is a principal building that is usually occupied by just one household or family and consists of just one dwelling unit or suite and does not share an inside or outside wall with any other house or dwelling.

Dwelling, Unit: Is a principal building consisting of just one habitable living area or suite that does not share an inside or outside wall with any other house or dwelling.

Dump/Dumping: Any lot or land or part thereof used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration, or any other means and for whatever purpose of garbage, sewage, trash, refuse, waste material of any kind, junk, discarded machinery, vehicles, or parts thereof, offal or dead animals.

Event/Conference/Wedding or Party Center: A location where an organized public or private gathering takes place.

Farm Market: A farm market, which is a location where a producer offers fruits, vegetables, and other items for sale, or a location where producers congregate to offer fruits, vegetables, and other items for sale or a farm product auction, which is a location where agricultural products, including food products, are offered for sale at auction, and where fifty per cent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year.

Fence, Barbed Wire: A fence made with wire having points or barbs spaced along its length.

Fence, Chain Link: A fence consisting of loops of wire interconnected in a series of joining links.

Fence, Decorative: A fence constructed for its beauty or decorative effect and providing an unobstructed opening, such as, but not limited to, open board, split rail, and rail.

Fence, Electric: A single or multi-strand wire fencing having an electric charge with relationship to the ground.

Fence, Enclosure: A fence that is used to enclose an area or object on the parcel.

Fence, living: A fence consisting of the growth or placement of hedges, trees, bushes, plants, or a combination thereof so as to prevent public view or provide seclusion.

Fence, Partition: A fence that is located on the side yard or rear yard property line and used to separate the parcel or District from an adjoining parcel or District.

Fence, Privacy: A fence constructed so as to prevent public view or provide seclusion.

Fence, Razor Wire: A fence with flat drawn wire, razor sharp on both edges.

Fence, Snow: A temporary fencing used to control blowing/drifted snow.

Fence, Woven Wire: A fence constructed of woven wire and having multipurpose uses.

Floor Area: The sum of the gross horizontal areas of the floors of a building, measured from the exterior faces of exterior walls or from the center line of common walls separating two (2) buildings. Floor area, for the purpose of this Resolution, shall not include basement, garage, elevator and stair bulkheads, attic space, terraces, breezeways, open porches, and uncovered steps, but may include utility areas when part of the main floor.

Garage, detached: An accessory building not connected to the main building, enclosed on all sides and designed or used for storage and located on the same lot as the dwelling to which it is accessory.

Grade, finished: The finished grade is the elevation of the finished surface of the ground adjoining the building or structure within a distance of ten (10) feet of the foundation wall.

Grade, Natural: The natural grade is the elevation of the undisturbed natural surface of the ground adjoining the building or structure.

Home Business Occupation, Type 1: A non-residential use conducted entirely within a residence and carried on by the inhabitants thereof which use is clearly incidental and secondary to the use of the residence for residential purposes and does not change the character of the residence.

Home Business Occupation, Type 2: A non-residential use utilizing one (1) accessory building on a residential property and is carried on by the property's residents and a maximum of one employee, which use is clearly incidental and secondary to the use of the property for residential purposes.

Junk: All garbage, refuse, litter and debris such as; scrap metals, glass, plastic, Styrofoam, wood, shingles, concrete, bricks, and all broken discarded and damaged furniture, household appliances, outdoor play equipment and toys, building materials, inoperable vehicles, vehicle parts, trailer parts, lawn mowing equipment, non-agricultural or agricultural use farm equipment; bones, used and discarded rags, cloth, paper, cardboard, wood, rubber, ropes, foils, bottles, cans, containers, barrels, chemicals, petroleum products; old or used inoperable machinery, tools, commercial equipment, industrial equipment, fixtures, utensils, crates, pallets, pipes, pipe fittings, vehicle tires, bicycle tires, farm tractor or equipment tires, airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition, but are, but are subject to being dismantled.

Junk Motor Vehicle: Any unlicensed motor vehicle over three (3) years old which is apparently inoperable and extensively damaged such as: missing wheels, tires, motor or transmission, glass, lights and sheet metal.

Junk Yard: A property or place of business, which is maintained or operated for the purpose of storing, keeping, buying or selling junk or for the maintenance or operation of an automobile graveyard. The term

junk yard shall also include scrap metal processing facilities and any site, location or premises on which are kept two or more junk motor vehicles, whether or not for a commercial purpose.

Land Banking, area: To reserve, designate or allocate a portion or section of a lot or parcel for future use.

Loading Space: An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or material and which abuts upon a street, alley, or other appropriate means of access.

Lot: An area of land legally recorded by deed.

Lot Area: The total area within the lot lines of a parcel.

Lot, Buildable: A lot of sufficient size to meet the minimum zoning requirements then in effect for a building or structure at the time the deed was recorded in the Medina County Recorder's official records.

Lot, Corner: A lot at the junction of and abutting two or more intersecting roads.

Lot Depth: The distance measured from the front lot line to the rear lot line.

Lot Frontage: The distance between side lot property lines measured along the center line of a public or private road.

Lot Lines: The property lines defining the limits of a parcel.

Lot Line, Rear: The lot line opposite and most distant from the front lot line.

Lot of Record: A lot which is a part of a subdivision, the map of which has been recorded in the office of the Recorder of Medina County; or a parcel of land, the deed to which was of record on or prior to the effective date of these regulations.

Lot Line, Side: A side lot line separating the parcel from another parcel.

Lot Width: The width measured along the minimum building setback line.

Mixed District Parcel: A parcel apportioned (divided) by more than one zoning district.

Mobile Home/Trailer Coach: A movable or portable structure designed and constructed to be towed as a unit or units, on its or their own chassis and running gear, on the public roads and designed, constructed and equipped with the necessary service connections for human occupancy and habitation.

Monopole: A single slender and typically cylindrical vertical structure to which antenna(s) and support structures are affixed.

Nonconforming: A building, structure, use of land or lot legally existing at the time of the enactment or amendment of the Resolution, and which does not conform to the current zoning regulations of the district in which it is located.

Non-Residential Use: A business or commercial use, including hobby activities conducted on the property or parcel.

Nuisance: Anything offensive or obnoxious to the health and welfare of the inhabitants of the township; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

Ordinary High Water Mark: A line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Parcel: For the purposes of this Resolution the word “parcel” shall include the word “lot.” (Refer to “Lot” definition above)

Performance Bond: An agreement by a sub-divider, builder, contractor or developer with the Township for the amount of the estimated site improvement cost guaranteeing the completing of physical improvements according to plans and specifications within the time prescribed and in the manner set forth by the applicant's permit.

Permanent Parking Area: An all weather improved surface used for parking and/or storing vehicles.

Permanently Sited Manufactured Home: As defined by the Ohio Revised Code. Only permanently sited manufactured homes are permitted for residential dwelling Use and shall be affixed to a permanent foundation and connected to appropriate water and septic facilities.

Pond/Lake: Public or private pond(s) or lake(s) with a water depth of 1.5 feet or more. For the sake of definition, there will be no distinctions made between pond(s) or lake(s).

Public Utility: Any person, firm, corporation, governmental agency or board fully authorized to furnish to the public electricity, gas, steam, telephone, telegraphy, or transportation of water.

Rear Lot: Is a lot located behind a parcel or lot that meets current zoning requirements.

Recreational Use: Use of land involving sports and leisure activities; excluding motorized sports, special event assembly, amusement parks, and weapons firing ranges.

Recreational Camping Vehicle: A motorized vehicle, trailer or other wheeled vehicle equipped with living space and amenities found in a home.

Residence: Any principal residential use building, house, dwelling unit or ADU (except a house trailer or mobile home as defined herein) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Residence, Single-family: See Dwelling; single-family.

Right-of-Way: Strip of land used or dedicated for public utility or roadway use. In addition to the roadway, it normally incorporates sidewalks and drainage facilities.

Riparian Setback: The distance from the edge of any river, stream, creek, channel or designated wetland as measured from the ordinary high-water mark.

Road, Private: A thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public or subject to public easements.

Road, Public: A thoroughfare which has been dedicated or deeded to the public for public use or is subject to public easements and which affords principal access to abutting property.

Roadside Stand: A stand, structure, or vehicle used for the sale of seasonal agricultural products.

Sign: Any structure, natural object or device which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business or which shall display or include any letter, word, banner, flag, other than governmental or noncommercial flags, balloon pennant, search light badge or

insignia. The word sign shall include a writing representation or other figure of similar character located on the interior of a building when illuminated and located so as to be viewed from the exterior of the building. (See Signage Article IV for types)

Sign Area: The area measured by the smallest square, rectangle, circle, or combination thereof which will encompass the entire advertising device including border, trim, cutout, and extension.

Sign, Awning: A sign that is mounted on, painted on, attached to, or incorporated within an awning.

Sign, Billboard: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, Flashing: Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Governmental: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance, or other governmental regulation.

Sign, Ground: Any freestanding sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.

Sign, illuminated: A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Sign, Pole: A sign that is mounted on a free-standing pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.

Sign, Portable: A sign that is not permanently affixed to a building, structure, or the ground, with or without permanent lettering.

Sign, Projection: A sign that is hung and can be seen from both directions of approach.

Sign, Roof: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof or the cove line of a building with a gambrel, gable, hip, or mansard roof.

Sign, Temporary: A sign intended to be displayed for 90 days or less in a calendar year.

Sign, Wall: A sign fastened to, or painted on, or incorporated into a building or structure.

Sign, Window: A sign that is applied or attached to the interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.

Site Plan: A written plan of development features, present, proposed or revised, drawn to a legible scale, showing topographical features of the lot, building placement, signs, outdoor storage areas, parking and landscaping in sufficient detail, including distances within and from property lines and/or adjacent parcels.

Site Distance Triangle: The area within a triangle formed by connecting the following three points: the point of intersection of the curb lines adjacent to the lot of the intersecting streets, point 15 feet from said point of intersection along one curb line, and point 30 feet from said point of intersection along the other curb line.

Sporting Club: For the purpose of this Resolution – is a club for the purpose of playing one or more sports or recreational activities; excluding any firearms-based activities.

Solar Photovoltaic (PV) System: A power system designed to supply usable solar power by means of photovoltaics'. It consists of an arrangement of several components, including solar panels to absorb and directly convert sunlight into electricity.

Structure: Anything constructed or erected, which requires location on the ground, such as; signs, walls, fences, gates, swimming pools, decks, pavilions, carports, buildings, lakes, and ponds.

Telecommunication: Technology permitting the passage of information from the sender to one or more receivers in a usable form by means of any electromagnetic system.

Telecommunication Antenna: An antenna system designed to transmit or receive communications as authorized by the Federal Communications Commission (FCC), excluding amateur radio operator antennas.

Telecommunication Equipment Building: A structure in which the electronic receiving and relay equipment for a telecommunication facility is housed.

Telecommunication Facility: A facility consisting of the equipment and structures involved in receiving telecommunication or radio signals from a mobile radio communication source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

Telecommunication Tower: A tower including, but not limited to, self-supporting lattice or monopole which elevates the communication antenna and may include accessory transmission and receiving equipment.

Tower Height: The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine.

Trailer: Any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle and does not include a manufactured home or travel trailer.

Trailer Park: Any site, or tract of land, upon which three (3) or more mobile homes used for habitation are parked, either free of charge or for revenue purposes.

Use: The principal purpose for which a lot, and/or the main building thereon, is designed, arranged or intended and for which it may be used, occupied or maintained.

Use, Abandonment: When a Conditional Use has been discontinued or abandoned for a period of at least two (2) years.

Use, change of: The current use is changed to a different use. (example; a 'residential dwelling' is now used as a 'retail store' or a 'retail store' is now used as a 'restaurant'.)

Use, conforming: The use meets all applicable standards and regulations as established in this current Zoning Resolution.

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

Use, Nonconforming: The use does not meet all applicable standards and regulations as established in the current Zoning Resolution, but the Use or property received the required Township approval through the variance process; or was legally instituted prior to the adoption of this Resolution; or predated Zoning Resolution standards.

Use, Illegal: A use which may or may not conform to zoning, but never received the appropriate Township approval or issuance of a zoning certificate.

Use, Incident to Agricultural Purpose: A use directly and immediately related to and usually or naturally and inseparably dependent upon agriculture.

Variance, Area: A modification of the strict terms of the regulations of the Zoning Resolution in specific cases relating to size and area requirements because of practical difficulties to compliance.

Variance, Use: A request to conduct a land Use that is not permitted by the Zoning Resolution, and if not granted, will result in an unnecessary hardship because there can be no other economically feasible Use of the property.

Vehicle: Everything on wheels or runners, including motorized bicycles, but does not include; electric personal assistive mobility devices, vehicles that are operated exclusively on rails or tracks or from overhead trolley wires, and vehicles that belong to any police department, municipal fire department, or volunteer fire department, or that are used by such department in the discharge of its functions.

Vehicle, dismantled: A disabled vehicle being kept for its parts.

Vehicle, licensed: A vehicle, other than an agricultural tractor or traction engine that displays current, valid license tags.

Vehicle, Motor: Any vehicle, including mobile homes and recreational vehicles, that are propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. Motor vehicle does not include; motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, and farm equipment.

Vehicle, Motor Inoperable: An unlicensed motor vehicle that exhibits one or more of the following conditions; Unable to be driven under its own power due to any mechanical/electrical system failure; missing glass and/or lights; missing mechanical component or body part making the vehicle inoperable for use on the public roadway.

Vehicle, Storage of: An operable vehicle in good repair that is parked or positioned in the same location or place and has not been used or operated as originally manufactured or designed for a consecutive period of thirty-one (31) days or more.

Vehicle, wrecked: An extensively damaged nonfunctional crashed vehicle that cannot be use for its intended purpose.

Wind Energy Turbine: A system of components which converts the kinetic energy of the wind into electricity or mechanical power, and which comprises all necessary components, including energy storage, power conditioning, control systems, and transmission systems, where appropriate, to provide electricity or mechanical power for individual, residential, agricultural, commercial, industrial, utility, or governmental use.

Yard: An open space on the same lot with a building, unoccupied and unobstructed, by any portion of a structure from the ground upward except as otherwise provided herein.

Yard, Front: A yard extending across the full width of a lot and being the perpendicular distance between the street right-of-way line and the nearest portion of any building or structure existing or proposed for construction on said lot.

Yard, Rear: A yard across the full width of a lot between the side parcel lines and being the perpendicular distance between the rear lot line and the nearest portions of any building or structure existing or proposed

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to be constructed on said lot. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots, the rear yard shall be, in all cases, at the opposite end of the lot from the front yard.

Yard, Side: A yard between the nearest portion of any building or structure existing or proposed to be constructed on said lot and the side line of the lot and extending from the front yard to the rear yard.

Zoning Certificate: The document issued by the zoning inspector authorizing use within the regulations of the zoning resolution.

Zoning Map: Areas designated by the Zoning Resolution as being Residential, Circle, Commercial, or Industrial districts maintained in the office of the Zoning Inspector.

ARTICLE X
REVISION DATES
