



ZONING RESOLUTION OF SHARON TOWNSHIP

Medina County, Ohio Revised

January 8, 2021

CERTIFICATION

As of the date contained herein, the undersigned hereby certify this to be a true and correct copy of the Sharon Township Zoning Resolution as adopted by the Sharon Township Trustees effective November 1957 and amended effective October 6, 1962, October 24, 1967, November 24, 1967, August 27, 1974, November 18, 1974, April 3, 1976, November 2, 1982, January 27, 1984, March 13, 1985, July 31, 1987, May 3, 1991, July 11, 1991, September 12, 1996, November 6, 1997, October 27, 1998, March 9, 1999, July 25, 2000, December 27, 2001, September 26, 2002, March 20, 2003, November 27, 2003, May 13, 2004, July 22, 2004, November 19, 2004, May 13, 2005, August 25, 2005, March 16, 2006, March 28, 2006, April 28, 2006, July 20, 2006, September 22, 2006, November 24, 2006, January 3, 2008, March 20, 2008, June 13, 2008, July 9, 2009, August 12, 2010, October 27, 2011, March 14, 2012, September 28, 2012, March 12, 2013, December 12, 2013, December 10, 2015, December 9, 2016, July 26, 2018, January 8, 2021

SHARON TOWNSHIP TRUSTEES



Kimberly Belas Miller, Trustee

1-27-2021
Date



Brian Guccion, Trustee

Feb. 1, 2021
Date



Joe Canestraro, Trustees

1-27-2021
Date



Christine Lawson, Fiscal Officer

2-1-2021
Date

**SHARON TOWNSHIP ZONING RESOLUTION
TABLE OF CONTENTS**

ARTICLE	PAGE
I.PURPOSE	4
II.INTERPRETATION & SEPARIBILTY	4
III.DEFINITIONS	6
IV.GENERAL PROVISIONS	16
V.DISTRICT REGULUTIONS	18
Section 501 – R-1 Residential District	18
Section 502 – R-2 Residential District	21
Section 503 – C-1 Commercial District	24
Section 504 – C-2 Commercial District	27
Section 505 – I-1 Industrial District	31
Section 506 – Intentionally left blank	33
Section 507 – I-3 Industrial	34
Section 508 – Blank	36
Section 509 – Blank	37
Section 510 – R-PRD Planned Residential District	38
Section 511 – WTFO Wireless Telecommunication Facility Overlay District	47
VI.REGUATIONS APPLICABLE TO ALL DISTRICTS	56
Section 601 – Sign Regulations	56
Section 602 – Lighting Regulations	62
Section 603 – Parking and Loading	64
Section 604 – Landscaping and Screening Regulation	69
Section 605 – Non-Conforming Uses	75
Section 606 – Fire Protection of Residential Subdivisions	76
VII.CONDITIONAL ZONING CERTIFICATES	78
VIII.ZONING INSPECTOR AND ZONING CERTIFICATES	84
IX.ENFORCEMENT	85
X.BOARD OF ZONING APPEALS	86
XI.ZONING COMMISSION	88
XII.ARCHITECTURAL REVIEW BOARD	90
XIII.ZONING PROCEDURE	94

WHEREAS, the Board of Trustees of Sharon Township deems it in the interest of public health, safety, morals, comfort, and general welfare of said township and its residents to establish a general plan of zoning for the unincorporated area of said township. A resolution known as the Zoning Resolution of Sharon Township to regulate the use of land and buildings by dividing the unincorporated area of Sharon Township into districts: defining certain terms used therein; imposing regulations and restriction, etc. has been adopted.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Sharon Township:

Article I Purpose:

For the purpose of promoting public health, safety, comfort, convenience, prosperity and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provisions of public improvement, all in accordance with a comprehensive plan, the Board of Trustees of this Township find it necessary and advisable to regulate the location, height, built, number of stories and size of buildings and other structures, including tents, cabins and trailer coaches, percentage of lot areas which may be occupied, setback building lines, sizes of yards, courts and other open spaces, the density of population, the uses of building and other structures including tents, cabins and trailer coaches and the uses of land for trade, industry, residence, recreation or other purposes and for such purposes divides the unincorporated area of the township into districts or zones, under authority of Section 519.02 et seg of the Ohio Code.

Article II Interpretation & Separability

200-1 In interpretation and application, the provisions of this resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, comfort, convenience, prosperity, and general welfare.

200-2 Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.

200-3 Where this Resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions by 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.

200-4 It is hereby declared to be the legislative intent that, if any provision(s) 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 in part, or to be inapplicable to any person or situation, the effect of such decision shall be limited to the provision(s) which are expressly stated in the decision to be invalid or ineffective, or to the zoning lot, building or other structure, or tract of land immediately involved in the controversy. All other provisions of this Resolution shall continue to be separately and fully effective, and the application of any such provision to other persons or situations shall not be affected.

Article III Definitions

For the purpose of this Resolution certain terms and words are hereby defined. Words used in the present tense shall include future, the singular, the plural, the word “building” shall include the word “structure” and the word “shall” is mandatory and not directory.

- 300-1 Accessory Building or Use: A subordinate building or use customarily incidental to, and located on the same lot occupied by the main building.
- 300-2 Alley: A public thoroughfare, which affords only a secondary means of access to a lot of abutting property.
- 300-3 Automobile Trailer, Trailer Coach, or Trailer: A vehicle used or intended for use as a conveyance, upon the public street or highways, so designed, constructed, reconstructed, or added to by means of portable accessories in such manner as will permit the occupancy thereof as a movable dwelling or sleeping place.
- 300-4 Backlot: Land which is remote from public roads, streets or Highways, and tend to become isolated from the development of frontage lots.
- 300-5 Basement: A story suitable for business or habitation, partially below the level of the adjoining street or ground and below the first tier of floor beams or joists. When a basement floor is less than two (2) feet below average grade, it will be rated as the first story or ground floor.
- 300-6 Basement House: A basement in which there are cooking facilities and sleeping quarters.
- 300-7 Boarding House: A building other than a hotel where for compensation by the week or month, meals, or lodging and meals are provided for three (3) but not more than twenty (20) persons.
- 300-8 Buffer: A designated area between parcels or uses the purpose of which is to separate or visibly shield and or screen one development from another and which shall be permanently maintained.
- 300-9 Building: Any structure designated or intended for the support, enclosure, shelter or protection of persons, animals, chattel, or property.
- 300-10 Building Area: A building area is the aggregate of the maximum horizontal cross section area of a building on a lot, excluding cornices, eaves, gutters, one story open porch, balconies, terraces and a garage attached to a dwelling.

- 300-11 Building Height: The height of a building is the distance measured from the abutting ground level to the level of the highest point of the structure.
- 300-12 Building Line: the rear line of the front yard along a street frontage shall be considered the building line.
- 300-13 Cabin Camp: Any park, tourist park, tourist court, site, lot, parcel or tract of land upon which one or more camp cottages or cabins are located and maintained for the accommodation of transients by the day, week or month, whether a charge is made or not.
- 300-14 Cellar: A story having more than one-half (1/2) of its height below grade. A cellar is counted as a story for the purpose of height regulation only if used for dwelling purposes other than by a janitor employed on the premises.
- a. Common Area: Any land area, and associated facilities, within a planned residential development that is held in common ownership by the residents of the development through a Homeowner's Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants in common.
- 300-15 Common Area: Any land area, and associated facilities, within a planned residential development through a Homeowner's Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants in common.
- 300-16 Congregate Care Facility: A residential facility that provides for needs of individuals who are elderly or handicapped. The facility shall consist of residential dwelling units designed specifically for the elderly or handicapped, and have common social, recreational, dining and food preparation facilities, and may include skilled nursing care
1. A congregate care facility may include one or more of the following types of residential facilities:
 - a. Independent living with congregate dining facilities:
 - b. Congregate living:
 - c. Assisted living;
 - d. Nursing care; or
 - e. Hospital
 2. The density of a congregate care facility shall not exceed the net density set forth below for each area included in the facility.
 - a. The net density of an assisted living and/or nursing home and its associated parking facilities shall not exceed 25 patients.
 - b. The net density of independent living, hospital, and/or congregate

living units and its associated parking facilities shall not exceed 15 dwelling units per acre.

3. The facility shall provide safety features to ensure the safety of its residents and patients:
 - a. Local police and fire officials shall be provided with an evacuation plan which following approval, shall be posted in a conspicuous location within the facility.
 - b. An overall shall be provided to the local police and fire departments, which shall keep the floor plan on file.
4. The development plan shall indicate the building's emergency entrances or exists.
5. The facility and its staff shall be in full compliance with all applicable Federal, State and local laws and regulations, including facility licensure to begin and continue operation. Evidence of such compliance shall be furnished to the Township. Failure to maintain such license, certification or other approval requirements shall constitute a violation of the Zoning Resolution.

300-17 Cut-off Angle (of a luminary): the angle, measures up from the peak, between the vertical axis and the first line of sign at which the bare source is not visible.

300-18 Development Plan: A proposal including drawing(s) and map(s) for a planned residential development, prepared in accordance with these regulations, illustrating the proposed design, layout and other features for the development and including all elements set forth in Section 610-8.

300-19 District: Area(s) of the unincorporated territory of Sharon Township for which regulations governing the use of buildings and premises or the height and size of buildings are uniform, as created by this resolution.

300-20 Dwelling: Any Structure or portion thereof, which is designed or used for residential purposes. For the purpose of Sections 601, 602, & 610 in the Zoning Resolution of Sharon Township, the following terms shall be regarded as synonyms with the exception of non-conforming conditional uses.

300-21 Dwelling, Single Family: A structure arranged, intended or designed to be occupied for residential purposes by not more than one (1) family.

300-22 Dwelling, Single Family Attached: Dwelling units which are structurally attached to one another, side by side, and erected as a single building, each dwelling unit being separated from the adjoining unit or units by a party wall without openings extending from the basement floor to the roof with each unit including separate ground floor entrances, services and attached garages.

300-23 Dwelling, Two Family: A structure arranged, intended or designed to be occupied for residential purposed by two families.

- 300-24 Dwelling, Multifamily: A structure arranged, intended or designed to be occupied for residential purpose by more than two (2) families.
- 300-25 Efficiency or Utility Unit: Consists of combination living/dining room, kitchen, bath, one bedroom as an addition to a single-family dwelling to form a duplex or two-family dwelling.
- 300-26 Elderly Dwelling Unit: An owner-occupied single-family dwelling unit may be converted to allow the incorporation of the additional dwelling unit for the exclusive occupancy of an elderly household, a member who shall be an elderly person related to the owner of the single-family dwelling unit. Such accessory elderly dwelling unit shall be wholly contained within the existing principal or shall be attached to it by a common wall, floor or ceiling. Such unit shall have no kitchen facilities shall not be rented or otherwise used as a separate dwelling. Mobile home trailers shall not be permitted as an accessory uses in any District.
- 300-27 Family: One or more persons occupying a premise and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house or hotel, as here in defined, however, that family shall not include more than four persons unrelated to each other by blood, marriage or legal adoption.
- 300-28 Foot-candle: A unit of luminance amounting to one lumen per square foot.
- 300-29 Frontage: All property on one side of a street between two (2) intersecting streets (cross or terminating) measure along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of a street and frontage will be measured on the chord.
- 300-30 Fully Shielded: A fully shielded luminary is constructed or shielded in such manner that all light emitted by the luminary, either directly from the lamp or indirectly from the luminary, is projected below the horizontal plane through the luminaries' lowest light emitting part as determined by photometric test or certified by the manufacturer.
- 300-31 Garage, Private: An accessory building, housing not more than four (4) motor driven vehicles, the property of and for the use of the occupant of the lot on which the private garage is located.
- 300-32 Garage, Repair Shop: A building or portion of a building in which minor structural repairs are made to motor vehicles, in which the painting of cars or body and fender work is only incidental.
- 300-33 Gasoline Service Station: A gasoline service station is a building or part of a building or structure or space for the retail sale of gasoline, lubricants and motor vehicle accessories and for minor services and repairs not accompanied by objectionable noise, fumes, dust or odors.
- 300-34 Glare: The sensation produced by luminance within the visual field that is

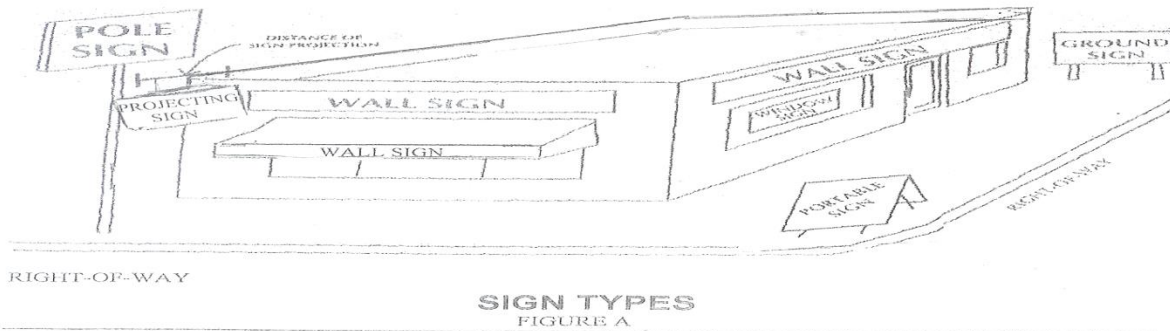
sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort or loss in visual performance and visibility.

- 300-35 Grade:
- A. For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street. (Where no sidewalk exists, the elevation of the centerline of the street shall be used in lieu of thereof).
 - B. For buildings having walls adjoining more than one street, the average elevations of the sidewalks at the center of all walls adjoining the streets.
 - C. For buildings having no walls adjoining the street the average level of the finished surface of the ground adjacent to the exterior walls of the buildings.
 - D. Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining to the street.
- 300-36 Hard Surface: To Medina County Highway Engineers specification: i.e., hard surface areas should be a minimum of 8 inch 304's aggregate or equivalent as a base and a minimum of 4-inch asphalt or equivalent on all areas as defined.
- 300-37 Home Occupation: Any use or profession customarily conducted entirely within a dwelling and carried on incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. To provide that such a use shall not involve any extension or modification of the original structure which will alter its outward appearance as a dwelling, nor will such use involve any outward evidence of its existence at the site, other than a sign as authorized elsewhere in this section; and further, said activity shall occupy not more than twenty-five percent (25%) of the floor area of any one story of a dwelling, or the basement of a dwelling, and shall not be objectionable because of odors, noise, dust, vibration, or added traffic uncharacteristic of a residential area. A home occupation provides that not more than two (2) people work in said establishment. Said operator must be a member of the immediate family occupying said home. All other uses not amenable to the maintenance of a residential atmosphere in a residential district area are hereby excluded from the definition of "Home Occupation".
- 300-38 Hotel or Motel: A place in which lodging is provided and offered to the public for compensation, which is open to transient guests, as distinguished from a boarding or lodging house.
- 300-39 Illuminance: The quantity of light or luminous flux, arriving at a surface divided by the area of the illuminated surface, measured in lux or foot-candles.
- 300-40 Junk or Auto Wrecking Yard: Land used to dismantle used motor vehicles or trailers. Land used to store, sell or dump partly dismantled, obsolete or wrecked vehicles or their parts, second hand building materials, junk, paper, containers, or other salvaged articles not limited to, but including old iron, glass cordage, waste, discarded materials, articles which have outlived their usefulness in their organized form.

- 300-41 Lodging House: A building where lodging is only provided for compensation for three (3) but not more than twenty (20) persons and where meals may or may not be furnished.
- 300-42 Lot, Principle: A parcel of land occupied, or to be occupied, by one building and the accessory buildings or uses customarily or incident to it, including such open spaces as required by this Resolution. A lot may or may not be the land shown as a lot or a plot filed in the office of the County Recorder.
- 300-43 Lot, Corner: a lot having two (2) adjacent sides abutting upon two (2) streets.
- 300-44 Lot, Depth: The mean horizontal distance between the front and rear lot lines. However the purposes of meeting the intensity of use regulations of this Resolution. The lot depth shall be the mean horizontal distance between the street line and rear lot line.
- 300-45 Lot, Double Frontage: A lot having a frontage on two (2) non-intersecting street distinguished from a corner lot.
- 300-46 Lot, Interior: A lot other than a corner lot.
- 300-47 Lot Lines: The lot lines are the lines bounding a lot as defined herein.
1. Lot Lines, Side: The two (2) property lines that intersect with the street that the house primarily faces.
 2. Lot Lines, Rear: Will be any other line not defined as a side line behind the primary residence.
- 300-48 Luminaire: A complete lighting unit consisting of a lamp(s) together with the part designed to distribute the light, to position and protect the lamps and to connect the lamp to the power supply.
- 300-49 Luminance: the physical quantity corresponding to the brightness of a surface (e.g. a lamp, luminary, sky, or reflecting material) in a specified direction. It is the luminous intensity of an area of the surface divided by that area. The unit is candela per square meter.
- 300-50 Nonconforming Uses: Any building or land lawfully occupied by a use on the effective date of this Resolution or any amendment or supplement thereto, which does not conform to the use regulations of the district in which it is situated.
- 300-51 Nursing Care Facility: A place of abode, building, institutional residence, a home for the reception and care, for a consideration, of three or more persons who, by reason of age or mental or physical infirmity, are not capable of properly caring for themselves, and which has been issued a license by the Department of Job and Family Services, MRDD, or Board of Health.
- 300-52 Obtrusive Light: Spill light which, because of quantitative, directional or spectral context gives rise to annoyance, discomfort, distraction or reduction in the ability to see essential information.

- 300-53 One Hundred (100) Year Floodplain: Any land susceptible to being inundated by water from a base flood. The base flood is the flood that has a one percent (1%) or greater chance of being equaled or exceeded in any given year.
- 300-54 Planned Residential Development: A contiguous area of land to be planned and developed as a single entity, in which housing units are accommodated under more flexible standards, such as lot area and setbacks, than those that would normally apply under single-family district regulations, allowing for the flexible grouping of houses.
- 300-55 Project Boundary: The boundary defining the tract(s) of land which are included in a development project to meet the minimum required project area for a planned residential development. The term “Project Boundary” shall also mean “Development Boundary”.
- 300-56 Recreation Use Area: Public or private facilities that may be classified as either Extensive or Intensive, depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize a considerable amount of land. Intensive facilities generally require less land but are used more intensively.
- 300-57 Religion (Exercise of): Worship religious counseling, religious education, rectory, pastorage or theological pursuit. Examples are church, temple, synagogue or mosque.
- 300-58 Roadside Stand: A removable structure used or intended to be used solely by the owner or tenant of a property on which it is located for the sale of seasonal agricultural products produced on the premises.
- 300-59 Setback: the required distance between a building and a lot line or street right-of-way.
- 300-60 Signs:
1. Sign: Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.
 2. Sign Animation: The use of movement or some element thereof, to depict action or create a special effect or scene.
 3. Sign Areas: The area measure by the smallest square, rectangle, circle or combination thereof, which will encompass the entire advertising device including border, trim, and cutout extension.
 4. Sign, Background Animation: The appearance of movement on a sign that creates a special effect or scene set in the background of a sign, but where the information message portion displays static content in the foreground of the sign.

5. 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.
6. Sign, Electronic Message Center: A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.
7. Sign Flashing: n A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated or from one color to another color for the purpose of drawing attention to the sign.
8. Sign, Frame Effect: A visual effect on an electronic message center applied to a single frame to transition from one message to the next.
9. Sign, Free Standing: Any non-movable sign not affixed to a building.
10. Sign, Governmental: A sign erected and maintained pursuant to an in discharge of any governmental functions, or required by law, ordinance or other governmental regulations.
11. Sign, Ground: Any sign, other than a pole sign place upon or supported by the ground independent of any other structure. See Figure A.
12. Sign, Identification: A sign giving the nature, logo, trademark or other identifying symbols and addresses of buildings, businesses, developments or establishments on the premises where they are located.
13. Sign, Illuminated: A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.
14. Sign, Off Premise: See Sign, Billboard.
15. 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 feet or more above grade. See Figure A.
16. Sign, Portable or Temporary: A sign that is not permanent, affixed to a building, structure or the ground. See Figure A.
17. Sign, Special Event: A sign or advertising display intended to advertise one (1) activity for a short period of time.
18. Sign, Wall: A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign any which does not project more than 18 inches from such building or structure. See Figure A.
19. Sign, Window: A sign that is applied or attached to the interior of a window or located in such a manner within a building that it can be seen from the exterior of the structure through a window. See Figure A.



SIGN TYPES
FIGURE A



RIGHT-OF-WAY

SIGN TYPES

FIGURE A

- 300-61 **Spill Light:** Light emitted by a lighting installation that falls outside the boundaries of this property on which the installation is sited.
- 300-62 **Story:** That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling above it.
- 300-63 **Story, Half:** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.
- 300-64 **Street:** All property dedicated or intended for public or private easement therefore.
- 300-65 **Street Lines:** A dividing line between a lot, tract, or parcel of land and contiguous street where the lot, tract or parcel of land has been conveyed to the center of the street, the street line then becomes the inside line of land reserved or dedicated for street purpose.
- 300-66 **Structure:** Anything constructed or erected, the use of which requires permanent location on the ground.
- 300-67 **Structure Alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any increase in area or cubic contents of a building.
- 300-68 **Temporary Buildings:** A temporary building is less than one hundred forty-four (144) square feet and is non-anchored.

- 300-69 Trailer Camp: Any park, trailer court, camp, site, lot parcel, tract or land designed, maintained or intended for the purpose of supplying a location or accommodations for any trailer coach, camper type trailer, trailer coaches and upon which any trailer coach, camper type trailer or trailer coaches or camper type trailers are parked and shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the trailer camp and its facilities or not. "Trailer Camp" shall not include automobile or trailer sale lots in which unoccupied trailers are parked for the purposes of inspection and sale.
- 300-70 Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the group upward except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the mean horizontal distance between the lot lines and main building shall be used.
- 300-71 Yard, Front: A yard extending across the front of a lot between side yard lines and being the minimum horizontal distance between the street line and the main building or projection thereof.
- 300-72 Yard, Rear: A yard extending across the rear of a lot measured between the side lot lines and being the minimum horizontal distance between the rear lot lines and the rear of the main building or any other projection than steps. On the corner lots the rear yard shall be considered as parallel to the street upon which the lot has the least dimension. On both corner lots and interior lots, the rear yard shall in all cases be the opposite end of the lot from the front yard.
- 300-73 Yard, Side: A yard between the main building and the side lines of the lot and extending from the front yard to the rear yard.
- 300-74 Up Light: Light that leave a fixture at or above the horizontal plane through the fixture:
- 300-75 Use:
- A. The "Use" is the purpose for which a building is arranged, designed, or intended, for which either land or a building is or may be occupied or maintained.
 - B. The "Main Use" is the principal use or activity on the premises.
- 300-76 Zoning Map and Word Map: These words refer to the Zoning Districts Map of Sharon Township.

ARTICLE IV: GENERAL PROVISIONS

- 400-1 Except as provided in this Resolution, it shall be unlawful to locate, erect, construct, enlarge or structurally alter any building except in conformity with the regulations of the district in which such building is located.
- 400-2 All existing residential structures may be altered within a substandard or conforming lot only when the structure does not extend beyond the existing side, rear or front yard lot clearances as set forth in the Zoning Resolution, with the exception of the structures that are already nonconforming to setback, can extend within rear and side yard clearances only. The existing residential structure that has been established within the fifteen (15) foot side and rear yard clearances cannot exceed the established lines of the structure.
- 400-3 Except as provided in this Resolution it shall be unlawful to use any land or building for any purpose other than is permitted in the district in which such land or building(s) are located.
- 400-4 Medical marijuana cultivators, processors and dispensaries are prohibited from being located in all zoning districts of Sharon Township.
- 400-5 No open space provided about any building for the purpose of complying with the provisions of this Resolution shall be considered as providing open space for any other building.
- 400-6 No parcel of land held under one ownership, with or without building(s), at the time this Resolution becomes effective shall be so reduced nor shall any parcel be subdivided, in any manner below the minimum lot required by this Resolution.
- 400-7 It shall be unlawful to use land in any district providing such use is noxious, dangerous, or offensive by reason of odor, dust, smoke, gas noise, fumes, flames or vibration.
- 400-8 Land in any district may be used for agricultural purposes. No zoning certificate shall be required for the construction of a building incidental to the use of agricultural purposes of the land in which such buildings shall be located, but such buildings shall conform to the regulation contained in this Resolution. The residence must comply with zoning regulations.
- 400-9 In computing lot area, not to exceed one-half (1/2) of the width of the road or street right-of-way may be included if the owner holds title to the same.
- 400-10 In all residential districts only one principal building shall be placed on a lot and said structure shall have frontage on a public street according to the minimum lot frontage requirements specified in this Resolution.

- 400-11 Roadside stands as provided in this Resolution shall be removed and stored back of the building line on the property at the conclusion of the seasonal sales.
- 400-12 Portable or movable signs mounted on wheels or trailers shall conform to same regulation as permanent signs.
- 400-13 All office space must be on permanent foundation and meet all County Building and Health Codes.
- 400-14 No inhabited building shall be erected within two hundred (200) feet from any oil or gas well, abandoned or not abandoned.

No inhabited building shall be erected within three hundred (300) feet from storage tanks or separator units.

- 400-15 Any Zoning Permit required by this resolution shall be applied for by and issued if approved only to the actual landowner, individual with a Power of Attorney from the landowner, or an Officer of a Corporation with a Corporate Resolution.
- 400-16 Performance Guarantee: A financial guarantee shall be placed on deposit with the Sharon Township Trustees for all non-residential permits to ensure that all conditions set by the Board of Zoning Appeals are met. Those conditions may include, but are not limited to, landscaping, hard surfacing of the private drives and parking areas and surface water drainage installation in conformance with approved plans. The financial guarantee shall be in the form of a bank draft, certified check, or an irrevocable letter of credit placed in a non-interest bearing escrow with the agent selected by the Township Trustees: in an amount equal to either (1) the estimated cost of installing said amenities or (2) ten percent (10%) of the estimated cost of the total project whichever is greater. In a phase project, this applies to each individual phase.

Article V – District Regulations

501 R-1 Residential District

Uses: Except as otherwise provided in this Resolution, no building or premises in Residential District (R-1) shall hereafter be erected, altered, used, arranged, or designed to be used in whole or in part for any other purpose or in any manner than as follows:

A. Permitted Uses:

1. A single-family dwelling
2. Accessory elderly dwelling unit
3. Home occupation in dwelling used as a private residence
4. Agriculture as defined in ORC Section 519.01
5. Roadside stands consisting of removable structures solely for the display and sale of products produced on the premises provided such stands are at least thirty (30) feet back from the traveled portion of the road.
6. Accessory buildings and uses excluding tents, cabins, trailer, coaches, and all other temporary living quarters except no more than on trailer coach may be temporarily used as a residence for not more than sixty (60) days in one year for any purpose and not more than sixty (60) consecutive days.
7. Signs: See Article VII

B. Conditionally Permissible Uses:

Within the R-1 Residential District, the following uses may be permitted as conditional uses upon the issuance of a conditional zoning certificate according to the procedure and regulations set forth in Article VII of this Resolution.

1. Tourist homes, rooming houses, and boarding homes not accepting more than six (6) guests at any one time.
2. Premises used for the exercise of religion or a system of religious belief. Excludes activities primarily commercial in nature.
3. Educational, (kindergarten through grade 12 only) or public uses.
4. Recreational use areas: golf, boating, swimming, picnic areas, civic or country clubs.
5. Back Lot Development

501-2 Provisions:

A. Lot Area:

No single-family residence shall be erected on any parcel of land smaller than two (2) acres in area.

B. Frontage:

No building or structure shall be erected on any parcel of land unless the parcel shall have a frontage of two hundred (200) continuous and unbroken feet or more back to the building line on the street address (determined by measuring the chord).

No building or structure shall be erected on any cul-de-sac parcel of land unless the parcel shall have a frontage of sixty (60) feet at the road right-of-way and a minimum lot width at the building setback line of two hundred (200) feet (determined by measuring the chord).

C. Setback:

No building or structure shall be erected, reconstructed or altered so as to project in any manner nearer than ninety (90) feet of the right-of-way side line of any road or street, and said side line shall be deemed to be thirty (30) feet from the center of the road where no right-of-way side line is established.

D. Rear Yards:

Every lot shall have a rear yard at least twenty-five (25) feet in depth, which space shall remain open and unoccupied by any building or structure.

E. Side Yards:

There shall be a side yard of at least fifteen (15) feet in width on each side of every building which space shall remain open and unoccupied by any building or structure.

F. Height of Structure:

No structure shall be erected to a height in excess of two and one half (2 ½) stories or thirty-five (35) feet. A residential building must be at least one story above ground.

G. Foundation Area:

No building shall have a foundation area, exclusive of open porches, breezeways, and a garage of less than:

1,600 square feet for basement less or partial basement

1,400 square feet for one-story single-family dwelling with full basement

1,100 square feet for a single-family two-story dwelling with full basement, area of not less than 1,900 square feet.

H. Accessory Buildings:

The total first floor of all free standing (i.e., not attached to principal building) accessory buildings shall not cover more than 10% of the total available square foot of the rear lot area located behind the rear building line of the principal building. All accessory buildings shall meet all rear and side yard set-back provisions and shall also be no closer than one hundred (100) feet in any direction from any neighboring residence.

I. Corner Lots:

On corner lots, setback requirements shall apply to both street right-of-way sidelines.

J. Off Street Parking:

There shall be off street parking as prescribed by Article IX of this Resolution:

K. Temporary Buildings:

All temporary buildings shall meet all rear and side yard setbacks and shall not cover more than ten (10%) of the total available square footage of the rear lot area and to be located behind the rear building line of the principal building.

501-3

Non-Conforming Uses: Any and all lots registered with the Medina County Recorder on or before August 27, 1975 having a minimum area of two (2) acres and minimum lot frontage of one hundred-fifty (150) feet, shall be considered legal lots of record and shall be issued permits to construct a single family dwelling upon presentation of a legal description of said lot along with an official approval of a sewage system as submitted by the Medina County Health Department, and such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lots fail to meet the requirement for area or width or both that are generally applicable in the district.

502 R-2 Residential District

Uses: Except as otherwise provided in this Resolution no building or premises in the Residential R-2 District (R-2) shall hereafter be erected, altered, used, arranged, or designed to be used in whole or in part for any other purpose or in any manner than as follows:

A Permitted Uses:

1. A single family dwelling
2. A two (2) family dwelling
3. Home occupation in a dwelling used as a private residence
4. Agriculture as defined in ORC section 519-01
5. Roadside stands consisting of removable structures and solely for the display and sales of products produced on the premises provided such stands are at least thirty (30) feet back from the traveled portion of the road.
6. Accessory buildings and uses excluding tents, cabins, trailer coaches and all other temporary living quarters. One trailer coach may be temporarily used as a residence for not more than sixty (60) consecutive days.
7. Signs-see Article VII
8. Trailer camps are not permitted.

C. Conditionally Permissible Uses:

1. Tourist homes, rooming houses, and boarding homes not accepting more than six (6) guests at any one time.
2. Premises used for the exercise of religion or a system of religious belief. Excludes activities primarily commercial in nature.
3. Educational (kindergarten through grade 12 only), or public uses
4. Recreational use areas, including but not limited to the following: Golf, boating, swimming, picnic areas, civic or country clubs, and uses accessory to recreational areas.
5. Hospitals or Rest Homes.

502-2 Provisions:

A. Lot Area:

No single-family residence shall be erected on any parcel of land smaller than three-quarter (3/4) acres in area.

No two-family residences shall be erected on any parcel of land smaller than one (1) acre in area.

B. Frontage:

B.1 No building or structure shall be erected on any parcel of land unless the parcel shall have a frontage of one hundred (100) continuous and unbroken feet or more back to the building line on the street address (determined by measuring the chord).

B.2 Frontage for two (2) family residence require one hundred twenty (120) continuous and unbroken feet or more to the building line on the street which the building is to face (determined by measuring the chord).

B.3 No building or structure shall be erected on any cul-de-sac parcel of land unless the parcel shall have a frontage of sixty (60) feet at the road right-of-way and a minimum lot width at the building setback line of one hundred/one hundred twenty (100/120) feet single family/two family lots respectively (determined by measuring the chord).

C. Setback:

No building or structure shall be erected, reconstructed or altered so as to project in any manner nearer than seventy (70) feet of the right-of-way side line of any road or street, and said side line shall be deemed to be thirty (30) feet from the center of the road where no right-of-way side line is established.

D. Rear Yards:

Every lot shall have a rear yard at least twenty-five (25) feet in depth, which space shall remain open and unoccupied by any building or structure.

E. Side Yards:

There shall be a side yard of at least fifteen (15) feet in width on each side of every building which space shall remain open and unoccupied by any building or structure.

F. Height of Structure:

No structure shall be erected to a height in excess of two and one half (2 ½) stories or thirty-five (35) feet. A residential building must be at least one story above ground.

G. Foundation Area:

No building shall have a foundation area, exclusive of open porches, breezeways, and a garage of less than:

1,200 square feet for basement less or partial basement

1,000 square feet for one-story single-family dwelling with full basement

750 square feet for a single-family two-story dwelling

2,000 square feet for a two-family one-story dwelling

900 square feet for a two-family two-story dwelling

H. Accessory Buildings:

Accessory buildings may be located in the rear yard of any one residential lot provided that such buildings occupy no more than ten (10) percent of the rear yard area.

I. Corner Lots:

On corner lots, setback requirements shall apply to both street right-of-way sidelines.

J. Off Street Parking:

There shall be off street parking as prescribed by Article IX of this Resolution:

K. Temporary Buildings:

All temporary buildings shall meet all rear and side yard setbacks and shall not cover more than ten (10%) of the total available square footage of the rear lot area and to be located behind the rear building line of the principal building.

501-3

Non-Conforming Uses: Any and all lots registered with the Medina County Recorder on or before August 27, 1975 having a minimum area of two (2) acres and minimum lot frontage of one hundred-fifty (150) feet, shall be considered legal lots of record and shall be issued permits to construct a single family dwelling upon presentation of a legal description of said lot along with an official approval of a sewage system as submitted by the Medina County Health Department, and such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lots fail to meet the requirement for area or width or both that are generally applicable in the district.

503 C-1 Commercial District

503-1 Purpose

The purpose of the C-1 Commercial District will be to encourage the establishment of areas for general business that meet the needs of a local market. As a mixed-use area, it shall accommodate retail businesses and services, professional offices and services as well as residences. The individual uses in this district shall be compatible with each other and will not jeopardize neighborhood or community property values. Uses will be characteristically of small scale and low density so that they will not corrupt the natural environment or sully the natural resources of the area.

503-2 Unless Specified Below

Any Permitted Use in Residential Districts R-1 and R-2 herein shall be permitted in Commercial District (C-1), but subject to provisions of the residential districts. The only exception is that multi-family housing shall not be permitted in the C-1 District.

503-3 Provisions

- A. Lot Area: No single-family residence or commercial enterprise shall be erected on any parcel of land smaller than three-quarter (3/4) acres in area. No two-family dwelling shall be erected on any parcel of land smaller than one (1) acre in area.
- B. Frontage: No building or structure shall be erected on any parcel of land unless the parcel shall have a frontage of one hundred (100) continuous and unbroken feet or more on the street measured on the chord at the right-of-way line.
 - B.1 Frontage for a two (2) family dwelling requires one hundred twenty (120) continuous and unbroken feet on the street measured on the chord at the right-of-way line.
- C. Setback: No building or structure shall be erected, reconstructed or altered so as to project in any manner nearer than seventy (70) feet of the right-of-way side line of any road or street, and said side line shall be deemed to be one hundred (100) feet from the center of the road where no right-of-way side line is established.
- D. Rear Yards: There shall be a minimum distance from the rear of the building to the rear lot line of no less than twenty-five (25) feet to remain open and unoccupied by a building or structure, but which may be used for loading or off-street parking, in abutting (R-1) only
- E. Side Yards: A setback of fifteen (15) feet is required from any side lot line.
- F. Building Structure: No structure shall exceed thirty-five (35) feet in height.
- G. Corner Lots: on corner lots the setback requirements shall apply to both street right-of-way sidelines.
- H. Off Street Parking and Loading: There shall be off-street parking and loading as prescribed by Article IX of this Resolution.

- I. Landscaped Strip: All Commercial sites shall maintain a twenty (20) feet landscaped strip adjacent to the street right-of-way lines. Landscaping shall consist of a combination of living materials such as grass, ground covers, shrubs, trees and may include non-living durable material such as rocks, decorative walls, fences, but shall exclude paving.
- J. Outdoor Storage: may be permitted, provided that the area used for storage is located in the rear yard and is completely screened from adjoining properties by a solid fence or wall six (6) feet in height. No materials shall be stored in such a manner as to project above the wall.
- K. No unpaved parking areas or access driveways will be allowed. Paving will be required to the building setback line, with all areas positively drained.

503-4 Conditionally Permitted Uses:

Within any Commercial District (C-1) the following uses or alterations shall be conditionally permitted upon the issuance of a conditional zoning certificate according to the procedure and regulations set forth in Article VIII of this Resolution.

- A. Churches, Educational, Religious, or Philanthropic Institutions.
- B. Bed and Breakfast
- C.
 - 1. Medical provider offices & clinics
 - 2. Veterinary providers & clinics
 - 3. Law offices
 - 4. Banks & other financial investment offices
 - 5. Insurance and real estate offices
 - 6. Utility offices
 - 7. Governmental offices
 - 8. Architect & engineering offices
 - 9. Other professional offices
 - 10. Retail stores
 - 11. Restaurants & taverns
 - 12. Art studios
 - 13. Funeral homes
 - 14. Accounting offices
 - 15. Barber shops, salons and hairdressers
 - 16. Trade union offices
 - 17. Pharmacies
 - 18. Printing & copying stores
 - 19. Decorating shops & offices
 - 20. Travel agent offices

D. Any alteration or expansion by more than 35% of the aggregate floor space.

E. Signs subject to the minimum provisions of Article VI hereof.

504 C-2 Commercial District

504-1

The purpose of this district is to accommodate multipurpose retail and business development, free from any heavy industrial or residential activities, with adequate levels of traffic flow along those major roads serving its activities, as provided in the adopted Route 18 Corridor Action Plan. The Board of Zoning Appeals will issue the final order

Uses: Within the C-2 General Commercial District, any lawful use will only be conditionally permitted use as authorized by the Board of Zoning Appeals. The Board of Zoning Appeals may authorize the issuance of Conditional Zoning Certificates for uses and conditions listed herein, subject (Section 800-1 through 800-8 inclusive of Article VII and other sections of Article VII as listed below:

504-2 Conditionally Permitted Uses

- A. Uses permitted in the C-1 District excluding R-1, R-2 uses and heavy Industrial uses.
- B. Trailer and farm implement sales and service, both new and used.
- C. Carpenter, cabinet, upholstering, sheet metal, plumbing, heating, air conditioning, and similar establishments.
- D. Hardware and building material sales
- E. Repair services for machinery and equipment, including repair garages and specialty establishments such as motor, body, fender radiator, motor tune-ups, muffler shops, tire repairing, sales and service but excluding vulcanizing and recapping.
- F. Private, public and parochial schools
- G. Churches and other buildings for the purpose of religious worship
- H. Governmental or privately owned and/or operated parks, playgrounds, golf courses, miniature golf, and driving ranges, bowling establishments, riding stables, and swim clubs
- I. Public owned and/or operated buildings and facilities other than those listed above
- J. Gasoline service stations
- K. Sign painting, painting, and printing
- L. Limited light industrial uses which are usually controlled operations, relatively clean, quiet, and or free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.
- M. Warehousing
- N. Signs subject to the minimum provisions of Article VII hereof
- O. Businesses not listed but found by the Board of Zoning Appeals to comply with the purpose clause of the C-2 District

- P. Congregate Care Facility: which includes Hospitals and Nursing Homes, subject to the proponent showing by the preponderance of evidence that:
- i. There are sufficient utilities serving the proposed project, and
 - ii. All proper licenses will be obtained as a condition of opening and the continued operation of the facility, and
 - iii. There is sufficient on-premises hard surface parking for all vehicles used by all employees, residents, guests, contractors, and vendors and,
 - iv. Traffic, including ingress and egress, will not be unreasonably affected, as demonstrated by an appropriate independent traffic study, and
 - v. The facility will not be detrimental to the health and safety to the residents of the township, and
 - vi. The project design and aesthetics are compatible with similar projects in the Township, and
 - vii. The proponent and operator shall reimburse in full, the township for the reasonable value of any emergency medical services rendered to the any person, at any time, and
 - viii. The project shall have at all times, green space consisting of plants, planters, grass, and other natural habitat consisting of at least 30% of the area of the project, as certified by a licensed engineer or licensed architect.

504-3 Area, Yard, and Height Regulations

- A. Purpose
To establish uniform development, parcel setback, and yard requirements along the Route 18 corridor, to ensure unity and similarity within the corridor, and protect and preserve the appearance, character and value of adjacent properties, and thereby promote the general welfare by providing guidelines for new construction.
- B. Minimum lot size – 2 acres
- C. Minimum lot width – One hundred seventy-five (175) continuous and unbroken feet measured on the chord at the building line.
- D. Minimum lot frontage – One hundred seventy-five (175) feet
- E. Minimum front yard – One hundred (100) feet from the road right-of-way line.
- F. Minimum rear yard – Forty (40) feet where rear yard borders residentially zoned property. Thirty (30) feet where rear yard borders commercially zoned property
- G. Minimum side yard – Twenty-five (25) feet
- H. Setback minimum front parking and access way – Twenty (20) feet from the road right of way line
- I. Setback minimum rear parking – Forty (40) feet
- J. Height of structure – No structure shall exceed thirty-five (35) feet in height

504-4 Building Design Regulations

- A. Purpose
To direct basic building criteria/materials and size in the C-2 District so as to protect and preserve the appearance, character and value of adjacent properties, and thereby promote the general welfare by providing guidelines for new construction.
- B. Setting
Buildings shall be engineered as part of an integral with the site rather than an appearance of being simply "placed" on the site. Structures should be designed to reinforce the natural character of the terrain (e.g., flat terrain-a building with strong horizontal lines).
- C. Placement
Buildings must be oriented with the front facade facing the primary highway unless access to a rear service road is available and should be located on the site in juxtaposition to parking areas in order to reduce the amount of glare and radiated heat and provide for adequate storm retention. Building locations should also reflect the location of imposed access driveways and yard requirements. Visual orientation to the main building entrance should be maintained, and the location of the service access drive should be subtly evident from the entrance drive.
- D. Architectural Styles
An overall rural style, "theme" or palette of compatible styles is desired throughout the corridor. This reflects the rural character the Township wishes to retain.
- E. Materials
While style is subjective, there are certain regulations that are more precise and can help achieve the Township's goal of an overall quality development. The criteria include but are not limited to:
- i. No exposed concrete or cinder block on the front or sides of any building (except split face or other special "architecturally patterned" block) or through-the-wall block
 - ii. No exposed unstained woods including pressure treated "green" lumber
 - iii. All windows should have the same sill level and be the same height window styles should not be mixed
 - iv. No exposed steel nails shall be used on any wood surface that will rust and cause streaking and staining of the facade.
 - v. Non-matching materials such as brick (size, color, texture, etc.), window treatments (type number of panes, etc.), siding (type, spacing, etc.), wall lighting (color, intensity, uniformity, etc.), roofing (color, type materials, etc.)
 - vi. No scrap or salvaged materials showing different degrees of "aging" or "weathering" shall be placed on the visible building facade unless there is sufficient amounts to complete the entire project
 - vii. No exposed incandescent bulbs or exposed fluorescent lighting strips. All bulbs must be enclosed in luminaries.
 - viii. No unpaved parking areas or access driveways will be allowed. Paving will be required to the building setback line, with all area; positively drained.
 - ix. Changes in the roof elevation should be accompanied with a corresponding change in an offset in the location of the building face.

F. Building size – A minimum of one thousand eight hundred (1,800) square feet, pre-engineered or manufactured buildings must be on a concrete or masonry foundation.

505-1 Uses

Except as otherwise provided in this Resolution, no building or premises in the Industrial District (I-1) shall hereafter be erected, altered, used, arranged, or designed to be used, in whole or in part, for any purpose in any manner than as follows: Any use conditionally permitted in C-2 Commercial District, except for any Congregate Care Facility, shall be permitted in I-1 Industrial District, but subject to the provision of applicable district. No residential housing shall be permitted in the I-1 District. Within the I-1 Industrial District the following uses shall be conditional permitted upon the issuance of a Conditional Zoning Certificate according to the procedure and regulation set forth in Article VIII of this Resolution:

- A. Conditional Permitted Uses: I-1 Industrial District
 - 1. Conditional Permitted Uses: Permitted uses are those manufacturing, processing, research and other industrial activities which have no detectable smoke, noise, light, heat, odor or other emissions outside the I-1 District. This standard shall not be interpreted so that no emissions whatsoever are permitted; rather that such emission shall be limited to a level comparable to residential or commercial use. The Zoning Inspector shall determine the uses permitted in the I-1 Industrial District according to this standard.
 - 2. Any use consisting of manufacturing, fabrication, assembling, or other handling of products provided that:
 - a. Unreasonable smoke, gas, dust, fumes, odors, or other atmospheric pollutant or emission, noise or vibration from any such use shall constitute a nuisance.
 - b. Such use does not constitute a fire, explosion or other physical hazard.
 - c. No water pollution results from the operation of such use.
 - 3. Signs subject to the minimum provisions of Article VI
 - 4. Recreational Use Areas: For golf, boating, swimming, picnic areas, civic or country clubs

505-2 Provisions

- A. Lot Area, Frontage and Depth: The minimum lot width shall be one hundred (100) feet. The minimum lot depth shall be two hundred (200) feet, exclusive of highway or other right-of-way; and the minimum lot area shall be twenty thousand (20,000) square feet.
- B. Set Back Line: The setback line shall be no less than one-hundred (100) feet and shall be observed on corner lots from both street right-of-way lines. On internal roads in industrial parks the setback line shall be no less than fifty (50) feet.
- C. Rear Yards: Every structure shall have a rear yard of not less than fifty (50) feet in depth, which shall include fifteen (15) feet of landscaped area at the rear of the lot line.
- D. Side Yards: Every structure shall have a side yard from any side lot line of not less than fifteen (15) feet, exclusive of parking and driveways. Where

any structure in an Industrial District (I-1) is on property adjoining a Residential District (R-1) the side yard from the side lot line adjoining the Residential area shall be not less than one-hundred (100) feet on the Residential area side only.

- E. Off Street Parking and Loading
 - 1. There shall be off-street parking and loading as prescribed by Article VII of this resolution.
 - 2. All driveways, parking and loading areas shall be paved using asphalt, concrete or brick.
- F. Structure height – No structure shall exceed forty (40) feet
- G. Trailer camps are not permitted
- H. All aspects of the development shall conform to the approved site plan.
- I. Outdoor storage may be permitted, provided that the area used for storage is located in the remaining rear yard and is completely screened from adjoining properties by a solid fence or wall six (6) feet in height. No materials shall be stored in such a manner as to project above the wall, with the exception of vehicles and mechanical equipment.

506 – This Section was intentionally left blank

507 I-3 Industrial District

The purpose of the I-3 Industrial District is to create a buffer zone between the Residential/Commercial areas.

507-1 Uses:

No building or premises in the Industrial District (I-3) shall hereafter be erected, altered, used, arranged, or designed to be used, in whole or in part for any purpose or in any other manner than as follows: No residential housing shall be permitted in the I-3 Industrial District.

A. Conditionally Permitted Uses:

1. Office Buildings and Professional Buildings
Bakery, Cabinet Making, Carpenters Shop,
Shoe and Clothing Manufacture, printing,
Publishing or Engraving, Warehouses,
Light Assembly
2. The above and any other use consisting of manufacturing, fabrication, assemblies other than handling of products provided that:
 - 2.1 No smoke, gas, dust, fumes, heat, odors or other atmospheric pollutant or emissions, noise or vibrations from any use shall be detectable from outside the structure.
 - 2.2 Such use does not constitute a fire, explosion or other physical hazard.
 - 2.3 No water pollution results from the operation of such use, 607-2
3. Signs subject to the minimum provisions of Article VI

507-2 Provisions

- A. Lot area, Frontage and Depth: The minimum lot width shall be one hundred (100) feet. The minimum lot depth shall be two hundred (200) feet, exclusive of highway or other right-of-way; and the minimum lot area shall be twenty thousand (20,000) square feet.
- B. Set Back Line: The setback line shall be no less than one hundred (100) feet. On internal roads in Industrial Parks, the setback line shall be no less than fifty (50) feet.
- C. Rear Yards: Every structure shall have a rear yard of not less than fifty (50) feet in depth.

- D. Side Yards: Every structure shall have a side yard of not less than fifteen (15) feet, exclusive of parking and driveways. Where any structure in an Industrial District (I-3) is adjoining a Residential use, the side lot line adjoining the Residential area shall be not less than fifty (50) feet on the Residential side.
- E. Off Street Parking and Loading:
 - 1. There shall be off-street parking and loading as prescribed by Article VI of this Resolution.
 - 2. All driveways, parking and loading areas shall be paved using asphalt, concrete or brick.
- F. Structure Height: No structure shall exceed forty (40) feet in height.
- G. Trailer camps are not permitted.
- H. All aspects of the development shall conform to the approved site plan.
- I. Outdoor storage may be permitted, provided that the area used for storage is located in the remaining rear yard and is completely screened from adjoining properties by a solid fence or wall six (6) feet in height. No materials shall be stored in such a manner as to project above the wall, with the exception of vehicles and mechanical equipment.

508 – This Section was intentionally left blank

509 – This Section was intentionally left blank

SECTION 510 R-PRD PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

The primary objective of this district is to promote the health and safety of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to accommodate development at a density of approximately 1.0 units per acre in order to provide a transition between the lower density areas in Sharon Township and more developed areas in the city of Wadsworth.

- A. To encourage more efficient use of land and public services through unified development.
- B. To establish a review process that maintains the local review and approval of the overall development plan and that results in the timely consideration of an application.
- C. To ensure that the proposed transitional development is in compliance with the objectives of the Sharon Township Comprehensive Plan.

510-1 Uses:

Except as otherwise provided in this Resolution, buildings and premises in a Planned Residential Development District (R-PRD) shall hereafter be erected, altered, used, arranged, or designed to be used in whole or in part only for the purposes set forth below:

A: Permitted Uses:

- 1. Planned Residential Developments in accordance with the regulations set forth in Sections 510-3 through 510-8 inclusive:
 - a. Detached single-family dwellings
 - b. Recreation facilities for use by residents
- 2. Detached single-family dwellings in accordance with the provisions set forth in Section 510-2 and 510-3. The following uses shall be permitted to detached single-family dwellings:
 - a. Elderly dwelling unit
 - b. Roadside Stands
- 3. Accessory buildings and uses but excluding tents, cabins, trailer, coaches, and all other temporary living quarters. Except no more than one trailer coach may be temporarily used as a residence for not more than 60 consecutive days.
- 4. Home Occupations
- 5. Signs, See Article VI
- 6. Agriculture

- B. Conditional Uses: Within the R-PRD District the following uses may be permitted as conditional uses upon the issuance of a conditional zoning certificate according to the procedure and the regulations set forth in Article VI of this Resolution:
1. Churches and other places of worship
 2. Educational, religious, public or philanthropic, or picnic areas
 3. Recreational uses areas for golf, boating, swimming, or picnic areas

510-2 Lot and Yard Provisions for Detached Single-Family Dwellings:

Unless developed as part of a planned residential development, land shall be divided and developed for single-family dwelling purposes only in compliance with the following regulations.

- A. Lot Area: No single-family residence shall be created on any parcel of land smaller than 2 acres in area.
- B. Frontage: No building or structure shall be erected on any parcel of land unless the parcel shall have not less than 200 feet or more frontage on the street address.
- C. Cul-de-Sac Frontage: No building or structure shall be erected on any cul-de-sac parcel of land unless the parcel shall have not less than 60 feet of frontage at the road right-of-way and a minimum lot width at the building setback line of not less than 200 feet (determined by measuring the cord).
- D. Setback: No building or structure shall be erected, reconstructed or altered so as to be located closer than 70 feet to a street right-of-way line, or 100 feet from the street centerline in the event a street has no right of way
- E. Rear yards: Every lot shall have a rear yard at least 15 feet in depth, which space shall remain open and unoccupied by any building or structure.
- F. Side yards: There shall be a side yard at least 15 feet in width on each side of every building, while (space shall remain open and unoccupied by any building or structure.
- G. Accessory Buildings: The total first floor of all freestanding accessory buildings shall not cover more than 10% of the rear yard. All accessory buildings shall be located in a rear yard, minimum of 15 feet from a rear or side lot line.
- H. Nonconforming Lots: Any and all lots registered with the Medina County Recorder on or before August 27, 1975 having a minimum area of two acres and a minimum lot of frontage of 150 feet, shall be considered legal lots of record and shall be issued permits to construct a single-family dwelling unit upon presentation of a legal description of said lot along with an official approval of a sewage system as submitted by the Medina County Health department. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirement for area; width or both that are generally applicable in the district.

510-3 Building Height, Building Area and Parking Provisions for All Dwelling Units.

All buildings, including buildings in a Planned Residential Developments shall comply with the following provisions:

- A. Maximum Structure Height: No structure shall be erected to a height in excess of two and one-half (2 ½) stories or thirty-five (35) feet. A residential building shall have at least one story above ground.
- B. Minimum Dwelling Unit Area Requirements: All dwelling units shall comply with the following area requirements:
 - 1. Total Floor Area of Dwelling Unit: All dwelling units shall comply with the minimum requirement for the total floor area of a dwelling unit, exclusive of open porches, breezeways, and garage. As specified below:
 - a. Each unit without a basement or with only a partial basement shall have not less than twelve hundred (1,200) square feet of floor area.
 - b. Each unit with a full basement shall have not less than one thousand (1,000) square feet of floor area.
 - 2. Dwelling Unit Foundation Area: All dwelling units shall comply with the minimum requirement for a dwelling unit foundation area. Exclusive of open porches, breezeways and garages. As specified below:
 - a. One Story units shall maintain a minimum foundation area equal to the minimum dwelling unit area specified above.
 - b. Two story units shall maintain a minimum foundation area of 750 square feet.
- C. Off Street Parking: There shall be off-street parking as prescribed by Article VI of this resolution.

510-4 Project Requirements for Planned Residential Development: In addition to the building and parking requirements set for in Section 510-3, planned residential developments shall comply with the following regulations:

- A. Minimum Project Area: The gross area of a tract of land proposed for development according to the planned residential development option shall be a minimum of fifteen (15) acres, but shall not include any area within an existing public street right-of-way. The area proposed shall be in one ownership or, if in multiple ownership, the application shall be filed jointly by all the owners of the properties included in the planned residential development.
- B. Permitted Density:
 - 1. The overall density of a planned residential development shall not exceed 1.00 dwelling units per acre.

510- 5 Regulations for Common Areas

In the event common areas are created in a PRD they areas shall comply with the following:

A. Recreation Area Requirements:

Any area provided for recreational purposes as required in subsection 510-4 C.3 shall be:

1. Reasonably aggregated and shall not include any area devoted to streets, parking areas or driveways.
 2. Of a usable size and shape for the intended purposes.
- B. Any common area, including recreational facilities, shall be clearly shown on the general development plan.
- C. Restrictions on Further Subdivision:
All common areas in a planned residential development shall be restricted from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to the township's Legal Advisor and duly recorded in the office of the Recorder of Deeds of Medina County.
- D. Associations. Subject to such permanent restrictions as set forth in Section 510-5C. All common areas shall be held in common ownership by a Homeowner's Association or other similar legal entity (hereafter "Homeowners' Association, et al.")

Establishment of Association:

- a. Homeowners Association of similar legal entity: A Homeowners' Association, et al shall be an Ohio nonprofit corporation and shall be organized by the developer and be operating with financial subsidization by the developer before the sale of any lots within the development.
2. Required Provisions for Associations: At the time a General Development Plan is submitted, the applicant shall provide the township's legal advisor with copies of the Declaration, Articles of Incorporation and either Bylaws or Code of Regulations (for a Homeowners' Association, et al). The General Development Plan shall not be approved without a written opinion by the township's legal advisor that these submitted documents demonstrate full compliance with the provisions of this Section in that these documents, read in their entirety, contain appropriate provisions implementing all of the following requirements.
- a. Membership in the Association shall be mandatory for all purchasers of lots in the development. The conditions and timing of transfer of control from the developer to the unit or lot owners shall be either as provided for by statute as specified in the Associations Declaration Code of Regulations (Homeowners Association, et al) .
 - b. The Association shall not authorize its dissolution or the sale, transfer or other disposal of any common area without (i) an affirmative vote of seventy-five (75) percent of its members, (ii) having established a successor entity to take over said property pursuant to the townships zoning resolution, and (iii) the approval of the township Board of Trustees.
 - c. The Association Shall:
 1. Be responsible for maintenance, control and insurance of all common areas.
 2. Impose assessments on members for the maintenance, control and insurance of common areas, and have the power to place liens against individual properties for failure to pay assessments either as provided

for by statute or in the Code or Regulations (Homeowners' Association, et al); and

3. Have the authority to enforce reasonable rules and regulations governing the use of, and payment of assessments for maintenance, control and insurance of, common areas by such means as reasonable monetary fines, suspension of the right to vote and the right to use any recreational facilities in the common area, the right to suspend any services provided by the Association to any owner, and the right to exercise self-help to cure violations.
- d. The association shall convey to the township and other appropriate governmental bodies, after proper notice, the right to entrance to any common area for emergency purposes or in the event of nonperformance of maintenance or improvements affecting the public health, safety, comfort convenience, prosperity and general welfare. Such governments shall have the right, after property notice to make improvements and perform maintenance functions. In addition, the township shall have the right to proceed against the Association for reimbursements of said costs, including the right to file liens against individual condominium units, houses and vacant building lots.

510-6 Development and Site Planning Standards

Lots, buildings, structures, pavement and streets shall be designed and located in compliance with the following development and site planning standards:

A. Lot Requirements:

1. Detached Single-Family Dwellings: Lots for standard detached single-family dwellings shall be of sufficient size and shape to accommodate a dwelling unit in compliance with the requirements of this section.
2. The applicant shall depict all lots on the development plan.

B. Frontage Lots:

1. In order to minimize the number of curb cuts, lots that front on an existing street shall maintain a minimum lot area of two (2) acres and a minimum width of two hundred (200) feet, and shall comply with the regulations of 510-2 and 510-3

C. Perimeter Buffer Regulations:

In Order to maintain sufficient buffer areas along the perimeter of a planned residential development, to minimize conflicts between the proposed development and existing dwellings on adjacent parcels, all buildings shall comply with the following setbacks:

1. The minimum building setback from an existing public street right-of-way shall be seventy (70) feet or the average setback of existing dwellings within four hundred (400) feet of either side of the property, when two or more dwellings are setback more than seventy (70) feet.
2. The minimum building setback from the project boundary shall be fifteen (15) feet unless the Zoning Commission determines that due to the characteristics of the surrounding parcels, a greater setback is necessary to provide protection for existing residences adjoining the planned residential development.

D. Building Setback and Yard Requirements:

Within the interior of a planned residential development, buildings shall be located in compliance with the following:

1. All buildings shall be located no closer than thirty (30) feet from a proposed local public street right-of-way.
2. Rear yards: Every lot shall have a rear yard at least fifteen (15) feet in depth, which space shall remain open and unoccupied by any building or structure.
3. Side Yards: There shall be a side yard at least fifteen (15) feet in width on each side of every building, which space shall remain open and unoccupied by any building or structure.

E. Street Entrances:

A planned residential development shall not have more than one (1) entrance on Ridge Road (SR94)

F. Sewage Disposal:

Development shall be served by individual or public sewage disposal structures consistent with the Medina County systems. Individual sewage disposal systems shall comply with all applicable regulations of the Medina County Health Department and may be located within common areas when approved by the township.

510-7 Design Guidelines:

- A. The road system and buildings shall be located so as to minimize changes to the topography and the need for cutting and filling. Construction of buildings, parking areas and roads should be avoided on land having a slope greater than twenty-five (25%) percent.
- B. Impervious surfaces should be utilized to the minimum extent necessary.
- C. Low impact storm water management techniques shall be utilized.
- D. General Street Design Criteria:
 1. All streets shall be public streets and be designed in accordance with the Medina County Subdivision Regulations.
 2. The vehicular circulation system in a planned residential development should **be** designed to discourage through traffic.
 3. The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement to dwelling units and through the planned residential development.

510-8 Project Review Procedures:

Under the authority established in ORC S519.021, the Township Zoning Commission shall review and approve development plans for a proposed planned residential development according to the procedures set forth in this section.

A. General Development Plan:

Applications for a proposed planned residential development shall include the review and approval of a general development plan.

1. Submission Requirements: The applicant shall submit a General Development Plan application to the Zoning Inspector. The application shall include documentation illustrating compliance with the standards and criteria set forth in this chapter. The application and documentation shall include, but not necessarily be limited to:
 - a. Identification of existing site characteristics, including a general depiction of:
 - i. Boundaries of the area proposed for development, dimensions and total acreage.
 - ii. Contour lines at vertical intervals of not more than five (5) feet, highlighting slopes in excess of twenty-five (25%) percent, and other significant topographical features;
 - iii. Location of wetlands (and potential wetlands), the 100-year floodplain boundary and floodplain elevation as delineated by the Federal Emergency Management Agency, rivers and streams and their related river or stream bank, ponds, and water courses.
 - iv. Delineation of existing drainage patterns on the property, existing wells and well sites.
 - v. Location of significant existing vegetation including wooded areas.
 - vi. Existing buildings, structures and other significant man-made features on the site and within four hundred (400) feet of the project boundary.
 - b. The preliminary site plan, drawn at a scale not less than 1" = 100' including:
 - i. A summary of the proposed development including the total acreage, number of residential units, type of dwellings, and density by type of dwelling.
 - ii. The general lot layout, indicating the yard requirements.
 - iii. The location and acreage of any common areas including any required recreational facilities.
 - iv. General location of public street right-of-way.
 - v. Proposed utility easement locations
 - vi. Proposed re-grading.
 - c. If common areas are included in the plan, an outline of the method/structure to maintain the common areas that indicates:
 - i. The structure of the Association
 - ii. Membership requirements
 - iii. Financial responsibilities
 - iv. Preliminary subdivision plat in compliance with the Medina County Subdivision Regulations
 - v. A description of the project phasing

2. Review for Completeness: Within five (5) business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all the items required in subsection A.I above. If the application is deemed complete and the application fee paid, the Zoning Inspector shall officially accept the application on that date.
3. Review by the Zoning Commission: The Zoning Commission shall review, at a public hearing.
4. Notification of Adjoining Property Owners. Written notification of the date, time and place of the public meeting shall be mailed at least ten (10) days prior thereto the owner of property abutting the project boundary shown on the general development plan.
5. Action by the Zoning Commission. The Zoning Commission shall take action on the submitted general development plan by either:
 - a. Approving the general development plan as submitted
 - b. Approving the general development plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general lot and street layout.
 - c. Denying approval of the general development plan.
6. Timeframe to Act: The zoning Commission shall act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, and shall render a decision on the applicant's request of the general development plan.
7. Significance of Approved Plan: Approval of the general development plan shall:
 - a. Establish the development framework for the project, including the general location of lots, densities, unit types, recreational facilities and street alignments.
 - b. Be the basis for the application to proceed with detailed planning and engineering in the reliance on the approved general development plan.
 - c. Provide the benchmark for the Township Zoning Commission to consider and approve amendments to the general development plan when the Township Zoning Commission determines that the amended plan is equal to or better than the approved general development plan.
 - d. Authorizes the applicant to apply for all other required regulatory approvals for the project or subsequent phases thereof.

B. Final Development Plan:

After a general development plan has been approved, an applicant shall submit for review and approval a final development plan for either the entire project or for each construction phase.

1. Submission Requirements: The final development plan shall include:
 - a. A site plan drawn at a scale not less than 1" = 100' indicating
 - i. Boundaries of the area proposed for development, accurate dimensions and total acreage
 - ii. The exact location of public street rights-of-way.
 - iii. Lot lines with dimensions
 - iv. Designated recreation areas and a description of the proposed improvements
 - v. A grading plan drawn at a scale of 1" = 100', showing all information pertaining to surface drainage.
 - vi. A detailed buffering plan for new landscaping and screening, including entry features and signs.
 - vii. If common areas are included in the development, the Declaration, Articles of Incorporation and Code of Regulations (for Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon the use of land and pertaining to the ownership, use, and maintenance of all common areas.
 - viii. Conditions imposed by other regulatory agencies
2. Review for Completeness: Within five (5) business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all the items required in subsection B.1 above. If the application is deemed complete and the application fee is paid, the Zoning Inspector shall officially accept the application on that date.
3. Distribution of Final Development Plan: The Zoning Inspector shall distribute the final development plan application to the Zoning Commission and to other appropriate administrative departments or professional consultants for review and comment. Any reports, comments or expert opinions shall be compiled by the Zoning Inspector and transmitted to the Zoning Commission prior to the time of the Zoning Commission's review.
4. Review and Approval by Township. The Zoning Commission shall review the final development plan and the comments received from Section B.3, above. The Zoning Commission shall determine if the final development plan is in compliance with the general development plan and take action on the submitted final development plan by either:
 - a. Approving the final development plan as submitted
 - b. Approving the final development plan subject to specific condition not included in the plan submitted, such as, but not limited to, landscaping and screening of buffer areas; or
 - c. Denying approval of the final development plan.
5. Timeframe to Act: The Zoning Commission shall act within 60 days from the date the application was determined complete, or an extended period as may be agreed upon, and shall render a decision on the applicant's request of the final development plan.

511 WTTO-Wireless Telecommunication Tower Overlay District.

The Wireless Telecommunication Tower Overlay District is established to provide for the construction and use of wireless telecommunication towers and facilities as permitted uses, conditional uses, and accessory uses depending upon the specific land areas of the Township in which they are proposed to be located. The purpose of this Overlay District is to balance the competing interests created by the Federal Telecommunications Act of 1996, Public Law 104-104, and the interests of the Township in regulating wireless communication towers and related facilities for the following purposes: to regulate a commercial use so as to provide for orderly and safe development within the Township; to protect property values; to maintain the aesthetic appearance of the Township, including its rural character; to provide for and protect the health, safety, morals and general welfare of the residents of the Township; to protect residential properties, parks, open spaces and the non-intensive commercial zoning districts which are characteristic of the Township from the adverse effects of towers and related facilities; to promote collocation of wireless telecommunication facilities in order to decrease the number of towers in the Township; and to maintain, where possible, the integrity of the existing zoning regulations contained in the Zoning Resolution.

The Wireless Telecommunication Tower Overlay District regulations shall control and supersede wherever they are inconsistent with other provisions of the Zoning Resolution. If no inconsistency exists between the provisions of this Overlay District and the provisions of the underlying zoning district, the underlying zoning district regulations and other provisions of this Zoning Resolution shall remain in full force and effect and shall regulate all land use and development.

The Wireless Telecommunication Tower Overlay District establishes a hierarchy of acceptable land areas for location of wireless telecommunication towers and related facilities through the establishment of such use as a permitted use in certain land areas, as a conditional use in other, more sensitive land areas, or as an accessory use for erection of antennas only, which determination is dependent upon the location and characteristics of such land areas and the impact such towers will have on adjoining properties. Except as provided in this Section XVIII wireless telecommunication facilities are prohibited in the township.

A. Permitted Use:

A wireless telecommunication tower and facility may be located in the following areas, as set forth on the Township Zoning Map, under the following circumstances and upon an application for a zoning certificate and issuance of such certificate from the Zoning Inspector:

1. A wireless telecommunication tower facility may be permitted on any property owned or controlled by the Board of Township Trustees under such conditions, standards and regulations as deemed appropriate by formal approval of the Board of Township Trustees. In the event such property is located in a residentially zoned district, prior to the approval by the Board of Trustees of any construction of a wireless telecommunication tower facility on such property, advance notice by certified mail of

a public meeting by the Trustees on the issue shall be given to each owner of property, as shown on the County Auditor's current tax list, whose land is contiguous to or directly across a street or roadway from the property on which the tower is proposed to be constructed.

2. A wireless telecommunication tower and/or antenna facility may be located within an electric high tension power line easement as set forth on the Zoning Map. A tower facility located within such an easement shall not be subject to the standards set forth in Subsection D.5, 6, 7 and 9.
3. A wireless telecommunication tower facility may be located within the one hundred (100) foot area adjacent to the boundary line of the electric high tension power line easement as set forth on the Zoning Map. A tower located within this one hundred (100) foot area shall not be subject to the standard set forth in Subsection D.7.

B. Conditional use:

1. A wireless telecommunication tower facility may be permitted in the Commercial on the Route 18 corridor as a conditional use only in the areas set forth on the Zoning Map and upon the approval of the Board of Zoning Appeals, provided the applicant demonstrates compliance with the following standards, as well as the standards set forth in Subsection D herein:
 - a. There is no technically suitable space for the applicant's antenna(s) and related facilities reasonably available on an existing tower or structure within the geographic area to be served, including the areas set forth in Subsection A. With the zoning certificate application, the applicant shall list the location of every tower, building or structure and all of the areas set forth in Subsection A that could support the proposed antenna(s) so as to allow it to serve its intended function. The applicant must demonstrate that a technically suitable location is not reasonably available on an existing tower, building or structure or a technically suitable location is not available in any area set forth in Subsection A. If another tower, building or structure, or an area set forth in Subsection A is technically suitable, the applicant must show that it has requested to collocate on the existing tower and the collocation request was rejected by the owner of the tower, building or structure or that it has requested all property owners with technically suitable locations to permit it to locate a tower facility in all technically suitable area(s) set forth in Subsection A under reasonable terms and that each request was rejected. In all circumstances, owners of existing towers shall promptly respond to requests for collocation, but in no event shall they respond more than thirty (30) days from the date of receipt of a written request for collocation. If another telecommunication tower is technically suitable, the applicant must further show that it has offered to allow the owner of that other tower to collocate an antenna(s) on another tower within the Township, if such a tower exists and space is available on the tower for collocation, which is owned or controlled by the applicant **on** reasonably reciprocal terms and the offer was not accepted. In all cases, the Township shall use its best efforts to encourage collocation.

- b. As a condition of issuing a conditional zoning certificate to construct and operate a tower in the Township, the owner/operator of the telecommunications tower is required to allow collocation until said tower has reached full antenna capacity, but in no event fewer than four (4) additional antenna platforms for four (4) additional providers unrelated to the owner/operator. The owner/operator shall, in addition make available to the township and/or county safety forces the opportunity to co-locate on the tower. Agreement to this provision must be included in the applicant's lease with the landowner, if different from the owner/ operator of the tower. Written documentation must be presented to the Zoning Inspector evidencing that the landowner of the property on which the tower is to be located has agreed to the terms of this Subsection as well as all other applicable requirements, regulations and standards set forth in Section 5.9; and
 - c. The color of the tower shall be as required by the Board of Zoning Appeals.
2. A wireless telecommunication tower facility may be located on publicly owned property, other than property or controlled by the Board of Township Trustees. In either a Residential Zoning District, Passive Park District or Active Park District as a conditional use only in the areas set forth on the Zoning Map and upon approval of the Board of Zoning Appeals, provided the applicant demonstrates compliance with the following standards:
- a. All of the standards set forth in Subsection 5.9 B.1.a and b
 - b. There is no technically suitable location reasonably available for a tower facility in any area set forth in Subsection B.1. If another location as set forth in Subsection B.1 is technically suitable, the applicant must show that it requested a property owner(s) to permit it to locate a tower facility in an area(s) set forth in Subsection B.1 under reasonable terms and the request⁶ was rejected and
 - c. The color of the tower shall be as required by the Board of Zoning Appeals.
3. A wireless telecommunications tower facility may be located on privately owned property, consisting of a forty (40) acre parcel or larger existing as of the effective date of this Section, in Residential Zoning Districts as a conditional use only in the areas set forth on the Zoning Map and upon approval of the Board of Zoning Appeals, provided the applicant demonstrates compliance with the following standards:
- a. All of the standards set forth in Subsection 5.9 B 1 and 2
 - b. There is no technically suitable location reasonably available for a tower facility in any area set forth in Subsection B.2. If another location as set forth in Subsection B.2 is technically suitable, the applicant must show that it requested property owner(s) to permit it to locate a tower facility in an area(s) set forth in Subsection B.2 under reasonable terms and the request was rejected, and
 - c. The color of the tower shall be as required by the Board of Zoning Appeals.
 - d. A wireless telecommunication tower shall be set back from all lot lines at least 300 feet.

C. Accessory Use.

The erection or construction of a wireless telecommunication antenna(s) on an existing

tower in any zoning district shall be a permitted accessory use as a collocation on such a wireless telecommunication tower and shall be approved upon submission of an application for a zoning certificate to the Zoning Inspector which meets all applicable regulations in Subsection D hereof related to the placement of the wireless communication equipment and related facilities associated with such antenna(s).

D. Standards applicable to all Wireless Telecommunications Tower Facilities.

Except as otherwise provided in this Section, all wireless telecommunication tower facilities shall comply with the following standards:

1. Design

All towers shall be of a monopole or lattice design. Towers and antennas shall be designed to meet all Medina County Building Department requirements.

2. Maximum height of tower and related facilities:

A wireless telecommunication tower shall be less than two hundred (200) feet in height as measured from the average ground level at the base of the tower. The intent of this height restriction is to avoid the necessity for lighting, of the tower. No equipment building for wireless tower facility shall exceed ten (10) feet in height from building grade.

3. Unless otherwise required by the Board of Zoning Appeals, the color of the tower shall be a neutral gray.

4. Additional permitted use. A wireless telecommunication tower facility may be located on a lot with another use.

5. Minimum lot area:

The minimum lot area shall be the same as that required for the underlying zoning district and the lot area shall be sufficient to provide for all requirements of setbacks, yards and building coverage as specified in the underlying zoning district.

6. Location of tower on the lot:

Unless otherwise provided in this Section, a wireless telecommunication tower facility must comply with the setback and yard requirements applicable to buildings in the underlying zone in which it is located. When such facility is located on property adjoining the electric high tension power line easement, this setback requirement shall not apply to the boundary line of the electric high tension power line utility easement as set forth on the Zoning Map. Such tower must be placed upon the lot in such a way as to minimize the visual impact on adjoining roads and properties.

7. Spacing:

Except as otherwise provided for in this Section, there shall be a separation of at least one mile between wireless telecommunication tower facilities.

8. Fencing:

Fencing shall be provided for public safety reasons. A fence six (6) feet in height, but no greater than eight (8) feet in height, shall be erected completely around those portions of the wireless telecommunication tower facility that come in contact with the ground. "No Trespassing" signs shall be posted around the wireless telecommunication tower facility with a telephone number of a person to contact in the event of an emergency.

9. Buffer zones:

A landscaped buffer area of not less than fifteen (15) feet in depth shall be placed between the wireless telecommunication tower facilities and the public right-of-way and any adjacent properties from which a direct view can be had of the facilities, other than the tower itself. The fifteen (15) foot landscape buffer shall consist of a tight screen fence of hardy evergreen shrubbery not less than six (6) feet in height. The landscaping shall be continuously maintained and promptly restored, if necessary.

10. Outdoor storage:

Overnight outdoor storage of any supplies, vehicles or equipment related to the use of the facility is prohibited, except during the facility construction period and to supply emergency power to the facility only during a power outage.

11. Lighting:

Except as required by law, an antenna or a tower shall not be illuminated and lighting fixtures or signs shall not be attached to the antenna or tower. If lighting is required by Federal Aviation Administration (FAA) regulations, white strobe lights shall not be permitted at night unless no other alternative is permitted by the FAA. Lighting for security purposes shall be permitted at the wireless telecommunication tower facility with a prior approval of the Board of Zoning Appeals pursuant to a conditional zoning certificate issued pursuant to Section VII of the Zoning Resolution.

12. Notification of fire department:

The owner or operator of a wireless telecommunication tower facility shall notify the Township Fire Department by certified mail of the location and height of the proposed tower as a condition of issuance of a zoning certificate.

13. FCC compliance:

Prior to receiving final inspection by the Zoning Inspector, documented certification shall be submitted to the Zoning Inspector, certifying that the wireless telecommunication tower facility complies with all current Federal Communications Commission (FCC) regulations for non-ionizing electromagnetic radiation (NIER).

14. Advertising:

No advertising shall be permitted on the wireless telecommunication tower facility.

15. Time limit for commencement and completion of construction:

After issuance of a zoning certificate to construct a wireless telecommunication tower facility, the applicant shall commence construction within one hundred eighty (180) days and shall complete construction within one (1) year or the zoning certificate shall expire. As a condition of issuance of the certificate, the Zoning Inspector shall require the applicant and the owner of the property to certify that if construction is not commenced within the one hundred eighty (180) days or completed within one (1) year, that the site will be available for another wireless telecommunications tower facility.

16. Maintenance Plan:

Prior to the final inspection by the Zoning Inspector and initial commencement of the use, the owner/operator of a wireless telecommunication tower facility shall submit to the Zoning Inspector a maintenance plan for the facility that meets commonly used industry standards.

17. Removal of facilities.

1. The owner/operator shall agree to remove a nonfunctioning facility within six (6) months of ceasing its use. The owner/operator of the antenna and/or tower shall, on no less than an annual basis from the date of issuance of the zoning certificate. File a declaration with the Zoning Inspector as to the continuing operation of every facility, which is subject to this Section 5.9. The owner/operator of the antenna and/ or tower shall sign a written consent agreeing: to permit periodic inspections of the wireless telecommunication facility by the Zoning Inspector or his designee.
2. The owner or operator shall be required, as a condition of issuance of a zoning certificate, to post a cash or surety bond acceptable to the Board of Township Trustees of not less than one hundred (\$100) dollars per vertical foot from natural grade of the wireless telecommunication tower which bond shall insure that an abandoned, obsolete or destroyed wireless telecommunication antenna or tower facility shall be removed within six (6) months of cessation of use and abandonment. Any successor-in-interest or assignee of the owner/operator of the facility shall also post such a bond.

E. Zoning Certificate Fees:

1. The fees for applications for zoning certificates as required by this Section shall be as specified by the Board of Township Trustees.
2. Reimbursement of Expenses. The applicant for a wireless communication tower and/or antenna facility shall be responsible for all expenses incurred by the Township for any technical and/or engineering services deemed necessary by the Zoning Inspector, the Board of Zoning Appeals, or the Board of Township Trustees to perform

the reviews and/or inspections set forth in this Section which are not covered by the application fees established by the Board of Township Trustees.

F. Public Utility Exemption

1. In the event a wireless telecommunications tower facility is to be owned or principally used by a public utility engaged in the provision of telecommunications services, the regulations of this District do not apply when the proposed location of the tower facility is in an area of the Township which is not residentially zoned. The proponent of such tower facility must file a written application with the Zoning Inspector supported in writing by substantial evidence that the tower will be owned or principally used by a public utility engaged in the provision of telecommunications services. The applicant must also demonstrate by substantial evidence that it possesses a sufficient degree of the following attributes associated with being a public utility to be considered a "public utility" for purposes of this exemption:
 - a. Whether the applicant devotes an essential good or service to the general public which has a legal right to demand or receive this good or service.
 - b. Whether the applicant provides its good or service to the public indiscriminately and reasonably.
 - c. Whether the applicant has an obligation to provide the good or service, which cannot be arbitrarily or unreasonably withdrawn.
 - d. Whether the applicant conducts its operations in such a manner as to be a matter of public concern.
 - e. Whether the good or service offered by the applicant is vital.
 - f. Whether there is a lack of competition in the local marketplace for the good or service.
 - g. Whether there is regulation by a governmental authority and the extent of that regulation.
 - h. Whether the applicant possesses the power of eminent domain
2. No single factor set forth above is controlling as to whether the applicant is a "public utility engaged in the provision of telecommunications services". Each factor should be considered and weighed according to the factual circumstances presented and, in specific circumstances; some factors may be given more weight than others.
3. If the Zoning Inspector determines to deny the applicant such "public utility" status, the Zoning Inspector shall do so in writing, and state the reasons therefore. Such decision of denial by the Zoning Inspector shall not be a final decision by the Township on this issue. Any determination by the Zoning Inspector that the applicant is not a public utility engaged in the provision of telecommunications services shall be appealable to the Board of Zoning Appeals pursuant to the procedures set forth in the Zoning

Resolution. The decision of the Board of Zoning Appeals shall be the final decision of the Township on this issue.

4. In the event a wireless telecommunications tower facility is proposed to be in an area zoned for residential use, and is to be owned or principally used by a public utility engaged in the provision of telecommunications services, the public utility shall be exempt from the requirements of this Zoning Resolution if it meets all of the criteria in a, and b below, as follows:
 - a. All of the requirements of Subsection F. 1 through 3 are met.
 - b. The public utility provides both of the following by certified mail:
 - i. Written notice to each owner of property, as shown on the County Auditor's current tax list, whose land is contiguous to or directly across a street or roadway from the property on which the tower is proposed to be constructed, stating all of the following in clear and concise language:
 - The public utility's intent to construct the tower
 - A description of the property sufficient to identify the proposed location
 - That no later than fifteen (15) days after the date of mailing of the notice, any such property owner may give written notice to the Board of Township Trustees requesting that the provisions of this Zoning Resolution apply to the proposed location of the tower. If the notice to a property owner is returned unclaimed or refused, the person shall mail the notice by regular mail. The failure of delivery of the notice does not invalidate the notice.
 - ii. Written notice to the Board of Township Trustees of the information specified in Subsection 4.b.i of this Section. The notice to the Board of Trustees also shall include verification that the person has complied with Subsection 4.b.i of this Section.
 - c. If the Board of Township Trustees receives notice from a property owner under Subsection 4.b.1 of this Section within the time specified in that Subsection, or if a Trustee makes an objection to the proposed location of the telecommunications tower within fifteen (15) days after the date of mailing of the notice sent under Subsection 4.b.2 of this Section, the Board of Trustees shall request that the Clerk of the Township send the person proposing to construct the tower written notice that the tower is subject to the regulations of this Zoning Resolution. The notice shall be sent no later than five (5) days after the earlier of the date the Board of Trustees first receives such a notice from a property owner or the date upon which a Trustee makes an objection. Upon the date of mailing of the notice to the person, the provisions of this Zoning Resolution shall apply to the tower without exception. If the Board of Township Trustees, however, receives no notice under Subsection 4.b.1 of this Section within the time prescribed by that Subsection or no Trustee has an objection as provided under this Subsection 4.c. within the time prescribed

by this Subsection, the applicant will be exempt from the regulations of this Zoning Resolution.

G. Definitions

1. Telecommunication: Technology permitting the passage of information from the sender to one (1) or more receivers in a usable form by means of any electromagnetic system.
2. Wireless telecommunication antenna: An antenna system designed to transmit or receive communications as authorized by the Federal Communications Commission (FCC) excluding amateur radio operator antennas.
3. Wireless telecommunication equipment building: The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
4. Wireless telecommunication facility: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.
5. Wireless telecommunication tower: A tower including but not limited to self-supporting lattice or monopole which elevates the wireless communication antenna and may include accessory transmission and receiving equipment.
6. Monopole: A single, slender and typically cylindrical, vertical structure to which antennas or antenna support structures are affixed.
7. Lattice: A framework or structure of crossed metal strips typically resting on three (3) or more members constructed vertically to which antennas are affixed.
8. Substantial evidence: More than a mere scintilla of evidence. It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.
9. Technically suitable: The location of a wireless telecommunication antenna(s) reasonably serves the purpose for which it is intended within the band width of frequencies for which the owner or operator of the antenna(s) has been licensed by the FCC to operate without a significant loss of communication capability within developed areas of the Township.

Article VI – Regulations Applicable to All Districts

601 Sign Regulations

The purpose of this article is to promote and protect the public health, safety, comfort, convenience, prosperity and general welfare by providing for the regulation of the use, location, and size of signs within all zoning districts in Sharon Township. This article is intended to provide for the adequate identification of uses, the minimizing of confusion, unsightliness, and self-defeating consequences of the use of an excessive number of signs or signs of excessive size, and the assurance of the continued attractiveness of the community. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents.

601-1 Limitations

- A. Official Signs excluded from regulations: All signs erected and maintained pursuant to any governmental function and necessary to the public safety and welfare are exempt from regulations under this article
- B. ODOT Permits: All signs within 660 feet of the right-of-way of Interstate 71 and Route 18 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 660 feet of these right-of-ways 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.
- C. Outdoor advertising: Section 519.20 of the Ohio Revised Code states that for the purposes of township zoning, outdoor advertising shall be classified as a business use and be permitted in all districts zoned for industry, business or trade, or lands used for agricultural purposes.

601-2 General Requirements

The regulations in this section shall apply to all signs in all zoning districts within Sharon Township.

- A. Lights: Subject to Article VI Lighting Regulations.
- B. Movement: No sign shall employ any parts or elements, which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections (A) and (B) of this section shall not apply to any sign performing a public service functions, indication of time, temperature or similar services. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. In addition, such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign.
- C. Location: Signs shall be erected so as not to obstruct traffic sight lines or traffic control lights at road intersections. No sign shall be within any road right-of-way.
- D. Similarity to Traffic Control Devices: Signs visible from a road shall not contain any words or symbols that would cause confusion because of their resemblance to highway traffic control or directional signals.
- E. Required Openings: Signs shall not project over or obstruct required doors of any

- building or attach to or obstruct a fire escape.
- F. Portable Signs: No portable or temporary sign shall be placed in front of or on the face of a building except in the following instance: One portable sign for advertising purposes shall be allowed for 90days in one calendar year. Portable or movable signs, signs mounted on wheels or trailers shall conform to the same regulations as permanent signs
 - G. Special Event Signs: Special Event Signs are intended to inform the community of a one-time event to be erected for a period of no longer than thirty (30) days. Special Event signs shall conform to all sign regulations.
 - H. Any illuminated sign, animated sign, or lighting device shall employ only lighting emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating or, moving light or lights. In no event shall an illuminated sign, animated sign, or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon an adjacent property, especially residential districts, a public thoroughfare or highway so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
 - I. Roof Signs shall not be permitted
 - J. No more than one permanent ground or identification sing may be installed per property.

601-3 Measurement of Sign Area

That portion of a sign to be considered in arriving at its dimension; except with respect to 700-5 C shall be the area that is normally visible from any one direction. For example, a rectangular sign measuring 4 feet by 6 feet with a display on both sides shall be considered 24 square feet, as would a 4 foot by 6 foot sign with a display on only one side. Frames and structural members not including advertising matter shall not be included in calculation of surface area. A logo, however, is to be considered as part of the sign. The area shall be measured by the smallest square, rectangle, circle or combination thereof which will encompass the entire advertising device including border, trim, and cutout extension.

601-4 Signs Permitted in any District Without a Permit

The following types of signs shall be permitted in any district and shall not require a Zoning Certificate.

- A. Residence Signs: One nameplate not exceeding two (2) square feet in area shall be permitted for each dwelling.
- B. Institutional Signs: A church, school, community center or other public institutional building, for its own use. An announcement sign or bulletin board not over twenty (20) square feet in area and not to be located closer than ten (10) feet to any right-of-way.
- C. Real Estate Sign: One unlighted real estate sign not exceeding eight (8) square feet in area pertaining only to the sale, lease, or rent of the particular building, property, or premises upon which displayed. Such sign shall be removed within ten (10) days of the completion of said (Title Transfer), lease or rental.

- D. Roadside Stand Sign: One unlighted sign not more than twelve (12) square feet in area in conjunction with a roadside stand which shall be used to advertise agricultural products produced on the premises. Such signs shall be located outside the road right-of-way. Such signs shall be removed at the conclusion of the seasonal sales.
- E. Directional Signs: Signs shall be located on the premises, which they serve. Each sign may not exceed twelve (12) square feet.
- F. Political Signs: Signs promoting issues or candidates for public office shall be permitted in any district within the Township. Such signs shall not be placed on trees, utility poles or over public property or in the right-of-way, and shall not be any closer than ten (10) feet to the side lot line. Such signs shall not exceed four (4) square feet in area. No fee shall be required. Such signs shall be placed no earlier than thirty (30) days prior to the date of election to which they relate, and such signs and all supporting materials shall be removed within three (3) days following election.
- G. Professional and Office Signs: No larger than a total of two (2) square feet requires no permit.
- H. Signs Incident to Legal Process and Necessary to the Public Welfare: Requires no permit.

601-5 Electronic Message Signs Conditionally Permitted in All Zoning Districts

Electronic Message Centers: Electronic message centers shall be permitted in all zoning districts subject to all applicable requirements prescribed by the zoning district in which the subject property is located and subject to the following:

- A. Such signs shall display static images for a period of at least 8 seconds before transitioning to another static image. Static foreground images or text may be accompanied by the display of background animation, as defined in this section. The use of frame effects is permitted so long as flashing is prohibited.
- B. All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the signs brightness in direct correlation with ambient light conditions.
- C. No electronic message center shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

Area of Sign Square Feet	Measurement Distance (ft)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81

*For signs with an area in square feet other than those specifically listed in the table (i.e., 32 square feet), the measurement distance may be calculated with the following formula: The square root of the product of the sign area and one-hundred.

Example using a 32 square foot sign:

$$\text{Measurement Distance} = \sqrt{32 \text{ sq ft} \times 100} = 56.57$$

- D. No electronic message centers will be allowed within 1000 feet of the center of Sharon Circle.
- E. All electronic message centers must be reviewed by the Architectural Review Board.

601-6 Signs Conditionally Permitted in the C-2 District and Industrial I-1, 1-2, and 1-3 Districts Zoning Districts Requiring a Permit.

- A. Ground Signs: One sign per property which may be an identification, accessory, secondary, or free-standing signs but must relate to the business use of the property the sign is located on. Such sign shall not exceed thirty-two (32) square feet in area per side, and the overall height of the sign shall not be more than ten (10) feet from grade level at the site of the sign. In case of a corner lot, one sign may be placed in the front yard facing each thoroughfare. No such sign shall be located closer than ten (10) feet to the road right-of-way line or closer than twenty (20) feet to any side yard line. The placement of such ground sign shall be located in the required landscaping or Buffer Strip, if one is required.
- B. Identification Signs: One sign at the primary entrance to an integrated grouping of businesses may be permitted in lieu of the above permitted ground sign. Such identification sign shall identify the name of the grouping of businesses and shall not

exceed seventy-five (75) square feet in area and ten (10) feet in height. No portion of the sign shall be located within twenty (20) feet of any road right-of-way or within sixty (60) feet of any adjacent property.

- C. Off Premises Signs (Billboard): Off premises signs (billboards) shall be permitted only in the C-2 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 minimum front, side and rear yard requirements as for buildings in that district except that no such sign shall be located closer than one thousand (1000) feet to a dwelling. Nor shall any such sign be permitted closer than one thousand (1000) feet to a public park, public or parochial school, library, church, hospital or similar institution. The maximum area of such sign shall be 300 square feet (no more than 150 square feet per side). The maximum height of such sign shall be 15 feet. Such signs visible to approaching traffic or either or both sides of a right-of-way shall have a minimum spacing of at least one thousand (1000) feet.
- D. Service Station Signs: In addition to the other signs permitted by this section, gasoline filling station may have not more than one unlighted, double-faced accessory sign per pump island. Such signs shall have a maximum area of 5 square feet and shall be permanently attached to the pump island.
- E. Wall Sign: In addition to the other signs permitted by this section, each business or industry shall be permitted one accessory wall sign provided the following conditions:
 - i. Wall Signs shall not be larger than 80 square feet in area or ten percent (10%) of the area of the surface of the building on which the sign is located, whichever sign area is smaller. In addition, a wall sign shall not project from the face of the wall more than eighteen (18) inches and shall not extend above or beyond the building wall. Building facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way.
- F. Window Signs: Sign(s) located inside an enclosed building and visible through a window or windows may be permitted where the area of the sign(s) does not exceed twenty (20%) percent of the window area. Such sign(s) shall advertise only those products and services provided the premises. Window signs shall not require a zoning permit.

601-7 Signs Conditionally Permitted in the C-1 Commercial District Requiring a Permit

- A. Ground Signs: One sign per property, which may be identification, accessory, secondary, or free, standing signs but must relate to the business use of the property the sign is located on. Such sign shall not exceed sixteen (16) square feet in area per side, and the overall height of the sign shall not be more than five (5) feet from grade level at the site of the sign. In case of a corner lot one sign may be placed in the front yard facing each thoroughfare. No such sign shall be located closer than ten (10) feet to the road right-of-way line or closer than twenty (20) feet to any side yard line. The placement of such ground sign shall be located in the required landscaping or Buffer Strip, if one is required.

- B. Identification Signs: One ground sign at the primary entrance to an integrated grouping of businesses may be permitted in lieu of the above permitted ground sign. Such identification sign shall identify the name of the grouping of businesses and shall not exceed twenty-four (24) square feet in area and six (6) feet in height. No portion of the sign shall be located within twenty (20) feet of any road right-of-way or within forty (40) feet of any adjacent property.
- C. Wall Sign: In addition to the other signs permitted by this section, each business shall be permitted one accessory wall sign provided the following conditions are met:
 - i. Wall signs shall not be larger than eighty (80) square feet in area or ten (10%) of the of the surface of the building on which the sign is located, whichever sign area is smaller. In addition, a wall sign shall not project from the face of the wall more than eighteen (18) inches and shall not extend above or beyond the building wall. Building facing more than one (1) adjacent right-of-way may have one (1) wall sign facing each adjacent right-of-way.
- D. Window Signs: Special and periodic advertising sign(s) located inside an enclosed building and visible through a window or windows may be permitted where the area of the sign(s) does not exceed twenty (20%) percent of the window area.
- E. Window signs shall not require a zoning permit.

601-8 Enforcement

- A. 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 support, guys, braces and anchors for such signs shall be maintained in a safe condition. The Zoning Inspector may order removed any such sign that is not so maintained, and it shall be unlawful for the owners or person having charge of such sign not remove the same after receiving notice from the Zoning Inspector.
- B. Removal of unsafe signs: If the Zoning Inspector shall find that nay sign or other advertising structure is unsafe or insecure, or is a menace 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 the beneficial use of the said sign, who shall thereafter immediately correct the condition for which said notice was given.
- C. Zoning Permit Required: A zoning permit shall be required for every permitted sign except as otherwise provided herein. All signs shall be erected only upon the submission of a proper plan and its approval by the Zoning Inspector.

602 Lighting Regulations

602-1 Purpose and Intent

Outdoor lighting is provided for a variety of purposes to the benefit of modern society. For work or recreation, it enables people to see essential detail in order that they may undertake their activities at night. It facilitates the safety or security of persons or property, for example, through lighting on roads and pathways. It may be used to emphasize features of architectural or historical significance, and to light parks and gardens. It is used for advertising or display to promote products or services, or to call attention to commercial premises by means of area lighting or signs. It is the intent of this regulation to preserve, protect, and enhance the lawful nighttime use and enjoyment of any and all property through the use of appropriate lighting practices and systems. Such individual fixtures and lighting systems are designed, constructed, and installed to: control glare and light trespass, minimize obtrusive light, conserve energy and resources while maintaining safety, security and productivity, and curtail the degradation of the nighttime visual environment.

602-2 Nature of Light Trespass

Light trespass is light emitted by a lighting installation, which falls outside the boundaries of the property on which the installation is sited. Effects include those residents, vehicle operators and pedestrians, the natural environment, on astronomical observations.

602-3 General Requirement

All light fixtures shall be located, aimed or shielded so as to minimize stray light trespassing across property boundaries. Outdoor floodlighting by flood light projection above the horizontal plane is prohibited.

- A. Glare - Exterior lighting shall be designed and maintained so that glare is not cast on adjacent properties, regardless of use, or on adjacent streets. All luminaries shall be cut off types which include shields or other devices which eliminate all light above an angle of 65 degrees as measured from the peak of the vertical axis of the light source. As a guide, flood lights shall be aimed such that the light source (otherwise known as the lamp) cannot be seen by a five-foot person standing ten feet inside the property line containing the flood light, even with optical aids. Floodlights must be fully shielded. Wall mount luminaries, also known as wall packs, are not allowed.
- B. Up light - Exterior lighting shall be designed and maintained so that up light is eliminated.
- C. Sign Lights - Top mounted fixtures required for externally illuminated signs. Lighting fixtures used to illuminate an outdoor sign shall be mounted on top of the sign structure. All such fixtures shall comply with the requirements of this regulation, including hours of operation. Any illuminated sign shall employ light emitting a light of constant intensity. No sign shall be illuminated by or contain animated, flashing, blinking, and racer type, intermittent, rotating, or moving light or lights.

- D. Service station and drive through facilities that have canopies shall use recessed ceiling fixtures.
- E. Mercury vapor Fixtures Prohibited - the installation of any mercury vapor fixture or lamp for outdoor use is prohibited.
- F. Other Prohibited Fixtures - Searchlights, laser lights, or any similar high intensity light shall not be permitted, except in emergencies by police and fire personnel, or at their direction.

602-4 Exemptions

- A. Temporary seasonal decorative lighting fixtures are exempt from this sections regulations
- B. Outdoor lighting fixtures existing and legally installed prior to the effective date of this regulation are exempt from its requirements.

602-5 COMMERCIAL AND INDUSTRIAL FACILITIES AND MULTIPLE HOUSING

- A. Curfew – Commercial and Industrial properties: curfew is defined as one hour before the beginning of the normal business day, as well as one hour after the normal business day for the establishment providing the lighting.
- B. Classification of outdoor areas:

E1	PARKING AND PEDESTRIAN AREA
E2	PROPERTY SECURITY ONLY
E3	ROADWAY OR DRIVEWAY

602-6 Recommended Levels

- A. IESNA recommended uniformity ratios (average/minimum) of 4:1 shall not be exceeded.
- B. Horizontal Levels – Horizontal is to be measured at ground level with the photocell facing up.

Zone Levels	Pre-curfew Levels (foot-candle)	Post-curfew levels (foot-candle)
E1	5.46	.186
E2	2.32	.093
E3	2.73	.186

- C. Recommended Boundary Illumination Levels: To meet the objectives of this regulation, exterior lighting levels before curfew at the property line shall not exceed .279 foot-candle measured vertically at five feet above the ground in facing inward towards the lighted property. After curfew, the exterior lighting levels at the property line shall not exceed .093 foot-candle measured vertically at five feet above the ground in facing inward towards the lighted property.
- D. Submission of Plans and Evidence of Compliance with Regulation: The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work shall submit (as part of the application for permits) evidence that all outdoor lighting on the property complies with these requirements. The submission shall contain but not necessarily be limited to the following, all or part of which may be part or in addition to the information required elsewhere in the laws of this jurisdiction upon application for the required permit:
- i. Plans indicating the location on the premises, the type of illuminating devices, fixtures, lamp, supports, reflectors and other devices.
 - ii. Description of the illuminating devices, fixtures, lamps, supports, reflectors and other device; the description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required).
 - iii. Photometric data, such as that furnished by manufacturers, or similar data showing the angle of cutoff or light emissions.
 - iv. If any subdivision proposes to have installed street or other common area outdoor lighting, the final plat shall contain a statement certifying that the applicable provisions of the outdoor lighting regulation will be adhered to.

603 PARKING AND ACCESS DRIVE STANDARDS

No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off street parking and loading spaces have been provided in accordance with the provisions of this resolution. The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure, Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution. Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking shall be provided on the basis of the enlargement or change. Whenever a building or structure existing to the effective date of this resolution is enlarged to the extent of fifty percent (50%) or more in floor area, or number of employees, or number of housing units, or seating capacity, or by any other measure of activity or capacity, said building or structure shall then and thereafter comply with the full parking requirements set forth herein. Land banking of currently unneeded parking areas is strongly encouraged. As part of the site plan review process, the area to be banked for future parking shall be clearly marked on the site plan.

If at any time, the Zoning Inspector deems adequate parking is not provided, the Zoning Inspector can require the property owner to return to the Board of Zoning Appeals for review of parking.

A. Parking Space Dimensions

A. Parking space shall have a minimum rectangular dimension of not less than ten (10) feet in width and twenty (20) feet in length for ninety (90) degree parking, ten (10) feet in width and twenty-three (23) feet in length for parallel parking, ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking, and twelve (12) feet in width and nineteen (19) feet in length for forty five (45) degree parking. All dimensions shall be exclusive of driveways, aisles and other circulation areas. The number of required off street parking spaces is established in this resolution.

B. Loading space Requirements and Dimensions

A. A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than fifteen (15) feet. One off-street lading space shall be provided and maintained on the same lot for every separate occupancy requiring delivery of goods and having a modified gross floor area of up to five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof.

C. Paving

- A. The required number of parking and loading spaces as set forth in Section 604 together with driveways, aisles, and other required areas, shall be designed and constructed to provide permanent, durable, all weather paved surfaces.
- B. The owner of the lot shall maintain the surface in good condition, free of cracks, holes, trash or debris. Painted or otherwise demarked traffic lanes and parking spaces shall be marked and maintained in good repair.
- C. Permanent, durable, all weathered sidewalks shall be constructed and maintained to connect buildings to attendant parking lots.

D. Drainage

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

E. Disabled Vehicles

A. The parking of a disabled vehicle within Sharon Township for a period of more than ten (10) days shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building.

F. Width of Driveway Aisle

A. Driveways serving individual parking spaces shall be not less than ten (10) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one half (17 ½) feet for sixty (60) degree parking, and thirteen (13) feet for forty-five (45) degree parking.

G. Access

A. Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking areas from or into a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle enter or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

H. Width of Access Driveway

A. The entrances and exits to the parking area shall be clearly marked. Interior vehicular circulation by way of access roads shall maintain the following minimum standards: for one way traffic the minimum width of fourteen (14) feet except for forty-five (45) degree parking in which case the minimum width of the access road shall be seventeen (17) feet. Access roads for two-way traffic shall have a minimum width of twenty-four (24) feet. Parking areas shall have more than one aisle or driveway shall have directional signs or markings in each aisle or driveway.

I. Striping

A. All parking areas with a capacity over twelve (12) vehicles shall be striped.

J. Type of Use

Minimum parking space provided

A. RESIDENTIAL

Single family or two-family dwelling – two (2) for each unit. One (1) space for each unit to be under roof.

Apartments, condominiums or multi-family dwellings. Two (2) for each dwelling plus one (1) for guest parking.

Boarding housings, dormitories. One (1) for each sleeping room or permanent occupant.

B. COMMERCIAL

Automobile service garage. Four (4) for each service bay.

Automobile gas station with retail store. Two (2) for each fuel pump and one (1) for each 300 square feet.

New and used car sales and service including agricultural equipment sales and service. One (1) for 400 square feet of sales area plus one (1) for each service stall plus one (1) for each employee.

Hotels, motels. One (1) for each sleeping room plus one (1) space for each two employees.

Funeral homes and similar uses. One (1) for each 100 square feet of floor area in viewing rooms and service rooms.

C. BUSINESS, RECREATION OR ENTERTAINMENT

Restaurants, taverns, nightclubs, etc.: One (1) for each 200 square feet of floor area.

Bowling alleys: Four (4) for each alley plus one (1) for each 200 square feet of area used for restaurant, cocktail lounge retail or similar use.

Dance halls, skating rinks: One (1) for each 100 square feet of floor area used for the activity.

Auditoriums, sports arenas, theaters, and similar uses: One (1) for each four (4) seats.

Retail stores including beauty and barber space: One (1) for each 250 square feet of floor area.

Banks, financial institutions and similar uses: One (1) for each 300 square feet of floor area.

Offices, public, professional or administration: One (1) for each 400 square feet of total floor space.

Bed and Breakfasts: One (1) space for each guest room plus two spaces for operating personnel.

Nursery and green house: One (1) space for every 1,200 square feet of retail space,

Veterinary clinic: One (1) space for each 400 square feet of floor area, plus one (1) space for each 2,000 square feet of land area.

All other types of business or commercial uses permitted: One (1) space for each 400 square feet of total floor area.

D. INSTITUTIONAL

Churches and other places of religious assembly: One (1) space for each five (5) seats.

Hospitals: One (1) space for each bed.

Congregate care facilities, assisted living and independent living unit: One (1) space for every two (2) beds and one (1) space for every three (3) employees.

Group homes: One (1) space for every two (2) beds.

Medical and dental offices: One (1) space for 200 square feet of area of examination, treating rooms, offices and waiting rooms.

Libraries, museums, art galleries and other similar uses: One (1) space for each 400 square feet of floor area.

E. SCHOOLS – PUBLIC OR PRIVATE

Elementary and middle schools: Two (2) spaces for each classroom and one (1) space for every eight (8) seats in the auditorium or assembly halls.

High Schools: One (1) space for every five (5) students and one (1) space for each teacher or employee.

Colleges, universities: One (1) space for every four (4) students.

Kindergarten, childcare centers, nursery schools and similar uses: Two (2) spaces for each classroom but not less than ten (10) spaces per building.

F. MANUFACTURING

All types of manufacturing, storage and wholesale uses: One and one half (1 ½) spaces for every one (1) employee plus one (1) space for each motor vehicle used in the business.

G. GENERAL INTERPRETATION

Parking spaces for other permitted or conditional uses not listed shall be determined by the Board of Zoning Appeals upon an appeal from the zoning inspector.

H. OFF STREET WAITING SPACES FOR DRIVE-THRU FACILITIES

Drive-thru establishments and other establishments which, by their nature, create lines of customers waiting to be served within automobiles, shall provide off-street waiting spaces on the same lot as the use which are in addition to the required number of parking spaces specified. The number parking spaces shall comply with the following requirements:

- a. Minimum Number of Waiting Spaces by Type of Use/Establishment
 1. Establishments serving and/or selling food or drinks – ten (10) waiting spaces.
 2. Automatic car wash facilities where a chain conveyor or other similar method is used to move the vehicle through the structure – ten (10) waiting spaces.
 3. Facilities with service windows or service entrances such as banks, ticket booths, drive-up ATM machines and other similar facilities – ten (10) waiting spaces, but not less than six (6) spaces per window or stalls.
 4. Self-serve car wash facilities – Two (2) waiting spaces per stall.
 5. Gasoline stations – Two (2) waiting spaces per accessible side of a gasoline pump island.
- b. Waiting in the Right-of-Way Prohibited - The site plan indicating waiting spaces for service at a drive-thru facility shall not allow for vehicles to wait within the public right-of-way.
- c. Waiting Space Dimensions – Each off-street waiting space shall have an area not less than one hundred forty-four (144) feet (measured 8 feet by 18 feet) exclusive of access drives and parking aisles and shall not interfere with parking or circulation.

604 Landscape Regulations

In the interest of promoting the public convenience, comfort, prosperity and general welfare of the residents of Sharon Township, these regulations provide for the use, location and function of landscaping. More specifically, the purposes of these regulations are to:

- A. Provide reasonable, yet appropriate landscaping for all conditional uses authorized by this zoning resolution.
- B. Ensure that landscapes are located, designed and installed to maintain a safe and orderly pedestrian and vehicular environment
- C. Maintain and protect the beauty, unique character and aesthetic environment of the Township.
- D. Provide review procedures that enable the township to comprehensively evaluate the appropriateness of a landscape plan to the site, building and surroundings.
- E. Provide for continuing maintenance of all landscaping.

604-1 Landscape Application Requirements

No zoning certification shall be issued for the construction, alteration or improvement of any conditionally permitted building, structure or parking and loading area unless a landscape plan is submitted.

604-2 Planting Area Requirements

A. Planted Front Yard

A minimum depth of twenty (20) feet from the road right of way across the entire frontage. Landscaping shall consist of a combination of living materials such as grass, ground covers, shrubs, trees and may include nonliving durable material such as rocks, decorative walls, but shall exclude paving.

B. Planted Building Front

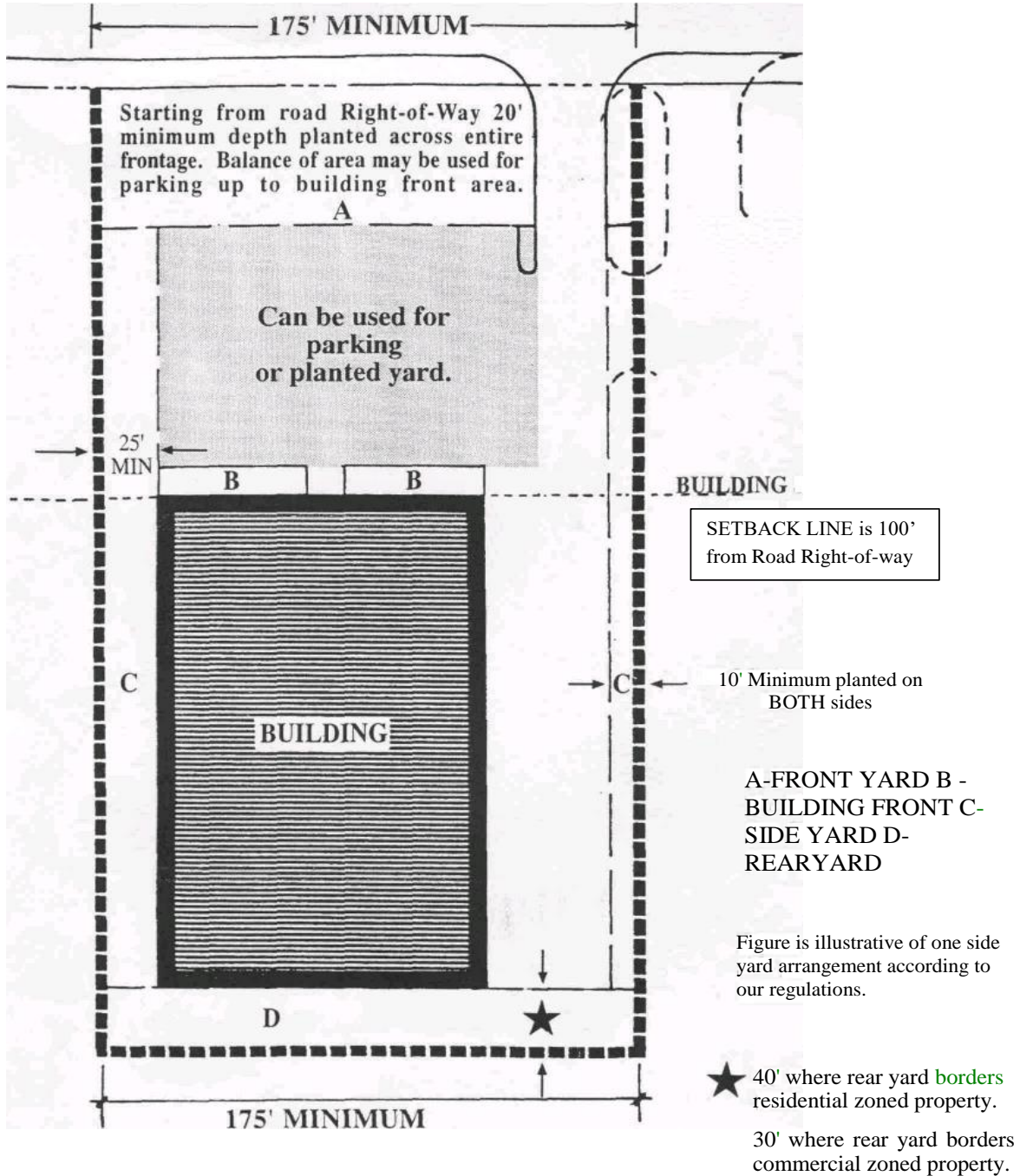
A minimum of ten (10) feet wide, the length of the building width and within twenty (20) feet of the façade. Area may be broken by the entrance walks, but walk area shall not exceed fifty (50%) percent of the building front area.

C. Planted Side Yard

A landscape buffer, a minimum of ten (10) feet wide, shall be required along the side property line from the front of the building to the rear property line. If parking is planned in front of the building, the township may require that this landscape buffer extend to the front of the parking area. This would be for conditional uses in the R-1 and R-2 Districts and for all developments in the C-1 C-2 Districts. The minimum ten (10) foot wide landscape side yard buffer may be less than ten (10) foot (a minimum of 5 feet) in combination with a six (6) foot tall solid wood fence if there is not adequate room for ten (10) foot of landscaping.

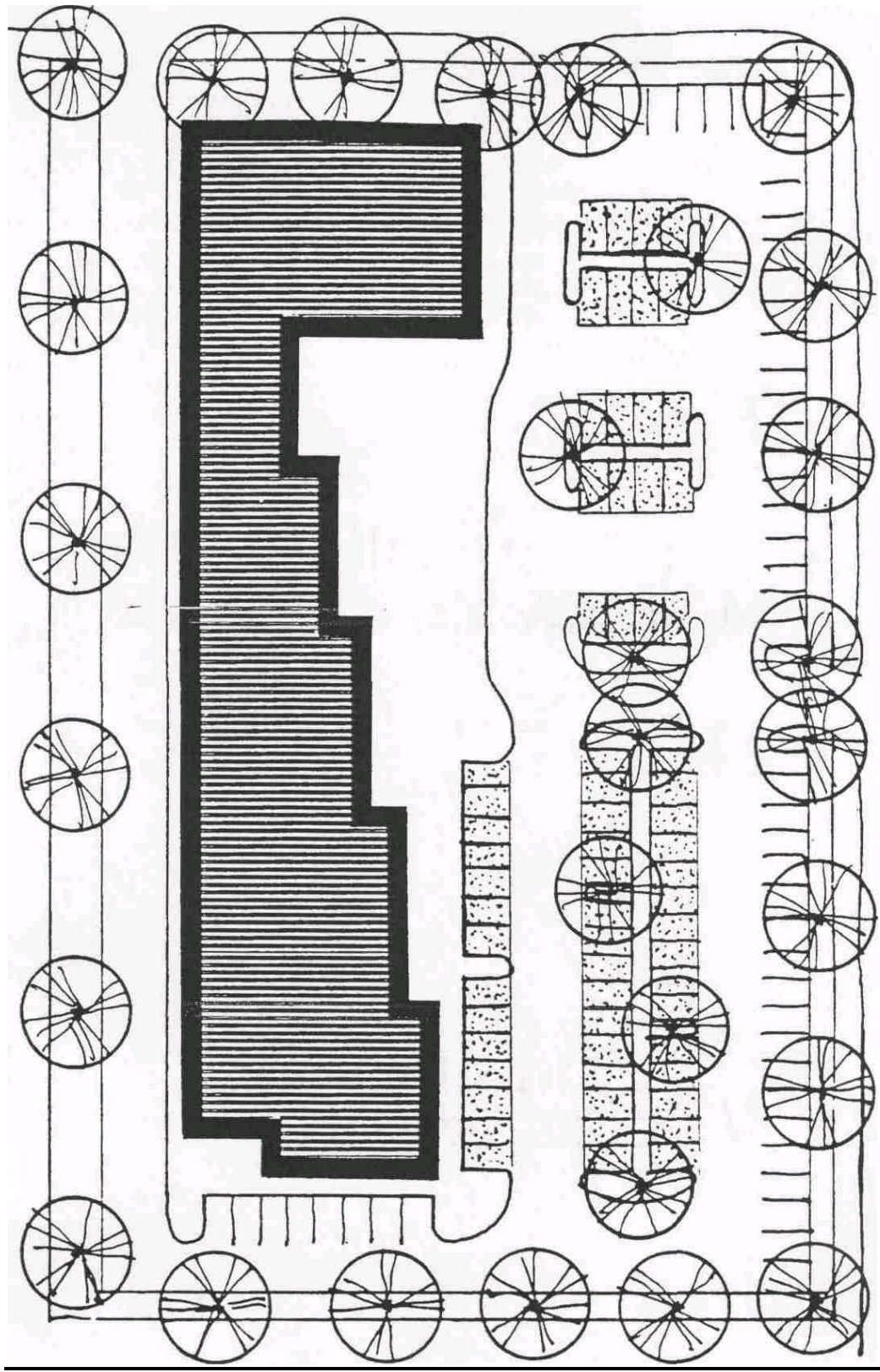
D. Planted Rear Yard

Forty (40) feet where yard borders residentially zoned property. Thirty (30) feet where rear yard borders commercially zoned property in the R-1, R-2 and F-2 Districts. The C-1 District requires twenty-five (25) feet to remain open and unoccupied.



YARD LOCATIONS

FIGURE 1



604-3 Landscape Material Quality Standards

The following minimum standards shall apply to the installation of all planted materials.

- A. All plants shall conform to the American Association of Nurserymen Standards “American Standards for Nursery Stock” latest edition (ANSE Z60.1)
- B. The following tree species may be used in any landscape plan but shall not be acceptable for allowance against the required quantity standards:
 - i. Miniature tree species
 - ii. Poplars
 - iii. Cottonwood
 - iv. American Elm
 - v. Ailanthus (Tree of Heaven)
 - vi. Mountain Ash
 - vii. Oregon Maple
 - viii. Box Elder
 - ix. Sumac Catalpa
- C. The following tree species shall not be used:
 - i. Thorne Honey Locust
 - ii. Osage Orange
 - iii. Hawthorn (thorn varieties)
 - iv. Catalpa

604-4 Landscape Materials Size Standard

- A. Evergreen Shrubs: Plants shall be no less than twenty-four (24) inches in height, or in the case of spreading varieties of shrubs, no less than twenty-four (24) inches in branch spread.
- B. Deciduous Shrubs: Plants shall be no less than thirty (30) inches in height.
- C. Conifer Evergreen Trees: Shall be no less than five (5) feet in height measured from the top of the soil ball.
- D. Deciduous Trees: Shall be no less than one and three fourths (1 3/4) inch caliper (trunk diameter) as measured at six (6) inches above the crown of the roots (if bare root) or from the top of the soil ball
- E. Turf: Shall be either commercially grown sod or lawn quality seed.
- F. Landscape Material Quality Standards
- G. Front Yard Requirements
 - i. All areas between the existing pavement and the developed portion of the site shall be landscaped within the commercial district.
 - ii. The following minimum plant materials shall be provided and maintained

- iii. One (1) tree for each fifty (50) linear feet of lot frontage or fraction thereof, not including drive entrances
- iv. One (1) shrub for each ten (10) linear feet of lot frontage or fraction thereof, not including drive entrances.
- v. Grass, ground covers or other approved live landscape treatment, excluding paving or gravel

H. Building Front Requirements

- i. At least one-half (1/2) of the building front area shall be landscaped
- ii. Landscape materials shall include trees, shrubs, live ground covers and or lawn
- iii. The minimum number of trees required shall be according to the following schedule based on the building width:

<u>Building Width</u>	<u>Number of Trees</u>
To 80 feet	2
81' to 120'	3
Over 120'	4

- iv. Each tree shall be planted in an individually landscaped area of not less than one hundred (100) square feet
- I. Perimeter Side and Rear Yard Landscaping Relating to Abutting Properties
- i. The side yard shall be landscaped (as defined in 602-2 C) which may include shrubs or trees not to exceed four (4) feet in height (ultimate or maintainable growth) in front of the building setback line, with no height restriction behind the building set back line or in the rear yard.

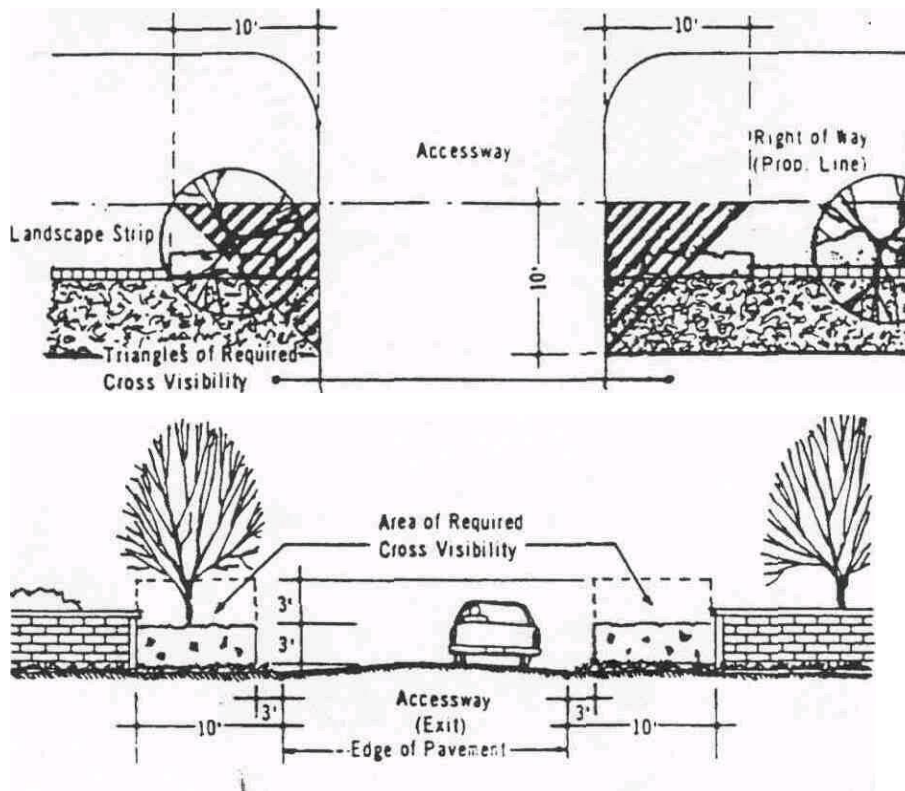
J. Screening

- i. Residential-visual screening (e.g., walls, fences, hedges or combinations) shall be required between all residences and commercially zoned property and all parking or service functions on any business site. Screening shall be at least six (6) feet in height and be the business' obligation to construct and maintain.
- ii. The following minimum plant materials shall be provided and maintained:
 - 1. One (1) tree for each one-hundred (100) linear feet of sides and rear lot liens or fraction thereof, with fifty (50) percent of the requirement to be evergreen trees. Areas will be calculated individually to determine individual requirements.
 - 2. One (1) shrub for each fifteen (15) linear feet in front of the building setback line, one (1) shrub for each ten (10) linear feet in all other side and rear yard.
 - 3. Grass, ground cover or other live landscape materials. No artificial ground covers.

K. Interior Landscape Parking Lots

- i. Any open parking area (including parking spaces and interior access lanes, but excluding loading, unloading and storage areas) that contains more than six thousand (6,000) square feet of area or twenty (20) or more vehicular parking spaces shall provide interior landscaping in addition to any other required landscaping.

- ii. Ten (10) square feet of landscaped area shall be provided for each parking space (shown stippled in figure 2) excluding spaces abutting a perimeter driveway, for which landscaping has already been provided.
 - iii. Total landscape area shall be separated into smaller specific areas, which will be located to break up the expanse of the pavement
 - iv. Each separate landscape area shall be not less than one-hundred (100) square feet in area and shall contain at least one (1) tree.
 - v. One (1) tree with a clear trunk of at least five (5) feet shall be provided for each individually required landscape area or fraction thereof.
 - vi. In addition to trees, the landscape area shall be adequately planted or otherwise treated with approved landscaping materials not to exceed three (3) feet in height above parking lot grade.
- L. Sight Distance requirements for plantings (see figure 3)
- i. At all points of access from a public right-of-way (ROW) unobstructed cross visibility shall be maintained between heights of three (3) feet and six (6) feet above the level of the driveway, eight (8) feet above the surface of the driveway where semi-trailers enter or exit, and up to ten (10) feet from the edge of the access drive.
 - ii. ROW Corners – At the intersection of two or more right-of-ways, unobstructed visibility must be maintained in a triangle formed by an imaginary line with endpoints on the two (2) right of ways, thirty (30) feet from the intersection of the two (2) right of way lines.



M. Additional – Outdoor Display Areas

- i. Merchandise to be sold at retail on the premises may be displayed out-of-doors subject to the Board of Zoning Appeals approval, except that no such display area shall be within fifty (50) feet of any Residential (R-1, R-2) District nor within one hundred and ten (110) feet of the edge of the pavement of the eastbound lane in the C-2 District. Display areas shall be screened from abutting residential uses by a twenty (20) foot landscape strip sufficient to minimize undesirable visual effects of such display areas and shall be paved using asphalt, concrete, or chip and seal. Such landscape buffer shall be maintained in a neat and orderly fashion.
- ii. Outdoor storage may be permitted, providing that the area used for storage is located in the remaining rear yard and is completely screened from adjoining properties by a solid fence or wall six (6) feet in height. No materials shall be stored in such a manner as to project above the wall, with the exception of vehicles and mechanical equipment.

605 Nonconforming Uses

- 605-1 A nonconforming use existing at the time of this Resolution takes effect may be continued except if it is voluntarily discontinued for two (2) years or more it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such districts.
- 605-2 Any building arranged, intended or designed for nonconforming use, the construction of which has been started at the time of the passage of this Resolution or Amendments thereto thus creating a nonconforming use, may be completed and put to such nonconforming use, providing it is done within six (6) months after this Resolution or Amendment take effect.
- 605-3 Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building which has been destroyed or damaged by fire, explosion or Acts of God provided such restoration is done within two (2) years from date of such destruction or damage.
- 605-4 A building or structure devoted to a nonconforming use at the time this Resolution takes effect may not be altered or enlarged so as to extend said nonconforming use except to make it a conforming use.
- 605-5 When a nonconforming use has been changed to a conforming use or a useless in conflict with the character of the district in which it is located, such use shall not thereafter be changed to a nonconforming use
- 605-6 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.

606 Fire Protection Of Residential Subdivisions

The purpose of this regulation is to ensure a reasonable level of fire protection and life safety for the public and firefighters in residential subdivisions that do not have access to central water facilities

606-1 Definitions

- a. Dry Hydrant System: A permanent piping system within a static water source which provides year-round front free access to the source
- b. Fire Pond: A static water source designed and constructed for the purpose of fire protection of a subdivision without available central water service provider.
- c. Recognized Drafting Point: A Dry Hydrant System that is certified to meet the requirement of the Insurance Service Office, Inc. (ISO)
- d. Subdivision, Major: All subdivisions not classified as minor subdivisions, including not limited to: subdivisions of more than five (5) lots, or any size subdivision requiring a new street or extension of the local governmental facilities, or the creation of any public improvements.

606-2 Fire Protection

- A. The developer of a subdivision shall provide a minimum of one of the following mechanisms for the purpose of fire suppression:
 1. A central water service provider as provided by the Medina County Sanitary Engineer meeting the flow requirements of the Ohio Fire Code and NFPA 1142, with hydrants placed every 300-500 feet based upon lot density and subject to approval by the Sharon Township Fire Department.
 2. A fire pond with dry hydrant system designed and constructed to the Medina County Engineer, Engineering Code for Subdivision Development, Dry Hydrant and Fire Pond Specification and subject to approval by the Sharon Township Fire Department.
 - a. Dry Hydrants shall be placed every 2,000 feet within the subdivision.
 - b. Each, as built, Dry Hydrant Systems shall be certified as a Recognized Drafting Point.
- B. Alternative methods shall be reviewed by the Sharon Township Fire Department prior to their consideration for approval.

606-3 Maintenance

- A. The Township shall ensure the continual operation and maintenance of the dry hydrant and fire pond.

1. The developer shall indicate a permanent easement to the Sharon Township Fire Department permitting the access to the dry hydrant and water source.
2. The owner(s) of affected lots shall not modify, drain, or otherwise change the, as built, design of the fire pond without consultation and written approval of the Sharon Township Fire Department. If the Sharon Township Fire Department determines that the water supply system has been altered without prior approval, the Sharon Township Fire Department may maintain or repair the system. The cost of such maintenance may be levied against the real property within the subdivision and may be foreclosed in any manner allowed by law.
3. If the Sharon Township Fire Department determines through normal maintenance that the fire pond requires dredging due to silt build up, it will be the responsibility of the pond owner.

606-4 Provisions

- A. All fire ponds shall require a \$20,000 two (2) year cash bond or letter of credit.
- B. No zoning certificate shall be issued for any building, structure, or use within the subdivision until the Medina County Engineer and the Sharon Township Fire Department has granted approval of the actual dry hydrant installation.
- C. The township has no liability exposure in regard to the pond other than to see that the dry hydrant is properly installed and maintained.

ARTICLE VII CONDITIONAL ZONING CERTIFICATES

700-1 Procedure:

- A. The Board of Zoning Appeals may issue conditional zoning certificates as set forth in this Resolution, provided, however, that no such certificates shall be used unless reasonable conditions are established which will insure harmony of land uses and will not adversely affect the general welfare, health, safety, comfort, convenience, and prosperity of persons who now reside or use, or who may reside or use that land within the reasonable future in the general area in which the proposed uses is to be located.
- B. Prior to the issuance of any Conditional Permit, the Board of Zoning Appeals shall have submitted to it, a site plan meeting the requirements set forth herein for review.
- C. Prior to issuing conditional zoning certificates, the Board of Zoning Appeals shall state in writing these conditions which it deems necessary to protect the character of the area and the health, safety, comfort, convenience, prosperity and general welfare of persons who now reside or use, or who may reside or use the land within the reasonable future in the general area in which the proposed use is to be located and shall require such dates and plans that are necessary for the review of such conditions as required in this article.
- D. Article V- 400-14 is hereby incorporated by reference.

700-2 Application Submitted to The Board of Zoning Appeals

- A. Any application shall be submitted through the Zoning Inspector to the Board of Zoning Appeals on a special form for that purpose. Each application shall be accompanied by the payment of a fee as determined by the Sharon Township Trustees.

700-3 Data Required with Application

- A. Form supplied by Zoning Inspector completed by Applicant.
- B. The site plan shall be drawn to a legible scale, shall show topographical features of the lot, building placement, and activity areas, and shall include a circulation and parking plan. If applicable, planting and landscape plan, and drawings indicating the exterior visual appearance of structures.
- C. If applicable, a description of the proposed development or operation shall be provided in sufficient detail to indicate possible emission of energy or matter beyond the lot lines, with architectural or engineering plans for the handling of any excesses thereof. The site plan shall include drawings of accessory buildings, signs and screening for trash or other outdoor storage areas, and exterior lighting plans. A site plan shall not be required

for issuance of a conditional permit for a sign or signs only. The degree of detail required in the site plan may vary according to the nature of property use, at the discretion of the Zoning Appeals Board.

- D. A statement supported by substantiating evidence regarding the requirements enumerated in Article VII 700-9 and 700-10 below

700-4 Review by the Board of Zoning Appeals

- A. The Board of Zoning Appeals shall review the proposed development, as presented on the submitted plans and specifications in terms of the standards established in this Resolution.
- B. Each application shall be submitted to the Township Trustees for review and recommendation
- C. The recommendations of the Township Trustees shall be read at such hearings as provided by Section 700-5 below.

700-5 Hearing

- A. After adequate review and study of any application the Board of Zoning Appeals shall hold public hearing or hearings upon every application after giving written notice by regular mail to the adjoining property owners of record, and placing notice in at least one (1) in a newspaper of general circulation in the township at least ten (10) days prior to the date of the hearing. Such notice shall indicate the place, time and subject of such hearing. Within 30 days after the first meeting at which the site plan is reviewed, the Board of Zoning Appeals shall approve, approve with modifications, or disapprove the site plan.

700-6 Issuance, Enforcement and Revocation of Conditional Zoning Certificates:

- A. Only upon conclusion of hearing procedures relative to a particular application may the Board of Zoning Appeals issue a conditional zoning certificate.
- B. Upon the approval of a site plan application and the deposit of a performance bond or other financial guarantee in an appropriate amount as found necessary by the Board of Zoning Appeals in the case of C-1, C-2, I-1, I-2, I-3 Conditional Permits, and upon submittal of three (3) copies of the approved site plan, the Zoning Inspector shall issue a zoning certificate specifying the conditions of the Board of Zoning Appeals approval. Approval by the Board of Zoning Appeals of a site plan, and the zoning certificate, if any, however, shall be valid for one year unless construction has substantially begun. Without substantial (51%) construction begun within the expiration of one year, any deposit of a performance bond or financial guarantee shall be returned to the depositor, and each reapplication thereafter shall be accompanied by the required data and fees. The breach of any condition, safeguard, or requirement shall be grounds for invalidating the certificate granted. If at any time a conditional zoning certificate is to be transferred, the Township Board of Zoning Appeals shall call a hearing of the parties concerned and at that time review, reaffirm and if necessary, revise the conditions under which the original certificate was granted. This section is as enforceable as any other section of

this Resolution as is provided for by Article XI of this Resolution. No action shall be taken on issuance enforcement or revocation of conditional zoning certificate unless approved by a majority of the membership of the Zoning Board of Appeals, three (3) members of the total five (5).

700-7 Reapplication

- A. No application for a conditional zoning certificate which has been denied wholly or in part by the Board of Zoning Appeals of the Township shall be resubmitted within one year of its denial unless grounds of newly discovered evidence or proof of changed conditions would be sufficient to justify reconsideration by the Board of Zoning Appeals. A new application may be submitted with or without any changed conditions after the expiration of one (1) year from date of denial.

700-8 Basis of Determination

- A. The Board of Zoning Appeals shall establish beyond reasonable doubt that the general standards and the specific standards pertinent to each use indicated herein shall be satisfied by the completion and operation of the proposed development. The Board of Zoning Appeals may also impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of this Resolution will be observed.

700-9 Conditions

A. General Conditions

1. The site plan shall show that a proper relationship will exist between thoroughfares, service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands.
2. All the development features including the principal building, 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.
3. The architectural design of buildings shall be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, materials, line and pattern, and character.
4. Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.
5. Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and use of proper building materials and landscaping.
6. Screening of parking areas, service areas, and refuse storage areas from surrounding properties shall be provided through landscaping and/or ornamental walls or fences to promote harmony with adjacent development. In large parking areas, visual relief shall be provided through the use of trees, planted and landscaped dividers, islands, and walkways.

7. All refuse shall be stored in rodent-proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
8. On-site traffic circulation shall be designed to make possible adequate fire and police protection.
9. Adequate provisions shall be made for the disposal of waste. Waste containing poisonous, corrosive, flammable or explosive solids, liquids or gasses, oils or grease; shall not be discharged into the sanitary sewer or into water courses.
10. Grading and surface drainage provisions shall be designed to minimize adverse effects on abutting properties, streams and public streets and to minimize the possibility of erosion. The Board of Zoning Appeals may require that such grading plans be reviewed by a professional engineer with any costs borne by the developer. The cost of any unusual means necessary to alleviate surface drainage problems on adjacent property due to development shall be borne by the development of the property causing the problem.
11. 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.
12. The number and location of openings from the site to adjacent thoroughfare shall be designed to maintain the traffic movement function of arterial and collector streets.
13. The overall development concept shall reflect the intent and recommendations of applicable comprehensive plans adopted by Sharon Township.
14. The lighting shall be in accordance with section 611 Lighting Regulations.
15. Signs and Billboards only as follows: See Article VI.
16. Will not be hazardous or disturbing to existing or future neighboring uses
17. Will not be detrimental to property in the immediate vicinity or to the community as a whole
18. The Zoning Inspector may order any landscape buffer to be maintained to conform to the conditions of the current conditional permit as imposed by the BZA.
19. The Zoning Inspector may order any hard surface or paving to be maintained to conform to the conditions of the current conditional permit as imposed by the BZA.
20. Any other conditions that the Board of Zoning Appeals would deem necessary in the interest of public health, safety, welfare and morals.

B. Specific Conditions:

The Following regulations are in addition to the general standards set forth above:

1. **Recreational Area:** Recreational area shall include uses for recreational purposes; whether privately or publicly owned and operated; and the necessary buildings and facilities for use, including rest rooms, and also including, but not limited to: Golf courses, swimming pools, tennis courts, civic or country clubs, and picnic areas.
Recreational area shall be permitted in any zone in accordance with the following regulations provided, that they shall comply with all requirements of the zone in which said property is located unless otherwise specified herein:
 - i. The recreational use permitted will be only those specifically listed in the certificate granted.

- ii. There will be no more than one (1) advertisement oriented to each abutting road identifying the recreational activities.
 - iii. All structures, road and utilities shall comply with the Sharon Township Zoning Resolution, the Medina County Subdivision Regulations, the Board of Health Standards, and Medina County Building Code or State Building Code where applicable.
 - iv. All structures and specific recreational facilities use and activity areas shall be located at least one hundred (100) feet from all property lines.
 - v. Loudspeakers or amplified sound, which may cause a hazard or annoyance, shall not be permitted.
 - vi. Vehicular approaches to the property shall be so designed and located that they will create minimum interference with traffic on the surrounding public streets.
 - vii. All points of entrance or exit shall be located no closer than two hundred (200) feet from the intersection of two (2) streets; no closer than one hundred (100) feet from the intersection of a major street and a minor street or from the intersection of any two (2) streets.
 - viii. Off-street parking space shall be provided. The proper number of spaces should be based on consideration of the maximum number of motor vehicles that can be expected to be at the premises at the same time on an average day of full use of the premises.
 - ix. Any cottage or cabins for casual rental use must conform to the Medina County Building Code regulation and have permanent sewage facilities. Cottages or cabins must have a minimum of 12' X 16' (192 square feet) as a single cottage. Doubles must have a minimum of 12' X 32' (384 square feet). Cottages or cabins erected under the provisions of the Zoning Code absolutely must not be used for permanent dwelling purposes. Cottages or cabins may be opened for purposes from May 1st until October 30th. Minimum clearance between cottages or cabins shall be seventy-five (75) feet.
 - x. Any other conditions that the Board of Zoning Appeals would deem necessary in the interest of the public health, safety, comfort, convenience, prosperity and general welfare.
 - xi. Other Incidental Uses May Include:
 - 1. Refreshment Stands, Picnic Shelters and Bath Houses
 - 2. Bath Houses, which must have prior approval of the Medina County Board of Health
 - 3. Tents erected by Scouts, Church Groups, Civic Groups, supervised by Manager of Recreational Area and Leader of Group, Tents may not remain longer than a two (2) week period under any one age group.
2. Strip or open pit mining or extracting operations for sand, clay, stone, gravel, coal, and other natural resources shall be conditionally permissible in all districts provided such operations comply both with the General Provisions as set forth in this regulation and to the specific conditions as listed.
- i. No rehabilitated slope shall exceed an angle with the horizontal of forty-five (45) degrees.
 - ii. All areas within any single development shall be rehabilitated progressively as

they are worked out or abandoned to a condition of being entirely lacking in hazards, inconspicuous, and blending with general surrounding ground from so as to appear reasonably natural. Area shall be completely and continually drained of water when not in use or not supervised by a watchman. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration.

- iii. Shall indicate established routes for truck movement in and out of the development in such a way that it will minimize wear on public streets and that it will prevent hazards and damage to other properties in the community.
- iv. All permitted installations shall be maintained in a neat orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
- v. A performance bond may be required as one of the conditions in granting certificates for the above operations.
- vi. All gas and oil brine pits must be enclosed with sturdy erected snow fence.

3. Back Lot Development

To allow for the orderly use of land, to prevent isolation of back lands by frontage development, and to protect the rural character of the township.

- A. The minimum area for a back lot shall be five (5) acres exclusive of the drive way with a minimum lot width and depth of 400 feet measured at the line of the proposed dwelling location.
- B. A maximum of one single-family dwelling permitted per minimum lot area and per driveway. No dwelling shall be erected, altered, or used unless the same shall have access, to a public street of not less than sixty (60) feet of street continuous frontage, and must be of continued width and such drive may not be counted as part of the main parcel, and must be deeded to the parcel owners. The driveway must be free of all structures.
- C. All buildings and structures shall be located to provide maximum privacy for adjacent lots. No building or structure on a back lot shall be located within one hundred fifty (150) feet of the rear property line of a frontage lot, or within fifty (50) feet of all other back lot property lines.

Only one back lot division can only be allowed with one two hundred (200) minimum frontage lot. On the application, the following warning shall be included: "The undersigned hereby acknowledges that the premises described therein is located upon a non-dedicated easement of access and therefore understand that no government body is responsible or can be held liable for the care or maintenance of the access, or for the response factor in delivering fire or emergency care.

700-10 All aspects of the development shall conform to the approved site plan.

ARTICLE VIII ZONING INSPECTOR AND ZONING CERTIFICATES

The position of Township Zoning Inspector is hereby created. He shall be appointed by and serve at the pleasure of the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide. He shall keep records of all application for zoning certificates and the action taken thereon.

800-1 Before constructing, changing the use or ownership (in the case of commercial or industrial enterprises herein) of, or altering any building, including accessory buildings, or changing the use of any premises, an application shall be made to the Township Zoning Inspector for a zoning certificate. The application shall indicate the exact location of the proposed construction, alteration, or change of use and shall include a plot plan, showing the proposed location, dimension, height of the building, and proposed use. Within ten (10) days after the receipt of the application complies with requirements of this Resolution and the application is accompanied by the proper fee or refuse the same, if it does not comply. If the proposed use for which a zoning certificate is issued has not been started with two (2) years, the certificate is revoked. Applicant must apply for a new zoning certificate and comply with all zoning regulations at the time of new application.

800-2 Fees as determined by the Board of Township Trustees

ARTICLE IX ENFORCEMENT

- 900-1 It shall be unlawful to construct, reconstruct, enlarge, change, maintain or use any building or to use any land in violation of any regulation or any provision of this Resolution or any amendment thereto.
- 900-2 Any person, firm or corporation violating this Resolution of any regulation, provision or amendment thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars (\$100.00). Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.
- 900-3 In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of law of this Resolution or any amendment thereto, the Board of Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use

ARTICLE X BOARD OF ZONING APPEALS

1000-1 There is hereby created a Township Board of Zoning Appeals of five (5) members, who shall be residents of the unincorporated area of the township included in the area zoned. The terms of each member shall be five (5) years beginning January 1st, except that the terms of the original members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The Township Board of Zoning Appeals shall have the following powers:

- A. To hear and decide appeals where it is alleged there is error in order, requirement, decision or determination made by an administrative official in the enforcement of the zoning laws or of this Resolution or any amendments thereto.
- B. To authorize upon appeal, in specific cases, such variance from the terms of this Resolution as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Resolution or any amendments thereto will result in unnecessary hardship, so that the spirit of the Resolution shall be observed and substantial justice done.
- C. To issue Conditional Zoning Certificates according to the provisions found in Article VI of this resolution.

1000-2 In exercising the above-mentioned powers, such board may, in conformity with the provisions of law and this Resolution and amendments, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.

Standards for Variances – The Board of Zoning Appeals shall not grant an area variance from the terms of this resolution unless and until practical difficulty is proven. The factors to be considered and weighted in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of the property included, but are not limited to:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance.
- B. Whether the variance is substantial.
- C. Whether the essential character of the neighborhood would be substantially altered or whether or whether adjoining properties would suffer a substantial detriment as a result of the variance.
- D. Whether the variance would adversely affect the delivery of governmental services, (e.g. water, sewer, garbage, medical, fire, police).
- E. Whether the property owner purchased the property with knowledge of the zoning restrictions.
- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
- G. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

1000-3 The Township Board of Zoning Appeals shall organize, and adopt rules in accordance with the provisions of this Zoning Resolution. Meetings of the Board of Zoning Appeals shall be held at the call of the chairman, or in his absence the acting chairman, may administer oaths and the Township Board of Zoning.

Appeals may compel the attendance of witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board shall keep each question, or, if absent of failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Township Trustees and shall be made a public record.

1000-4 Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the township affected by any decision of the administrative office. Such appeal shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The office from whom the appeal is taken shall forthwith transmit to the Township Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

1000-5 The Township Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give ten (10) days' notice to the parties in interest, and decide the same within thirty (30) days after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of the Township Board of Zoning Appeals may appeal to the Court of Common Pleas of this county on the ground that such decision was unreasonable or unlawful.

1000-6 Notification of public hearing held by the Appeals Board will be submitted in writing to all Zoning Board members. Appeals Board members and Trustees.

1000-7 Members of the Zoning Board of Appeals shall be removable for nonperformance of duty, misconduct in office, or other cause, upon written charges being filed with the Board, 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 Board of Trustees and shall be for the un-expired term.

ARTICLE XI ZONING COMMISSION: AMENDMENTS

- 1100-1 The Board of Township Trustees has created and established a Township Zoning Commission. The Commission shall be composed of five (5) members who reside in the township, to be appointed by the Board of Township Trustees, and the term of one (1) member will expire each year. Where there is a County or Regional Planning Commission, the Board may appoint qualified members of such commission to serve on the Township Zoning Commission. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable for nonperformance of duty, misconduct in office, or other cause by the Board of Township Trustees, upon written charges being filed with the Board after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the members so charged at least ten (10) days prior to the hearing, either personally, by registered mail or by leaving such copy at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term.
- 1100-2 The Township Zoning Commission shall meet quarterly and may initiate amendments of this Resolution from time to time. Amendments may also be initiated by the Township Trustees or by petition. Before submitting a recommendation of any amendment of the Zoning Resolution to the Board of Township Trustees, the Township Zoning Commission shall hold not less than one (1) public hearing thereon, notice of which shall be given by one (1) publication in one (1) or more newspapers of general circulation in the Township not less than twenty (20) nor more than forty (40) days before the date of such hearing. When the Township Zoning Commission has completed its recommendations for an amendment, it shall certify the same to the Board of Township Trustees. Petitions submitted shall include the legal description of the property involved and a list of names and addresses of all abutting, adjoining and contiguous property owners.
- 1100-3 After receiving the certification of a proposed amendment to the Zoning Resolution from the Township Zoning Commission and before adoption of any such zoning amendment, the Board of Township Trustees shall hold a public hearing thereon at least fifteen (15) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in the Township. Such hearing may be continued from time to time if in the public interest to do so.
- 1100-4 No change in or departure from the text of maps of the amendment as certified by the Township Zoning Commission shall be made unless the same be first submitted to the Township Zoning Commission for its approval, disapproval or suggestions. If such changes are disapproved by the Township Zoning Commission, provisions so disapproved must receive the favorable vote of the entire membership of the Board of Township Trustees in order to be adopted.
- 1100-5 After receiving a recommended amendment to the zoning plan from the Township Zoning Commission and holding a public hearing provided for, the Board of Township Trustees shall consider such recommendation and vote upon the recommended amendment to the Zoning Resolution. If the amendment to the Zoning Resolution is adopted by the Board of Township Trustees, it shall take effect within thirty (30) days thereafter, unless within said period there is presented to the Board of Township Trustees a petition signed by a number of qualified voters residing in the Township or

part thereof included in the amendment to the Zoning Resolution and affected by the amendment equal to not less than eight percent (8%) of the total vote cast for all candidates for Governor in such area at the last general election in which a Governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area for approval or rejection at the next primary or general election, in which event the amendment shall not take effect unless a majority of the electors voting on said issue shall approve the same.

ARTICLE XII Architectural Review Board

Pursuant to Resolution of the Sharon Township board of Trustees and the terms and provisions of the ORC 519.171 an Architectural Review Board is hereby established.

1200-1 Purpose

Sharon Township contains numerous architectural and environmental assets that establish its environmental character. This environmental character is directly linked to the economic, social, historical and cultural health and wellbeing of the community. The purpose of the Architectural Review Board is to protect and preserve these assets, by the defining and applying architectural characteristics of structures and their surroundings, as well as the preservation and protection of buildings of architectural or historical significance throughout the township. The Architectural Review Board has also been created to recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character.

1200-2

The Architectural Review Board shall be appointed by the township Board of Trustees, and consists of five (5) members who are residents or operators of a business within the township. Each member shall be appointed for a period of five (5) years and terms shall be so arranged that the term of one member shall expire each year. The Board of Township Trustees may appoint up to two (2) alternate members to the Architectural Review Board for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member according to procedures prescribed by a Resolution of the board of Township Trustees. An alternate member shall meet the same appointment criteria as a regular member and shall serve until a successor is appointed and qualified. The board of Township Trustees shall fill a vacancy occurring during the term of any member of the Architectural Review Board for the unexpired term.

The Board shall be composed of persons with recognized ability as expert in matters of aesthetic judgment by virtue of training, education, or experience in the fields of architecture, landscape and land planning, real estate, art design, and/or engineering, and possessing qualities of impartiality and broad judgment. At least one member shall be a licensed architect or engineer. At least one member shall be a member of the Sharon Township Zoning Commission.

1200-3 Organization

The Architectural Review Board shall annually elect a chairman from its membership, shall appoint a recording secretary, and shall prescribe rules for the conduct of the affairs.

1200-4 Quorum

The Architectural Review Board shall require a quorum of three (3) members at its meetings, and a concurring vote of three (3) members shall be necessary to affect all actions and recommendations.

1200-5 Meetings

The Architectural Review Board shall meet at the call of its Chairman, Secretary, or two (2) other members and at such other regular times as the board may, by Resolution determine. Written notice of all meetings shall be given not less than forty eight (48) hours prior thereto, by delivering such notice at the regular place of residence of each member. All meetings shall be open to the public and shall be conducted in accordance with ORC 109.43 and 149.43 (E) (1). A record of the board's findings, determinations and recommendations shall be maintained by its secretary.

1200-6 Powers and Duties

Upon request, the Architectural Review Board shall act in an advisory capacity to recommend to any resident, official, board, or commission of the township its determination on a proposed project. In fulfilling any such requests, the board may require drawings, plans, specifications, or studies to be submitted for evaluation and recommendation according to the provisions of this Article as well as other sections of this Zoning Resolution.

The Architectural Review Board shall make a recommendation to either the Board of Zoning Appeals, the Zoning Inspector or the property owner in accordance with the following procedures. In the case where a Zoning Certificate is required (but the Board of Zoning Appeals approval is not required), a recommendation shall be made to the Zoning Inspector. In matters where approval by the Board of Zoning Appeals is required (as in the case of a site plan or conditional use approval), the Architectural Review Board shall make its recommendation to the Board of Zoning Appeals. As a basis for its recommendations, the Architectural Review Board:

- A. Shall consider all plans, drawings, and specifications for constructing, altering, repairing, moving or demolishing any building, sign, structure, or use within the township.
- B. Determine whether said proposed work is of such design, material (excluding exterior building materials), or location that it will result in a substantial impairment or destruction of value in neighboring real estate, and whether the use of such proposed design, materials, and location, or substantially similar one, are reasonably necessary to the development of the property involved, and to recommend the approval, disapproval or modifications of plans, drainage, and specifications accordingly. The Architectural Review Board shall use the Sharon Township Design Guidelines in evaluating proposed work and making recommendations.

C. The board may request from the applicant such additional information, sketches, and data as may be reasonably requested. The Commission may call upon experts and specialists for testimony, opinions and recommendations regarding the proposals being reviewed. The costs of securing such advice shall be borne by the applicant but in no event shall the costs exceed the sum of two hundred and fifty dollars (\$250.00), unless agreed to by the applicant. Funds for such advice or studies shall be placed on deposit with the Township Board of Trustees upon the request of the Architectural Review Board.

All applications, plans and specifications referred to the Architectural Review Board shall be considered and the secretary of the board shall transmit the board's recommendation to the Board of Zoning Appeals and/or Zoning Inspector within thirty (30) days of their receipt. The applicant may agree to additional consideration time.

1200-7 Intent

The Architectural Review Board shall advise the BZA, Zoning Inspector or township resident on design, amenities, quality, relationships to natural features and other aspects of building and site development plans which relate to the appearance of an entire project, all of its parts and its surroundings. All standards, regulations and criteria contained in the Zoning Resolution shall be considered by the Architectural Review Board in its review. Each submission shall be reviewed on its own merits and shall not set precedence for other submission.

1200-8 Purpose

Sharon Township contains numerous architectural and environmental assets that establish an environmental character. This environmental charter is directly linked to this economic, social, historical and cultural health and wellbeing of the community. The purpose of the Architectural Review Board is to protect and preserve these assets, by reviewing the architectural characteristics of structures and their surroundings, as well as the preservation and protection of buildings or architectural or historical significance throughout the township. The Architectural Review Board has been created to recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character. New buildings or changes to existing buildings shall be reviewed by the Architectural Review Board as requested by the BZA, Zoning Inspector or township resident and prepare a recommendation based but not limited to the following:

- A. New construction
- B. Alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure.
- C. Demolition
- D. Addition or deletion of awnings or canopies
- E. Skylights

- F. Solar panels
- G. Building Additions
- H. The addition of new signs, changes or removal of existing signage
- I. New, relocated or expanded parking lots
- J. Driveways, fences or landscaping features
- K. Construction of sports fields and like facilities
- L. Accessory buildings
- M. Trash enclosures and vending machines
- N. Swimming Pools and Spas
- O. Heating, ventilating and air conditioning equipment

1200-9 Procedure for Architectural Review Board Submission

Application for review shall be made with plans, drawings, specifications and other materials as may be needed to make a determination.

- A. The materials that may be required include but are not limited to:
 - i. A dimensioned site plan showing existing conditions including all structures, pavement, curb cut locations, natural features such as tree masses and riparian corridors and right-of-ways.
 - ii. A dimensioned site plan showing the proposed site changes including structures, pavement, revised curb-cut location and landscaping.
 - iii. Illustration of all existing building elevations to scale
 - iv. Illustrations of all proposed building materials
 - v. Color samples for proposed roof, siding, etc.
 - vi. Lighting plans including security lighting schedules

- B. For review of signage, the following submittal requirements apply:
 - i. Illustrations of all new and existing signage including wall and ground.
 - ii. Samples of proposed sign materials
 - iii. Color samples of proposed signs
 - iv. Proposed lighting plan for signs

- C. Upon review of the application, the Architectural Review Board shall determine whether the proposed submission promotes preserves and enhances the architectural and historical character of the location. Upon completion of its review, the Architectural Review Board will prepare a report for submission to the township.

ARTICLE XIII ZONING PROCEDURE – APPENDIX 1

Suggested procedure for amending the zoning text or district boundaries

In order to rezone land or to amend the text of the zoning resolution the following steps must be taken:

Proposed changes must originate with the Trustees or be referred to the Trustees by the Zoning Commission or a property owner (step I, below):

The Trustees must pass a resolution referring the proposed change to the Zoning Commission. The change must then be submitted to the Medina County Planning Commission for review and recommendation. A public hearing must be held by the Zoning Commission per regulation set forth in the Ohio Revised Code. Within thirty (30) days after the public hearing the Township Zoning Commission must make its recommendation to the Township Trustees (Step II, below):

Within thirty (30) days after receiving the recommendation of the Township Zoning Commission the Township Trustees must set a date for a public hearing, and within twenty (20) days after the hearing the Trustees must adopt, deny, or modify the recommendation of the Zoning Commission. An amendment or rezoning becomes effective thirty (30) days after the adoption by the Trustees (Step III, below).

- 1300-1 The Trustees must certify the procedure by passing a resolution referring proposed changes to the Zoning Commission for study and review. A request for this certification may stem from one of three sources:
- A. The Trustees themselves may initiate a resolution referring the proposed change to the Zoning Commission.
 - B. The Zoning Commission may by its own motion request that the Trustees pass a resolution to certify the study of a proposed change.
 - C. A property owner may file a petition with the Trustees requesting a resolution be passed to certify study of a proposed change.
- 1300-2 The Zoning Commission must follow a set of procedures required by the Ohio Revised Code when a proposed change is referred to it by the Trustees.
- A. Within five (5) days after receiving the Trustees' resolution, the Zoning Commission must submit a copy of the proposed change to the Medina County Department of Planning Services for its review and recommendation (Medina County Planning Commission Information File #2-75 explains the information needed for review by the Medina County Planning Commission).
 - B. The Zoning Commission must set a date for public hearing on the proposed change.
 - i. Date of the hearing cannot be less than twenty (20) days nor more than forty (40) days from the date when the process is started by either of the three (3) methods explained above in 1300-1.
 - ii. In setting the hearing date it should be kept in mind that the Ohio Revised Code requires that any recommendation of the Medina County Planning Commission must be considered at the public hearing. The Planning Commission would appreciate your giving them enough time to review the proposal. Time needed may depend on the complexity of the proposal, but about two (2) weeks is normally required.
 - iii. Notice of the hearing must be published in one (1) or more newspapers of general circulation in the township at least fifteen (15) days before the date of the hearing.
 - C. If the proposed change involves rezoning or redistricting of ten (10) or less parcels of land:

- i. The notice must be mailed by the Zoning Commission, by First Class Mail, at least twenty (20) days before the date of hearing, to all owners appearing on the current tax list or the County Treasurer's mailing list of property contiguous to and directly across the street from the area proposed to be rezoned or redistricted.
 - ii. The notice must set forth the time and place of the public hearing and must bear a statement that after the hearing the matter will be referred for further determination to the Trustees and the Medina County Planning Commission.
- D. Within thirty (30) days after the public hearing, the Zoning Commission must make its recommendation to the Trustees.

1300-3 The Township Trustees must take final action after receiving the Zoning Commission's recommendation:

- A. The Trustees must set a time for a public hearing on the proposed amendment or rezoning within thirty (30) days after receiving the Zoning Commission's recommendation.
- B. Notice of the hearing must be published in one (1) or more newspapers of general circulation at least fifteen (15) days before the date of the hearing. The notice must include the time and place of the hearing and a summary of the proposed amendment or rezoning.
- C. Within twenty (20) days after the hearing, the Trustees must either adopt, deny, or modify the recommendation of the Township Zoning Commission. Modifications shall be made by unanimous vote of Township Trustees.
- D. Rezoning or text amendments become effective thirty (30) days after the date of adoption by the Trustees.