

2021 RICE TOWNSHIP ZONING REGULATIONS

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ZONING REGULATIONS

OF

RICE TOWNSHIP, SANDUSKY COUNTY, OHIO

A RESOLUTION ESTABLISHING TOWNSHIP ZONING IN THE INCORPORATED AREA OF RICE TOWNSHIP, SANDUSKY COUNTY, STATE OF OHIO, IN ACCORDANCE WITH CHAPTERS 519 OF THE OHIO REVISED CODE.

BE IT RESOLVED by the Board of Trustees of Rice Township, Sandusky County, Ohio; in order to promote the public health, safety, or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate, but economical provision of public improvements; all in conformance with a Comprehensive Plan, that:

CHAPTER 100 CITATION AND TERMINOLOGY

110 Short Title

This resolution may be cited as the "Zoning Resolution of Rice Township".

120 Terminology

Terms used in this resolution shall be deemed to have the meanings defined in Chapter 1100.

130 Relationship to Agricultural Uses

All agricultural and agricultural uses are exempted from the provisions contained within this Resolution. No permits are required for agricultural buildings nor can this Resolution prohibit the use of any land for agricultural purposes. Agricultural is defined according to the Ohio Revised Code (519.01) as including farming, dairying, pasturage, agricultural, horticultural, floricultural, viticulture, and animal and poultry husbandry. This Resolution does not apply to migrant camps since the State of Ohio Department of Health regulates them.

CHAPTER 200 INTERPRETATION

210 Interpretation and Application

In interpretation and application, the provisions of this Resolution shall be held to the minimum requirements adopted for the promotion of public health, safety and general welfare.

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

Where this Resolution imposes a greater restriction upon the use of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants, or agreements, the provisions of this Resolution shall control, but nothing herein shall interfere with, abrogate, or annul easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution.

220 Validity and Separability

It is hereby declared to the legislative intent that if any provision or provisions of the 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 situations, the effect of such decisions shall be limited to the provision or provisions, which 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 separate and fully effective, and the application of any such provision to other persons or situations shall not be affected.

CHAPTER 300 ADMINISTRATION AND ENFORCEMENT

310 Office of Zoning Inspector Created

A zoning Inspector, appointed by the Board of Township Trustees, shall administer and enforce this Resolution. The Zoning Inspector before entering upon these duties shall give bond as specified by Section 519.161 of the Ohio Revised Code. The Zoning Inspector may be provided with the assistance of other persons as authorized by the Board of Township Trustees.

320 Duties of the Zoning Inspector

For the purpose of this Resolution, the Zoning Inspector shall have the following duties:

- A. Order the discontinuance of uses, activities, and/or structures violated this Resolution and ordering the action necessary to correct such violation.
- B. Review and decide upon applications for Zoning Permits.
- C. Accept and transmit applications for appeals, variances or Special Use Permits.
- D. Take any other action authorized by this Resolution to insure compliance with or to prevent violations of the Resolution.
- E. Perform other such zoning responsibilities as may be required by the Board of Trustees, and
- F. Review all subdivision plats applicable to the Township.

330 Conditions under which Certificates are Required:

A zoning certificate shall be required for any of the following, except as herein provided:

- A. Construction or alteration of any building, including accessory buildings.
- B. Change in use of an existing building or accessory building to a use of a different classification.
- C. Occupancy and use of vacant land (except agriculture).
- D. Change in the use of land to a use of a different classification.
- E. Any change in the use of a non-conforming use.

340 Applications for Permits

All applications for zoning permits, and any other request for a permit or actions, (ie: variances, special use permits, etc.) shall be made on forms approved by the Board of Township Trustees and by supplying such information as prescribed by this Resolution and the Board of Township Trustees. Applications for Zoning Permits shall be made to the Zoning Inspector who shall approve or disapprove, giving reasons therefore within fifteen (15) days after the filing of application. A Zoning Permit shall be valid for a period of thirty (30) months counting from the date of issuance to the date of completion. If no construction activity has commenced within twelve (12) months, the permit shall be automatically void and a new application and fee shall be required prior to the issuance of a new permit.

350 Zoning Permit Fees

Fees for zoning permits shall be established by the Board of Township Trustees and may be amended from time to time. The fee must be paid at the time of issuance of an approved application.

360 Enforcement

No construction, alteration, or change, other than normal maintenance, excluding agriculture buildings and all structures in agriculture district, which affects any change in the use of land or building or regulations relating thereto, shall take place until a valid Zoning Permit has been issued.

370 Enforcement Officer

The Zoning Inspector shall enforce this Resolution, along with the other zoning officials and the Board of Trustees, in accordance with the applicable sections of the Ohio Revised Code.

380 Revoking of Permits

Any permit issued upon false statement of material fact shall be revoked; any use or activity conducted, which varies from that use or activity specifically authorized by permit, shall cause the permit to be revoked and action to prevent such violation taken in accordance with the Ohio Revised Code.

390 Notice of Violation

In case of violation of this Resolution, the responsible person shall be notified in writing and notice of said violation shall be conspicuously posted on the premises where the violations have occurred.

395 Penalties for Violation

Violations of this Resolution, in accordance with the Ohio Revised Code, shall be considered a misdemeanor, and upon conviction thereof, the responsible person may be fined not more than one hundred dollars, (\$100.00) for each offense. Each day the violation continues may be deemed a separate offense.

CHAPTER 400 BOARD OF ZONING APPEALS

410 Creation of the Board of Zoning Appeals

There shall be created and maintained a Board of Zoning Appeals in accordance with Section 519.13 of the Ohio Revised Code.

Organization and Procedures of the Board of Zoning Appeals:

The Board of Zoning Appeals shall organize and adopt rules for its own government as provided by Section 519.15 of the Ohio Revised Code and in so doing shall elect a chairperson at its annual organizational meeting. The Board shall meet on a designated date each month unless there is not business to be acted upon. Board of Zoning Appeals will consist of five (5) members.

415 Quorum

A quorum shall consist of three members of the Board of Zoning Appeals.

420 Voting

The concurring vote of at least three members of the Board of Zoning Appeals shall be required to reverse any order of the Zoning Inspector or to grant a variance or special use under the terms of this Resolution.

425 Meetings

All meetings and hearings of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall keep minutes of its meetings and shall have the power to compel the attendance of witnesses, administer oaths, and require the production of documents as it deems necessary. When a public hearing is required for action by the Board of Zoning Appeals, the procedure noted in Section 450 of this Resolution shall apply.

430 Powers and Duties of the Board of Zoning Appeals

The Board of Zoning Appeals shall have the following powers and duties in accordance with Section 519.14 of the Ohio Revised Code. In performing said powers, the Board shall not take any action which would constitute and the same as amending these regulations.

435 Appeals

The Board of Zoning Appeals has the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution under the following conditions:

- A. An appeal to the Board of Zoning Appeals may be taken by any person aggrieved or an officer of the Township affected by any decision twenty (20) days after the decision by filing with the Zoning Inspector and the Board of Zoning Appeals a notice of appeal specifying the grounds for the appeal. The Zoning Inspector shall transmit a copy to the Board of all papers constituting the records upon which the action appealed from was taken; and
- B. An appeal shall stay all proceedings in furtherance of the action appealed from unless, in the determination of the Zoning Inspector, a stay would cause imminent peril to life or property; in this case, proceedings shall not be stayed otherwise than by order of the Board of Zoning Appeals or the courts with due cause shown.

440 Variances

The Board of Zoning Appeals has the power to authorize, upon application, in specific cases, such variance from the terms of this Resolution as will not be contrary to the public interest. Such a variance may be granted where, due to special circumstances, a literal enforcement of this Resolution will result in unnecessary hardship but that the spirit and intention of the Resolution will be preserved. The Board of Zoning Appeals may grant a variance after consideration of the following items:

- A. That there are unique physical circumstances or conditions applicable to the property (including irregularity, narrowness, or exceptional physical conditions) which make its reasonable development difficult or impossible under the terms of this Resolution.
- B. That such unnecessary hardship has not been created by the applicant.
- C. That the variance, if authorized, will not alter the essential character of the neighborhood nor be detrimental to adjacent properties and property values; and
- D. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of this Resolution.

445 Special Use Permits

The Board of Zoning Appeals has the power to grant special use permits for the use of land, buildings, or other structures as provided in this Resolution subject to the following conditions (as well as any other requirements in this Resolution):

- A. The Board of Zoning Appeals shall establish beyond reasonable doubt that the general standards pertinent to each special use shall be satisfied by the establishment and operation of the proposed special use. The Board of Zoning Appeals may also impose such additional conditions and safeguards as it deems necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this Resolution shall be observed, including specific limitations as to future expansion.
- B. The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that such use in the proposed location:
 - 1. Will be harmonious with and in accordance with the objective of this Resolution.
 - 2. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
 - 3. Will not be hazardous or detrimental to existing or future neighboring uses or to the community as a whole;
 - 4. Will be served adequately by essential public facilities and services and be in compliance with all other local requirements (e.g. sub-division, health, etc.);
 - 5. Will have vehicular approaches to the property which shall be so designed as not to create interference with traffic on surrounding streets or roads.

- C. The Board of Zoning Appeals shall review applications for Special Use Permits which shall contain, at minimum, the following elements:
1. Name, address and telephone number of the applicant;
 2. Legal description of the property;
 3. Description of the existing use and a description of the proposed special use;
 4. Zoning district;
 5. A plan of the proposed site for the special use showing the location of all buildings, dwellings (with number of units therein), parking and loading areas, traffic access and circulation, open spaces, landscape, utilities, signs and other such information as the Board of Zoning Appeals may require. The plan submitted shall be considered part of the application and no deviation from this plan shall be permitted without approval of the Board of Zoning Appeals. Alteration of the plan, as determined by the Board of Zoning Appeals, shall cause the application to be voided and the permit revoked.
 6. Such other information as may be required by the Board of Zoning Appeals.

450 Hearings of the Board of Zoning Appeals

The Board of Zoning Appeals shall hold a public hearing within forty-five (45) days after the receipt of an application for an appeal, variance or special use permit. Before holding the public hearing, notice of such hearing shall be given in at least one newspaper of general circulation in the Township at least ten (10) days before the date of the hearing. The notice shall set the time and place of the public hearing and the nature of the matter to be considered.

455 Notice to Parties in Interest

Before the public hearing, written notice of the hearing shall be mailed, by first class mail, at least ten (10) days before the day of the hearing to all adjacent property owners. The notice shall contain the same information as in the newspaper notice specified in Section 450.

460 Action by the Board of Zoning Appeals

After the public hearing, the Board shall either approve, approve with conditions or disapprove a request for appeal, variance or a Special Use Permit within thirty (30) days after the first hearing. The Board of Zoning Appeals shall set forth the reasons for the particular decision and transmit a certified copy of the action to all parties in interest.

465 Appeals from Decision of the Board of Zoning Appeals

Any appeal from a decision of the Board of Zoning Appeals shall be made to the Court of Appeals. Appeals of decisions shall be made within thirty (30) days of the date of the decision.

470 Application and Fees

The Board of Township Trustees may establish application forms for requests to the Board of Zoning Appeals and may establish fees for said applications to defray the cost of public notices, mailings, etc. as it deems necessary.

CHAPTER 500 ZONING COMMISSION

- 510 Creation of the Zoning Commission
There shall be created and maintained a Zoning Commission in accordance with Section 519.04 of the Ohio Revised Code.
- 515 Organization and Procedures of the Zoning Commission
The Zoning Commission shall organize and adopt rules for its own government as provided by Section 519.04 of the Ohio Revised Code and in doing so, shall elect a chairperson at its annual organizational meeting. The Zoning Commission shall consist of five (5) members.
- 520 Quorum
A quorum shall consist of three members of the Zoning Commission.
- 525 Voting
The concurring vote of at least three members of the Zoning Commission shall be required for action on all matters.
- 530 Meetings
All meetings and hearings of the Zoning Commission shall be open to the public. The Zoning Commission shall keep minutes of its meetings and maintain a record of all its actions. When a public hearing is required for action by the Zoning Commission in the amendment process, the procedure in Section 623 of this Resolution shall apply.
- 535 Powers and Duties of the Zoning Commission
For the purpose of this Resolution, the Zoning Commission shall have the following powers and duties in accordance with Section 519.12 of the Ohio Revised Code.
- A. Initiation, by resolution of the Zoning Commission, of proposed amendments to this Resolution; and
 - B. Review of all proposed amendments to this Resolution and the presentation of recommendations on such amendments to the Board of Township Trustees as specified in Section 624 of this Resolution

CHAPTER 600 AMENDMENTS

610 General

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Board of Township Trustees may be resolution after receipt of a recommendation of the Zoning Commission, amend, supplement or change the text and/or map of this Resolution.

615 Initiation of Amendments

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

- A. By adoption of a motion by the Zoning Commission;
- B. By adoption of a resolution by the Board of Township Trustees; or,
- C. By the filing of an application by at least one owner or lessee of property within the area to be changed or affected by said amendment.

620 Procedure

Upon said motion, resolution, or filing of an application, said proposed amendment shall be considered in accordance with the following procedure as specified by Section 519.12 of the Ohio Revised Code.

621 Zoning Commission Submission to Regional Planning Commission

Within five (5) days after receipt of an amendment request, the Zoning Commission shall transmit a copy of the proposed amendment to the Regional Planning Commission. The Regional Planning Commission shall review the proposal and make a recommendation to the Zoning Commission for consideration at the public hearing. The recommendation of the Regional Planning Commission is not binding on the Township.

622 Zoning Commission Hearing

The Zoning Commission shall schedule a public hearing not less than twenty (20) days and not more that forty (40) days after receipt of the proposed amendment from the Regional Planning Commission and provide notices as specified in Section 623.

623 Required Notices - Prior to Zoning Commission Hearing
Before holding the public hearing, the Zoning Commission shall give notice of such hearing by publication in a least one newspaper of general circulation in the Township at least fifteen (15) days before the date of the hearing. The Notice shall set forth the time and place of the hearing, the nature of the proposed amendment, and a statement that after the conclusion of the public hearing, the matter will be referred to the Board of Township Trustees. If the proposed amendment intends to rezone ten (10) or less parcels of land, written notice of the hearing shall be mailed by The Zoning Commission and/or the Board of Trustees by certified mail, at least twenty (20) days before the hearing, to all owners of property within, adjacent to, and across the street from the area to be rezoned. The Zoning Commission shall obtain the names of all property owners at the County Courthouse.

- A. Tax Map Office - to obtain the names of all adjacent property owners.
- B. Treasurers Office - to obtain Pin/Parcel # to verify property owner's name and address to send certified mail.

The notice shall contain the same information as required of the newspaper notice.

624 Recommendation by Zoning Commission
Within thirty (30) days after the public hearing, the Zoning Commission shall recommend, in writing, to the Board of Township Trustees the approval, disapproval, or approval with modifications of the proposed amendment.

625 Township Trustees Hearing and Notice
With thirty (30) days after receipt of the recommendation from the Zoning Commission, the Township Trustees shall hold a public hearing giving notice of the hearing in a newspaper in the same manner as specified in Section 623.

626 Action by Township Trustees
Within twenty (20) days after the public hearing, or at the public hearing, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. If the Township Trustees deny or modify the recommendation of the Zoning Commission, the unanimous vote of the Township Trustees is required.

627 Effective Date and Referendum

Such amendment adopted by the Township Trustees shall become effective in accordance with Section 519.12 of the Ohio Revised Code.

630 Applications and Fees

The Board of Township Trustees may establish forms for amendment requests and require specific information of the applicant. The Board of Township Trustees may also establish fees for said application to defray the cost of public notices, mailings, etc., as it deems necessary.

CHAPTER 700 DISTRICTS

710 Kinds of Districts

The Township is hereby divided into the following districts:

720 Agricultural Districts, designated "A" are established to preserve areas for agricultural and future urban uses.

730 Single Family Residential Districts, designated "R-1", are established for one-family dwelling units.

740 Medium Density Residential Districts, designated "R-2", are established to provide for one, two, and three family dwelling units.

750 High Density Residential Districts, designated "R-3", are established to provide for dwelling units of four or more.

760 Commercial Districts, designated "C", are established to include areas that are appropriate to providing businesses and services to the community.

770 Industrial District, designated "I", are established for industrial, warehousing, processing, and other uses of similar performance characteristics.

780 Boundaries

Boundaries established by Section 710 are as shown on the "Zoning Map of Rice Township"; or as thereafter amended; which map is made a part hereof by reference, along with the scale and all notes, dimensions, and other graphics appearing thereon. When a right-of-way is vacated, the districts adjoining each side of said right-of-way are respectively extended to the center of the right-of-way so vacated. Any inconsistencies or uncertainties involving district boundaries shall be interpreted by the Board of Zoning Appeals.

CHAPTER 800 PERMITTED USES

810 Primary Uses

Primary uses are authorized in the Districts established by Section 710, as shown by an "X" in the following table. Where the use is indicated by an "O", the use is permitted as a Special Use Only as provided in these regulations.

<u>USE</u>	<u>A</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C</u>	<u>I</u>
Adult Entertainment						O
Airport or Aircraft Landing Field	O				O	O
Natural Resource Development	O					X
Agriculture, Farming, Etc.	X	X	X	X	X	X
Ponds	X	O	O	O	O	O
Commercial Nurseries						
Greenhouses	X	O	O	O	X	X
Single Family Dwelling	X	X	X	X		
Two Family Dwelling			X	X		
Three Family Dwelling			X	X		
Multiple Family Dwelling (4 or More Units)				X		
Permanently Sited -						
Manufactured Home	O	O	O	O	O	O
Manufactured Home Parks				O		
Condominiums				X		
Satellite Dishes	X	X	X	X	X	X
Swimming Pool	O	O	O	O	O	O
Utility, Travel, Mailing						
Services; Private Schools	O				X	X
Home Occupations	O	O	O	O	O	O
Bed and Breakfast Homestay	O	O	O	O		
Bed and Breakfast Inn				O		
Agriculture related business	X				X	X
Retail Shops & stores; all kinds						
personal services, grocery						
stores, auto sales lots, trailer						
sales lots, drive-in restaurants,						
auto service stations, upholstery						
and shoe repair shops, retail						
related storage, commercial						
amusements and the like	O				X	O
Junkyards					O	
Wholesale and Warehousing,						
including freight terminals					O	X

<u>USE</u>	<u>A</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>C</u>	<u>I</u>
Manufacturing in accordance with Section 820					X	X
Manufacturing fabrication, extraction assembly and other material handling					O	X
Kennel/Veterinarian office	O				X	X
Public parks, playgrounds, athletic fields and similar outdoor recreation	X	X	X	X	X	X
Golf Courses	X			O	X	X
YMCA, YWCA and similar commercial recreation facilities	O				X	X
Racetracks of any kind				O	O	
Schools and other cultural and education institutions. Churches cemeteries	X	X	X	X	X	X
Hospitals, sanitariums, orphanages, funeral homes, nursing home and homes for the aged					O	X
Public utility used of all kinds	X	X	X	X	X	X
Travel trailer parks and overnight camps	O				X	
Small Wind Energy Systems	X					
Solar Energy Systems:						
Small Solar Energy System	X	X	X	X	X	X
Medium Solar Energy System	X	O	O	O	X	X
Large Solar Energy System- Subject to Solar Energy Overlay District						
Telecommunication Towers	O	X	X	X	O	O

820 Commercial and Industrial Uses

Commercial and Industrial Uses with minimum nuisance standards such as the following shall be permitted in the "C" and "I" districts.

Dairies, bakeries, machine shops, printing shops, sheet metal shops, auto repair, nurseries, greenhouses, contractor's establishments and equipment storage (provided not stores in required yards), carting, express or hauling establishments, bottling works, radio or television towers, research laboratories, manufacturing and processing of nuts, bolts and similar small metal products, clothing manufacturing, electrical equipment assembly, furniture and wood products manufacturing, lumber yards, assembly of plastic products into finished products, assembly of products from previously manufactures glass and similar types of uses of a low nuisance level.

830 Prohibited Uses

The following uses are prohibited in the Township:

Manufacture of explosive, fireworks, gunpowder and ammunition.
Unlicensed storage or disposal of slaughterhouse refuse, rancid fats and/or garbage.

Dumps.

Chemical waste disposal.

Petroleum waste disposal.

Hazardous waste disposal, incineration or storage.

Junkyards or salvage operations that utilize incineration.

840 Accessory Uses

Accessory uses such as the following are permitted (no permit required) in all districts:

Bird baths, bird houses, curbs, driveways, fences, lamp posts, mail boxes, name plates, parking spaces, public utility installations, retaining walls, trees, shrubs, plants, flowers and other landscaping, walks and the like,

All accessory buildings shall meet the following requirements (permit is required):

841 Accessory buildings shall be located in the rear or side yard and shall be no closer than ten (10) feet from the main building when separated from the main building.

842 Accessory buildings in all districts shall be no less than 10 (ten) feet from any alley or street, no less than five (5) feet from a rear lot line, or a side lot line.

843 On lots where the rear yard of a corner lot abuts an adjoining lot, the accessory buildings may not project beyond the front yard of said adjoining lot.

844 In residential districts, accessory buildings shall not occupy more than twenty percent (20%) of the rear yard, but not to exceed 720 square feet, nor shall they exceed eighteen (18) feet in height.

845 Satellite dishes shall be permitted in residential districts, in the rear yard only, and only in the rear or side yard in all other districts, all other requirements of the district shall be met.

850 Special Use - General Requirement

The Board of Zoning Appeals may grant use permits where Section 810 indicates a special use is permitted. Such permission may be granted after the requirements of this resolution are met as specified in Section 445. General Requirements. A special use may be granted only after it has been determined to be essential or desirable to the public convenience and welfare, in harmony with the existing neighborhood and in conformance with setback, yard, off-street parking, density and other requirements of the district in which it is located.

860 Special Use - Requirements for Specific Uses

In addition to the requirements for all special uses, the following requirements shall be met for the following special uses.

Manufactured Home Parks shall be permitted only after the following requirements are met:

- A. A plot plan prepared by and bearing the seal of a Registered Engineer in the State of Ohio shall be presented with the request showing the location and character of all facilities, utilities, lots, walks, streets, recreation areas, service buildings and a typical lot plan.
- B. Minimum size of a Manufactured Home Park shall be ten (10) acres and the density of manufactured homes shall not exceed eight (8) manufactured home lots per gross acre.
- C. All Manufactured Home Lots shall abut interior streets of the park, and all manufactured homes shall be set back fifteen (15) feet from any property line and thirty-five (35) feet from any street.
- D. All manufactured homes shall be at least four-hundred (400) square feet in floor area and shall be placed on permanent foundation.

865 Riding Stables shall be permitted in the Agricultural or Commercial Districts only after the following conditions are met:

- A. Stables and riding areas are not closer than two-hundred fifty (250) feet to any home existing at the time (except owner's) and the stable area is not closer than seventy-five (75) feet to a property line and sixty (60) feet from the street.
- B. No stable is located in an area which floods from stream overflow.

866 Manufactured housing not meeting the criteria established for a permanently sited manufactured homes shall be permitted in either a mobile manufactured home park or manufactured home subdivision.

- A. Manufactured home parks and manufactured home subdivisions may be conditional/permitted use in a R3 residential district.
- B. The Ohio Revised Code prevents Townships from regulating permanently placed manufactured homes in any ways that is different from their regulations for stick-built homes. The other forms of manufactured housing may be regulated, including mobile homes, RV's (to include Park Models).

Industrialized units are regulated by the State of Ohio and really represent a method of construction rather than a structure. An Industrialized Unit will have a sticker from the State of Ohio on it, indicating it meets State requirements.

Manufactured Homes will have a sticker fro the Federal Department of Housing and Urban Development.

The State of Ohio regulates the installation of Manufactured Houses and Mobile Homes. A township can control the placement of Mobile Homes and RV's through zoning.

867 A manufactured home or travel trailer used for temporary living quarters, or storage of materials or equipment used in conjunction with construction work may be permitted in any district during the period that the construction is in progress. Such permitted use shall be conditional and requires approval by the Zoning Board of Appeals and shall expire upon completion of construction work. Permits for such use shall be for one year and will require renewal for continued use.

868 Single Family Dwellings and Permanently Sited Manufactured Homes

869 Intent – Rice Township hereby establishes the following Standards for the Placement of all single-family dwellings and permanently sited manufactured homes in areas of the Township which single-family dwellings are permitted.

- A. All permanently sited single-family dwellings and permanently sited homes shall meet the minimum lot area, minimum setbacks, maximum height limitations for the particular district in which it will be located.
- B. Off-street parking shall be provided according to Section 1020.
- C. The dwelling shall have all towing apparatus, wheels and exposed chassis, if any, removed before occupancy of any kind is permitted.

- D. The dwelling must be approved for and permanently connected To all required utilities.
- E. All dwellings shall be installed with properly engineered foundation systems that meets the manufacturer's installation requirements and/or applicable state and local building codes for residential dwellings. A properly engineered foundation system is one that provides adequate support of the dwellings vertical and horizontal loads and transfers these and other imposed forces, without failure, from the dwellings to the undisturbed ground below the frost line.
- F. All single-family dwellings and permanently sited manufactured homes shall be taxed as real property.

CHAPTER 900 DISTRICT REQUIREMENTS

910 Yard, Lot, Density, Coverage, Bulk and Height Requirements

No Zoning Certificate shall be issued for any construction, alteration, or change in a building, structure or the use of land unless the following requirements are met in the districts indicated:

Requirement and Type of Use	A	R-1	R-2	R-3	C	I
Maximum Density for Dwelling Units per Gross Acre Dwelling Units	2	2	6	10		
Minimum Lot Area in Thousands of Square Feet for Residential Lots						
Single Family	20	20	20	20		
Two Family			30	30		
Three Family			32	32		
Multiple Family where permitted			20,000 sq. ft plus 2,000 sq. ft per unit			
Commercial/Industrial Minimum Lot Width of Lots In Feet						
Single Family	100	100	100	100		
Two Family			100	100		
Three Family			100	150		
Multiple Family				200		
Commercial/Industrial Minimum Lot Depth of Lots In Feet					100	150
All Residential Lots	200	200	200	200		
Maximum Percentage of Lot Coverage						
Residential Uses	25	25	40	40		
Non-Residential Uses	25	25	25	25	75	75
Minimum Depth of Front Yard In Feet						
Residential Uses	35	35	35	35		
Non-Residential Uses	35	35	35	35	35	50

Requirement and Type of Use	A	R-1	R-2	R-3	C	I
Minimum Depth of Rear Yards in Feet	25	25	25	25	20	20
Minimum Width of Side Yards in Feet						
Residential Uses	10	10	10	10	10	10
Commercial Uses					10	20
Industrial & Other Uses Non-Residential Uses with Side Lot Line Abutting						20
Residential Districts	25	25	25	25	25	25
Minimum Floor Area of all Residential Uses in Square Feet						
Ground Floor Area	800	800	800	800		
Maximum Height of Buildings and Structures in Feet						
Residential Uses	35	35	35	35		
Non-Residential Uses	35	35	35	35	35	75

Special Provision:

District R-1, which includes properties on County Road 99 (Shorewood Drive) and Sunny Acres Drive, will be "grandfathered" per the Rice Township Zoning Regulations, to allow expansion to existing properties to 35 feet from the current road way. Current Zoning Regulations allow 35 feet from the right of way. This Special Provision is effective January 01, 2020.

CHAPTER 1000 SUPPLEMENTAL REGULATIONS

1010 Supplemental Height Requirements

The Maximum heights specified for buildings contained in these regulations shall not apply to:

- A. Public facilities, churches and schools, provided that for each foot by which the height of such buildings exceeds the maximum height otherwise permitted in the district, its required side and rear yard setbacks shall be increased by an additional one and one-half feet and provided that the projection does not exceed 50% of the ground floor area of the building.
- B. Flagpoles, radio or television antenna and transmission towers are exempt.

1020 Off-Street Parking and Loading Space

No Zoning Certificate shall be hereafter issued unless there is provided the following number of off-street parking spaces:

- Residential Uses - 2 spaces per dwelling unit
- Commercial Uses - 1 space for each 200 sq. ft. of floor area
- Industrial Uses - 1 space per 3 employees
- Churches and Theaters - 1 space for each 4 seats
- Golf Course - 50 spaces for each 9 holes
- Hotels, Motels, Rooming Houses - 1 space per sleeping room
- Manufactured Home and Travel Trailer Parks - 2 spaces per manufactured home site, 1 per camp site
- Riding Stables - 1 space per 1,000 sq. ft floor area

Parking spaces for all uses herein required shall be two-hundred (200) square feet in area each; shall be within three-hundred (300) feet of the premises served; shall be contiguous to the street; and shall be at least nine (9) feet wide.

Off-Street loading spaces shall be provided for each 15,000 square feet of Commercial Land Use, or a fraction thereof; and one (1) berth shall be provided for each 40,000 square feet of Industrial Land Use floor area or fraction thereof. Each loading berth shall be a minimum of twelve (12) by sixty (60) feet with minimum height clearance of fourteen (14) feet.

Parking and loading requirements shall be met for all additions or new construction begun after adoption of this resolution.

1030 Corner Lot Clearance

At the intersection corner of each corner lot, the triangular space determined by the two (2) lot lines at that corner and by a diagonal line connecting the two points on those lot lines that area twenty (20) feet respectively from the corner shall be kept free of any obstruction to vision between the heights of 2 1/2 feet and 10 feet above the established grade of the street.

1040 Signs

Signs shall be set back from the street right-of-way by the distances:
(in square feet)

Area of Sign	Minimum Setback
5 or less	2 Feet
5 - 14.9	10 Feet
15 - 49.9	20 Feet
50 - 99.9	30 Feet
100 or more	60 Feet

1041 The area of the sign shall be determined by the area of the smallest circle, triangle or rectangle that can be used to enclose the area of the sign containing the message.

1042 No freestanding sign shall be closer than ten (10) feet from any side lot line.

1043 Each establishment may be permitted two (2) signs for each five hundred (500) feet of street frontage, or part thereof, provided that the total area of signs does not exceed the maximum area allowed for each use in this section.

1044 The maximum size of any sign in square feet shall be as follows:

Type of Sign	Districts			
Signs on Lot of Place Identified:	A	R	C	I
Name Place and Address	2	2	12	12
Business Use	100		100	100
Industrial Use	200		200	200
Real Estate Development	300		300	300
For Sale Sign	12	12	12	12
Signs Not On Lot Place Identified	100		100	100

1045 Signs of Home Occupations

One (1) non-illuminated sign, not more than six (6) square feet shall be affixed to the structure and shall be erected in compliance with sign regulations of the district.

1050 Mobile Home

A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 body feet in length, or when erected on site, is 320 or more square feet, that is built on a permanent chassis and is transportable in one of more sections and does not qualify under this Resolution's definition of a manufactured home or industrialized unit.

1051 Recreational Vehicle

A vehicle portable structure that meets all of the following conditions:

- A. It is designed for the sole purpose of recreational travel.
- B. It is not used for the purpose of engaging in business for profit.
- C. It is not used for the purpose of engaging in intrastate commerce.
- D. It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended.
- E. It is not regulated by the public utilities commission pursuant to Chapter 4905. 4921., or 4923 of the Revised Code.
- F. It is classed as one of the following:
 1. "Travel trailer" or "house vehicle" means a non self-propelled recreational vehicle that does not exceed an overall length of forty feet (40), exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type foldout camping trailer as defined in Section 4517.01 of the Revised Code.
 2. "Motor home" means a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food and for sleeping.
 3. "Truck camper" means a non self-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.
 4. "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, which is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.
 5. "Park trailer" means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard All 9.5 (988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred (400) square feet or less when set up, is designed for seasonal or temporarily living quarters and may be connected to utilities necessary for the operation of installed features and appliances.

1052 One Travel trailer, motor home, boat and/or boat trailer may be stored but not inhabited in the rear or side yard of any lot so long as it is not less than ten (10) feet from the lot line; Otherwise, travel trailers shall be permitted only in travel trailer parks or overnight camps.

1053 No basement homes will be permitted. An earth shelter home is not considered a basement home.

1054 Swimming Pools

A. Residential

All swimming pools and or the entire property, on which they are located, shall be walled or fenced to prevent uncontrolled access from the street or adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition with a lockable gate. The required fence shall be in place within thirty (30) days after the swimming pool is constructed. Swimming pools are permitted only in the side and rear yards and a ten (10) foot setback, from all lot lines must be maintained. Swimming pools, as described herein, shall exclude portable pools with a diameter of less than twelve (10) feet or with an area of less than one hundred (100) square feet. An above ground pool is exempt from any fencing regulations providing the height of the pool is equal to or greater than four (4) feet. All access ladders for this type of pool shall be removed or in an inaccessible position when the pool is not in use or is left unattended.

B. Community or Club Swimming Pools

A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club for use and enjoyment by members of the association or club and their families. Community and club swimming pools shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under the ownership or jurisdiction the pool is operated.
2. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than one hundred (100) feet to any property line of the property on which located.
3. The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than six (6) feet in height and maintained in good condition. The areas surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees and maintained in good condition.

1055 Planned Unit Development:

It shall be the policy of Rice Township to promote progressive development of land by encouraging planned unit developments to achieve the following:

- A. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
- B. A more useful pattern of open space and recreation area and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services.
- C. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns.
- D. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
- E. A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.

Uses Permitted

The following uses are permitted in a planned unit development after approval by the Board of Township Trustees.

- A. Compatible residential, commercial, public, and quasi-public uses may be combined in PUD districts provided that the proposed location of the commercial uses will not adversely affect adjacent property, and/or the public health, safety, and general welfare.
- B. The amount of land devoted to commercial uses in a residential-commercial development shall be determined by the Board of Township Trustees.
- C. Lot Area, Width and Depth
The gross area of the tract to be developed under the planned unit development approach shall conform to the following schedule:

Type of Planned Unit Development	Acres Minimum Area
Residential	30
Residential-Commercial	40

When the PUD is a mixture of uses not more than eight (8) percent of the tract may be devoted to commercial activities.

Lot area per dwelling unit may be reduced beyond the requirements of this resolution with lot widths varied to allow for a variety of structural designs. Setbacks may also be varied. However, the density of the overall development shall not exceed a total of six (6) dwelling units per acre.

D. Open Space

A minimum of twenty-five (25) percent of the land developed in any planned unit development project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed.

The required amount of common open space land reserved under a planned unit development shall be held in corporate ownership by owners of the project area for the use of each other who buy property within the development.

Public utility and similar easements and right-of-ways for water courses and other similar channels or submerged lands are not acceptable for common open space dedications. The responsibility for the maintenance of all open spaced shall be specified by the developer before approval of the final development plan. Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of dwellings is encouraged.

Building Height

No building shall be erected or enlarged to exceed thirty-five (35) feet in height.

Parking Requirements

Each dwelling must be provided with two (2) parking spaces. Commercial uses shall provide one (1) parking space for each two hundred (200) square feet of floor area. All other requirements of Article 5 of this Resolution shall apply.

E. Commercial Uses:

1. When a planned unit development includes commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planting screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.
2. The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding non-commercial areas.
3. All areas designated for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the Township Trustees.
4. Project side yard of forty (40) feet and rear yard of fifty (50) feet shall be required if the project is located adjacent to any residential uses. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas, and improved areas shall be landscaped with trees and planting and properly maintained at all times.

F. Non-Illuminated Signs Permitted in the "PUD" District:

1. The requirements of Section 7 shall apply.
2. All signs must be approved.

G. Fences:

1. Fences or hedges may not exceed six (6) feet in height in the required front yard and not exceed seven (7) feet in height in any other location. No barbed wire fence shall be constructed.

H. Approval Process on "PUD"

A "PUD" may be established by application in accordance with the provisions set forth below.

Any application for a "PUD" shall be submitted in accordance with the following procedures:

1. Pre-Application Conference:
The landowner shall schedule a Pre-application Conference with the Township Trustees, County Engineer, Sandusky

County Regional Planning Commission staff and public utility companies concerned. The landowner, at the conference, shall provide evidence that the following steps have been taken:

- a. Prior to preparing a development plan, the landowner shall consult informally with the Township Trustees, County Engineer, and the Sandusky County Regional Planning Commission staff in order that he may become familiar with subdivision and zoning requirements, the relation of his/her property to existing conditions, future plans, community facilities and services.
 - b. The landowner shall also consult informally with public utility companies in order to determine the character and extent of electric power and telephone lines and also to determine the most advantageous routing of these lines and utility easements.
2. Prior to concluding the Pre-application Conference between the landowner and the Township Trustees, the Township Trustees shall consider the following principles governing a "PUD" in Rice Township:
- a. It shall be the duty of the Township Trustees to discourage Planned Developments that are far in advance of the needs of the Township, or which, by their very nature or location, cannot be efficiently served by public utilities, fire or police protection or other municipal services, or which are being unwisely or prematurely developed.
 - b. It shall further be the duty of the Township Trustees to encourage that a "PUD" be coordinated with the development of adjacent small parcels of land and to this end, the Township Trustees shall require the landowner to submit for such coordinated development, showing how streets can be connected, lot orientations coordinated and open spaces extended. The Township Trustees may also arrange meetings with the several owners of such small parcels of land or may carry out the intent of this directive by such other means as may be lawful and appropriate.

I. Application to Township Trustees

1. An application for a "PUD" shall be submitted to the Township Trustees on a special form provided for that purpose. The application shall be executed by or on behalf of the landowner and filed in duplicate

with the Zoning Inspector of the Township. A filing fee as determined by the Trustees, shall be submitted with the application. Said filing fee shall be used to defray the cost of the public hearing and work by the staff of the Sandusky County Regional Planning Commission and County Engineer.

2. Data Required with Application:

The application for approval of a "PUD" Development shall include three (3) copies of a development plan, drawn at a scale of 1" = 100' and including the following information:

- a. Location and the size of the area involved and the nature of the landowner's interest in the land proposed to be developed. A legal description of the area involved will be required.
- b. The density of land use to be allocated to parts of the area to be developed. This should be in tabular form and shown on the plans.
- c. The locations, function, ownership, and manner of maintenance of Common Open Space Areas.
- d. The use, approximate height, bulk and location of buildings and other structures.
- e. The feasibility of proposals for the disposal of sanitary waste and storm water.
- f. The substance of covenants, grants of easements or other restrictions to be imposed upon the land, buildings and structures including proposed easements for public utilities.
- g. The provisions for parking of vehicles and the location and width of proposed streets.
- h. Statement indicating the required modifications in the regulations in the township's zoning resolution otherwise applicable to the subject property.
- i. In the case of plans which call for staging development over a period of years, schedule showing the time within which applications for final approval of all parts of the "PUD" is to be filed.
- j. Said applications shall also be accompanied by a written statement by the landowner setting forth the reason why, in his/her opinion, the "PUD" would be in the public interest and would be consistent with the specific criteria, if any, therefore published and adopted by the township.

3. Review by the Sandusky County Regional Planning Commission Staff:

One (1) copy of every application for a "PUD" received by the township shall be promptly delivered to the Sandusky County Regional Planning Commission for its review and report to the Township Trustees. The Sandusky County Regional Planning Commission staff shall, as a part of its review, consult with the County Engineer's office and other departments of the county concerning the application. Nothing herein shall be deemed to forbid or discourage informal consultation between the landowner and the staff of the Sandusky County Regional Planning Commission prior to the filing of an application for a "PUD", provided no statement or representation by a member of the Sandusky County Regional Planning Commission staff shall be binding upon the Township Trustees.

4. Basis of Approval:

The township Trustees shall review and take action on the application within seventy-five (75) days following the date the application was received by the township. The Township Trustees shall base its approval of a Planned Unit Development on the following considerations:

 - a. The proposed development can be initiated within five (5) years of the date of approval.
 - b. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurances will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under standard district regulations.
 - c. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic in such amounts as to not overload the street network outside the planned unit development.
 - d. Any proposed commercial development can be justified at the locations proposed.
 - e. Any exception from standard district require-

ments is warranted by the design and other amenities incorporated in the final development plan, in accordance with the planned unit development and the adopted policies of the Board of Township Trustees.

- f. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
 - g. The planned unit development is in general conformance with the comprehensive plan.
 - h. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.
5. Public Hearing by the Board of Township Trustees:
The Board of Township Trustees shall hold a public hearing within thirty (30) days of receiving a completed application, containing the information required. Notice of such public hearing shall be published one (1) time in a newspaper of general circulation in the township at least ten (10) days prior to the hearing date. Written notice of the hearing shall be sent by the Trustees by first class mail, at least ten (10) days before the hearing, to all owners of property contiguous to or directly within the planned unit development. The names and addresses of said owners shall be provided by the applicant.
6. Election of Property Owner:
The property owner shall elect, and shall so notify the Township Trustees within forty-five (45) days after approval of the initial PUD plan by the Board of Township Trustees, to have PUD regulations and Plan as so approved apply to the property in the PUD. Limitations and restrictions on uses of some lands and buildings as compared to others in this or another PUD Plan or in other Districts are accepted and not a basis of appeals for variance. Such election shall be irrevocable and binding on the Property Owner, his successors and assigns.
7. Effect:
The approval of a final development plan of a planned unit development district shall be for a period not to exceed five (5) years to allow for preparation and the

recording of the required subdivision plat and the development of the project. If not construction has begun with five (5) years after approval is granted, the land shall revert to the district regulations in which it was located. An extension of the time limit may be approved if the Zoning Commission finds that such extension or modification is not in conflict with the public interest.

1056 Home Occupations

The purpose of this chapter is to permit commercial uses in Agricultural and Residential zoned areas provided that the uses are compatible with the residential character of the neighborhood.

General Standards:

- A. Home occupations are conditionally permitted uses in Agricultural and Residential zoned areas of the Township and are approved by the Board of Zoning Appeals in accordance with the requirements and procedures set forth.
- B. Home occupations shall meet the following requirements:
 - 1. No persons other than family members residing on the premises may be engaged in the home occupation on the premises.
 - 2. The appearance of any structure on the premises shall not be altered nor shall the business within any structure be conducted in a manner which would cause the premises to differ from its residential character.
 - 3. Accessory buildings may be used for the home occupation but the buildings shall comply with the setback and other requirements pertaining to the district in which the building is located.
 - 4. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers, or which causes fluctuation in line of voltage off the premises.
 - 5. No traffic shall be generated by the operation of the home occupation which is greater, as determined by the Board of Zoning Appeals than traffic volume normally expected in the neighborhood.
 - 6. Off-street parking requirements for the business activity shall apply. There shall be no parking in any front yard, other than in a driveway.
 - 7. One (1) non-illuminated sign, not more than six (6) square feet, shall be affixed to the structure and shall be erected in compliance with sign regulations of the district. A variance may be approved if the house sets back off the street.
 - 8. No space outside of a principal or accessory building shall be used for storage or for any home occupation use.

9. Not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

C. The following shall not be considered as home occupations:

1. Animal hospital.
2. Business School.
3. Clinic or medical center.
4. Dancing School.
5. Mortuary.
6. Music School.
7. Private Club.
8. Trailer Rental.
9. Vehicle or lawn mower repair and service.
10. Restaurant.
11. Kennel.
12. Yard, lawn or garage sales lasting more than 3 days.
13. Tattoo Parlor.

D. The home occupation approval process shall consist of the following steps:

1. Submission of a completed application, materials and fees to the office of the Zoning Inspector.
2. Approval by the Board of Zoning Appeals.
3. Issuance of the zoning certificate by the Zoning Inspector in accordance with Board requirements.
4. The procedures set forth in Chapter 400 shall dictate the approval process in detail.
5. Expiration of Approval – The approval of the home occupation shall expire if within six (6) months after approval the operation of the home occupation has not begun or if the home occupation is discontinued for a period of six (6) consecutive months.

1057 Fencing

All outdoor salvage yards, outdoor vehicle/implement repair storage yards, outdoor junk yards and similar outdoor storage and work areas are required to be enclosed by a six (6) foot, view obscuring fence.

1058 Ponds – Fresh Water

- A. Ponds shall be permitted in agricultural districts. Ponds require a Special Use Permit in "R-1", "R-2", and "R-3" Districts as a part of the overall design of a subdivision containing at least five (5) acres of land.
- B. Ponds shall require a Special Use Permit in a commercial or Industrial Districts as part of the overall design of a plant or park containing at least three (3) acres of land.
- C. Minimum surface for Special Use Permit ponds shall be one-half (1/2) acre. Maximum surface areas shall not exceed twenty-five percent (25%) of the net acreage of the parcel.
- D. The side slope of a pond shall be horizontal to vertical at a maximum ratio of 2:1. The ratio shall be maintained to a minimum depth of seventeen (17) feet. Ponds that do not meet this ratio are required to be enclosed with a six (6) foot fence unless they are for agricultural purposes in an "Agriculture District".
- E. To prevent adverse affects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from pond development, and then diverted to a suitable outlet.
- F. Refilling: The refilling of an area, which has been excavated for the development of a pond, shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for solid waste disposal under 3734.05 of the Ohio Revised Code.
- G. Set Back
 - 1. A pond shall have one hundred (100) feet minimum setback from any street right-of-way.
 - 2. Ponds on a parcel of five (5) acres or less shall have a side yard setback of not less then ten percent (10%) of the width of the parcel, with a minimum setback of twenty-five (25) feet.
 - 3. A pond shall be located no closer than one hundred (100) feet to a septic tank or leach field.

1059 Retention Basins/Detention Ponds/Any Other Structure Intended To Hold Surface/Subsurface Drainage

- 1. Basins shall require a Special Use Permit in all districts.
- 2. All basins shall have a minimum interior side slope horizontal to vertical at a ratio of 4:1 or greater. Exterior side slopes shall be constructed at no less than a 4:1 ratio.
- 3. All basins shall meet all minimum setback requirements for the district in which they are located.
- 4. All basins shall be constructed in accordance with the design requirements of a professional engineer.
- 5. All basins shall either be seeded or some other approved planting or paving.

6. Refilling – refilling of an area, which has been excavated for the development of a basin shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for sole waste disposal under 3734.05 of the Ohio Revised Code.
7. Set Back:
 - a. A basin shall have one hundred (100) feet minimum setback from any street right-of-way.
 - b. Basins on a parcel of five (5) acres or less shall have a side yard setback of not less than ten percent (10%) of the width of the parcel, with a minimum setback of twenty-five (25) feet.
 - c. A basin shall be located no closer than one hundred (100) feet to a septic tank or leach field.

1060 Bed and Breakfast Homestay

Bed and Breakfast Homestay means a private owner-occupied residence with one (1) to three (3) guest rooms. The bed and breakfast homestay shall be subordinate and incidental to the main residential use of the building. The maximum stay allowable is fourteen (14) consecutive days.

1061 Bed and Breakfast Inn

Bed and Breakfast Inn means a bed and breakfast operated as a business in which the owner may live on the premises but is not required to do so. A bed and breakfast inn shall obtain a commercial license and shall contain four (4) or more guest's rooms. The maximum stall allowable is fourteen (14) consecutive days.

CHAPTER 1100 NON-CONFORMING USES

1100 Non-Conforming Buildings

The lawful use of any building which does not conform to these regulations whether by original adoption or by subsequent amendment, may be continued after such adoption or amendment, under the conditions herein specified.

1111 The addition to, enlargement or expansion of any such non-conforming building may be permitted provided such addition, enlargement or expansion complies with all height, area, parking, setback and other requirements of the district in which it is located, and that total aggregate floor area of such additions does not exceed thirty percent (30%) of the floor area in such building at the time it became non-conforming.

1112 A non-conforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity, or the public enemy, may be restored and the same use and occupancy continued or resume, provided that such restoration is started within a period of one (1) year and is completed within two (2) years.

1113 A non-conforming building, or portion thereof, which is, or hereafter remains vacant and unoccupied for a period of two (2) years or more, shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

1120 Non-Conforming Use of the Land

1121 A non-conforming use of open land, where no primary building is involved, may be continued for a period of eighteen (18) months from the effective date of this resolution or any subsequent amendment; after which time, said use shall be discontinued.

1122 A non-conforming use of land referred to in 521 shall not be expanded or extended into any other part of the lot adjoining property; nor shall the use be changed except to a conforming use.

1123 Any junkyard in existence at the time this resolution takes effect, shall be fenced in accordance with existing state law, or such use shall be discontinued with two (2) years of the adoption of these regulations; and thereafter, the land shall be required to be used in conformance with these regulations. For purpose of this provision, a junkyard shall be defined as in Chapter 1300.

- 1124 A non-conforming use of land, where principal buildings are involved, shall not be expanded or extended into any other portion of the lot or any adjacent lot; and use of such land that exists at the time of adoption of this resolution and any subsequent amendment may be changed only as specified for change in use of non-conforming buildings as Section 1010 provided such change in use is due to a change in use of the principal building.
- 1130 Non-Conforming as to Lot Area, Width and Depth
Any lot of record, existing at the time of adoption of this resolution, or any subsequent amendment, where the required lot area, width and depth do not meet the regulation herein, may, where permitted, be used for residential purposes; provided that yard, coverage and other requirements are met; and provided that any contiguous land in common ownership be required to be used to meet the district lot area, width and depth requirements and that no portion of such be transferred to other ownership, if such transfer reduces the lot below the minimum requirements set forth in this resolution.
- 1135 A change from one non-conforming use to another may be permitted, provided that the Board of Zoning Appeals determines that the adverse effects of the proposed use does not exceed those of the previous use. In making that determination, the Board of Zoning Appeals shall insure that the proposed non-conforming use will not exceed the existing non-conforming use in terms of traffic generation by employees or customers, parking requirements and any other pertinent criteria.

CHAPTER 1200

1200 Conditions for the Operation of a Sexually Oriented Business

This requirement established reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the Township. This requirement has neither the purpose or effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this requirement to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or to deny access by the distributors or exhibitors of sexually oriented entertainment to their extended market. Neither is it the intent nor effect of this requirement to condone or legitimize the distribution of obscene materials.

Such uses shall be permitted subject to the following conditions: The applicant shall file in writing a report containing the following information:

- A. The address where the sexually oriented business is operated or is to be operated.
- B. The status of the applicant as an individual, partnership, or limited partnership, domestic or foreign corporation, or other entity; the full name, residence address, date of birth, and social security number of the applicant or the person applying on half of a partnership, corporation or other entity. If the applicant is a partnership or limited partnership, the name of the partnership, the status of the partnership; the state or other jurisdiction under which it is organized; the address of its principal office in Ohio; its federal identification number, the name and address, date of birth, and social security number of each partner; and the status of each partner as a general or limited partner. If the applicant is a corporation, the name of the corporation; the state or other jurisdiction under which it is organized; the address of its principal office; the address of its principal office in Ohio; its federal identification number; the name and address of its statutory agent in Ohio; and the full name, residence address, date of birth, and social security number of each stockholder more than two percent of the applicant's stock. If any shareholder is a corporation or a general or limited partnership, the same information shall be included for such share-

- holder as is required for an applicant that is a corporation or general or limited partnership.
- C. The application must contain the address where sexually oriented business is to be located and shall be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professional prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches.
 - D. Applicants for a permit under this section shall have a continuing duty to promptly supplement application information required by this section in the event that said information changes in any way from what was stated on the application. The failure to comply with said continuing duty within thirty (30) days from the date of such change, by supplementing the application on the file with the Township, shall be grounds for revocation or non-renewal of the permit.
 - E. Any other information determined by the Board of Trustees to be necessary.
 - F. Sexually oriented business uses shall be located at least five hundred (500) feet from any church, child day care center, library public park, public or private school, social service facility, neighborhood center, or amusement arcade.
 - G. Sexually oriented business uses shall be located at least five hundred (500) feet from any boundary of any residential district in an abutting local unit of government.
 - H. Sexually oriented business uses shall be located at least one thousand five hundred (1,500) feet from any other adult entertainment uses.
 - I. Adult entertainment uses shall be located at least two hundred (200) feet from a bar, tavern, or other business serving or selling liquor, beer, wine, or other alcoholic beverages.
 - J. A permit or license issued under this section to a sexually oriented business shall expire one year after the date of issuance. An application for a renewal permit shall be filed not later than forty-five (45) days of the expiration of the permit. An application for renewal shall be acted upon within thirty (30) days of receipt of the application. The information contained with the initial application for a permit and supplementary information required by Item b.1.d. above shall be used to determine whether or not to renew a permit. Each permit for a sexually oriented business shall contain the name of the applicant, the address of the sexually oriented business and the expiration of the permit.

CHAPTER 1300 ADULT ENTERTAINMENT

1300 No adult entertainment establishment shall be located within five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a church, school, library, public playground, any building, park or other facility owned by the State of Ohio or a political subdivision thereof, tavern, bar or other adult entertainment establishment.

No adult entertainment establishment shall be located within five hundred (500) feet from the boundaries of any residential zoning district as set forth in this Resolution as shown on the Zoning Map of the Township.

- A. Adult Arcade – means any place to which the public is permitted or invited in which coin-operated, slug-operated, or electronically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and in which the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas,
- B. Adult bookstore, adult novelty store, or adult video store – means a commercial establishment that, for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the following:
 - 1. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.
 - 2. Instruments, devices, or paraphernalia that are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of self or others.
 - 3. Adult bookstore, Adult Novelty store, or Adult Video store includes a commercial establishment as defined in Section 2907.38 of the Revised Code. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other principal business purposes does not exempt an establishment from being categorized as an adult bookstore, adult novelty store, or adult

video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

- C. Adult Cabaret – means a nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features any of the following:
 - 1. Persons who appear in a state of nudity or semi nudity.
 - 2. Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities.
 - 3. Films, motion pictures, video cassettes, slides, or other photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.
- D. Adult entertainment – means the sale, rental, or exhibition, for any form of consideration, of books, films, videocassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.
- E. Adult entertainment establishment – means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, nude or semi nude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to Section 4731.15 of the Revised Code, is not an “Adult Entertainment Establishment.”
- F. Adult Motion Picture Theater – means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.
- G. Adult Theater – means a theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

- H. Distinguished or characterized by their emphasis upon – means the dominant or principal character and theme of the object described by this phrase. For instance, when the phrase refers to films “that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas” the films so described are those whose dominant or principal character and theme are the exhibition or description of specified sexual activities or specified anatomical areas.
- I. Nude or Semi Nude Model Studio – means any place where a person, who regularly appears in a state of nudity or semi nudity, is provided for money or any other form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.
1. A modeling class or studio is not a nude or semi nude model studio and is not subject to this resolution if it is operated in any of the following ways.
 2. By a college or university supported entirely or partly by taxation.
 3. By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation.
 4. In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi nudity is available for viewing, if in order to participate in a class in the structure, a student must enroll at least three days in advance of the class and if not more than one nude or semi nude model is on the premises at any one time.
- J. Nudity, Nude, or State of Nudity – means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft, or cleavage with less than a fully opaque covering; or the showing of the female breasts with less than a fully opaque covering of any part of the nipple.
- K. Regularly Features or Regularly Shown – means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business of the adult entertainment establishment.
- L. Semi Nude or State of Semi Nudity – means a state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

- M. Sexual Encounter Establishment – means a business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:
1. Two or more persons may congregate, associate, or consort for engaging in specified sexual activities.
 2. Two or more persons appear nude or semi nude for the purpose of displaying their nude or semi nude bodies for their receipt of consideration or compensation in any type or form.
 3. An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to Section 4731.15 of the Revised Code, is not a sexual encounter establishment.
- N. Specified Anatomical Areas – means the cleft of the buttocks, anus, male or female genitals, or the female breast.
- O. Specified Sexual Activity – means any of the following:
1. Sex acts, normal or perverted, or actual or simulated, including intercourse, oral copulation, masturbation, or sodomy.
 2. Excretory functions as a part of or in connection with any of the activities described in subsection (1) above.

CHAPTER 1400 SMALL WIND ENERGY SYSTEMS

- 1400 Small Wind Energy Systems – The purpose of this Section is to promote the safe, efficient use of small wind energy systems, and to establish standards and procedures for the installation and operation of these systems within the Township.
- A. Small Wind Energy Systems – A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 1MW and which is intended primarily to reduce on-site consumption of utility power by the property owner. Additional criteria:
1. Rotors 23 inches to 21 feet in diameter, mounted on a 65 to 140 foot tower
 2. Suitable for use by rural farms and/or residences in an Agricultural Zoning District.
 3. Able to operate in areas with Class 2 and Class 3 wind resources.
 4. Small wind energy systems shall only be installed on land owned by the applicant and shall be used solely by the applicant on that site.
- B. Turbine - The parts of a wind system including the blades, generator and tail.
- C. Tower Height – The height above grade of the fixed portion of the tower, excluding the wind turbine and blades.
- D. Permitted Use: Small Wind Energy Systems shall be permitted use in an Agricultural Zoning District subject to the following requirements:
1. Notice: Notice of an application for installation of a small wind energy system shall be provided to the property owners within three hundred (300) feet of the property on which the system is to be located by regular mail, with certificates of mailing. Said notice shall be made within five (5) days of the submission of the zoning permit application and copies of the same shall be submitted to the Zoning Inspector or the permit application will be deemed to be incomplete.
 2. Tower Height: Tower heights of not more than one hundred forty (140) feet shall be allowed on parcels of less than five (5) acres. For property sizes of five acres or more, there is no limitation on tower height, except as imposed by the Federal Aviation Administration (FAA) regulations, provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. Furthermore, all towers and turbines shall be certified for safety and operational capacity to withstand 100 MPH winds. The system shall comply with all applicable Federal Aviation Administration (FAA) requirements, including, but not limited to, Part

77 of Title 14 of the Code of Federal Regulations regarding installations close to airports.

3. Setbacks – No part of the small wind system structure, including guy wire anchors, may extend closer than the height of the tower including the wind turbine and blades. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of six (6) feet above the guy wire anchors. The setback for the tower and wind turbine shall be the combined height of the tower and wind turbine plus ten (10) feet.
4. Compliance with National Electric Code – All small wind energy system installations shall comply with the National Electric Code.
5. Compliance with The Ohio Building Code or Uniform Building Code - all zoning applications for small wind energy systems shall include standard drawings and an engineering analysis of the wind turbine structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the Ohio Building Code or Uniform Building Code and certified by a licensed professional engineer shall also be submitted. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the most stringent wind requirements.
6. All Small Wind Energy Systems shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls such a variable pitch, tip and other similar systems and mechanical brakes. Mechanical brakes shall be operated in a failsafe mode. In addition, stall regulations shall not be considered a sufficient braking system for over speed protection. All Small Wind Energy Systems shall be sited in such a manner as to minimize the effect of ice throw upon neighboring properties and public roads.
7. Noise – Decibel levels for the system shall not exceed 60 dB(A) or in excess of 5dB(A) above the background noise, whichever is greater, as measured at each property line, except during short-term events such as utility outages and sever windstorms.
8. Utility Notification – No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the property owner's intent to install a small wind energy system.

9. Aesthetics – Wind turbines and towers shall be painted white, off-white or light gray to minimize visual impact upon the surrounding property owners. Neither the wind turbine nor the tower shall be used as a billboard or as an advertising device. All Small Wind Energy Systems shall be installed in such a way as to minimize flicker effects upon neighboring properties and public roads to prevent a safety distraction to vehicular and pedestrian traffic. In addition, access to the wind turbine tower shall be restricted by one of the following:
 - a. Tower climbing apparatus shall not be located within twelve (12) feet of the ground.
 - b. A locked anti-climb device shall be installed and maintained or
 - c. A tower capable of being climbed shall be enclosed by a locked, protective fence, at least ten (10) feet high with barbed wire fence.

10. All applications shall show a site plan for the wind turbine tower illustrating the fencing, signage, and color of the tower and wind turbine.

CHAPTER 1500 SOLAR ENERGY SYSTEMS

- 1500 Solar Energy System: A mechanical or electronic system that converts solar energy to heat or electrical energy.
- A. Small Solar Energy System – A Solar Energy System that is less than 1 acre in size
 - B. Medium Solar Energy System – A Solar Energy System at least 1 acres in size but less that 5 acres in size.
 - C. Large Solar Energy System – A Solar Energy System as least 5 acres in size but less that the threshold where the Public Utilities Commission of Ohio would control sitting of the facility.
- 1501 Solar Energy Systems that are installed as an accessory use shall be treated as accessory buildings and shall comply with all regulations governing accessory structures and uses. In the case of a Solar Energy System that is attached to an existing structure, the minimum separation from the principal structure may be waived. All Solar Energy Systems must meet the maximum height requirements for the district in which they are placed.
- A. Solar Energy Systems that are installed as a principle use on a lot shall be treated as a principal building and shall comply with all regulations governing the placement of buildings, including Chapter 1000: Supplemental Regulations. Setbacks, yard requirements and lot coverage requirements shall be met.
 - B. Solar Energy Systems shall be placed in such a way that they shall not cast glare onto neighboring structures or roadways.
 - C. Mechanical and electrical equipment will be screened by appropriate landscaping and fencing.
- 1502 Solar Energy Overlay District (SEOD)
The Solar Energy Overlay District is a planned unit development district (PUD) adopted pursuant to Ohio Revised Code section 519.021(c). It is intended to achieve the following:
- A. A more useful pattern of open space areas and, as part of the project, more convenience in the location of desirable uses.
 - B. A development pattern which preserves and utilizes natural topography and features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and conserves and protects the groundwater supplies.
 - C. A more efficient use of land that is generally achieved through conventional development, which may result in substantial saving through shorter lengths of utilities and streets.
 - D. A Development patter in harmony with land use density, transportation facilities, connecting open space, and community facilities.
 - E. A development that in the opinion of the trustees, is advantageous to the community at large.
 - F. A development that allows the exploitation of solar energy resources

without undue impact on the township and its residents.

The SEOD is designated to overlay those zoning districts that are currently in place in the township. The SEOD is designated on the official zoning map of Rice Township, which is hereby adopted as the Official Zoning District Map as part of this amendment. The benefits and regulations of this district are available to any landowner in the district, but only after the submission by the landowner, and approval by the Rice Township Board of Trustees, of a development plan in accordance with this resolution.

The Zoning Districts and regulations that existed at the time of the adoption of the original SEOD or later adopted remain and lay underneath the area designated SEOD. Such current zoning districts and regulations shall continue to apply unless and until the Rice Township Board of Trustees approve an application of an owner of property to subject the owner's property to the provision of the SEOD. Such an application shall be made in accordance with the provisions of this resolution and shall include a development plan in compliance with the provisions of this section.

If the Trustees determine that the application and development plan comply with the provisions of Section 1500 and approve the application, the Trustees shall cause the Official Zoning Map to be changed so that the underlying zoning no longer applies to such property, with the property being thenceforth located in the SEOD District and subject to the regulations there under.

The approval of the application and development plan and the removal of the prior Zoning District within the designated SEOD from the zoning map is a ministerial act and shall not be considered to be an amendment to the Rice Township Zoning Resolution.

1503 Types of Uses Permitted

The following types of uses are permitted after recommendation by the zoning commission and approval by the Board of Trustees. Each use shall be a part of an overall development plan with common parking areas, common points of ingress and egress, landscaping and buffering requirements from adjoining lots and the proposed Solar Energy Overlay District shall not adversely affect adjacent property values and/or the public health, safety and general welfare.

- A. Large Solar Energy System
- B. Medium Solar Energy System
- C. Small Solar Energy System
- D. Any use allowed in the previously underlying district

During the rezoning process, the developer shall provide a preliminary proposal to the zoning commission and township trustees for the parcel of land propose to be rezoned to the SEOD district. This preliminary proposal shall be sufficient in detail to assist the zoning officials and the general public in

understanding the conceptual layout of the solar development, including prescribed lot coverage and open space calculations, clustering of buildings, setback, and types of possible uses. Suggestions offered concerning the preliminary proposal, by the zoning officials and the general public, should be given strong consideration by the developer when the final development plan is prepared. Once the property is rezoned by the township trustees to the SEOD district, as provided for in Section 1500 of this resolution, the following procedures shall be followed.

A. Application to the Zoning Inspector

1. An application for an SEOD phase shall be submitted to the zoning inspector. The application shall be executed by or on behalf of all the owners of all of the land to be included in the solar development. A filing fee, as determined by the trustees, shall be submitted with the application.

2. Data Required with Application:

- a. The application for approval of a SEOD phase shall include three (3) copies of a development plan, drawn at a scale of 1" = 100' and shall be submitted with the application.
- b. The location and the size of the area involved and the nature of the landowner's interest in the land proposed to be developed should be identified. A legal description of the area involved in the planned unit development phase is required.
- c. The lot coverage percentage of land use to be developed, the proposed uses, and the location of the required open space shall be presented in tabular form and clearly shown on the plans.
- d. The location, function, ownership, and manner of maintenance of common open space areas shall be shown.
- e. The use, general outline, location and maximum height of all building and other structures shall be identified. The plan shall list and show, if possible, the exact use, height, floor area and the proposed outline and location of all buildings and structures, including any accessory buildings.
- f. The land to be dedicated to each use and the areas of common open space shall be listed and displayed and the exact areas of common open space used to justify the lot coverage proposed.
- g. Conceptual plans for drainage, landscaping, preservation of vistas, natural features, groundwater supply and aquifer shall be included.
- h. Conceptual plans for the disposal of sanitary wastewater and storm water and for the supply of all other utilities, including water shall be submitted.
- i. The proposed schedule of site development, construction of structures, and associated facilities including sketches showing the design principles and concepts to be followed shall be identified. Required buffering and other activities intended to protect adjoining property owners shall be undertaken as early in the construction process as possible.

- j. The provision for parking vehicles and the location and width of proposed streets and existing streets abutting the property shall be shown. Proposed intersection improvements shall be shown. The zoning commission and township trustees may dictate such improvements as part of their review.
- k. The location and size of walkways, plazas, public areas, fences, signs, and of landscaping and planting shall be identified.
- l. The substances of covenants, deed restrictions, grants or easement or other restrictions to be imposed upon the use of land, buildings and structures, including proposed easements for public utilities, an for maintenance of common open space, common facilities, private streets, drives and other infrastructure of SEOD shall be filed.
- m. A plan for landscaping/buffering features and the plan for maintenance of all areas not immediately developed must be identified.
- n. Other information, as may be required by the township zoning commission or township trustees, in order to determine compliance with this resolution will be provided.
- o. An overall plan of the entire planned unit development delineating each phase so that the township can understand the interrelationships between the various phases.

B. Performance Guarantee

- 1. To guarantee that the construction of the required improvements continues on the schedule identified above, the developer may be required to provide a performance guarantee in one or a combination of the following arrangements: performance bond or escrow agreement. The performance guarantee will be in an amount as determined by the township and the developer. Portions of the performance guarantee may be released as activities are completed.

C. Additional Information

- 1. Upon initial review any additional information as may be required by the township zoning commission or township trustees in order to determine compliance with this resolution, shall be provided.

D. Basis of Approval

- 1. The township zoning commission shall review and hold a public hearing on the application. It shall base its review of the SEOD solar development on the following considerations:
 - a. The proposed development will be initiated within two (2) years from the date of approval.
 - b. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, and that

adequate assurance is if such objective will be attained.

- c. The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect.
- d. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic in such amounts as not to overload the street network outside the SEOD. Studies required for intersection improvements shall be completed and preliminary approvals obtained in advance of the submission of the proposed development. All required street improvements shall be made prior to any construction occurring, unless otherwise negotiated with the township.
- e. The appropriateness of the SEOD at the locations proposed shall be reviewed.
- f. Any exception from standard district requirements is warranted by the design and other amenities to be incorporated in the SEOD solar development and is in accord with the adopted policy of the zoning commission and the board of township trustees,
- g. The area surrounding said development could be planned and zoned in coordination and substantial compatibility with the proposed development.
- h. The SEOD solar development is compatible with the overall land use plan of the township and can be reasonably integrated into the long-range plan.
- i. The existing and proposed utility services are adequate for the proposed density and the nonresidential uses being proposed. Any required utility improvements or upgrades shall be negotiated with the appropriate utility agency with the necessary authorizations and/or permits obtained prior to any on-site construction occurring.
- j. The benefits, improved arrangements, and the design of the proposed SEOD solar development justify the deviation from the standard development requirements included in this resolution, its approval and acceptance, except for minor deviations permitted herein.

2. The zoning commission may require such changes or modification in the SEOD solar development, as are needed to achieve conformity to the standards as herein specified.

- E. Upon finding by the zoning commission that all of the standards as herein specified have been met, it may recommend approval of the SEOD to the township trustees. It shall also, where it deems appropriate and necessary, recommend those conditions to be imposed upon in the project, its operation, or both, that are needed to assure adherence to the foresaid standards.

F. Township Trustees.

1. A public hearing by the board of township trustees shall be held within thirty (30) days after receipt of the recommendation of the zoning commission. The board of township trustees shall review the application. It shall base its approval of a SEOD, or phase thereof, on the same criteria as listed for the zoning commission.
2. Within twenty (20) days after such hearing is concluded, the board of township trustees shall either adopt or deny the recommendations of the zoning commission, or adopt some modification thereof.

G. Construction Phase

1. The SEOD approved because of the application is to be a binding plan, not subject to change by the owner or developer after its approval and acceptance, except for minor deviations permitted herein.
2. Unless a deviation from a regulation in the township's zoning resolution, otherwise applicable to the property, is shown in the approved SEOD, such regulation shall be assumed to be waived.
3. The township may establish a schedule of meeting dates with the developer to monitor the progress and activities associated with the construction of the development. The first meeting will occur just prior to the initial groundbreaking activities and subsequent meetings will be scheduled, but should occur at least quarterly.

H. Other Approvals

1. For such parts of the SEOD that are proposed to be subdivisions, the Sandusky County requirements must also be met, including specifications and performance bonds or escrow funds for construction of water, sewer, streets, roads and drainage.
2. The approval of the SEOD by the township trustees does not imply approval by any other agency with jurisdiction over the development of the property. Approvals by county, state and federal agencies must be obtained before proceeding with the SEOD.

I. Minor Deviations

1. Minor changes in the location or siting of buildings, structures, streets or parking areas, or in the areas of open space, after approval of a SEOD by the board of township trustees, shall not be made without approval by the board of township trustees.
2. The board of township trustees may hear and may approve by majority vote such change at any public meeting if such change is made necessary by engineering or other circumstances not foreseen at the time the SEOD was approved. No change approved by the board of township trustees or cumulative change resulting from a series of changes may cause any of the following:
 - a. An increase in percentage of lot coverage
 - b. A reduction in common open space or in visual open space

- c. An increase in problems of vehicular or pedestrian traffic circulation or safety, or of utilities.
 - d. A reduction of off-street parking or loading space. A reduction in approved payment widths.
 - e. A reduction of more than five (5%) percent in structural setbacks from the SEOD's boundary.
3. All other changes or cumulative changes not meeting the above standard shall require a public hearing with notification to the adjoining property owners. The changes must be requested through the submission of a formal written request identifying the area affected.

J. Default

1. If no significant construction has begun within two (2) years after approval of a SEOD, it shall be void, unless an extension of the time limit of the approved SEOD is approved by the board of township trustees, after submission of a written request identifying the basis for the time extension, and a finding by the board of township trustees that such extension is not in conflict with the public interest.
2. If construction is started but amenities, roads and drives, sewer, water, drainage, utilities and landscaping are not done in accordance with the approved SEOD, the board of township trustees may require of the owner that it be done forthwith.

CHAPTER 1600 TELECOMMUNICATION TOWERS

- 1600 Any freestanding structure, or any structure to be attached to a building or other structure, that meets all of the following criteria:
- A. The freestanding or attached structure is proposed to be constructed on or after October 31, 1996.
 - B. The freestanding or attaches structure is proposed to be owned or principally used by a public utility engaged in the provision of telecommunications services.
 - C. The freestanding or attached structure is proposed to be located in an unincorporated area of the township.
 - D. The free-standing structure is proposed to top at a height that is greater than either the maximum allowable height of residential structures within the zone area as set forth in the applicable zoning regulations, or the maximum allowable height of such a free-standing structure as set forth in any applicable zoning regulations in effect immediately prior to October 31, 1996, or as those regulations subsequently are amended.
 - E. The attached structure is proposed to top at a height that is greater than either the height of the building or other structure to which it is to be attached, or the maximum allowable height of such an attached structure as set forth in any applicable zoning regulations in effect immediately prior to October 31, 1996, or as those regulations subsequently are amended.
 - F. The freestanding or attached structure is proposed to have attached to it radio frequency transmission or reception equipment.
- 1601 Sections 519.02 to 519.25 of the Ohio Revised Code confer power on a board of township trustees or board of zoning appeals with respect to the location, erection, construction, change, alteration, removal, or enlargement of a telecommunications tower but not with respect to the maintenance or use of such a tower or any change or alteration that would not substantially increase the tower's height. For purposes of this resolution, the definition of "Telecommunications Tower" includes any purpose proposing to construct or modify a telecommunication tower in an area submit to township zoning regulations shall:
- A. Provide notice as instructed in ORC 519.211 (B) (3), regardless of district.
 - B. Obtain a Special Use Permit if located in a residential district.
 - C. Provide evidence that no other location is feasible for the tower.
 - D. Provide evidence that attempts were made to collocate the facility on an existing residential structure.
 - E. Demonstrate that the tower will be located no closer than 150 feet from any existing residential structure.
 - F. Ensure that any tower no longer in use will be removed within 90 days of the termination of use.
 - G. Ensure that no illumination or signage other than that required by law shall be located on the facility.

CHAPTER 2000 DEFINITIONS

2000 Definitions:

As used in this Resolution the term(s):

“Used for” includes “designed for” and vice versa; used in the “present tense” includes the “future tense”; used in the “singular number” includes the “plural number” and vice versa; “building” includes “structure”, “dwelling” includes “residence”, lot includes “plot” shall mandatory; and “may” is permissive.

- 2001 Accessory Building: A detached subordinate building, with or without foundation, that is located on the same lot as a principal building and not used or designed for human occupancy; and the use of which is clearly incidental to the use of land or to the use of the principal building. Storage and Shipping containers are included.
- 2002 Accessory Use: A use of land or buildings related to the primary use which use is clearly subordinate to the principal use of the land or buildings, and which is not used for human occupancy.
- 2003 Agriculture: The use of land for farming, ranching, aquaculture, apiculture, horticulture, viticulture, animal husbandry, including but not limited to, the care and raising of livestock, equine and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruit, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod or mushrooms; timber; pasturage, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.
- 2004 Agriculture Business: A commercial establishment dealing solely with the sale, rental or lease of products or equipment used or associated with normal agricultural production.
- 2005 Agriculture District: As listed in Section 720 – Primary Uses.:
- 2006 Airport or Aircraft Landing Field: Any land area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage or tie down areas, hangers and other necessary buildings and open space.
- 2007 Alley: A right-of-way, other than a street, road, crosswalk or easement that provides secondary access for the special accommodation of the abutting property

- 2008: Alteration: Any changes in the nature of the use of land and/or buildings; and includes any changes in supporting members, beams, bearing walls, column or girders which would tend to prolong the life of the building or use; but not including normal maintenance and repair.
- 2009 Attorney: Sandusky County Prosecuting Attorney or the Township's legal advisor.
- 2010 Automotive Repair: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and the steam cleaning of vehicles.
- 2011 Automobile Service Station: Any premises used for supplying gasoline or oil or retail direct to the motoring public, including minor accessories and services for automobiles conducted wholly within an enclosed building.
- 2012 Basement: A story partially or wholly underground, where no more than one-half the height of the story is above the average level of the adjoining ground.
- 2013 Bed and Breakfast Homestay: A private owner-occupied resident with one (1) to three (3) guest rooms.
- 2014 Bed and Breakfast Inn: Operated as a business in which the owner may live on the premises. Shall contain four (4) or more guest rooms.
- 2015 Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property. A mobile home or manufactured home is a building, for the purpose of this Resolution, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title has been surrendered and inactivated by the clerk of common please court that issued it so that the home may be taxed as real property.
- 2016 Building Area: The horizontally projected area of the buildings on a lot, excluding terraces, unenclosed porches, and other open areas.
- 2017 Building Height: The vertical distance measured from the average level of the finished grade at the front of the building to the highest point of a flat roof; to the decline of a mansard roof or to the ridges of a gable, hip, or gambrel roof.
- 2018 Building Line: The line that establishes the minimum permitted distance on a lot between the outside of the building including any overhang and the lot line.

- 2019 Business: The use of lands or buildings for the purpose of purchases sale or exchange of goods and services; for the purpose of maintaining offices, recreational or amusement enterprises for profit.
- 2020 Campsite or Trailer Camp: An area of land on which three (3) or more travel trailers, campers, motor homes, tents, or other similar recreational vehicles are accommodated with or without charge. Such camp shall include any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.
- 2021 Condominium: Property in which two or more individual owned dwelling units are contained within a single building, and the units are offered together with undivided interest in the common areas and facilities of the property. For purposes of determining lot and building requirements and the approval process for the building containing dwelling units, refer to Chapter 910. The condominium shall also comply with the declaration and other requirements of the Ohio Revised Code Chapter 5311.
- 2022 Corner Lot: A lot at the junction of, and abutting, two intersections or intercepting streets.
- 2023 Density: The number of dwelling units per acre of land.
- 2024 Detached Building: A building that has no structural connection with another building.
- 2025 Drive In: An establishment selling foods, frozen desserts, or beverages to consumers, the establishment being designed, used or intended to be used for the consumption of such items on the premises outside of the building in which they are prepared.
- 2026 Dump: A lot of land or part thereof used primarily for the licensed or unlicensed disposal by abandonment, dumping, burial, burning, or any other means and for whatever purposes, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste materials of any kind.
- 2027 Dwelling: A building or portion of a building designed for residential purposes, including one-family, two-family, and multi-family dwellings, but not including hotels, motels, boarding houses and/or lodging houses.
- 2028 Dwelling, Single-Family: A permanent structure entirely detached: independent from any other principal structure placed on a permanent foundation, having one or more rooms, with provisions for living, sanitary and sleeping facilities specifically designed and arranged exclusively for the use of one or more individuals of the same family.

These dwellings include site built homes, industrialized homes, manufactured homes and mobile homes but not barns, sheds or other structures designed for uses other than single family.

- 2029 Dwelling, Two-Family: A building designed exclusively for occupancy by two (2) families living independently of each other, including a duplex, (one dwelling unit above the other) or a semi-attached dwelling (one dwelling unit beside the other).
- 2030 Dwelling, Multiple-Family: A building or portion thereof designed for occupancy by three (3) or more families living independently of each other.
- 2031 Dwelling Unit: A dwelling, or part of a dwelling, used by one family, exclusively, as a place of abode.
- 2032 Easement: Authorization by a property owner for the use by another party, and for a specific purpose, of any designated part of his property.
- 2033 Factory-Built Housing: Factory-built housing means a factory-built structure designed for long-term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Resolution, "Factory-built housing" shall include the following:
1. **Manufactured Home:** Any nonself-propelled vehicle transportable in one or more sections which in the traveling mode, is eight (8) body feet in width, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which bears a label certifying that it is built in compliance with Federal Housing Construction and Safety Standard.
 2. **Modular Home:** Factory-built housing certified as meeting the Ohio Basic Building Code. Once certified by the state, modular homes shall be subject to the same standards as site-built homes. Also known as an industrialized unit.
 3. **Mobile Home:** A transportable, factory-built home, designed to be used as a year-round residential dwelling and located in a mobile home park.
- 2034 Family: One or more persons living as a single housekeeping unit, but not including an unrelated group of more than four (4) persons or a group occupying a hotel, motel, club, nurses' home, dormitory, or fraternity or sorority house.

- 2035 Farm: An area used for agricultural operations.
- 2036 Farm Market: A market where 50% of the gross income is derived from produce raised on the farm on which the market is located.
- 2037 Fence: A barrier intended to prevent intrusion or escape excluding decorative structures not designed for such purposes.
- 2038 Floor Area: The sum of the gross horizontal area of all floors, excluding basement areas not used for living quarters and other areas not used for permanent occupancy or use.
- 2039 Frontage: All of the property on one side of a street between two intersecting streets (crossing or termination), measured at the setback building line--or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
- 2040 Front Line: With respect to a building, the foundation line that is nearest the front line.
- 2041 Front Lot Line: The line marking the boundary between the lot and the abutting street, easement for street purposes, lake, or water course; except that for a corner lot, means the line marking the boundary between the lot and the shorter of the abutting streets, easement for street purposes, lake or water course.
- 2042 Front Yard: A yard that is bounded by front line of the principal building, by the front lot line, and by the segments of the side lot lines that they intercept; except that on double frontage lots one such front yard may be used as a "rear yard" provided that the minimum front building line in such cases shall be complied with in placement of accessory buildings.
- 2043 Group Home: A residential social service facility containing four (4) or more non related residents and may include live supervision.
- 2044 Ground Floor Area: The area of a building in square feet, as measured in a horizontal plane at the ground floor level within its largest outside dimensions, exclusive of open porches, breezeways, terraces, garages and exterior stairways.
- 2045 Home Occupation: The use of a home for a business or professional service, which is conducted only by members of the family residing in the residence, and utilizing not more than twenty-five percent (25%) of the ground floor area of all buildings on the lot.

- 2046 Hotel: Any building or portion thereof which contains guest rooms which are designed or intended to be used, let, or hired out for occupancy by, or which are occupied by ten (10) or more individuals for compensation, whether the compensation be paid directly or indirectly.
- 2047 Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site intended for use. "Industrialized Unit" includes units installed on the site as independent units, as part of a group of units or incorporated with standard construction needs to form a completed structural entity. "Industrialized Unit" does not include manufactured or mobile homes as defined herein.
- 2048 Junk: Shall mean worn-out, castoff, stored, or discarded articles or material which is or may be salvaged for reuse, resale, reduction, or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled, or assorted for the aforementioned purposes. Any article or material which, unaltered or unchanged, and without further reconditioning can be used for its original purpose as readily as when new, shall not be considered junk.
- 2049 Junk Motor Vehicles: Ohio Revised Code Section 4513.65 prohibits the storage of a junk motor vehicle on private property with the permission of the person having right to possession of the property. A junk motor vehicle is generally described as a motor vehicle, three years old or older, extensively damaged, including but not limited to, missing wheels, tires, motor or transmission; apparently inoperable; with a fair market value of fifteen hundred dollars (\$1500) or less.
Section 505.173 provides, in part: A collector's vehicle whether it is licensed or unlicensed is a "junk motor vehicle" if the vehicle meets the above criteria in Section 4513.65 and the township trustees may regulate the storage of that motor vehicle.
Section 4513.99 provides, in part: Whoever violates Section 4513.65 is guilty of a minor misdemeanor on a first offense; on a second offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense, such person is guilty of a misdemeanor of the third degree.
The maximum penalties are as follows: Minor Misdemeanor - \$100.00 fine; Fourth Degree Misdemeanor - \$250.00 fine and/or up to 30 days imprisonment; Third Degree Misdemeanor - \$500.00 fine and/or up to 60 days imprisonment.
- 2050 Junk Yard: Land or buildings where waste or discarded used property and materials is accumulated and is or may be salvaged for re-use or re-sale; including but not limited to automobiles, farm

equipment, manufactured homes, travel trailers, trucks, and or parts thereof. The keeping of one or more unlicensed and/or inoperable automobile not used for farming purposes, and not within a building, shall be deemed a junkyard.

- 2051 Kennel: A place primarily for keeping, selling, grooming, breeding, or boarding four or more dogs that are at least four months old.
- 2052 Lodging House: A building, not available to transients, in which lodging is regularly provided for compensation for at least three but not more than ten persons.
- 2053 Lot: An area, exclusive of streets and alleys and other public places, used as a unit and which abuts a street or road.
- 2054 Lot Area: The total horizontal area within the lot lines of a lot.
- 2055 Lot Corner: A lot, or portion thereof, and situated at the intersection of two (2) or more streets.
- 2056 Lot Coverage: The area covered by buildings times one hundred, divided by the total lot area, exclusive of streets, alleys and walkways, but including utility and other similar easements, expressed as a "percentage of lot coverage".
- 2057 Lot Depth: The distance between the mid points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- 2058 Lot Line: The legal boundaries of the "lot", excluding streets, alleys and other public spaces.
- 2059 Lot Width: The distance between the side lot lines measured at the minimum front lot line.
- 2060 Manufactured Home: A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974" and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.
- 2061 Manufactured Home - Permanently sited: A Manufactured home that meets all of the following criteria:

- A. The structure is affixed to a permanent foundation and is connected to appropriate facilities.
- B. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches or attachments.
- C. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering.
- D. The structure was manufactured after January 01, 1995.
- E. The structure is not located in a manufactured home park as defined by section 4781.01 f the Revised Code.

2062 **Manufactured Home Park:** An area of land which three or more manufactured homes are regularly accommodated or intended for such use, with or without charge, including any buildings, other structures, fixtures or equipment that is used in providing that accommodation.

2063 **Motel:** Any building or group of buildings containing sleeping rooms, with or without cooking facilities, designed for temporary use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motels, motor lodges, and tourist cabins.

2064 **Multiple Family Dwelling:** A dwelling or structure containing two (2) or more "dwelling units".

2065 **Natural Resource Development:** The mining or extraction of any stone, sand, gravel, dirt, oil, or other natural resources, and shall include the processing of such natural resources.

2066 **Non-Conforming Use:** A use that exists at the time a provision of this resolution is passed, but does not comply with it.

2067 **Overnight Camp:** An area of land used or designed to be used to accommodate two or more tents, travel trailers, or other camping outfits, for no longer than a two (2) week period.

2068 **Parking Space:** A paved area within a garage, main building or accessory building, a covered paved area such as a carport, or a dust-free surfaced area having a width of nine (9) feet and a length of eighteen (18) feet, which is permanently reserved for the parking or storage of one motor vehicle and connected with a street or alley by a dust-free surfaced driveway which affords satisfactory ingress and egress for motor vehicles.

- 2069 **Permanent Foundation:** A permanent masonry, concrete or a footing or foundation approved by the manufactured homes commission pursuant to Chapter 4781 of the Revised Code, to which a manufactured or mobile home may be affixed.
The intent of a permanent masonry foundation is to have constructed a crawl space or basement foundation below frost line following general building practices. It is not intended to control or govern the shoring of or tie down procedures normally followed by such industries responsible for the placement and setup of such structures. Any type of foundation other than masonry is subject to application of a variance to construct.
- 2070 **Permanent Perimeter Enclosure:** A foundation which forms a complete enclosure under exterior walls, and includes a skirting constructed of fire and weather resistant materials, enclosing the entire undercarriage of a manufactured home.
- 2071 **Person:** Also a corporation, firm, partnership, association, organization, unit of government, or any other groups that acts as a unit.
- 2072 **Planned Unit Development:** An area of land in which a variety of housing types and subordinate commercial facilities are accommodated in a preplanned environment under more flexible standards, such as lot size and setbacks, than those restrictions that would normally apply under this resolution.
- 2073 **Pond:** Means a body of water of which none of the excavated material has been removed from the site for commercial purposes; artificially confined body of water to provide water for livestock, fish and wildlife, recreational uses, swimming and/or fire protection.
- 2074 **Principal Building:** The building in which the principal use of the lot on which it is located is conducted, including a building that is attached to such a building in a substantial way, such as a roof and walls.
- 2075 **Private Garage:** A garage whose principal use is to house motor vehicles for the accommodation of related dwelling units or related business establishments, located on the same lot as the principal use.
- 2076 **Private School:** A school other than a public school.
- 2077 **Professional Office:** An office used by members and the necessary personnel of a recognized profession such as architects, dentists, engineers, lawyers, physicians, surgeons, realty agents, insurance agents, and brokers.

- 2078 Public Garage: A garage, other than a private garage, whose services are available to the public or to persons occupying a hotel, club, or similar facility.
- 2079 Rear Lot Line: A line farthest from the front lot line, and connecting the two side lot lines.
- 2080 Rear Yard: A yard that extends across the full width of the lot and is bounded on the rear by the rear lot line, and the depth of which is the least distance from the rear lot line and the rear of the principal building.
- 2081 Retail Store: A store serving a limited local area or neighborhood selling commodities, not processed on the premises, direct to the public.
- 2082 Retention Basin: Means an enclosure designed to retain storm water during designated flood interval storms. Retention basins are not designed to hold water permanently and are required to be designed by an engineer as a part of an overall drainage plan for a subdivision, condominium or commercial/industrial development.
- 2083 Riding Stable: Any land or structure used for the care and grooming of horses or ponies for which consideration is offered or received.
- 2084 Roadside Stand: A structure designed or used for the display or sale of agricultural and related products provided some of the products are raised by the owner or tenant of the property on which the stand is located.
- 2085 Satellite Dish: A structure erected for the purpose of receiving satellite television signals.
- 2086 Sexually Oriented Business: Any of the following: adult arcade, adult bookstore, adult cabaret, adult health club, adult motion picture theater.
- 2087 Side Lot Line: A boundary line other than a front or rear lot line.
- 2088 Side Yard: A yard, between the principal building and the adjacent side lot line.
- 2089 Sign: Visual devices or structures used for advertising, identification, display, direction or publicity purposes.
- 2090 Street or Road: A right-of-way or easement that is established by record to provide the principal means of access to abutting property.

- 2091 Structure: Anything constructed or erected that requires location on or in the ground or attachment to something having a location on or in the ground.
- 2092 Structural Change: A substantial change in a supporting member of a building or structure such as a bearing wall or bearing partition, column, beam or girder, or in an exterior wall or the roof.
- 2093 Swimming Pool: A pool or open tank not located within a completely enclosed building and containing at least 1 ½ feet of water at any point.
- 2094 Through Lot: A lot fronting on two parallels or approximately parallel streets and includes lots fronting on both a street and a water-course or lake.
- 2095 Travel Trailer: A nonself-propelled recreational vehicle that does not exceed an overall length of 35 feet, exclusive of bumper and tongue or coupling, and contains less than 320 square feet when erected on site. "Travel trailer" includes tent-type and fold-out camping trailers.
- 2096 Travel Trailer Park: An area of land on which two or more travel trailers are regularly accommodated with or without charge, including any buildings, structures, fixtures, or equipment that is used in connection with providing such accommodations.
- 2097 Use: The employment or occupation of a building, structure, or land for a person's service, benefit, or enjoyment.
- 2098 Variance: A variance is a relaxation of requirements where such variation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this resolution would result in unnecessary and undue hardship.
- 2099 Warehousing and Wholesale Activities: The receiving, storage, sale and distribution of manufactured products and equipment, such as storage to be within wholly enclosed structures or buildings.
- 2100 Yard: A space on the same lot with a principal building that is open and unobstructed except as otherwise specified by this Resolution.
- 2101 Zoning Certificate/Permit: The document issued by the Zoning Inspector authorizing the use of the land or buildings.
- 2102 Zoning Inspector: The Zoning Inspector or his authorized representative appointed by the Board of Township Trustees.

- 2103 Zoning Map of District: The Zoning Map or maps of the Township together with all amendment substantially adopted.
- 2104 Adult Entertainment – Section 1300
- 2105 Small Wind Energy Systems – Section 1400
- 2106 Solar Energy Systems – Section 1500
- 2107 Telecommunication Towers – Section 1600
- 2108 Street Line, Right of Way
A dividing line between a lot, tract or parcel of land and the contiguous street.
- 2109 Any terms not defined herein, shall be as defined in the Ohio Revised Code, or if no definitions exist therein, as commonly used in the community.