

ZONING REGULATIONS
OF
RILEY TOWNSHIP, SANDUSKY COUNTY, OHIO

A RESOLUTION ESTABLISHING TOWNSHIP ZONING IN THE UNINCORPORATED AREA OF RILEY 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 Riley 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 Riley Township.

120 TERMINOLOGY.

Terms used in this resolution shall be deemed to have the meaning defined in Chapter 1300.

130 RELATIONSHIP TO AGRICULTURAL USES.

All 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 farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. This resolution does not apply to migrant camps since they are regulated by the State of Ohio Department of Health.

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

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CHAPTER 300 DISTRICTS

310 KINDS OF DISTRICTS

The Township is hereby divided into the following districts:

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

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

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

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

360 Business Districts, designated "LB", are established to include areas that are appropriate to providing businesses and services to nearby residential areas to provide everyday convenience needs for shopping and services.

370 Business Districts, designated "GB", are established to include areas that are appropriate to providing business and services to the larger community.

380 Manufacturing Districts, designated "M-1: are established for limited industrial, warehousing, processing, and other uses of similar performance characteristics which are of limited nuisance to adjoining properties.

390 Manufacturing Districts, designated "M-2 are established for general industrial, warehousing, processing, and other uses of a similar nature.

395 Conservation Districts, designated "C", are established to provide for special types of development in areas subject to flooding and in area desired to be preserved because of their natural physical features.

399 Boundaries.

A. Boundaries established by Section 310 are as shown on the "Zoning Map of Riley 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 involving district boundaries shall be interpreted by the Board of Zoning Appeals.

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CHAPTER 400 ADMINISTRATION AND ENFORCEMENT

410 OFFICE OF THE 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 his 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.

420 DUTIES OF THE ZONING INSPECTOR

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

- A. Order the discontinuance of uses, activities, and/or structures violating 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 violation of the Resolution;
- E. Perform other such zoning responsibilities as may be required by the Board of Township trustees;
- F. Review all subdivision plans applicable to the township;
- G. Distribute applications for Zoning Amendments to the general public and transmit the applications to the Regional Planning Commission and Zoning Commission.

430 CONDITIONS UNDER WHICH PERMITS ARE REQUIRED

- A. Zoning permit shall be required for any of the following, except as herein provided:
 - A. Construction or exterior alteration of any building, including accessory buildings or any other structure (including pools and ponds), unless otherwise exempted in this Resolution;
 - B. Change in the 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.

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440 APPLICATION FOR PERMITS. All applications for zoning permits, and any other request for a permit or actions, 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 the application, giving reasons therefore within ten (10) days after the filing of the application. A zoning permit shall be valid for a period of twenty-four (24) months counting from the date of issuance to the date of completion. If no construction activity has commenced within 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.

450 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.

460 ENFORCEMENT. No construction alterations, or change, other than normal maintenance, excluding agriculture buildings and structures in agriculture districts, 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.

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

480 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.

490 NOTICE OF VIOLATION. The Zoning Inspector shall give written notice, by certified mail, return receipt requested, or by other means, to ensure actual notice to persons responsible for any alleged violation. Such notice shall state the reasons why the Zoning Inspector believes there is a violation in fact and shall require an answer or a correction of the alleged violation, as determined by the Zoning Inspector, within a reasonable time limit set by the Zoning Inspector. The notice shall also state, and it is hereby declared, that failure to reply or correct the alleged violation to the satisfaction of the Zoning inspector within the set time limit constitutes an admission of the violation.

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491 NOTICE OF VIOLATION. The manner in which person responsible for an alleged violation of this Zoning Resolution respond to the notice of violation shall determine the course of action taken by the Zoning Inspector as follows:

A. Correction of Violation Within Time Limit. If, within the time limit set the alleged violation is corrected, as determined by the Zoning Inspector, "violation corrected" shall be noted on his copy of the notice and retained as official records.

B. Petition for appeal. If, within the time limit set, person responsible for the alleged violation petition the Board of Zoning Appeals for an administrative review to determine whether or not there is an error by the Zoning Inspector in regard to the interpretation of this Zoning Resolution, then no legal action shall be initiated by the Township against those responsible for the alleged violation until after the Board has made its determination.

C. Request for Extension of Time. If a reply is received within the time limit set indicating that an alleged violation will be corrected, but that more time is required than was granted by the original notice, the Zoning Inspector may grant an extension of time, if he deems such extension is warranted by the circumstances of the case, and if such extension will not, in his opinion, cause imminent peril to life, health or property. In acting on such a request, the Zoning Inspector shall state his reasons in writing, for granting or refusing to grant the extension and shall transmit the same by certified mail, return receipt requested, or other means to ensure actual notice, to those to whom original notice was sent.

D. No Correction and No Reply. If there is no reply within the time limit set, this establishing and admission of the violation as provided in Section 490, and the alleged violation is not corrected to the satisfaction of the Zoning Inspector within the time limit set, he shall take or cause to be taken such action as is warranted by the continuation of an admitted violation.

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492 PROSECUTION OF VIOLATION.

A. If the notice of violation is not complied with nor an appeal proceeding started within fifteen (15) days of the service of notice, the Zoning Inspector shall request the Sandusky County Prosecutor to enforce the penalty provisions of this Zoning Ordinance against the person responsible for the violation or to institute the appropriate proceeding at law or in equity against the person responsible for such violation, ordering such person to;

1. Restrain, correct or abate such violation.
2. Remove or terminate the unlawful use of the parcel of land or building or other structure in violation.
3. Remove the work in violation.
4. Prevent the occupation or use of a parcel of land or building or other structure, or part thereof, erected, constructed or altered in violation of a plan or specification under which an approval, permit or certificate was issued.

493 VIOLATIONS SPECIFIED. No person, including an officer, director or employee of a corporation or a governmental official or agent charged with the responsibility of issuing permits or inspecting buildings or structures shall:

A. Violate a provision of this Zoning Resolution and/or a rule for the enforcement of this Zoning Resolution.

B. Construct or build a structure or building in violation of a condition of a zoning variance or special approval.

C. Fail to comply with an order issued pursuant to this chapter by the Zoning Inspector, the Board of Zoning Appeals or a court.

D. Make a false or misleading written statement, or omit required information or a statement in an inspection report, application, petition or request for approval, to the Zoning Inspector of the Board of Zoning Appeals.

E. Refuse entry or access to an inspector lawfully authorized to inspect any premises, building or other structure pursuant to this Zoning Resolution.

F. Unreasonably interfere with an authorized inspection.

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G. Issue, fail to issue, cause to be issued or assist in the issuance of a certificate, permit or license in violation of this Zoning Resolution or a rule promulgated under this Zoning Resolution or another applicable law.

H. Having a duty to report a violation of this Zoning Resolution or rule promulgated under this Zoning Resolution or other applicable law, conceal such violation.

494 NUISANCE ABATEMENT. Building erected, altered, razed or converted, or uses carried on in violation of this Zoning Resolution, are hereby declared to be nuisances per se. The Township may petition the courts to order the nuisance abated. The owner or agent in charge of the building or land, or both the owner and the agent, may be judged to be guilty of maintaining a nuisance per se.

495 PENALTY.issued by an enforcing agency.

2. With respect to section 493 (A) and (D), a person is guilty of a separate offense for each violation of this Zoning Resolution, or a rule promulgated under this Zoning Resolution, and for each false or misleading written statement or omission of required information or a statement made in an application, petition, request for approval or appeal to the Zoning Inspector or the Board of Zoning Appeals.

3. With respect to Section 493 (b), a person is guilty of a separate offense for each violation of a condition of a variance or special approval.

4. With respect to any other subsection of Section 493, not otherwise provided for, a person is guilty of a separate offense for each violation of this chapter.

5. The imposition of sentence under this section shall not be constructed as excusing or permitting the continuation of any violation.

B. General Penalty. 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 no more than one hundred dollars, (\$100.00) for each offense. Each day the violation continues may be deemed a separate offense.

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CHAPTER 500 BOARD OF ZONING APPEALS

510 CREATION OF THE BOARD OF ZONING APPEALS.

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

B. Organization and Procedures of the Board of Zoning Appeals:

1. 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 chairman at its annual organizational meeting. The Board shall meet on a designated date each month unless there is no business to be acted upon.

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

520 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.

525 MEETINGS. All meetings and hearing 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 550 of this Resolution shall apply.

530 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 be the same as amending these regulations.

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

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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 thirty (30) 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 record upon which the action appealed from was taken; and

B. An appeal shall stall 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 case shown.

540 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. The 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;

E. That the variance, if authorized would be an extension of an existing nonconformity.

545 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:)

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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 operations 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 regulations e.g. subdivision, 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 a minimum the following elements:

1. Name, address, and phone 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;

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5. A plan of the proposed site for the special use showing the location of all buildings, dwellings (with the 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 this plan, as determine by the Board of Zoning Appeals, shall cause this application to be voided and the permit revoked;

6. Such other information as may be required by the Board of Zoning Appeals.

550 HEARNING OF THE BOARD OF APPEALS.

The Board of Zoning Appeals shall hold a public hearing within 45 days after the receipt of an application for an appeal, variance, or special use permit. Before holding the public hearing, notice of the hearing shall be given in at least one newspaper of general circulation in the Township, at least 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.

555 NOTICE TO PARTIES OF INTEREST.

Before the public hearing, written notice of the hearing shall be mailed by first class mail, as least 10 days before the day of the hearing to all adjacent property owners (also to those across streets and roads). The notice shall contain the same information as in the newspaper notice specified in Section 550.

560 ACTION BY THE BOARD OF ZONING APPREALS.

After the public hearing the Board shall either, approve, approve with conditions, or disapprove the request for an appeal, variance, or a special use permit; within 30 days after the hearing. The Board shall set forth the reasons for the particular decision and transmit a copy of the action to all parties in interest.

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565 APPEALS FROM DECISION OF THE BOARD OF ZONING APPEALS.

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

570 APPLICATION AND FEES.

A. 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.

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CHAPTER 600 ZONING COMMISSION

610 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.

615 ORGANIZATIONAL AND PROCEDURES OF THE ZONING COMMISSION. The Zoning Commission shall organize and adopt rules for its own government as provided by Section 519.4 of the Ohio Revised Code and in doing so, shall elect a chairman at its annual organizational meeting.

620 QUORUM. A quorum shall consist of three members of the Zoning Commission.

625 VOTING. The concurring vote of at least three members of the Zoning Commission shall be required for action on all matters.

630 MEETINGS. All meetings and hearing 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 procedures noted in Sections 723 of this Resolution shall apply.

635 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 724 of this Resolution.

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CHAPTER 700 AMENDMENTS

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

715 INITIATION OF AMENDMENTS.

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

1. by adoption of a motion by the Zoning Commission;
2. by adoption of a resolution by the Board of Township Trustees; or
3. 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.

720 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.

721 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.

722 ZONING COMMISSION HEARING. The Zoning Commission shall schedule a public hearing not less than 20 days and not more than 40 days after the proposed amendment is filed and provide notices as specified in Section 723.

723 REQUIRED NOTICES – PRIOR TO ZONING COMMISSION HEARING. Before holding the public hearing, the Zoning Commission shall give notice of such hearing by publication in at 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 10 or less parcels of land, written notice of the hearing shall be mailed, 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 notice shall contain the same information as required of the newspaper notice.

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724 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.

725 TOWNSHIP TRUSTEES HEARING AND NOTICE. Within 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 723.

726 ACTION BY TOWNSHIP TRUSTEES. Within twenty (20) days after the public hearing, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. If the Township Trustees deny or modify the recommendation of the zoning Commission, the unanimous vote of the Township Trustees is required.

727 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.

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

CHAPTER 800 USE REGULATIONS

810 PRIMARY USES

Primary uses are authorized in the Districts established by District Section 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 the appropriate sections of this Resolution.

820 PERMITTED USES

| USE | DISTRICT | | | | | | | | | |
|---|----------|-----|-----|-----|----|----|-----|-----|---|--|
| | A | R-1 | R-2 | R-3 | LB | GB | M-1 | M-2 | C | |
| Single Family Residence | X | X | X | X | - | - | - | - | O | |
| Duplex | - | - | X | X | - | - | - | - | - | |
| Multi-Family Dwelling | - | - | X | X | - | - | - | - | - | |
| Condominium | - | - | - | X | - | - | - | - | - | |
| Retention Basins | O | O | O | O | O | O | O | O | O | |
| Ponds (Fresh Water) | X | O | O | O | O | O | O | O | X | |
| Agriculture, Farming, Etc. | X | X | X | X | X | X | X | X | X | |
| Agricultural Products Processing (50% raised on premises) | X | - | - | - | - | - | X | X | X | |
| Natural Resource Development | O | - | - | - | - | - | - | X | O | |

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| | A | R-1 | R-2 | R-3 | LB | GB | M-1 | M-2 | C |
|--|---|-----|-----|-----|----|----|-----|-----|---|
| Agricultural Related Business | O | - | - | - | X | X | X | X | - |
| Airport | O | - | - | - | - | - | - | - | - |
| Antique Shops | - | - | - | - | X | X | O | - | - |
| Appliance Stores | - | - | - | - | X | X | O | - | - |
| Auto Sales | - | - | - | - | X | X | O | - | - |
| Auto Service & Repair | - | - | - | - | X | X | X | X | - |
| Barber Shop, Beauty Shop | - | - | - | - | X | X | O | - | - |
| Bowling Alley, Pool Hall | - | - | - | - | X | X | X | - | - |
| Car Wash | - | - | - | - | X | X | X | - | - |
| Carry-Out | - | - | - | - | X | X | O | - | - |
| Cemetaries | X | X | X | X | X | X | O | - | O |
| Churches | X | X | X | X | X | X | O | - | O |
| Clothing Stores | - | - | - | - | X | X | O | - | - |
| Contractor's Yard | - | - | - | - | - | - | X | X | - |
| Dance Halls | - | - | - | - | X | X | O | - | - |
| Drive-In Theaters | - | - | - | - | - | X | O | - | - |
| Fame Equipment Sales/Service | O | - | - | - | O | X | X | X | - |
| Flea Market | - | - | - | - | X | X | - | - | - |
| Go-cart, Snowmobile, Motorized Bike Tracks- | - | - | - | - | X | X | O | - | - |
| Non-motorized bike tracks | - | - | - | - | O | X | X | O | O |
| Boat Storage | - | - | - | - | O | X | X | - | O |
| Marina | - | - | - | - | O | X | X | - | O |
| Gold Course/Golf Driving Range | O | O | O | O | O | X | O | O | O |
| Grocery, Bakery, Dairy, Drug, Meat, Variety Stores (less 5000 square feet) | - | - | - | - | - | X | X | X | - |
| Hardware Stores | - | - | - | - | X | X | O | - | - |
| Hauling Yard/Truck Terminal | - | - | - | - | - | - | X | X | - |
| Home Occupations | O | O | O | O | O | O | O | O | O |
| Hospitals, Orphanages, Sanitariums, Nursing Homes, Homes for the aged | - | - | - | O | X | X | - | - | - |

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| | A | R-1 | R-2 | R-3 | LB | GB | M-1 | M-2 | C |
|---|---|-----|-----|-----|----|----|-----|-----|---|
| Hotel, Motel, Transient | | | | | | | | | |
| Lodging | - | - | - | - | - | X | - | - | - |
| Ice Rink, Roller Rink | - | - | - | - | - | X | O | - | - |
| Junk Yards | - | - | - | - | - | - | - | X | - |
| Landfills | - | - | - | - | - | - | - | - | - |
| Laundromat | - | - | - | - | X | X | O | - | - |
| Kennels/Veterinarian Office | O | - | - | - | X | X | X | X | - |
| Mobile Homes/Trailer Sales/ Service | - | - | - | - | - | X | X | X | - |
| Movie Theaters | - | - | - | - | - | X | O | - | |
| Nurseries/Greenhouses | X | - | - | - | X | X | X | X | O |
| Off-Premise Signs | O | - | - | - | X | X | X | O | - |
| Personal Storage | - | - | - | - | - | X | X | - | - |
| Planned Unit Development | O | - | O | O | O | O | - | - | - |
| Printing, Photocopy | - | - | - | - | X | X | O | - | - |
| Private Lodge/Clubhouse | O | - | - | - | - | X | - | - | O |
| Professional Offices | - | - | - | - | X | X | O | - | - |
| Public & Parochial Schools (except Business & Trade) | X | X | X | X | X | X | O | - | O |
| Public Utilities | X | X | X | X | X | X | X | X | X |
| Race Tracks | - | - | - | - | - | O | - | - | - |
| Retail Uses not listed | - | - | - | - | X | X | O | - | - |
| Riding Stables/Boarding Horses | X | - | - | - | X | X | - | - | |
| Satellite Dishes | X | X | X | X | X | X | X | X | X |
| School Conducted for Profit | - | - | - | - | X | X | O | - | - |
| Service Business | - | - | - | - | X | X | O | - | - |
| Stabling of Horses/and or Ponies | X | - | - | - | X | X | - | - | - |
| Swimming Pools | X | X | X | X | X | X | - | - | O |
| Travel Offices | - | - | - | - | X | X | O | - | - |
| Travel Trailer Parks | O | - | - | - | - | - | - | - | O |
| Truck Sales/Service | - | - | - | - | - | X | X | X | - |
| Upholstery Shops | - | - | - | - | X | X | O | - | - |
| YMCA, YWCA | - | - | - | - | - | X | - | - | - |

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| | A | R-1 | R-2 | R-3 | LB | GB | M-1 | M-2 | C |
|---|---|-----|-----|-----|----|----|-----|-----|---|
| Limited Manufacturing i.e. bottling works, nut/bolt Mfg., Clothing, lumber yards, small plastic mfg., similar low nuisance mfg. | - | - | - | - | - | - | | X | X |
| Heavy Manufacturing including: Processing plants, higher noise and nuisance level operations | - | - | - | - | - | - | - | X | - |
| Wholesale Outlet, Warehousing | - | - | - | - | - | - | X | X | - |

ZONING ORDINANCE

830 PROHIBITED USES:

A. The following uses are prohibited in the Township:

1. Manufacture of explosives, fireworks, gunpowder, and ammunition. Unlicensed storage of disposal of slaughterhouse refuse, rancid fats, and or garbage.
2. Dumps.
3. Chemical waste disposal.
4. Petroleum waste disposal.
5. Hazardous waste disposal, incineration or storage.
6. Junk yards or salvage operations that utilize incineration.
7. Junk vehicles.
8. Commercial incinerations.
9. Solid waste landfill.

840 ACCESSORY USES:

Accessory uses such as the following are permitted (no permit required) in all districts; bird houses, curbs, driveways, hedges, lamp posts, mail boxes, name plates, parking spaces, retaining walls, trees, shrubs, plants, flowers and other landscaping, walks, accessory buildings of 100 square feet or less. Accessory buildings must conform to the following requirements:

1. Must be located in the side or rear yard and must be no closer than 10 feet from the main building when separated from it.
2. In all districts must be no less than 10 feet from any alley or street, no less than 5 feet from the rear lot line.
3. On lots where the rear yard of a corner lot abuts an adjoining lot, the accessory building may not project beyond the front yard of said adjoining lot.

844 In residential districts, accessory buildings shall not occupy more than thirty (30) percent of the rear yard, not exceed 72 square feet, nor exceed sixteen (16) feet in height.

845 The following are not permitted for use in residential districts as accessory structures or for storage: Manufactured homes designed originally for transference on public highways with their own wheels and chassis, tractors trailers, or truck boxes.

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846 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. A permit is not required for satellite dishes.

847 Boats and travel trailers may be stored on a residential lot in a side or rear yard only, if setback requirements are met. Storage in front yards is only permitted in a driveway and then only for up to three weeks a year to allow for maintenance and cleaning.

850 SPECIAL USES – GENERAL REQUIREMENTS

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 545.

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 USES – REQUIREMENTS FOR SPECIFIC USES.

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

861 Ponds or lakes shall be permitted in residential districts only after they have been shown to be a part of the overall design of a residential subdivision and the Board of Trustees is satisfied that serious safety, health and other hazardous will be eliminated. Ponds shall not encroach upon any required yard.

865 Riding and Boarding stables shall be permitted in AG, LB and GB districts only after the following conditions are met:

A. Stables and riding area are not closer than 250 feet to any home existing at the time (except the owners) and the stable area is not closer than 75 feet to a property line and 60 feet from the street.

B. No stable is located in an area which floods from the stream overflow.

C. The stabling of horses or ponies, in residential districts, is not permitted on any lot of less than five (5) acres. In other districts, the stabling of horses or ponies shall be permitted on a lot of not less than one (1) acre per horse or pony, if permitted, and shall be a minimum of 75 feet from all property lines and all horses or ponies shall be allowed no closer than 75 feet to any existing dwelling on an adjacent property.

ZONING ORDINANCE

CHAPTER 900 YARD, LOT, DENSITY, BULK, AND HEIGHT 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 district indicated:

| Requirements and Type of Use | District | | | | | | | | |
|---|----------|-----|-----|-----|-----|-----|-----|-----|----|
| | A | R-1 | R-2 | R-3 | LB | GB | M-1 | M-2 | C |
| Maximum Density for Dwelling Units Per Gross Acres: | | | | | | | | | |
| Single Family Dwelling | 2 | 2 | 4 | 8 | - | - | - | - | 2 |
| Duplex | - | - | 4 | 8 | - | - | - | - | - |
| Triplex | - | - | 4 | 8 | - | - | - | - | - |
| Condominium | - | - | - | 15 | - | - | - | - | - |
| Multi-Family | - | - | - | 15 | - | - | - | - | - |
| Minimum Lot Area in Thousands of Square Feet for Residential Lots | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | - |
| All Residential Lots | | | | | | | | | |
| Additional Area Per Dwelling Unit over 3 | - | - | - | 2.5 | - | - | - | - | - |
| Minimum Lot Width of Lots in Feet | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | - |
| Addition Per Dwelling Units Over 3 | - | - | - | 10 | - | - | - | - | - |
| Minimum Lot Depth in Feet | 200 | 200 | 200 | 200 | 200 | 200 | 200 | 200 | - |
| Maximum Percentage of Lot Coverage | | | | | | | | | |
| Residential Uses | 25 | 25 | 30 | 40 | 40 | 40 | - | - | 25 |
| Non-Residential Uses | 25 | 25 | 30 | 40 | 50 | 60 | 75 | 75 | 25 |

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| | A | R-1 | R-2 | R-3 | LB | GB | M-1 | M-2 | C |
|---|------|------|-----|-----|----|----|-----|-----|------|
| Minimum Depth of Front Yard In Feet | | | | | | | | | |
| Residential Uses | 45 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 45 |
| Non-Residential Uses | 45 | 35 | 35 | 35 | 35 | 35 | 45 | 50 | 45 |
| Minimum Depth of Rear Yard In Feet | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| Minimum Width of Side Yards in Feet | | | | | | | | | |
| Residential Uses | 10 | 5 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Non-Residential with side yard abutting | | | | | | | | | |
| Residential District | - | - | - | - | 25 | 25 | 25 | 25 | 25 |
| Commercial Uses | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Industrial Uses | 25 | 25 | 25 | 25 | 20 | 20 | 20 | 20 | 20 |
| Minimum Floor Area of Residential Uses in Square Feet - Single Family | | | | | | | | | |
| Ground Floor | 1000 | 1000 | 600 | 500 | - | - | - | - | |
| Total Floor | 1000 | 1000 | 750 | 650 | - | - | - | - | 1000 |
| Minimum Total Floor Area of Residential Uses in Square Feet-Duplex and Triplex (per family unit) | - | - | 600 | 500 | - | - | - | - | - |
| Minimum Floor Area of Residential Uses in Square Feet – Multi – Family | | | | | | | | | |
| Total Per Unit | | | | 400 | - | - | - | - | |
| Maximum Height of Buildings and structures in feet | 35 | 35 | 35 | 35 | 35 | 35 | 60 | 75 | 35 |

ZONING ORDINANCE

CHAPTER 100 SUPPLEMENTAL REGULATIONS

1005 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 one foot by which the height of such building exceeds the maximum height otherwise permitted in the district, its required side and rear yard setback shall be increased by an additional one and one-half feet and provided that the projections does not exceed 50% of the ground floor area of the building.

B. Flagpoles, radio or television antenna and transmission towers.

1010 OFF STREET PARKING AND LOADING SPACE.

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

1. Residential Uses – 2 spaces per dwelling unit
2. Business Uses – 1 space for each 200 square feet of floor area
3. Manufacturing Uses – 1 space per 3 employees and 1 space per 10,000 square feet of floor area.
4. Churches and Theaters – 1 space for each 4 seats
5. Golf Course – 30 spaces for each 9 holes
6. Hotels, Motels, Rooming Houses – 1 space per sleeping room
7. Manufactured Home and Travel Trailer Parks – 2 spaces per manufactured home site, 1 per camp site.
8. Riding stables – 1 space per 500 square feet of floor area

B. Parking spaces for all uses herein required shall be 200 square feet in area each; shall be within 300 feet of the premises served; shall not be contiguous to the street; and shall be at least 9 feet wide.

C. Off-street loading spaces shall be provided for each 15,000 square feet of Commercial Land Use, or fraction thereof; and 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 14 by 60 feet with minimum height clearance of 16 feet.

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

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1015 CORNER LOT CLEARANCE.

At the intersection corner of each corner lot, the triangular space determined by the two lot lines at that corner and by a diagonal line connection the two points on those lot lines that area twenty feet respectively from the corner shall be kept free of any obstruction to vision between the heights of 2 ½ feet and 10 feet above the established grade of the street.

1020 SIGNS.

Signs shall be set back from the street right-of-way by the following distances:

| <u>Area of Sign (sq. Ft.)</u> | <u>Minimum Setback</u> |
|-------------------------------|------------------------|
| 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 |

1021 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.

1022 No free standing sign shall be closer than 10 feet from any side lot line and not closer than ten feet from any residential district.

1023 Temporary signs no exceeding fifty (50) feet in surface area may be erected for a period of sixty (60) days. Any person or firm erecting a temporary sign under this section shall notify the Zoning Inspector in writing so that the sixty (60) day period can be established. A temporary sign is allowed three (3) times a year for each establishment.

1024 Each establishment may be permitted two (2) on premise signs for each 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.

ZONING ORDINANCE

1025 The maximum size of any sign in square feet shall be as follows:

| <u>Type of Sign</u> | <u>District</u> | | | | | |
|-------------------------------------|-----------------|----|-----|-----|-----|-----|
| | AG | R | L B | GB | M1 | M2 |
| Sign on Lot of Place Identified | | | | | | |
| Name Plate and Address | 2 | 2 | 12 | 12 | 12 | 12 |
| Business Use | 60 | - | 60 | 60 | 60 | 60 |
| Industrial Use | 300 | - | 300 | 300 | 300 | 300 |
| Real Estate Development | 300 | - | 300 | 300 | 300 | 300 |
| For Sale Sign | 12 | 12 | 12 | 12 | 12 | 12 |
| Sign Not on Lot of Place Identified | | | | | | |
| Identified | 60 | | 60 | 60 | 60 | 60 |

1026 HOME OCCUPATIONS.

The purpose of this section is to permit residential/commercial uses in area provided that the uses are compatible with the residential character of the neighborhood.

A. General Standards

1. Home occupations are conditionally permitted uses in all zoned areas of the township and are approved by the Board of Zoning Appeals in accordance with the requirements and procedures of this ordinance.

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, vibrations, 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 voltage off the premises.

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5. No traffic shall be generated by the operation of the home occupation which is greater, as determined by the Board of Zoning Appeals then traffic volumes 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 eight (8) square feet, shall be affixed to the structure and shall be erected in compliance with sign regulations of the district.

8. No space outside of a principal or accessory building shall be used for storage for any home occupation.

9. Not more than twenty-five (25) percent 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. Restaurant.
10. Kennel.
11. Boarding house.
12. Yard, lawn or garage sales of more than three (3) consecutive days.
13. Driving school.
14. Martial arts school.

D. Home Occupation Approval Process

1. The home occupation approval process shall consist of the following steps:
 - a. Submission of a completed application, materials and fees to the office of the Zoning Inspector;
 - b. Approval by the Board of Zoning Appeals; and
 - c. Issuance of the zoning certificate by the Zoning Inspector in accordance with Board requirements.

ZONING ORGINANCE

2. Applications for the home occupation shall be obtained from the office of the Zoning Inspector and when completed shall be returned to that office. The application shall consist of the completed form, other required materials and the required fee.

3. The Zoning Inspector upon receipt of the application shall transmit the completed application form to the Board of Zoning Appeals within three (3) working days.

4. The Board shall approve, approve with modification or deny the application within sixty (60) days after transmittal by the Zoning Inspector.

5. Approval shall not be granted unless the following conditions have been met or exceeded:

a. All requirements of the district in which the proposed home occupation is to be located are met, and no new non conformities would be created by the approval of the home occupation.

b. All requirements of Section 1025 are met.

6. Any change in the home occupation shall require prior approval of the Board in accordance with the process described in this section.

7. The Board may prescribe appropriate conditions and safeguards with respect to the location, maintenance and operation, in addition to those described in this Zoning Ordinance so long as they are necessary for the protection of the adjacent property owners and the character of the neighborhood

8. The Zoning Inspector shall issue a zoning certificate only in compliance with the approved requirements of the Board.

E. 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.

F. Signs for Home Occupations.

One free standing sign or one sign affixed to the structure is permitted. The maximum sign size permitted is eight (8) square feet.

1030 No basement home will be permitted. An earth sheltered home is not considered a basement home.

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1041 SWIMMING POOLS:

A. RESIDENTIAL ZONED AREAS

Swimming pools that are portable and have a depth of less than 1 ½ feet do not require a zoning permit. All other swimming pools in an area zoned residential do require a permit.

All in ground swimming pools or the entire property on which they are located shall be fenced or walled to prevent uncontrolled/unauthorized access. The fence or wall shall be fenced by up to an 8 foot fence if it is in the interior of a lot. Fences or walls shall be installed within fifteen days or pool installation.

Above ground pools are exempt from fence or wall requirements if they are at least 6 feet in height. Above ground pools that are less than 6 feet in height require fences as specified above for in ground pools. Access ladders for above ground pools must be removed or not useable when the pool is unoccupied or unattended.

Swimming pools are only permitted in side or rear yard and must be at least 10 feet from all lot, lines, this includes any decking that surround the pool.

B. AGRICULTURE ZONED AREAS

In ground pools in an area zoned agriculture require a zoning permit. Above ground pools do not require a permit unless they are within 500 feet of a Residential zoned district. They must meet the same setback requirements as pools in Residential zoned districts and fences must be at least 6 feet in height, no more than 8 feet in height if within the required setbacks.

1050 FENCE REQUIREMENTS

Fences in residential areas must meet the following requirements and do not require a permit:

1. Fences extending from the front line of a principal building to the street right of way shall not exceed 3 feet above the established front yard grade.

2. Fences in side yards between the front and rear line of the principal building shall not exceed 4 feet in height.

3. Fences or screening in rear yards extending from the rear of the principal building toward and along the rear lot line shall not exceed more than 8 feet above the established rear yard grade.

4. It is the responsibility of the property owner to ensure that all fences are located on their lot/land. By signing a mutual consent letter, filing it with the Township Zoning Inspector, two adjacent property owners can place a fence on the property line.

ZONING ORDINANCE

GENERAL

1. Fences in any district shall not restrict visibility or pedestrian traffic at intersections. On corner lots, nothing shall be permitted between the heights of 2 ½ and 10 feet which would restrict vision at intersecting streets.

2. When Light Business, General Business, or Manufacturing Districts abut Residential Districts, buffering is required. The buffering: walls, fences, or other methods up to 8 feet in height are permitted and a zoning permit is required.

1071 TRAVEL TRAILER PARKS AND OVERNIGHT CAMPS.

A. Travel trailer parks shall be permitted uses only as a special use in AG & C Districts.

B. No existing travel trailer parks may be expanded unless the requirements of this Zoning Ordinance are met and such park is approved according to Section 1072.

C. A travel trailer park shall:

1. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the character of the vicinity of the proposed park and will not undesirably alter the essential character of the area.

2. Be served adequately by public facilities and services of the persons responsible for the establishment of the proposed park who shall be able to provide such adequate services.

3. Have vehicular approaches to the property which shall be so designed as to conform with existing traffic patterns and limitations on the surrounding public streets.

4. Be a minimum of three (3) acres except for additions or extensions.

5. Meet or exceed the minimum requirements of the Sandusky County Health District.

6. No temporary or permanent structure shall be permitted within the required setback requirements.

7. One (1) off-street parking space shall be provided for each travel trailer campsite.

8. No more than twenty (20) campsites per gross acre.

9. Setbacks of at least 100 feet from any residentially zoned area.

1072 TRAVEL TRAILER PARK APPROVAL PROCESS.

Applications may be obtained from the office of the zoning inspector and returned to that office after completion. Travel trailer parks are only permitted as a special use in Agriculture and Conservation zoned districts.

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b. In addition to the required application form, the following information shall be provided as part of the application:

1. The proposed location, site, size, total number of travel trailer sites to be developed and the production schedule for the development.

2. The proposed location, size and use of nonresidential portions of the tract including usable open space, parklands, playgrounds and other areas and spaces; including their suggested ownership.

3. The proposed provisions for water, sanitary, sewer, surface drainage and fire protection facilities, including engineering feasibility studies or other pertinent information.

4. The proposed traffic circulation pattern, including location of public and private streets, curbs and gutters, walks and other access ways showing their relationship to existing street and topographic features.

5. Information on the use or reuse of existing features such as topography, drainage ways, tree cover, structures, streets and easements.

6. Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and/or maintenance of the park.

7. An application fee as established by the Township Trustees.

c. The Zoning Commission shall review the application and determine whether the proposed travel trailer park complies with the requirements of Section 1072 and shall instruct the Zoning Inspector whether to issue a zoning certificate.

1073 MANUFACTURED HOMES OUTSIDE A PARK

A. Single family Dwellings and Permanently Sited Manufactured Homes.

1. The township hereby established the following standard for the placement of all single-family dwellings and permanently sited manufactured homes in areas of the Township in which they are permitted.

a. All permanently sited single-family dwellings and permanently sited manufactured homes shall meet the minimum lot area, minimum setback, maximum height limitations for the particular district in which it will be located.

b. Off street parking will be provided according to Section 1010.

ZONING ORDINANCE

- c. The dwellings 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 manufacturers 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 dwelling to the undisturbed ground below the frost line.
- f. All single family dwellings and permanently sited manufactured homes shall be taxed as real property.

1080 FRESHWATER PONDS

A. General.

- 1. Ponds used exclusively for agriculture or conservation purposes are not regulated by this ordinance. Ponds are conditionally permitted in R-1, R-2, and R-3 zoned districts as part of the overall design of a subdivision containing a least five (5) acres of land.
- 2. Prior to the construction of a pond, an approval zoning permit shall be obtained.
- 3. Ponds shall be conditionally permitted in a commercial or industrial district as part of the overall design of a plant or park containing as least three (3) acres.
- 4. Minimum surface area for conditionally permitted ponds shall be one half (1/2) acres. Maximum surface area shall not exceed twenty five percent of the next acreage of the parcel.
- 5. The side slope of a pond shall be horizontal to vertical at a maximum ratio of 2. 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 by a six (6) foot fence.
- 6. To prevent adverse effects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from pond development, then diverted to a suitable outlet or drainage ditch.

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Setback

1. A pond shall have one hundred (100) feet minimum setback from any street right of way and all property lines.
2. A pond shall be located no closer than one hundred (100) feet to a septic tank or leach field.
3. 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 3734.04 O.R.C.

1900 DENTENTION BASINS.

A. General.

1. Detention Basins shall be conditionally permitted in as a special use in all districts.
2. All detention 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 to 1 ratio.
3. All detention basins shall meet all minimum setback requirements for the district in which they are located.
4. All detention basins shall be constructed in accordance with the design requirements of a Professional Engineer.
5. All detention basins shall either be seeded or some other approved planting or paving.
6. The refilling of an area which has been excavated for the development of a detention basin 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 3734.04 O.R.C.

ZONING ORDINANCE

CHAPTER 1100 NON-CONFORMING USES

1110 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 is it located, and that total aggregate floor area of such additions does not exceed 30 percent 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 resumed, provided that such restoration is started within a period of one year and is completed within two years.

1113 A non-conforming building or portion thereof, which is, or hereafter remains vacant and unoccupied for a period of two 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 two years 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 1121 shall not be expanded or extended into any other part of the lot or adjoining property; nor shall the use be changed except to a conforming use.

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

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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 changed in use of non-conforming buildings as Sections 1110 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 do not exceed those of the previous use. In making that determination, the Board shall insure that the proposed non-conforming use does not greatly increase traffic, on street parking requirements and or any other pertinent criteria.

CHAPTER 1200 PLANNED UNIT DEVELOPMENT

1201 INTENT AND PURPOSE.

The intent and purpose of this section shall be to accommodate and encourage development of large tracts of land for residential, commercial, industrial, public or compatible mixed uses, in accordance with an over all plan for the area.

1202 PROCEDURE.

A. The applicant or applicants shall apply in writing to the Zoning Commission for a Planned Unit Development Permit; said application to be accompanied by all necessary general and detailed plans for determination.

B. The commission shall treat such application as an amendment, certifying its recommendations to the Township Trustees.

C. The Township Trustees shall act in the same manner prescribed by law for amending this ordinance.

D. If a Planned Unit Development is permitted, permits shall be issued according to such approval given by the Trustees; and the approved development shall become a part of this ordinance as would any other amendment.

E. If after twenty-four (24) months, no construction has been started, and if within five (5) years the development has not been completed, the area involved shall revert back to the original district.

F. All appropriate parts of the Unit Development Plan shall be recorded in the Office of the County Recorder.

1203 PERFORMANCE STANDARDS

All Planned Unit Developments shall meet the following requirements:

A. The Plan must be in conformity with the comprehensive plan;

B. The minimum site area shall be ten (10) acres unless otherwise approved;

C. The layout, design, and improvements proposed shall be approved within the review procedure and shall be binding on the applicant; densities within various portions of the development may be higher than normally permitted but the overall density for the development shall not exceed that for the existing zoning district unless otherwise approved.

D. The Plan must be in the interest of the public, generally following the purposed and intentions of this Ordinance; and must be complete conformance with all other applicable regulations.

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E. The commission and Township Trustees may require such information and agreements as necessary to protect the intent of this Chapter.

F. Mixed density, open spaces, mixed uses and the location and arrangement thereof, shall be compatible with one another and with the surrounding areas; and must be in the interest of total community development.

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CHAPTER 1300 DEFINITIONS

1300 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” is mandatory; and “may” is permissive.

1301 ACCESSORY BUILDING means 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.

1302 ACCESSORY USE means 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.

1303 AGRICULTURE means a use of land or buildings for farming, dairying, pasturage, agricultures, horticultures, floriculture, viticulture, and animal poultry husbandry and the necessary accessory uses for packing, treated, or storing the produce provided.

1304 AGRICULTURE BUSINESS a commercial establishment dealing solely with the sale, rental, or lease of products, or equipment used or associated with normal agricultural production.

1305 AIRPORT means any landing area and all necessary appurtenances designed, used or intended to be used for the landing and taking off of aircraft.

1306 ALLEY means a right of way, other than a street, road, cross-walk, or easement, that provides secondary access for the special accommodation of the abutting property.

1307 ALTERATION means any change in the nature of the use of land and/or buildings; and includes any change 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.

1308 AUTOMOTIVE REPAIR means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

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1309 AUTOMOBILE SERVICE STATION means any premises used for supplying gasoline or retail direct to the motoring public; including minor accessories and services for automobiles conducted wholly within an enclosed building.

1310 BASEMENT means a story partially or wholly underground, where no more than one of hold of the height of the story is above the average level of the adjoining ground.

1311 BED AND BREAKFAST means a private owner occupied residence with one (1) to three (3) guest rooms. A bed and breakfast shall be subordinate and incidental to the main residential use of the building. The maximum stay allowable is fourteen (14) days.

1312 BOARD means Board of Zoning Appeals for Riley Township.

1313 BUILDING means 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 pleas court that issued it so that the home may be taxed as real property.

1314 BUILDING AREA means the horizontally projected area of building on a lot, excluding terraces, unenclosed porches, other open areas, and architectural appurtenances that project no more than two feet.

1315 BUILDING HEIGHT means 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 floor, to the decline of a mansard roof or to the ridges of a gable, hip, or gambrel roof.

1316 BUILDING LINE means that the line that established the minimum permitted distance on a lot between the outside building wall and the lot line; provided that a secondary story or roof overhang may not project a distance of more than two feet into the minimum side yard.

1317 BUSINESS means the use of land or buildings for the purpose of purchase, sale or exchange of goods and services; for the purpose of maintaining office, recreational or amusement enterprises for profit.

1318 COMMISSION means the Zoning Commission of Riley Township.

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1319 CONDOMINIUM means property in which one or more individual owned dwelling units are contained within a single building, and the units are offered together with an 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 900. The condominium shall also comply with the declaration and other requirements of Ohio Revised Code Chapter 5311.

1320 CORNER LOT means a lot at the junction of, and abutting, two intersecting or intercepting streets.

1321 DETACHED BUILDING means building that has no structural connection with another building.

1322 DRIVE IN means an establishment selling foods, frozen desserts, or beverages to customers; 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.

1323 DUMP means a plot of land or part thereof used primarily for the licensed or unlicensed disposal by abandonment; dumping; burial; or burning or any other means and whatever purposes; of garbage; sewage; trash; refuse; junk; discarded machinery; vehicles or parts thereof; or waste materials of any kind.

1324 DWELLING means a building or a 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.

1325 DWELLING UNIT means a dwelling or part of a dwelling, used by one family exclusively as a place of abode.

1326 FAMILY means one or more persons living as a single housekeeping unit, but not including an unrelated group of more than six persons or a group occupying a hotel, motel, club, nurses home, dormitory, fraternity, or sorority house.

1327 FARM means an area for agricultural operations, including but not limited to, truck gardening, forestry, the operation of a tree or plant nursery, or the production of livestock and poultry; and including migrant farm labor housing.

1328 FARM MARKET means a market where 50% of the gross income is derived from produce raised on the farm on which the market is located.

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1329 FENCE means a structural enclosure, barrier or screen whose purpose is to physically and/or visually contain certain uses and activities which are carried out on a particular zoning lot.

1330 FRONT LINE means with respect to a building, the foundation line that is nearest the front line.

1331 FRONT LOT LINE means 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.

1332 FRONT YARD means a yard that is bounded by front line of the principal building, by the front lot line, and by 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.

1333 GROUND FLOOR AREA means the area of a building in square feet, as measured in a horizontal plane at the ground level with-in its largest outside dimensions, exclusive of open porches, breezeways, terraces, garages, and exterior stairways.

1334 HOME OCCUPATION means 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 (25) percent of the ground floor area of all buildings on the lot. See also Section 1026.

1335 INDUSTRIALIZED UNIT means 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 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 a manufactured or mobile home as defined herein.

1336 JUNK YARD/SALVAGE YARD means land or buildings where waste and/or recyclables are discarded, used property and materials are accumulated and are, or may be salvaged for reuse or resale; including but not limited to automobiles, farm equipment, mobile homes, travel trailers, trucks, or parts thereof.

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- 1337 KENNEL means a place primarily for keeping, selling, grooming, breeding, or boarding four or more dogs that are at least four months old.
- 1338 LODGING HOUSE means a building, not available to transients, in which lodging is regularly provided for compensation for at least three, but not more than ten (10) persons.
- 1339 LOT means an area, exclusively of streets and alleys and other public places, used as a unit, and which abuts a street or road.
- 1340 LOT AREA means the minimum lot size required by zone inclusive of right of ways.
- 1341 LOT COVERAGE means the area covered by buildings times one hundred, divided by the total lot area, exclusive of streets, alleys, walkways, but including utility and other similar easements, expressed as a “percentage of lot coverage”.
- 1342 LOT LINE means the legal boundaries of the “lot”, excluding streets, alleys, and other public spaces.
- 1343 LOT DEPTH means the average distance from the street or road right of way to the back lot line as measured perpendicularly from the intersection of each side lot line with the street, or road right of way.
- 1344 LOT WIDTH means the distance between the side lot lines measured at the minimum front lot line.
- 1345 MANUFACTURED HOME means 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.
- 1346 MOBILE HOME means 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 or more sections and does not qualify under this Resolution’s definition of a manufactured home or industrialized unit.
- 1347 MANUFACTURED HOME PARK means 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.

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1348 MOTEL means 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, motor lodges, and tourist cabins.

1349 MULTIPLE FAMILY DWELLING means a dwelling or structure containing two or more dwelling units.

1350 NATURAL RESOURCE DEVELOPMENT means the mining or extraction of any stone, sand, gravel, dirt, oil, or other natural resources, and shall include the processing of such natural resources.

1351 NON-CONFORMING USE means a use that exists at the time a provision of this Resolution is passed, but does not comply with it.

1352 OVERNIGHT CAMP means 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 week period.

1353 PARKING SPACE, OFF STREET means an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

1354 PERMANENT FOUNDATION means a permanent masonry, concrete or locally approved footer or foundation, to which a manufactured or mobile home may be affixed.

1355 PERMANENT PERIMETER ENCLOSURE means 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 or mobile home.

1356 PERMANENTLY SITED MANUFACTURED HOME means a manufactured home that meets all of the following criteria:

- (1) The structure is affixed to a permanent foundation and is connected to appropriate facilities;

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(2) 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 1000 square feet, excluding garages, porches, or attachments;

(3) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six inch minimum eave overhand, including appropriate guttering.

(4) The structure was manufactured after January 1, 1995;

(5) The structure is not located in a manufactured home park.

1357 PERSON means also a corporation, firm, partnership, association, organization unit of government, or any other group that acts as a unit.

1358 PERSONAL STORAGE means a business use of buildings or rental or storage space. All storage be contained within buildings and no use of open land for storage is permitted.

1359 POND means a body of fresh water, of which none of the excavated material has been removed from the site of commercial purposes and is used for the following purposes: to provide water for livestock, fish, wildlife, recreational uses, swimming, and/or fire protection.

1360 PRINCIPAL BUILDING means 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 building in a substantial way, such as a roof and walls.

1361 PRIVATE GARAGE means a garage whose principal use it to house motor vehicles for the accommodation or related dwelling units or related business establishments, located on the same lot as the principal use.

1362 PRIVATE SCHOOL means a school other than a public school.

1363 PROFESSIONAL OFFICE means an office used by members and the necessary personnel of recognized profession such as architects, dentist, engineers, lawyers, physicians, surgeons, realty agents, insurance agents, and brokers.

1364 PUBLIC GARAGE means a garage, other than a private garage, which services are available to the public or to persons occupying a hotel, club, or similar facility.

1365 REAR LOT LINE means the line farthest from the front line and connecting the two side lot lines.

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1366 REAR YARD means a yard that extends 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.

1367 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 or as part of an overall drainage plan for a subdivision condominium, or commercial/industrial development.

1368 RIDING AND BOARDING STABLES means a business where horses and/or ponies are housed, cared for, and/or are allowed to be ridden for profit, see Section 865.

1369 SATELLITE DISH means a structure erected for the purpose of receiving satellite signals.

1370 SCHOOL CONDUCTED FOR PROFIT means a school conducted for profit including, but not limited to music, dance, martial arts, business school and driving. Schools conducted for profit exclude home occupations where less than three students are given instruction at any one given time.

1371 SIDE LOT LINE means a boundary line other than a front or rear lot line.

1372 SIDE YARD means a yard, between the principal building and the adjacent side lot line.

1373 SIGN means a visual device or structure used for advertising, identification, display, direction, or publicity purposes.

1374 SINGLE FAMILY DWELLING means a permanent structure entirely detached: independent from any other principal structure placed on a permanent foundation, having one or more rooms, with provision 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 home, manufactured home and mobile homes but not barns, sheds, or other structures designed for uses other than single family.

1375 STABLING OF HORSES AND/OR PONIES means the stabling of horses and/or ponies for personal use on a lot where all of the animals and the lot are owned by the same person(s). Stabling differs from a boarding/riding stable in that it is not a business conducted for profit.

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1376 STREET OR ROAD means a right-of-way or easement that is established by record to provide the principal means of access to abutting property.

1377 STRUCTURE means anything constructed or erected that requires location on or in the ground or attachment to something having a location on or in the ground.

1378 STRUCTURAL CHANGE means a substantial change in a supporting member of a building or structure such as a bearing wall or bearing partition, column, beam, girder, or in an exterior wall or the roof.

1379 STRUCTURE (TEMPORARY) means a structure of a temporary nature, erected for a period not to exceed six (6) months for such uses as construction offices, or storage buildings at a construction site.

1380 THROUGH LOT means a lot fronting on two parallel or approximately parallel streets and includes lots fronting on both a street and a watercourse or lake.

1381 TRAVEL TRAILER means a non-self 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.

1382 TRAVEL TRAILER PARK means an area of land on which two or more travel trailers are regularly accommodated with or without charge, including any buildings, structures, or fixtures or equipment that is used in connection with providing such accommodations.

1383 USE means the employment or occupation of a building, structure, or land for a persons service, benefit, or enjoyment.

1384 YARD means a space on the same lot with a principal building that is open and unobstructed, except as otherwise specified by this Resolution.

1385 Any terms not defined herein shall be defined in the Ohio Revised Code, or if no definitions exist therein, as commonly used in the community.