

PROPOSED

~~BLOOMFIELD TOWNSHIP.~~

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# ZONING ORDINANCE

Submitted by  
Township Zoning Board

## BLOOMFIELD TWP. ZONING RESOLUTIONS

A resolution of the townships of Trumbull County, Ohio, enacted in accordance with a comprehensive plan and the provisions of Chapter 713 (303, 519), Ohio Revised Code, dividing the unincorporated portion of the County into Zones and districts, encouraging, regulating, and restricting therein the location, construction, alteration and use of structures and land; promoting the orderly development of residential, business, industrial, recreational, and public areas; providing for adequate light, air, and convenience of access to property by regulating the use of land and building and the bulk of structures in relationship to surrounding properties; limiting congestion in the public right-of-ways; providing the compatibility of different land uses and the most appropriate use of land, providing for the administration of this resolution, defining the powers and duties of the administrative officers as provided hereafter, and prescribing penalties for the violation of the provisions in this resolution or any amendment thereto, all for the purpose of protecting the public health, safety, comfort and general welfare; and for the repeal thereof, Therefore be it resolved by the Board of Township Trustees of Bloomfield Township of Trumbull County, State of Ohio:

### SECTION I. PURPOSE

For the purpose of promoting health, safety, morals, comfort, and general welfare; to conserve and protect property and property values and to regulate therein the use, size and location of buildings and other structures; and the use of land; the following districts are hereby created and the following regulations are hereby established to accomplish that purpose and shall hereafter apply.

## SECTION II DISTRICTS CREATED

For the purpose of this ordinance, the Township of Bloomfield is divided into the following classes of districts.

- Agricultural Districts
- Residence Districts
- Business Districts
- Industrial Districts
- Special Districts

The boundaries of these districts and classes of districts are hereby established on map entitled "Zoning Map for Bloomfield Township", which map accompanies and is hereby declared to be a part of this ordinance.

## SECTION III. DEFINITIONS

For the purpose of interpreting this ordinance the following definitions shall be controlling:

**Accessory Building:** A subordinate building, the use of which is customarily incidental to that of the main building, and which is located on the same lot or parcel of land.

**Accessory Use:** A use, not otherwise contrary to law, customarily incidental to the use of a building for dwelling purposes and including:

1. The office or studio of a physician or surgeon, dentist, artist, musician, lawyer, architect, teacher, real estate agent, or other professional person residing on the premises.
2. Workshops not conducted for profit.
3. Alterations, Structural; Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
4. Apartment House; Wherever mentioned in this resolution is a complete permanent building arranged, designed, intended and constructed to be occupied by more than two families living independently of each other and doing their own cooking upon the

premises, or by more than two families living independently but having a common heating system or a general dining room.

5. Automotive Repair; The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.
6. Automotive, Mobile Home, Trailer, and Farm Implement Sales; The sale or rental of new and used motor vehicles, mobile homes, trailers, or farm implements, but not including repair work except incidental warranty repair of same to be displayed and sold on the premises.
7. Automotive Wrecking; The dismantling or wrecking of used motor vehicles, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.
8. Cemetery; Land used or intended to be used for the burial of the animal or human dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.
9. Club; A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.
10. Center Line of Street; A line midway between and parallel to the two (2) street or property lines.
11. Corner Lot. A lot fronting on two (2) streets at their intersection.
12. Essential Services; The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical, steam or water transmission, or distribution systems, collection, com-

munication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

13. ~~Family, Wherever mentioned in this resolution is any number of individuals related by blood, marriage or adoption living and cooking together on the premises as a single housekeeping unit and including domestic employees.~~
14. ~~Farm Vacation Enterprises (Profit or Non-Profit).~~ Farms adapted for use as vacation farms, picnicking and sports areas, fishing waters, camping, scenery, and nature recreation areas; hunting areas; hunting preserves and watershed projects.
15. **Front Yard:** The space between the building line or front main wall of a building and the front property line.
16. **Height of Building;** The vertical distance measured from the average ground level at the sides of the building to the extreme high point of the building exclusive of chimneys and similar fixtures.
17. **Junk Yards;** Places for the collection of scrap, metal, paper, rags, glass, lumber, or junk for salvage or storage purposes.
18. **Lot;** For the purposes of this resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or an approved private street, and may consist of:
  - a. A single lot of record;
  - b. A portion of a lot of record;

19. **Manufacturing;** Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

20. **Mobile Home Dwelling;** A detached dwelling unit designed to be repeatedly transported on highways, ~~and when arriving at the side for placement involving only minor and incidental unpacking, assembling, and connection operations; but which involves no substantial reconstruction which would render the unit unfit as a conveyance on the highway. The unit shall be considered as real property if such reconstruction is undertaken.~~ The minimum size of a mobile home dwelling shall be 10'x50'. It must also meet all other regulations regarding dwellings including lot size, set backs, sanitary and fire-proof regulations.
21. **Nonconforming Use;** A building, structure, or use of land existing at the time of enactment of this resolution, and which does not conform to the regulations of the district or zone in which it is situated.
22. **On-Site Sewers;** A septic tank or similar installation on an individual lot which utilizes as aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.
23. **Open Porch;** A porch open on three (3) sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash.
24. **Private Garage;** A garage not conducted as a business or used for the storage of more than one (1) commercial vehicle which shall be owned by a person residing on the premises.
25. **Public Garage;** A garage conducted as a business. The rental of storage space for more than two (2) cars

not owned by persons residing on the premises shall be deemed a business use.

26. Rear Yard; An open space on the same lot with a building, between the rear wall of the building and the rear line of the lot, and unoccupied except for accessory buildings, including among others, either attached or detached garages and open porches, which in the aggregate, shall occupy not more than thirty-five (35) percent of the area. In the case of a corner lot, the owner may designate any interior lot line as the rear lot line.

27. Right-of-way; A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, side-walks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

28. Roadside Stand; a temporary structure designed or used for display or sale of agricultural and related products.

29. Service Station, Garage; Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail.

30. Side Yards; For every building, including accessory buildings, erected in a residential district and for any dwelling erected in any district, there shall be a minimum side lot clearance on each side of said building of not less than ten (10) feet, which space shall remain open and unoccupied by any building or structure. Attached garages or accessory buildings connected with the main building by a breeze-way or other permanently constructed connection shall be construed to be a part of the main building for the purpose of this section.

31. Sign; any device designated to inform or attract

the attention of persons not on the premises on which the sign is located.

32. Single Family Dwelling; A dwelling entirely detached and independent from any other principal structure, arranged, intended, designed and constructed or reconstructed to be occupied by a single family; and it shall consist of not less than 800 square feet of floor area (exclusive of basements, porches, garages, utility rooms, breezeways, terraces, attics), and not less than four (4) habitable rooms and bath. The ceiling of the first floor shall not be less than seven (7) feet, six (6) inches high and not less than 50% of the ceiling of the second floor seven (7) feet high.

33. Story; That part of the building between the surface of a floor and the ceiling immediately above.

34. Street; A thoroughfare publicly owned, open to general public use and having a right-of-way width of forty (40) feet or more.

35. Street Line; A street line is the right-of-way or established property line of a street as indicated by dedication or by deed of record.

36. Swimming Pool; A pool, lake, pond, or open tank containing at least 18 inches of water at any point and maintained by the owner.

37. Terms; The present tense shall include the "Future" the singular number shall include the "plural, the "singular". The word "shall" is always mandatory.

38. Two Family Dwelling; A Dwelling entirely detached and independent from any other principal structure, arranged, intended, designed and constructed or reconstructed to be occupied by two families; and it shall consist of not less than 1,248 square feet of floor area (exclusive of basements, porches, garages, utility rooms, breezeways, terraces, attics, and not less than four (4) habitable rooms and bath on the first floor and not less than

three (3) habitable rooms on the second floor. The ceiling of the first floor shall not be less than seven (7) feet six (6) inches high and not less than 50% of the ceiling of the second floor seven (7) feet high.

39. Variance; A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undo hardship.
40. Zoning Permit; A document issued by the zoning inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

#### SECTION IV. AGRICULTURAL DISTRICTS

Nothing in the following provisions, or in the entire ordinance, shall prevent the use of any land for agricultural purposes, or the construction or use of buildings or structures, other than residential, incident to the use for agricultural purposes of the land on which such buildings or structures are located. No zoning certificate shall be required for any such building or structure. For the Purpose of this ordinance, "agriculture" shall include agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

In "Agricultural Districts" all parcels of land five (5) acres, or less, in area, and having more than seventy (70) per cent of their area not actively used for agricultural purposes, and all lots less than one and one-half (1½) acres shall be classed as residential and subject to the following provisions. Excepting, however, any building, or structure used by a person or persons for a home or residence shall not be exempted from this regulation, and such structure or building, used for a home or residence, which is located

or constructed upon land used for the purpose of agricultural or any form thereof as set forth in Revised Code, Section 519.01, shall be subject to the regulations contained in this zoning plan, as not being a structure or building incident to or necessary for the purpose of agricultural use.

#### A. PERMITTED BUILDING, STRUCTURES AND USES:

In agricultural districts, only the following buildings, structures and uses shall be permitted.

1. Agricultural dwellings, barns and their accessory uses and buildings.
2. The growing and selling, either retail or wholesale, of all types of agricultural produce, livestock and appurtenant products produced on the premises and resulting from agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, and animal and poultry husbandry.
3. Single family dwelling houses and their accessory uses and buildings.
4. Two (2) family dwellings and multiple family dwellings for not more than six (6) families.
5. A church, public library, public or private school or other religious, charitable or educational institution, and a public park or playground.
6. Other special structures and uses as specifically provided by Section VIII, Paragraph A.

#### B. YARD, AREA AND HEIGHT PROVISIONS:

Front Yards: The building setback at the front shall not be less than fifty (50) feet from the street or road property line, or seventy-five (75) feet from the street or road center line, whichever may be greater.

Rear Yards: There shall be a rear yard not less than forty (40) feet deep; except when platted prior to enactment

ordinance, reduce rear yard to not less than thirty (30) feet.

Side Yards: There shall be two side yards with a total width of not less than twelve (12) feet, except that when a lot platted prior to the time of enactment of this ordinance is less than sixty (60) feet wide, the total width of the two (2) side yards may be reduced by one (1) foot for each foot of difference to a total width not less than twelve (12) feet. The width of the narrowest of the two (2) side yards shall not be less than five (5) feet.

Area and Frontage: The area and frontage shall comply with the restrictions for future platted lots.

Height: Dwellings shall not exceed thirty-five (35) feet in height. There shall be no limit on the height of non-residential structures except that for each foot the height of such a structure exceeds thirty-five (35) feet, the total width of the two (2) yards shall be increased by two (2) feet.

#### **C. PRIVATE GARAGES AND OTHER OUTBUILDINGS:**

No garage or other outbuildings can be closer than ten (10) feet to a side or rear property line. Garage storage space shall be provided on the same lot with all multiple family dwellings to house at least one (1) car for each dwelling unit contained in the dwelling.

#### **D. SANITATION**

All structures to be used for human habitation shall make provisions for modern sanitation. When it is necessary to use a septic tank or privy, plans of the installation of such facilities shall be approved by the County Board of Health before an occupancy permit is granted.

### **SECTION V. RESIDENCE DISTRICTS**

#### **A. PERMITTED BUILDING, STRUCTURES AND USES:**

In Residence Districts, only the following buildings, structures and uses shall be permitted; All construction, building or remodeling shall be performed in a workmanship manner.

1. All new structures used for human habitation shall make provision for modern sanitation under the direction of the County Board of Health.
2. All buildings, structures and uses permitted in "Agricultural" District are permitted.

#### **B. YARD, AREA AND HEIGHT PROVISIONS**

FRONT YARDS: The building setback at the front shall be not less than fifty (50) feet from the street or road property line, or seventy-five (75) feet from the street or road center line, which ever may be greater. In the case of a corner lot, either street line may be taken as the front line; a detached garage or other outbuilding may be placed to within twenty-five (25) feet of the side street line.

REAR YARDS: There shall be a rear yard not less than forty (40) feet deep; except when plotted prior to ordinance, may be reduced to not less than thirty (30) feet.

There shall be a minimum rear lot clearance at the rear of any building or structure of at least ten (10) feet, which space shall remain open and unoccupied by any building or structure.

SIDE YARDS: There shall be two (2) side yards each with a minimum of not less than ten (10) feet except that for lots platted prior to the time of enactment of this ordinance. Additional side yard requirements for two-family and multiple family dwellings shall be that for each family additional to one (1) to be accommodated in a dwelling, the total width of the two (2) side yards shall be increased by six (6) feet.

AREA AND FRONTAGE: No lot shall have an area less than ten thousand (10,000) square feet, and a frontage less than one hundred (100) feet, except that nothing in this ordinance shall prevent the use of residential purposes of a lot platted prior to the time of enactment of this ordinance, providing the front yard, rear yard and side yard requirements, as stipulated above, are met.

No lot shall have a frontage of less than one hundred (100) feet by four hundred, thirty-six (436) feet deep. A lot must be at least one (1) acre.

HEIGHT: Height requirements shall be the same as for "Agricultural" Districts — thirty-five (35) feet.

### C. PRIVATE GARAGES AND OTHER OUTBUILDINGS:

Requirement shall be the same as for "Agricultural" Districts.

### D. SANITATION

Requirements shall be the same as for "Agricultural" Districts.

### E. SWIMMING POOLS

No private swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet shall be allowed in any agricultural or residential district, except as an accessory use unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the property on which it is located;
2. It may not be located closer than twenty (20) feet to any property line; and

3. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition with a gate and lock.

## SECTION VI. BUSINESS DISTRICTS

A. In "Business districts". Only the following buildings, structures and uses shall be permitted.

1. All buildings, structures and uses permitted in the "Residence Districts".

2. Outdoor advertising, classed as a business.

3. Stores, shops, and business offices, restaurants, hotels and theatres, garages and gas stations, subject to the regulations of Ohio State Laws and as permitted by law in all other respects, and all other buildings, structures and uses except the following which are specifically prohibited. All prohibited requirements shall also pertain to Agricultural and Residential Districts.

- (a) Any process of manufacture, assembly or treatment which normally constitutes a nuisance by reason of odor, noise, dust or smoke, or which constitutes an unusual fire hazard.

- (b) Slaughtering poultry and animals, rendering lard and other fats and meat smoking, whether or not the same, is incidental to a retail business.

- (c) Junk Yards, second-hand material yards, and automobile grave-yards and disassembly plants.



(d) Laundries or dyeing and cleaning works with capacity for more than ten (10) employees engaged in these processes.

(e) Commercial warehouses, lumber and coal yards and building material storage yards.

(f) Bottling works and the brewing or distilling of liquors.

(g) The storage of explosives, and the storage of crude oil or any of its volatile products or other highly inflammable liquids in above-ground tanks except in accordance with state regulations thereto.

(h) Quarrying of stone and sand

(i) All buildings, structures and uses prohibited in "Industrial", "Agricultural" and "Residential" Districts.

#### B. SEMI-FIREPROOF CONSTRUCTION

All Buildings constructed or erected in a "Business" District shall comply with all regulations of Bulletin No. 109, Ohio State Building Code, Division of Factory and Building Inspection, Dept. of Industrial Relations, entitled "Workshops, Factories, Mercantile and Office Buildings," and other regulations applying to the type of building to be constructed except when the structure is to be used for residential purposes only, and it shall then conform to the front yard, rear yard, side yard, area and frontage and height provisions of the "Residence" District.

#### C. ACCESS OF LIGHT AND AIR

Every room used and to use for business purposes shall have an opening upon a Court or other open space of not less than fifteen (15) square feet of window area for each two hundred (200) square feet of floor area, except bath rooms, which must conform to State Code.

#### D. SIZE OF LOTS IN BUSINESS DISTRICT

In all business zones or districts wherein the road frontage is described, the depth of the business parcels shall be

four hundred (400) feet from the existing road right-of-way unless otherwise specified, or a permission for a greater depth is obtained from the Township Zoning Commission. The minimum width of a business lot shall be at least two hundred (200) feet. Building front yard must be at least one hundred, fifty (150) feet from the center of the road.

#### E. BOUNDARIES OF BUSINESS DISTRICTS

The business district shall consist of both sides of State Route 87, beginning at the western boundary line of that parcel of ground now occupied by the auction sale property, extending eastward to a point eight hundred and fifty (850) feet west of the Pennsylvania Railroad.

Both sides of State Route 45, Beginning at the intersection of State Route 45 and Dunkerton Road on the south, and extending northward to the intersection of State Route 45 and Haines Road.

#### F. SANITATION

Requirements shall be the same as for "Agricultural" District.

### SECTION VII. INDUSTRIAL DISTRICTS

#### A. PERMITTED BUILDING, STRUCTURES AND USES:

In "Industrial" Districts there shall be permitted all buildings, structures and uses except the following which are specifically prohibited.

1. Brewery
2. Metallic Powder Works.
3. Chemical Plant — (including Nuclear Waste Dumping or Toxic Chemical)
4. Crematory
5. Distilling of bones, fat or glue, or gelatin manufacturing.
6. Manufacturing or storage of explosives, gun powder, or fireworks.
7. Dumping, storing, burying, reducing, disposing of, or burning garbage, refuse, scrap metal, rubbish, offal, or dead animals, except such as result from the normal use of premises, unless such dumping is done at a place provided by the township trustees for such specific purpose.

8. Junk yards, automobile graveyards, or places for the collection of scrap metal, paper, rags, glass, or junk for salvage or storage purposes, or for dismantling used vehicles.

9. Trailer Parks.

10. Hospitals and sanitoriums for drug or liquor addicts.

11. Cabins not used as and in a motel unit.

**B. OTHER REGULATIONS**

1. Semi-fireproof regulations shall be the same as for "Business" Districts.

2. Yard, area and height provisions shall be the same as for the Business Districts

**C. SANITATION**

Requirements shall be the same as for "Agricultural" Districts.

**SECTION VIII SPECIAL DISTRICTS**

**A. PERMITTED BUILDINGS, STRUCTURES AND USES:**

Special districts shall comprise the following property structures and uses.

1. Public Parks

2. Public Buildings

3. Public and Private Schools

4. Cemeteries

5. Church

6. Game Preserves

**B. OTHER REGULATIONS**

1. Semi-fireproof regulations shall be the same as for "Business" Districts.

2. Yard, area and height provisions shall be the same as for the "Business" districts.

**C. SANITATION**

Requirements shall be the same as for "Agricultural" Districts.

**D. SPECIAL PERMIT**

Changes in use, structures or buildings in this district shall apply to the township zoning board for review and issuance of a special non-fee permit. Issuance of such permit shall be determined by a vote of the zoning board.

**SPECIAL IX EXCEPTIONS AND SPECIAL PROVISIONS**

**A. SPECIAL USES PERMITTED**

The Board of Appeals as hereinafter created may authorize the issuance of a permit for any of the following buildings or uses in the agricultural or residence districts:

1. A nursing home or hospital for other than contagious or mental diseases.

2. A clubhouse without features likely to occasion a nuisance in a residential neighborhood by reason of noise or other objectionable characteristics.

3. An air landing field and its necessary appurtenances.

4. A public or quasi-public building or private athletic field.

~~To exclude in the future, in all districts, the establishment of basement dwellings, garage dwellings, except that the Board of Appeals may issue temporary permits for a period of one (1) year, which may be renewed by said Board of Appeals.~~

Such special permits, however, may be authorized by the Board of Appeals only upon satisfaction in each instance of such conditions as to general character, height and use of structure, the provisions of surrounding open space and treatment of the grounds, and as to street capacity and use, as, in the opinion of the Board may be necessary to safeguard public health, comfort and convenience, and as may be required for the preservation of the general character of the neighborhood in which such building is to be placed or such use is to be conducted.

**B. YARD EXCEPTIONS**

1. For Closely Built-up Areas: Where there is at the time of the enactment of this ordinance a lot forty (40) feet or less in width, in the Residence District, pocketed by buildings existing on the two (2) lots adjoining at the side, both being in other ownership, it shall be permitted to build or rebuild a single family dwelling upon such lot without requirement of side yards wider than the respective adjacent side yards existing on the adjoining lots.

**C. ALTERATION OF EXISTING DWELLINGS**

Nothing herein shall prevent alteration of a single family

dwelling existing at the time of enactment of this ordinance in Residence or Agricultural District for multiple family use, provided: (1) that after alteration of building, the area of lot upon which the building is located amounts to not less than one thousand (1,000) square feet for each dwelling unit; (2) that no dwelling unit shall have less total floor area than six hundred (600) square feet; (3) that no living quarters are placed in a basement or in any other room or space having less than six (6) feet of ceiling clearance above the average outside ground level; and (4) that there is no exterior alteration of the building except as may be necessary for safety and for improved access to the building.

#### D. PUBLIC GARAGES AND GAS FILLING STATIONS

No public garage repair space shall have an opening in roof or walls within fifteen (15) feet of any side property line, and (1) in Business Districts, no public garage, or private garage accommodating more than five (5) cars, or gas filling station shall have a vehicular entrance upon the same side of the street with, and closer to, an entrance to a public school, church, hospital, public park, playground, or fire station, than one hundred (100) feet, except that this shall not apply if a street fifty (50) feet wide or wider intervenes between such garage or gas filling station entrance and entrance to such public place, and (2) in all other districts, no such garage or filling station entrance shall be closer to an entrance to such a public place than two hundred (200) feet whether or not on the same side of the street, and whether or not there is an intervening street, and said measurement shall be taken as the shortest distance between such entrances, across the street if the entrances are upon opposite sides of the street, and along the street frontage if both entrances are on the same side of the street or within the same city block.

All gas filling stations shall be so arranged, and all gasoline pumps shall be so placed as to permit all servicing on the premises and outside the public way; and no gasoline pump shall be placed closer to the side property line than ten (10) feet.

#### E. OUTDOOR ADVERTISING

For the purpose of this resolution, outdoor advertising

shall be classified as a business use and shall be permitted in all Business and Industrial districts and on all lands, used for agricultural purpose, subject to the regulations contained in this resolution.

1. Signs not larger than ten (10) square feet in area shall be permitted in any district provided they are not located within the road right of way.
2. An outdoor advertising sign or billboard, other than those mentioned in paragraph 1 of this section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced. The charge shall be the minimum required for permit.
3. No outdoor advertising sign, except those mentioned in paragraph 1 of this section shall be placed nearer any street or road than the minimum setback building line.
4. No outdoor advertising sign, except those mentioned in paragraph 1 of this section shall be located within one hundred (100) feet of any intersection unless affixed to a building.
5. Any illuminated sign shall be shaded as not to interfere with the vision of persons on the highway or to annoy neighbors.
6. All signs erected within one hundred (100) feet of any intersection must be erected so as not to obstruct view or cause traffic hazard.
7. Any sign illuminated with electric lights (including neon or other gaseous type tubes or incandescent lamps) erected within one hundred (100) feet of an intersection where an illuminated device has been provided for the control of traffic may not duplicate in the electric light of such sign any colors appearing in the traffic control signal.

#### F. RAILROAD AND PUBLIC UTILITIES

Nothing in this ordinance shall prevent the use of any building, structures or land for any railroad or public utility, whether publicly or privately owned provided such use is for the operation of its business.

## G. PETROLEUM DRILLING

1. Before the commencement of any drilling operation, the party or parties responsible for the operation shall make application to the Zoning Inspector for a zoning permit. See fee schedule.
2. The application shall contain the following information:
  - a.) names of all parties having any interest in the well
  - b.) the name and addresses of any local representatives
  - c.) names and addresses of any contractor who will be involved in the drilling in any matter whatsoever
  - d.) a map of the subject property
  - e.) a copy of all lease agreements for the subject property
  - f.) a copy of any and all permits issued by the State agencies
  - g.) the date on which any work whatsoever shall begin on the subject property
  - h.) the type of material to be used in construction of the ingress and egress points
3. In the application, the applicant shall provide a map of the property on which the well is to be drilled. The map required in Regulation 2(d) shall include the location of the proposed well, all supporting buildings (including but not limited to, separator tanks and storage tanks) and all points of existing and proposed ingress and egress. Said map shall also denominate the distances between all wells and buildings and the property lines of the subject property.
4. There shall be a ten day waiting period from the date of application to the date of issuance of the permit. Furthermore, any change in the locations of the wells, support buildings, or points of ingress and egress must be filed with the Office of the Zoning Inspector five days before any work is begun on the changes.
5. All gas and oil wells, storage tanks and separator units shall not be placed nearer than one hundred

(100) feet of the right of way of a street or highway or railroad tracks or any inhabited dwelling or public buildings.

6. Access to all wells and all support structures shall be by way of a driveway which be constructed of slag, stone, or asphalt concrete of sufficient thickness to support the equipment used in the drilling operation.

7. Prior to establishing a driveway to a drill site, the operator shall contact the Zoning Inspector to estab-

lish the location and casing necessary for said driveway. Said casing to be of reinforced concrete pipe with a minimum diameter of 12" (twelve inches) and 40' (forty feet) in length with drainage maintained at both ends of said casing. The casing shall be of sufficient diameter to carry all the water coursing through the ditch.

8. During the months of the spring thaw, (i.e. March, April, May), in order to protect health, safety and property, of the public, no permit for well drilling will be issued except upon special order of the township zoning board of appeals.

9. Damage to Township roads and Township property must be repaired, restored and returned to previous condition.

## H. FIRE ESCAPES

Nothing herein contained shall prevent the projection of an open fire-proof fire escape or stairway into a rear or side yard for a distance not to exceed eight (8) feet.

## I. HEIGHT EXCEPTIONS

Nothing herein contained shall be interpreted to limit or restrict the height of a church spire, radio or wireless tower, belfry, clock tower, chimney flue, water tank, elevator bulkhead, stage tower, scenery lift or similar structures.

## J. CONTINUANCE OF NON-CONFORMING USES

Uses, not conforming to regulations of the District in which they are located at the time of enactment of this ordinance, shall be known and regarded as "non-conforming."

A Non-conforming building or use may be continued subsequent to adoption of this ordinance provided there shall thereafter be no structural extension of or addition to such

non-conforming building or use exceeding (1) twenty-five (25) per cent of cubical contents of the contents of the building or buildings as existing at the time of enactment of this ordinance, or (2) ducted all or partly in the open. Subsequent to such allowable addition to building or expansion of use, there shall be no further additions or expansion except in accordance with the regulations for the district in which such non-conforming building or use is located.

~~A Non-conforming use may not be changed to another non-conforming use disallowed by this ordinance in a district in which the original non-conforming use would be permitted.~~

#### K. REVERSION OF NON-CONFORMING BUILDINGS & USES

Any building or structure existing as a non-conforming use at the time this resolution takes effect may be reconstructed only with the approval of the Zoning Commission.

#### L. PERMANENCE OF YARDS AND OTHER OPEN SPACES

No space applied or necessary under this ordinance to satisfy the yard requirements in relation to any building, whether now or subsequently built, shall be counted as part of a yard or required open space in relation to any other building.

#### M. TEMPORARY PERMITS

Temporary permits may be authorized by the Board of Appeals for a period not to exceed one (1) year, for non-conforming uses incidental to housing and construction projects and including such structures and uses as storage of building supplies and machinery, and a real estate office located on the tract being offered for sale; provided such permits are issued only upon agreement by the owner to remove the structure or structures upon expiration of permit. Such permits are annually renewable over a period not to exceed three (3) years. The charge shall be the minimum required for zoning permit.

## SECTION X ADMINISTRATION

### A. INTERPRETATION

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public health, safety, morals, comfort and general welfare.

### B. ENFORCEMENT

~~The provisions of this ordinance shall be enforced by the Township Zoning Commission who shall be appointed by the Board of Township Trustees. It shall be the duty of the Township Zoning Commission to keep a record of all applications for permits and a record of all permits issued, with a notation of all special conditions involved. They shall file and safely keep copies of all plans submitted and the same shall form a part of the records of their office and shall be available for the use of the Board of Township Trustees and other officials of Bloomfield Township.~~

### C. ZONING PERMITS

Zoning permits shall hereinafter be secured from the Township Zoning Commission prior to construction, erection, or alteration of any building or part of building, except as otherwise stated in section IV of this ordinance; and prior to the construction or erection of any stationary sign or billboard. All requests for Zoning Permits shall be made in writing by the owner or by his authorized agent and shall include a statement of the use or intended use of the building or structure after construction, erection or alteration and shall be accompanied by a plan drawn to scale, showing the proposed building line in its exact relation to lot and street lines as well as a satisfactory evidence that the line or lines of the bounding street or streets has or have been accurately located on the ground.

The following fees shall be paid prior to issuance of zoning certificates. Such fees are for the purpose of defraying cost of inspection, certification and maintenance of necessary records.

The Inspector shall charge the following for issuing Zoning certificates, to wit: \$1.00 for each \$1,000.00 of expenditure as set forth in said application and certificate, provided that no certificate be issued for less than \$10.00

and no charge shall be more than \$40.00 for each residence, business or industrial building. Petroleum drilling permits shall be \$300.00.

In addition to the above fees any actual costs for plans, permits, professional assistance and advice and unusual expense furnished by the Township Zoning Commission or the Township Board of Trustees shall be charged to the applicant for a zoning certificate. A receipt for all monies ~~paid by the applicant for a zoning certificate shall be issued by the Township Zoning Commission.~~

This resolution shall not be interpreted as interfering with, abrogating or annulling any ordinance, regulations, resolutions or permits previously adopted or issued by the Bloomfield Township Trustees, except where such ordinances, regulations, resolutions or permits are in conflict with this resolution or amendments hereto; in which event this resolution or amendments hereto shall prevail.

#### AMENDMENTS

The Board of Township Trustees may, from time to time, after public notice and hearing, and after reference of proposal to the Township Zoning Commission for report thereon, amend, supplement or change the regulations herein provided and the boundaries of districts herein created. Such amendments, supplements or changes may be made without submitting them to a vote of the electors, unless within thirty (30) days after the adoption of such an amendment or supplement there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part thereof included in the Zoning Plan and affected by the amendment or supplement equal to not less than eight (8) per cent of the total vote cast for all candidates for governor in such area at the last preceding General Election at which a governor was elected, requesting the Board of County Commissioners to submit the amendment, or supplement to the electors of such area for approval or rejection at the next Primary or General Election. Any person adversely affected by an order of the Board of Township Trustees adopting, amending or rescinding a regulation under the authority of this act may appeal to the Court of Common Pleas of Trumbull County

on the ground that the Board of Township Trustees failed to comply with the law in adopting, amending, rescinding, publishing or distributing said regulation, or that said regulation as adopted or amended by the Board of Township Trustees is unreasonable, or unlawful or that the revision of the regulation was unreasonable and unlawful.

#### E. PUBLIC NOTICE AND HEARING

Due public notice and hearing as required by this ordinance shall be given, unless otherwise specifically mentioned, by notice to be published in one or more newspapers in general circulation in Bloomfield Township. At least thirty (30) days before the date of such hearing, the notice shall state the place or places and times at which the text and maps of the Zoning Resolution may be examined.

#### F. BOARD OF APPEALS

There is hereby created, to be appointed by the Board of Township Trustees, a Board of Appeals of five members who shall be residents of the unincorporated territory of Bloomfield Township. Of the five members, one (1) shall serve until the first Monday of the second January, following the adoption of the Zoning Ordinance; one (1) until the first Monday of the third January thereafter; one (1) until the first Monday of the fourth January thereafter; one (1) until the first Monday of the fifth January thereafter; one (1) until the first Monday of the sixth January thereafter. Their successors shall be appointed, on the expiration of their respective terms, to serve five (5) years. Each member shall serve until his successor is appointed and qualified. The Board of Township Trustees may remove any member for cause and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant.

Meetings of the board shall be at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall

keep records of its examinations and other official actions. Every rule or regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and shall be a public record.

THE BOARD OF APPEALS SHALL HAVE  
THE FOLLOWING POWERS:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination by the Township Zoning Commission in the enforcement of the provisions of this ordinance.
2. To hear and decide special exceptions to the terms of the ordinance upon which the Board is required to pass under this ordinance, and to consider applications for, and authorize the issuance of, special permits in accordance with the provisions of Section X of this ordinance.
3. To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, and which will not substantially affect the comprehensive plan of zoning in Bloomfield Township, provided further, that adherence to the strict letter of the ordinance will cause difficulties and hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan, so that the spirit of ordinance shall be observed and substantial justice done.

In exercising the above mentioned powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end, shall have all the powers of the Township Zoning Commission.

An appeal may be taken by any person aggrieved or by any officer, department, board, or bureau of the Township affected by a decision of the Township Zoning Commission. Such appeal shall be taken within twenty (20) days from the date of decision or determination, appealed from, by filing with the Township Zoning Commission, and with the Board of Appeals, a notice of appeal specifying the ground thereof. The Township Zoning Commission shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Commission of the Township certifies to the Board, after the Notice of Appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a court or record on application, on notice to the Township Zoning Commission and on due cause shown.

The Board of Appeals shall fix a reasonable time for the hearing of an appeal, giving public notice thereof as well as due notice at least ten (10) days prior to the hearing, by mail, to the parties in interest at the address filed with the appeal, and decide the same within a reasonable time, after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any person or persons jointly or severally adversely affected by any decision of the Board of Appeal, may appeal to the Court of Common Pleas of Trumbull County on the ground that such decision was unreasonable or unlawful. The Court may affirm, reverse, vacate or modify the decision complained of in the appeal. Such appeal must be presented to the Court within thirty (30) days after the filing of the decision in the office of the Board.

VIOLATIONS AND PENALTIES

Violations of any provision of this ordinance or any amendment or supplement thereto by any owner or leasee or other person, firm or corporation shall constitute a misdemeanor and each twenty-four (24) hour violation shall be deemed a separate offense, punishable by a fine not to exceed one hundred dollars, (\$100.00).

ACTIONS PREVENTING VIOLATION:

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or proposed to be used in violation of this ordinance, the Board of Township Trustees, the Township Zoning Commission or any adjacent or neighboring property owner who would be espe-

cially damaged by such violation, in addition to other remedies provided by law may institute injunction, mandamus, abatement, or any appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

VALIDITY

If any part of this ordinance is for any reason held to be ~~unconstitutional or invalid, such decision shall not affect~~ the remainder of the ordinance. The Bloomfield Board of Township Trustees hereby declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the section and subsection thereof, irrespective of the fact that ~~any one or more of the sections, subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.~~





TO: Bloomfield Township Trustees  
FROM: Bloomfield Township Zoning Board  
DATE: May 20, 1989

After extensive review of the Bloomfield Township Zoning Ordinance, the Zoning Board would like to recommend the following revisions, amendments and additions to the Township Trustees for public hearing.

Page 5, definition 20. Mobile home dwelling. Raise minimum size from 10' x 50' to 12' x 60' or at least a minimum of 720 square feet. Add to definition - The mobile home must have at least 3' deep pillars and 6 permanent tiedowns. The mobile home must be enclosed by skirting approved by the zoning inspector.

Page 15, section VII, A 7. Dumping, storing burying, reducing, disposing of or burning garbage. Add to definition - medical waste, industrial waste, sludge and etc. already in ordinance.

Page 23, section X, Administration Part C. Change fees to read: the inspector shall charge the following for issuing zoning certificates.

to wit: \$2.00 for each \$1,000.00 of expenditure as set forth in said application and certificate, provided that no certificate be issued for less than \$20.00 and no charge shall be more than \$80.00 for each residence, \$100.00 for business or \$150.00 for industrial building. A permit shall be issued for one year, after which, it may be renewed for a \$5.00 fee. After 2 renewals, the applicant must reapply for new permit at full cost.

David Rodgers, Chairman

*David Rodgers*

Judith Sheridan, Secretary

*Judith Sheridan*

John Fisher, Zoning Inspector

*John Fisher*

Jack Benton

*Jack Benton*

Robert Maraczi

*Robert Maraczi*

Roger Blackshere

*Roger Blackshere*