

LAKE TOWNSHIP ZONING RESOLUTION

TABLE OF CONTENTS

ARTICLE		PAGE NUMBER WITHIN ARTICLE
I.	TITLE	1
II.	DEFINITIONS	
	SECTION A. RULES OF INTERPRETATION	1
	SECTION B. DEFINITIONS	2
III.	DISTRICTS AND GENERAL PROVISIONS	
	SECTION A. DISTRICTS	1
	SECTION B. DISTRICT MAP	1
	SECTION C. DISTRICT BOUNDARIES	1
	SECTION D. COMPLIANCE WITH REGULATIONS	2
	SECTION E. USES EXEMPTED FROM PROVISIONS OF RESOLUTION	2
	1. Agricultural Uses	2
	2. Railroads / Public Utilities	4
	SECTION F. NON-CONFORMING USES	5
	SECTION G. PENDING APPLICATION FOR BUILDING PERMIT	6
IV.	USE REGULATIONS	
	A-1 AGRICULTURAL DISTRICT	1
	S-1 SPECIAL DISTRICT	2
	R-1 SUBURBAN RESIDENTIAL DISTRICT	2
	R-2 RESIDENTIAL DISTRICT	3
	R-3 RESIDENTIAL DISTRICT	4
	B-1 NEIGHBORHOOD BUSINESS DISTRICT	5
	B-2 GENERAL BUSINESS DISTRICT	6
	B-3 HIGHWAY BUSINESS DISTRICT	7
	M-1 LIGHT INDUSTRIAL DISTRICT	8
	M-2 HEAVY INDUSTRIAL DISTRICT	9
V.	HEIGHT, LOT AREA AND FLOOR AREA REQUIREMENTS	
	DIAGRAM: LOT TERMS	1
	TABLE: RESIDENTIAL USES - A-1, R-1, R-2	2
	TABLE: RESIDENTIAL USES - R-3	3
	TABLE: BUSINESS AND INDUSTRIAL USES	4
VI.	OFF-STREET PARKING AND LOADING REQUIREMENTS	
	SECTION A. OFF-STREET LOADING REQUIREMENTS	1
	SECTION B. OFF-STREET PARKING SPACE REQUIREMENTS	1
	1. General Requirements	1
	2. Number of Spaces Required:	1
	Tables	2
	3. Rules Governing the Determination of Required Number of Spaces	6
	4. Parking in Residential Areas	6
	SECTION C. SPECIAL PARKING PROVISIONS	6
	1. Disabled, Abandoned, Junk Vehicles in any District	6
	2. Junk Vehicle	7
	3. Historical or Collectors' Vehicles	7
	4. Trailers, Motor Homes, Recreational Vehicles	7
	5. Motels or Hotels	7
	6. Truck, Tractor or Semi-Tractor Parking	8
	7. Development and Maintenance of Parking Areas	8

LAKE TOWNSHIP ZONING RESOLUTION
TABLE OF CONTENTS

ARTICLE		PAGE NUMBER WITHIN ARTICLE
VII.	SPECIAL PROVISIONS	
	SECTION A. PERFORMANCE REQUIREMENTS	1
	SECTION B. ACCESSORY BUILDING	1
	SECTION C. SATELLITE DISHES	1
	SECTION D. FENCES AND HEDGES	2
	SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES	2
	1. Permits and Permission	2
	2. General Provisions	2
	3. Commercial or Industrial District Signs	3
	4. Setback Requirements	4
	5. Special Yard Provisions	4
	6. Illumination	5
	7. Subdivision Signs	5
	8. Permits	5
	9. Advertising Vehicles Prohibited	6
	10. Identification for Sign Installation and Maintenance	6
	11. Unclassified Signs	6
	12. Unlawful Signs	6
	13. Abandoned Signs Prohibited	7
	14. Exemptions	7
	SECTION F. COMMUNITY DEVELOPMENT PROJECTS	7
	SECTION G. PRIVATE SWIMMING POOLS, PONDS, LAKES, BARROW PITS	8
	SECTION H. TEMPORARY BUILDINGS	8
	SECTION I. CONSTRUCTION EXCAVATION / FILLING	9
	SECTION J. STORM WATER MANAGEMENT	9
	SECTION K. OUTDOOR LIGHTING	9
	SECTION L. SITE PLAN REVIEW	10
	1. General Requirements	10
	2. Specific Requirements	10
	3. Application Procedure	11
	SECTION M. VIRONMENTAL STANDARDS	12
	SECTION N. MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS	13
	1. General	13
	2. Storage	13
	3. Licensing	13
	4. Fencing and Screening	13
	5. Off-Street Parking and Loading	13
	6. Yard Requirements	13
	7. Pavement	14
	SECTION O. BED AND BREAKFAST INN	14
	SECTION P. ACCESSORY ELDERLY DWELLING UNIT	15
	SECTION Q. ADULT ENTERTAINMENT BUSINESSES	15
	1. Purpose	15
	2. Definitions	15
	3. Conditional Use Permit Required	17
	4. Zoning of Adult Entertainment Businesses	17
	SECTION R. UNDERGROUND FUEL TANKS / PUMPS	17

LAKE TOWNSHIP ZONING RESOLUTION

TABLE OF CONTENTS

ARTICLE		PAGE NUMBER WITHIN ARTICLE
VII.	SPECIAL PROVISIONS (CONT'D)	
	SECTION S. BUFFER YARDS	18
	1. Purpose	18
	2. Applicability	18
	3. Location	18
	4. Buffer Yard Requirements	18
	SECTION T. EXOTIC ANIMALS	21
	SECTION U. TRANSPORTATION-FOR-HIRE BUSINESS	21
	SECTION V. COMMERCIAL VEHICLE	21
VIII.	MANUFACTURED HOMES	
	SECTION A. PLACEMENT OF MANUFACTURED HOMES	1
	SECTION B. MANUFACTURED HOME PARK REQUIREMENTS	1
	SECTION C. MANUFACTURED HOME SUBDIVISION	3
IX.	EXCEPTIONS AND MODIFICATIONS	
	SECTION A. REQUIREMENTS AND REGULATIONS	1
	SECTION B. EXISTING LOTS OF RECORD	1
	SECTION C. HEIGHT REGULATIONS	1
	SECTION D. FRONT YARDS	1
	SECTION E. SIDE YARDS	2
	SECTION F. REAR YARDS	3
	SECTION G. SETBACK FROM ESTABLISHED DRAINAGE DITCHES	3
X.	ENFORCEMENT	
	SECTION A. ZONING INSPECTOR	1
	SECTION B. ZONING CERTIFICATE	1
	1. Zoning Certificate Required	1
	2. Written Request	1
	3. Conditions Under Which Certificates Are Required	1
	4. Fee for Zoning Certificate	2
	5. Application and Issuance of Zoning Certificates	2
	6. Certificate of Zoning Compliance	3
	7. Violations and Penalties	3
	8. All Violations ...	3
XI.	ZONING COMMISSION AND BOARD OF ZONING APPEALS	
	SECTION A. ORGANIZATION AND PROCEDURES	1
	1. Membership	1
	2. Hearings, Adoption of Rules	1
	3. Minutes	1
	4. Witnesses, Oaths, Subpoena Powers	1
	5. Executive Session [prohibited]	1
	SECTION B. APPEALS	1
	SECTION C. POWERS AND DUTIES	2
	1. To Hear and Decide Appeals	2
	2. Exceptions	2
	3. Grant Variations	2
	4. Impose Requirements and Conditions	3
	5. Public Values and Safety	3
	SECTION D. FEES	3

LAKE TOWNSHIP ZONING RESOLUTION

TABLE OF CONTENTS

ARTICLE		PAGE NUMBER WITHIN ARTICLE
XII.	INTERPRETATION, PURPOSE AND CONFLICT	1
XIII.	AMENDMENT TO TOWNSHIP ZONING RESOLUTION	
	SECTION A. PROCEDURES FOR AMENDMENTS OR DISTRICT CHANGES	1
	SECTION B. GENERAL	1
	SECTION C. INITIATION OF ZONING AMENDMENTS	1
	SECTION D. CONTENTS OF APPLICATION FOR ZONING MAP AMENDMENT	1
	SECTION E. CONTENTS OF APPLICATION FOR ZONING TEXT AMENDMENT	2
	SECTION F. TRANSMITTAL TO ZONING COMMISSION	2
	SECTION G. SUBMISSION TO WOOD COUNTY PLANNING COMMISSION	2
	SECTION H. SUBMISSION TO DIRECTOR OF TRANSPORTATION	2
	SECTION I. PUBLIC HEARING BY ZONING COMMISSION	3
	SECTION J. NOTICE OF PUBLIC HEARING IN NEWSPAPER AND TO PROPERTY OWNERS	3
	SECTION K. RECOMMENDATION BY ZONING COMMISSION	4
	SECTION L. PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES	4
	SECTION M. ACTION BY BOARD OF TOWNSHIP TRUSTEES	5
	SECTION N. EFFECTIVE DATE AND REFERENDUM	5
	SECTION O. TRANSMITTAL OF AMENDMENT	5
	SECTION P. APPLICATION FEES	6
XIV.	VALIDITY	1
XV.	EFFECTIVE DATE	
	SECTION A. GENERAL	1
	SECTION B. AUTHORIZATION	1
	APPENDIX	
	LAKE TOWNSHIP ZONING PERMIT FEES	A - i
	APPLICATION FOR CERTIFICATION OF ZONING COMPLIANCE	A - ii

LAKE TOWNSHIP ZONING RESOLUTION

A RESOLUTION, for the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and facilitate adequate but economical provision of public improvements, all in accordance with the Land Use Plan, the Board of Trustees of this Township finds it necessary and advisable to regulate the location, size and the use of buildings and other structures, including tents, cabins, and trailer coaches; percentages of lot areas which may be occupied; set-back building lines; sizes of yards, courts and other open spaces; and the uses of land for trade, industry, residences, recreation or other purposes, and for such purposes, divides the area of the Township into districts or zones.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LAKE TOWNSHIP, WOOD COUNTY, STATE OF OHIO:

ARTICLE I. TITLE

This Resolution shall be known and cited as the November 16, 1961, Zoning Resolution of Lake Township.

1. Revised: June 27, 1963
2. Revised: January 19, 1987
3. Revised: December 3, 1990
4. Revised: November 2, 1998
5. Revised: August 21, 2001
6. Revised: February 19, 2002

ARTICLE II. DEFINITIONS

For the purpose of this Resolution the following words and terms shall be interpreted and defined in accordance with the provisions set forth in this Article II.

SECTION A. RULES OF INTERPRETATION

The following general rules of interpretation shall apply:

1. The particular controls the general.
2. In case of any difference of meaning or implication between the text of this Resolution and the captions for each section the text shall control.
3. The word "shall" is always mandatory and not directory. The word "may" is permissive.
4. Words used in the present tense include the future, unless the context clearly indicates the contrary.
5. Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
6. A "building" or "structure" includes any part thereof. A "building or other structure" includes all other structures of every kind, regardless of similarity to buildings.
7. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

SECTION B. DEFINITIONS

Accessory Use - An “accessory use” is either a subordinate use of a building, or other structure, or lot, or a subordinate building or other structure:

1. Whose use is clearly incidental to the use of the principal building, other structure or use of land, and
2. Which is customary in connection with the principal building, other structure or use of land, and
3. Which is located on the same lot with the principal building, other structure or use of land.

An “accessory use” includes -- but is not limited to -- the following:

- a. Residential accommodations for servants and caretakers.
- b. A private greenhouse.
- c. A barn, shed, tool room, or other similar building or other structure for domestic or agricultural storage.
- d. Keeping of domestic animals, but only for personal enjoyment, for household use, or for cultivation of the soil, and not including a commercial stable or kennel.
- e. Incinerators incidental to residences and public or private institutions.
- f. Storage of goods used in or produced by manufacturing activities, on the same lot with such activities, unless such storage is excluded by the district regulations.
- g. The removal for sale of sod, loam, clay, sand, gravel or stone in connection with the construction of a building or other structure on the same lot.

Adult Amusement or Entertainment - An establishment with private viewing rooms that customarily engages in the presentation of nude and semi-nude exhibitions and performances for commercial or pecuniary gain which excludes minors by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses. This definition does not apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau or production in any theater, concert hall, museum of fine arts, school, institution of higher learning or similar establishment which is primarily devoted to such exhibitions, presentations, show information, art or drama as differentiated from commercial or business advertising, promotion, selling or servicing products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern or dance hall.

Adult Book Store - An establishment which has a substantial portion of its stock in trade, books, magazines, or other periodicals, from which minors are excluded by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses.

Adult Entertainment - *See: Article VII, Section P, Adult Entertainment Businesses.*

Adult Movie House - An establishment displaying movies that are rated X, XX, or XXX which is customarily not open to the general public by excluding minors by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses.

Adult Video Store - An establishment which has a substantial portion of its stock in movies, for sale or for rent, from which minors are excluded by virtue of age, as defined in Article VII, Section Q, Adult Entertainment Businesses.

Advertising Sign - A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises.

Agriculture - Includes farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry; and only the sale of such products as are raised on the premises. Agriculture shall not include kennels.

Airport or Aircraft Landing Field - Any land area, runway or other facility designed, used, or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars, and other necessary buildings and open spaces.

Alteration, Structural - Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

Apartment Building - A building or structure other than a duplex or two-family residence, in which there are three (3) or more dwelling units. Each dwelling unit has an individual entrance and may have a separate exterior entrance or they may share a building entrance and lobby. (Synonymous term: Apartment House)

Automobile Service Station - Any premises used for supplying gasoline and oil, at retail direct to the customer, including minor accessories and services for automobiles.

Automobile, Trailer and Recreational or Marine Vehicles Sales and Repair Area - An area, other than a street, used for the display or sale of new or used automobiles, trailers, recreational or marine vehicles and the repair, rebuilding or reconditioning thereof including collision, painting, or steam cleaning services.

Automobile Wrecking - The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Average Finished Grade Level - The average of the grade of the ground at all corners of a building or other structure.

Balcony - A railing enclosed platform projecting from the outer wall of a building.

Basement - A story partly or wholly underground. For purposes of height measurement a basement shall be counted as a story where more than one-half (1/2) of its height is above the average level of the adjoining ground.

Bed and Breakfast Inn - An owner-occupied, single-family residential dwelling in which rooms are rented to paying guests on an over-night basis and breakfast only is provided. The entire service to be included in one (1) stated price. This is to be located in R-1 and A-1 districts.

Billboard or Poster Panel - Any sign or advertisement used as an outdoor display for the purpose of making anything known, the origin or point of sale of which is remote from said display.

Board - Shall mean the Board of Zoning Appeals.

Board of Township Trustees - The Board of Township Trustees of Lake Township, Wood County, Ohio.

Building - Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property. A mobile home or manufactured home is a building, for the purpose of this Resolution, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title has been surrendered and inactivated by the Clerk of Common Pleas Court that issued it so that the home may be taxed as real property.

Building, Front Line Of - The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches, whether enclosed or unenclosed, but does not include steps. *See Also: Yard, Front.*

Building Height - The vertical distance measured from the average finished grade level to, in the case of flat roofs, the level of the highest point of the roof, and in the case of pitched roofs, the highest point of the roof.

Buildings, Principal - A building in which is conducted the main or principal use of the lot on which said building is situated.

Business Services - Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or business.

In the Home Business - A business activity which is conducted in or from the residential premises by the occupant of the residence which does not involve any extension or modification which alters its outward appearance as a dwelling unit. *See Also: Home Occupation.*

Business Sign - A sign which directs attention to the business or profession conducted or to the principal products sold upon the premises.

Camper Vehicle - A motor vehicle with overnight accommodations for camping or travel.

Car Wash - A facility designated to provide interior vacuuming and exterior washing services, both automatic and self-service, to passenger automobiles, light trucks and vans.

Cemetery - Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery. The use shall comply with the *Ohio Revised Code* regulations.

Clinic - An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together or professionals licensed to practice the healing arts.

Club - A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Commercial Classifications

“B-1” Neighborhood Business District - Retail and service establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion, local retail and service uses include only those enterprises which normally employ less than ten (10) persons. Permitted uses include drugstores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pick-up facilities, and hardware and grocery stores, if less than ten thousand square feet (10,000 sq. ft.) of floor area. Other small businesses of an equally restricted and local nature may be permitted, based on the discretion of the Board of Zoning Appeals.

“B-2” General Business District - Retail and service establishments which, in addition to catering to the community residents and workers daily needs for convenience goods and services, also include establishments offering comparative-type shopping facilities. Community business includes, but is not limited to, supermarkets and stores for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar related activities which lend themselves to contributing to the design and economics of a unified shopping center.

“B-3” Highway Business District - Includes commercial uses requiring location on major thoroughfares and at their principal intersections. Highway uses include motels, gas stations, restaurants, drive-in establishments, auto and farm implement sales and services, building trades and services, commercial recreation and similar commercial activities.

Commercial Entertainment Facilities - Facilities open to the public, established and operated for profit such as theaters, carnivals, nightclubs, cocktail lounges, amusement parks, miniature golf courses, stadiums, golf driving ranges, skateboard rinks, ice or roller skating rinks, race tracks, bowling alley, racquet ball clubs and similar enterprises.

Commercial Parking Facility -

A “Commercial Parking Facility” shall include any building or lot which:

1. Is used for the storage of automobiles, recreational vehicles, boats, utility or vacation trailers, and
2. Is not accessory to any other use on the same or any other lot, and
3. Contains space rented to the general public by the hour, day, week, month or year.

A “Commercial Parking Facility” may include the accessory sale of fuel and motor oil, wholly within a building located thereon.

A “Commercial Parking Facility” shall not include:

1. Any establishment used for the repair of vehicles or trailers excepting minor repairs which are solely incidental to the storage, nor
2. Any establishment used exclusively for the storage of commercial or public utility motor vehicles, or for the dead storage of motor vehicles.

Commission - The Zoning Commission of Lake Township.

Conditional Use (Special Exception) - A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a specific provision for such special exception made in this resolution. A conditional use is not considered to be a non-conforming use.

Condominium Property - A single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an individual interest in the common areas and facilities of the property. *See Also: Ohio Revised Code, Chapter 5311.*

Day Care Facilities - A place other than the permanent residence which administers to the needs of five (5) or more children or adults providing social, rehabilitative, recreational, or educational activities on a daily basis with no provisions for residential care. This includes, but is not limited to, adult day care, child day care, rehabilitative care, and nursery schools. *See Also: Nursery School.*

District - Agriculture Districts include all "A" Districts. Special Districts include all "S" Districts. Residence Districts include all "R" Districts. Neighborhood Business Districts include all "B-1" Districts. General Business Districts include all "B-2" Districts. Highway Business Districts include all "B-3" Districts. Industrial Districts include all "M-1" and "M-2" Districts.

Drive-In Commercial Uses - Any retail commercial use catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters, car wash facilities and similar uses; excluding semi-truck, trailer, and tank trailer washes.

Dwelling - Any building or portion thereof which is designed for or used for residential purposes.

Dwelling, Cluster, Single-Family - A building or portion thereof, designed and used for residential purposes, in which a single family has legal ownership of the dwelling unit within said building and each family either individually, jointly or through a common association is responsible for the maintenance of the total lot.

Dwelling, Migrant Worker - A residence occupied by seasonal agricultural workers during the harvesting of crops and produce for profit, but not for year-round occupancy.

Dwelling, Multiple Family - A building, or portion thereof, designed for occupancy by three or more families living independently in which they may or may not share common entrances and/or other spaces. Individual dwelling units may be condominiums.

Dwelling, Single-Family - A permanent structure entirely detached; independent from any other principal structure placed on a permanent foundation, having one or more rooms, with provisions for living, sanitary and sleeping facilities specifically designed and arranged exclusively for the use of one or more individuals of the same family. These dwellings include site built homes, industrialized homes, manufactured homes and mobile homes but not barns, sheds or other structures designed for uses other than single family.

Dwelling, Special Care - A dwelling occupied by a single family plus not more than three (3) special care inhabitants. The special care inhabitants must require special care or attention from the dwelling owner or family but such special care is not to include medical or therapeutic services provided in the dwelling. The primary elements of a traditional family relationship must exist among all of the inhabitants of the special care dwelling (i.e. there must exist that type of relationship which emphasizes the collective body of persons under one head and one domestic government having natural or moral duties to support and care for each other). The relationship between the special care inhabitants and the family offering the care must be non-profit (i.e. the compensation received must be designed to reimburse the reasonable cost of providing said care). The family or dwelling owner must provide either a permanent living arrangement for those permanently in need of care or a feeling of permanence of living arrangements for those who are in a period of transition between their institutionalization and their complete reintegration into society. Said dwelling unit, if required by the state or county, shall meet all the licensing requirements.

Dwelling, Two-Family - A residential building consisting of two dwelling units each of which adjoins the other either horizontally or vertically and is arranged, intended or designed for one family. Each dwelling unit shall have its own separate, private means of ingress and egress. The term "two-family dwelling" shall not include a manufactured home or a mobile home.

Dwelling Unit - A room or group of rooms which are designed for residential occupancy having cooking facilities for a single family and occupied by a single family unit. There may be one (1) or more "dwelling units" within a single building.

Elderly Household - Not more than three (3) persons, related or unrelated, who occupy a single dwelling unit, of whom one person is elderly.

Elderly Person - Any person who is 62 years of age or older, or any person who is handicapped such that his physical impairments are of a long-term duration and impede his ability to live independently without a suitable housing environment.

Essential Services - The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and 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.

Exotic Animal - A wild or exotic animal means those mammals, reptiles, or fowl which are not ordinary household or domesticated pets, or animals native to the farm, and which are ordinarily and customarily confined to zoos or similar animal farms or which are found in a natural and wild habitat.

Family - One or more persons related by blood, marriage or adoption, including special care inhabitants only when related, living together in one dwelling unit, including domestic servants, gratuitous guests, plus no more than three (3) additional persons not related by blood, marriage or adoption.

Farm Vacation Enterprise (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.

Floor Area - The sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) buildings. "Floor Area" shall not include: basement space, elevator and stair bulkheads, attic space, terraces, breezeways, and open porches and uncovered steps.

Food Processing - The preparation or processing of food products exclusive of those involving odorous processes. Examples of activities included are bakeries and dairies.

Forestry - The growing and care of trees for commercial purposes, including the cutting and marketing of timber.

Frontage - All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street. If dead end, then all of the property abutting on one side between an intersecting street and the deadend of the street.

Garage, Private - An accessory building designed or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle, which vehicle shall not exceed a one (1) ton capacity.

Garage, Public - A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, or storing motor driven vehicles.

Gas Station / Service Station - *See: Automobile Service Station*

General Contractor - A building or premises utilized by a company or individual whose primary occupation is in the construction trades. Offices, storage or materials and heavy and highway equipment may be utilized in the conduct of the trade and shall be considered an integral part of the business.

Highway, Major - A street or road used primarily as a traffic artery for transportation between destination points such as population centers and/or areas of commercial / industrial concentration. Major highways in Lake Township are: I-80/I-90 (Ohio Turnpike), I-280, US 20/23, SR-51, SR-163, SR-420, SR-579 (Williston Road), and SR-795.

Home Occupation - Any occupation or activity carried on by a member of the immediate family, residing in the home, provided there is no commodity sold from the home and not more than one person is employed other than members of the immediate family residing in the home, and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes. No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced. Home occupation shall include the use of the home by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment but not for the general practice of his profession. *See Also: Business Services - In the Home Business.*

Hospital - Any building or other structure containing beds for at least four (4) patients and devoted to the diagnosis, treatment or other care of human ailments.

Hotel - A building, or any part of a building which contains living and sleeping accommodations for transient occupancy and has a common entrance or entrances.

Institution - Buildings or land occupied by a non-profit corporation or a non-profit establishment for public use.

Institutional Home - A place for the care of babies, children, pensioners or the elderly, except those for correctional or mental cases.

Junk Yard - An open area where waste, scrap metal, paper, rags, or similar materials are brought, sold, exchanged, stored, packed, or handled including wrecking yards, but excluding uses taking place entirely within an enclosed building. *See also: Motor Vehicle Salvage Yard.*

kennel - Any lot or premises on which four (4) or more dogs, more than four (4) months of age are kept.

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

Lot - A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one (1) main building, together with its accessory buildings, the open spaces and parking spaces required by this Resolution, and having its principal frontage upon a street or upon an officially approved place.

Lot Area - The total horizontal area within the lot lines of a lot.

Lot, Corner - Any lot at the junction of and abutting on two (2) or more intersecting streets.

Lot, Interior - Any lot other than a corner lot.

Lot Line, Front - For an interior lot, a "front lot line" is a street line. On a corner lot, the street line having the least dimension shall be considered the "front lot line".

Lot Line, Rear - Any lot line, other than a street line, which is parallel to the front lot line or within forty-five degrees (45) of being parallel to the front lot line.

Lot Line, Side - A "side lot line" is any lot line which is not a front lot line or a rear lot line.

Lot of Record - A lot which has been recorded in the office of the County Recorder of Wood County, Ohio.

Lot Width - The width of a lot at the building setback line measured at right angles to its depth. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard.

Manufactured Home Pad - That portion of a mobile home site that is designed, constructed, and improved in such a manner as to provide a base upon which a mobile home shall rest, and which also serves as a base upon which blocks or other materials are placed to assist in leveling the floor of the manufactured home and provide a temporary type of foundation.

Manufactured Home Park - One (1) or more contiguous parcels of land under a single management which have been designed and developed in such a manner as to provide individual manufactured home sites for one (1) or more manufactured homes. The term manufactured home park shall mean the same as a trailer park, trailer court, or trailer camp; however, only mobile homes or trailers with the HUD certification shall be located therein.

Manufactured Home Site - An area of land within a manufactured home subdivision or manufactured home park that is designed and developed in such a manner as to provide a location for one (1) manufactured home.

Manufactured Home Subdivision - A subdivision designed and/or intended for the sale of lots for manufactured home sites. A manufactured home subdivision will be subject to the same land development and site improvement standards that apply to conventional subdivisions under the Subdivision Rules and Regulations of Wood County, except as provided under Article VIII, Section C, herein.

Manufactured Housing - Any pre-assembled residence transported to a site for final assembly and set up; does not include traditional site built housing.

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

- 2. Industrialized Unit** - A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of 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 methods to form a completed structural entity. "Industrialized unit" does not include a manufactured or mobile home as defined herein.

- 3. Manufactured Home** - A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the

Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974." And that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

4. **Industrialized Unit** - A factory built dwelling unit designed for assembly at the building site, bearing certification of compliance with the Ohio Building Code and meets the definition of Industrialized Unit (*O.R.C. 3781.10 (h)*).

Manufacturing - Any production or industrial process, including food processing, which combines one or more raw materials or components into a product or which changes the nature of the materials entering the process.

Manufacturing - Heavy - Any manufacturing, industrial production or storage which by the nature of the materials, equipment and processes utilized are generally conducted within an enclosed building and if outside storage of material is required on any portion of the property abutting or facing an "R" district, such storage is conducted within a well maintained enclosure which shall have an opaqueness of seventy-five percent (75%) or more. General manufacturing shall include the manufacture of dairy, canned fruit and vegetable, bakery, soft drink and confectionery products; textile mill products and apparel; lumber and wood products, furniture and fixtures; plastic products; perfumes and cosmetics; fabricated products from metal coils and sheets, nonferrous metals; screw machine products and bolts, nuts, screws, and washers; automotive parts, equipment and assembly; cutlery hand tools and general hardware; household appliances; electrical machinery, equipment and supplies; radio and television sets; electronic components and accessories; and products of a similar nature.

Manufacturing - Light - Any industrial use which is conducted entirely within enclosed, substantially constructed buildings, involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear of or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

Massage Parlor - An establishment or place primarily in the business of providing massage services operated by anyone **not** a duly licensed medical doctor, osteopath, chiropractor, nurse, or physical therapist treating patients recommended by a licensed physician under a duly licensed physician's direction, or person practicing the art of massage on the face or hands in a duly licensed beauty parlor or barber shop.

Mineral Extraction and Storage - Any mining, quarrying or storage of coal, limestone, clay or other mineral resources except sand and gravel.

Motor Vehicle Salvage Yard - Any place where two (2) or more motor vehicles not in running condition, or parts thereof are stored in the open, in a fenced area, or in a partially enclosed building, and are not being restored to operation, or any land used for wrecking, storing and/or salvage of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating conditions. *See also: Junk Yard.*

Non-Conforming Use - Any use, whether of a building, other structure, or land which does not conform to the use regulations (Article IV) of this Resolution for the District in which such "non-conforming use" is located, either at the effective date of this Resolution or as a result of subsequent amendments which may be incorporated into this Resolution. *See Also: Article III, Section F, Non-conforming Uses.*

Nursery, Plant Materials - Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises or wholesale including products used for gardening or landscaping.

Nursery School - A school designed to provide day-time care or instruction for five (5) or more children and operated on a regular basis. *See Also: Day Care Facilities.*

Nursing Home - An establishment where persons are housed or lodged and furnished with meals and nursing or convalescent care for hire.

Off-Street Parking Space - An off-street surfaced space available for the parking of one (1) motor vehicle and having an area of not less than one hundred eighty (180) square feet, exclusive of passageways, driveways and other maneuvering area appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

Parking Area, Private - An open area, other than a street or alley, used for the parking of the automobiles of occupants of a dwelling.

Parking Area, Public or Customer - An open area, other than a private parking area, street or alley, used for the parking of automobiles and available for public or quasi-public use.

Parking Space, Automobile - Space within a building or a private or public parking area for the parking of one (1) automobile.

Permanent Foundation - A permanent masonry, concrete or locally approved footer or foundation, to which a manufactured home may be affixed.

Personal Services - Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repairing, barber shop, beauty parlors, personal storage facilities and similar activities.

Permanently Sited Manufactured Home - Is 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;
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 900 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.

Plant Cultivation - The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as green houses, but not including such plant cultivation as is conducted on residential properties for the primary benefit of the resident family.

Pond - Any man-made or naturally occurring water area that is used for recreation, storm water retention or detention, or potable water supply.

Printing and Publishing - Any establishment which prints, copies or duplicates printed matter and/or produces or releases for publication any printed matter. The size of such an establishment shall not create undue vehicular congestion, excessive noise or objectionable problems to the surrounding neighborhood.

Professional Activities - The use of offices and related spaces including clinics for such professional services as are provided by doctors, dentists, lawyers, architects, and engineers.

Public Service Facilities - The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the electrical, gas, rail transport, communication, public water and sewerage services.

Public Uses - Public parks, schools, and administrative, cultural and service buildings, police and fire stations, not including public land or buildings devoted solely to the storage and maintenance of equipment and material.

Recreational Facilities:

- 1. Non-commercial Recreational Facilities** - Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses, game preserves, ski slopes, hunting and trapping, motorcycle race tracks, in line skating courses, roller blade courses and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools. Non-commercial recreational facilities may be leased to outside groups and organizations provided the fee for such purposes is limited to incidental maintenance and custodial expenses.
- 2. Commercial Recreational Facilities** - Recreational facilities open to the public, established and operated for a profit such as golf courses, riding stables, swimming pools, tennis courts, motorcycle race tracks, in line skating courses, roller blade courses, batting cages, basketball courts and similar enterprises.
- 3. Restricted Commercial Recreational Facilities** - Boat docks and fishing piers, boat launching, maintenance, repair and fueling facilities; concessions for the sale of food, non-alcoholic beverages and boating and fishing supplies and accessories.

Recreational Vehicle - A vehicle designed to be used primarily for recreational purposes, including temporary sleeping quarters or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pick-up campers, travel trailers and tent trailers, provided any such vehicle or unit which is forty (40) feet or more in overall length shall be considered a mobile home and shall be subject to all regulations of this ordinance applicable to mobile homes.

Research Activities - Research, development and tests related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering. All research, testing and developing shall be carried on within entirely enclosed buildings and no noise, smoke, glare, vibration, or odor shall be detected outside said building.

Residential Floor Area - The interior floor area of a dwelling including stairways, halls and closets but not including basements, porches, garages, breezeways or carports.

Restaurant - A private or public eating establishment which provides for the preparation and serving of food to be consumed on the premises. Establishments which are a sideline (i.e., less than ten percent (10%) of their business is generated from such sideline) provide food on a "to go" basis shall be included under this definition.

Retail Store - A store selling commodities, not processed on the premises, direct to the public.

Roadside Stand - A temporary structure designed or used for the display or sale of agricultural and related products.

Rooming House - A building or dwelling unit or portion thereof other than a hotel, where lodging for no more than five (5) persons is provided for compensation.

Sand and Gravel Extraction - The excavation, storage, separation, clearing and marketing of sand and gravel.

Satellite Dishes / Antennas - Refer to definition in Article VII, Section C.

Seasonal Residence - Summer cottages, winter lodges and similar housing occupied less than six (6) months during a year.

Semi-Public Uses - Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.

Set-Back Line - A line established by zoning, platting or other legal means on a lot which is a specified distance from and parallel to the lot line to restrict the encroachment of buildings on the lot line.

Sewage Disposal System - Combined - An approved sewage disposal system which provides for the combined collection and disposal of sewage from a group of residential, commercial or industrial buildings.

Sewage Disposal System - On-Site - A septic tank installation on an individual lot which utilizes an anaerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sign - Any structure or part thereof or any device attached to a structure or painted or represented on a structure on which letters, figures, or pictorial matter is displayed or used for the purpose of bringing the subject thereof to the attention of the public. A "sign" includes any billboard, but does not include any flag, badge, or insignia of any government or governmental agency or of any charitable, religious, educational, or similar organization.

Social Activities - The use of land and buildings for clubs, fraternal organizations, veterans organizations and similar social purposes.

Special Care Inhabitant - A person eligible to be an inhabitant of a special care dwelling including foster children and the following when not related by blood, marriage or adoption to the special care dwelling owner or lessee: the physically handicapped (i.e. those with a full or partial loss of ambulatory functions, or loss of sight, hearing, or are considered as having epilepsy); the mentally ill where they are in a period of transition between their institutionalization and integration into society; or the mentally retarded where the competent state, county or city screening authority and clinical staff clearly indicate in respect to the mentally ill or retarded persons that there is no undue burden or risk to the safety of the community.

Specialized Animal Raising and Care - The use of land and buildings for the raising and care of fur-bearing animals such as rabbits and domestic pets and the stabling and care of horses, animal kennels, pigeon raising and raising of any other domestic animals or birds of a similar nature.

Storage Facility, Self Service - A building or complex providing individual rental warehouse units for the private storage of personal property. The total lot area shall comprise no more than ten (10) acres nor fewer than two (2) acres and must be enclosed by an approved security fence. The individual rental units may not exceed three hundred (300) square feet in area.

Story - That portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there is no floor above it, then the space between such floor and ceiling next above it.

Story, Half - A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

Street - A public thoroughfare in which the right-of-way is thirty (30) feet or more in width. For the purposes of this Resolution, the word "street" shall include the words "road" and "highway".

Street Line, Right-of-Way Line - A dividing line between a lot, tract or parcel of land and contiguous street.

Street Width - The horizontal distance between the side lines of a street, measured at right angles to the side lines.

Structure - Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures shall include buildings, mobile homes, walls, fences, billboards, towers, driveways, sidewalks, streets and utilities.

Structural Alteration - Any change to a dwelling or other building which involves any change in the following: supporting walls, or structural parts, stairways or other means of communication of ingress or egress.

Supply Yards - A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Township - Lake Township, Wood County, Ohio.

Trailers, Small Utility - Any small trailer drawn by a motor vehicle used for the occasional transport of personal effects, camping equipment, and boats.

Travel Trailer - A nonself-propelled recreational vehicle that does not exceed an overall length of 35 feet, exclusive of bumper and tongue or coupling, and contains less than 320 square feet when erected on site. "Travel trailer" includes tent-type and fold out camping trailers.

Transportation for Hire - Any business or public utility engaged in the transportation of persons or property, or both, or furnishing such transportation service over any public street, road or highway.

Trucking Terminal - An area and structure designed and primarily used as a terminus of trucks for the purpose of hauling materials, where consignment property is loaded, unloaded, transferred or housed.

Trustees - The Board of Township Trustees of Lake Township.

Use - Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied.

Used Car Lot - Any lot on which two (2) or more motor vehicles in operating condition are offered for sale or displayed to the public.

Variance - A variance is a relaxation of requirements where such variation will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of this Resolution would result in unnecessary and undue hardship.

Veterinary Animal Hospital or Clinic - A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

Warehousing and Wholesale Activities - The receiving, storage, sale and distribution of manufacturing products, commodities and equipment. Wholesale may include an occasional retail sale.

Yard - An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard, Front - A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street right-of-way line and the main building or any projections thereof other than the projections of the usual uncovered porch. On corner lots, the front yard shall be all sides of the lot adjacent to streets and front yard set-backs shall be provided as indicated in Article V.

- 1. Yard Frontage** - All the property on one side of a dedicated public street right-of-way between two intersecting streets, measured along the line of the street right-of-way. The width of the lot, which is the distance from one side lot line to the other side lot line measured parallel to the front line, shall be at a minimum maintained for the entire depth of the lot.
- 2. Yard Lot line, Front** - For an interior lot, a "front lot line" is at the street right-of-way. On a corner lot all portions of a lot abutting a public right-of-way shall be the "front lot line".
- 3. Yard Lot Width** - The width of a lot measured at right angles to its depth. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard at the established set back.

Yard, Rear - A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof, other than the projections of uncovered steps, unenclosed balconies, or unenclosed porches.

Yard, Side - A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projections thereto.

Zoning Certificate - The document issued by the Zoning Inspector authorizing the use of land or building.

Zoning Inspector - The Zoning Inspector or his authorized representative appointed by the Board of Trustees.

Zoning District Map - The Zoning District Map or maps of the Township together with all amendments subsequently adopted.

ARTICLE IV. USE REGULATIONS

The permitted and conditional uses for each district are shown on the accompanying table which is Article IV. The interpretation of uses given in categorical terms shall be defined in Article V. Uses not specifically listed or interpreted by the Board of Zoning Appeals to be included categorically under this Article and Article II shall not be permitted except by amendment to the Resolution.

A-1 AGRICULTURAL DISTRICT

Permitted Uses:

1. Agriculture
2. Bed and Breakfast
3. Plant Cultivation
4. Public Service Facility
5. Single Family Dwelling
6. Public Uses
7. Semi-Public Uses
8. Essential Services
9. Accessory Uses

Conditional Uses - Board Approval Required:

1. Airports
2. Cemetery
3. Oil and Gas Wells
4. Outdoor Advertising
5. Recreational Facilities
6. Sand, Gravel and Topsoil Extraction

S-1 SPECIAL DISTRICT

Permitted Uses:

1. Parks
2. Plant Cultivation
3. Public Uses
4. Semi-Public Uses/Facility
5. Essential Services
6. Accessory Uses
7. Agriculture

Conditional Uses -

Board Approval Required:

1. Cemetery
2. Exotic Animals
3. Recreational Facilities

R-1 SUBURBAN RESIDENTIAL DISTRICT

Permitted Uses:

1. Single Family Dwelling
2. Plant Cultivation
3. Public Uses
4. Public Service/Facility
5. Essential Services
6. Accessory Uses
7. Agriculture

Conditional Uses -

Board Approval Required:

1. Bed and Breakfast
2. Cemetery
3. Exotic Animals
4. Home Occupations
5. Oil and Gas Wells
6. Recreational Facilities

R-2 RESIDENTIAL DISTRICT

Permitted Uses

1. Single Family Dwelling
2. Two Family Dwelling
3. Plant Cultivation
4. Semi-Public Uses
5. Public Service Facility
6. Essential Services
7. Accessory Uses
8. Agriculture

**Conditional Uses -
Board Approval Required:**

1. Cemetery
2. Child Care Clinic
3. Exotic Animals
4. Home Occupations
5. Nursery School
6. Professional Activities
7. Recreational Facilities

LAKE TOWNSHIP ZONING RESOLUTION

R-3 RESIDENTIAL DISTRICT

Permitted Uses:

1. Any use permitted in R-2 Residential District
2. Condominiums
3. Manufactured Home Parks
(See Article VIII)
4. Multiple Dwellings
5. Agriculture
6. Nursing Homes

**Conditional Uses -
Board Approval Required:**

1. Exotic Animals
2. Institutional Homes
3. Mortuaries
4. Nursing Homes
5. Professional Activities
6. Recreational Facilities
7. Individual Mobile Homes

**ARTICLE IV
USE REGULATIONS**

B-1 NEIGHBORHOOD BUSINESS DISTRICT

Purpose:

Uses in this district shall provide goods and services to an immediate residential neighborhood. Goods and services shall be orientated to daily or weekly needs and are not to include activities characterized by specialized items, major purchase items, or goods or services which are oriented to a city-wide or highway attracted clientele. Prohibited within this district are automobile or motor vehicle sales and services, gasoline or filling stations, or automotive repair services.

Permitted Uses:

1. Banks and financial institutions provided that no drive-thru service is allowed
2. Child Care Clinic
3. Community or club pools, per Article VII
4. Nursery School
5. Off-street loading and parking, per Article VI
6. Professional, medical-dental offices and business offices in structures of less than 10,000 gross square feet
7. Restaurants and food service establishments excluding those which provide drive-thru service
8. Retail sales in structures of less than 10,000 gross square feet whose primary clientele is area residents. Acceptable sales activities include drug, food, clothing stores but not department or discount store variety goods, etc.
9. Retail services in structures of less than 10,000 gross square feet
10. Accessory buildings, per Article II
11. Agriculture

Conditional Uses -

Board Approval Required:

1. Bed and Breakfast Inn
2. Churches
3. Exotic Animals
4. Golf or country club, lodge or private club
5. Hospital or medical clinic
6. Institutional home
7. Mortuaries

B-2 GENERAL COMMERCIAL DISTRICT

Purpose:

This district allows general business or commercial activities in areas of high accessibility, serving the general public. No B-2 district shall be established that does not have frontage on a major street/road.

Permitted Uses:

1. Automobile gas stations
2. Automotive repairs
3. Automotive sales
4. Banks and financial institutions
5. Drive-in commercial uses
6. Lodges or private clubs
7. Parking lots, and automobile parking or storage structures
8. Professional, medical, dental & business offices
9. Public service facilities
10. Restaurants and food service establishments
11. Retail sales
12. Essential services
13. Agriculture
14. Storage Facilities

**Conditional Uses -
Board Approval Required:**

1. Animal hospital or clinics
2. Auction, flea market establishments
3. Car wash
4. Exotic animals
5. Health spas
6. Massage facilities
7. Motels
8. Outdoor advertising
9. Recreational facilities
10. Sale or storage of building materials
11. Wholesale business

B-3 HIGHWAY BUSINESS DISTRICT

Purpose:

This district is designed to offer goods and services to the general traveling public. These functions are related to heavy traffic volumes such as found on state or federal routes or other major arterials designed to accommodate heavy traffic.

Permitted Uses:

1. Auto - gas stations
2. Hotels
3. Motels
4. Public service facilities
5. Restaurants
6. Social activities
7. Public uses
8. Semi-public uses
9. Essential services
10. Accessory uses
11. Agriculture
12. Storage Facilities

**Conditional Uses -
Board Approval Required:**

1. Adult book store
2. Adult entertainment
3. Adult movie house
4. Adult video store
5. Car wash
6. Drive-in commercial uses
7. Entertainment facilities
8. Exotic animals
9. General contractors
10. Massage parlor
11. Outdoor advertising
12. Semi-truck and trailer sales and service
13. Supply yards
14. Truck fuel stops
15. Truck wash

M-1 LIGHT INDUSTRIAL DISTRICT

Purpose:

This District permits manufacture, assembly, storage or transfer activities whose nature or operation produces a minimum of noise, odor, dust, and smoke. They are also associated with little outside storage or assembly and typically are a low density usage.

Permitted Uses:

- A. Manufacturing or assembly processes which by the nature of the materials, equipment, and process used are to be a considerable measure clean, quiet and free of objectionable or hazardous elements.
- B. Manufacturing activities shall consist of the following activities and those of a similar nature:
 - 1. Offices
 - 2. Printing
 - 3. Research and testing facilities
 - 4. Restricted manufacturing
 - 5. Public uses
 - 6. Essential services
 - 7. Accessory uses
 - 8. Agriculture

**Conditional Uses -
Board Approval Required:**

- 1. Airports
- 2. Automotive salvage and wrecking yards
- 3. Car wash
- 4. Entertainment facilities
- 5. Exotic animals
- 6. Food processing
- 7. Manufacturing
- 8. Motels, hotels
- 9. Outdoor advertising
- 10. Restaurants
- 11. Retail business
- 12. Sales and storage of building materials
- 13. Slaughterhouse
- 14. Stockyards
- 15. Supply yard
- 16. Warehousing

M-2 HEAVY INDUSTRIAL DISTRICT

Purpose:

This District permits general manufacturing and assembly activities.

Permitted Uses:

- A. Manufacturing or assembly processes which by the nature of the materials, equipment and processes used are to be a considerable measure clean, quiet and free of objectionable or hazardous elements.
- B. Manufacturing activities shall consist of the following activities and those of a similar nature:
 - 1. Food processing
 - 2. General contractor
 - 3. Manufacturing (Heavy)
 - 4. Manufacturing, Restricted (Light)
 - 5. Manufacturing, sales and storage of building materials
 - 6. Offices
 - 7. Research and testing facilities
 - 8. Supply yard
 - 9. Warehousing
 - 10. Wholesale business
 - 11. Public uses
 - 12. Essential services
 - 13. Accessory uses
 - 14. Agriculture

**Conditional Uses -
Board Approval Required:**

- 1. Airports
- 2. Asphalt manufacturing and mining
- 3. Automobile salvage and wrecking yards
- 4. Automotive wrecking
- 5. Blast furnace
- 6. Bottled or tank gas storage and manufacturing
- 7. Brick and tile manufacturing
- 8. Car / Truck Wash
- 9. Cement and cinder manufacturing
- 10. Chemical manufacturing of acids, alkalies, or corrosive materials
- 11. Coke manufacturing and charcoal manufacturing
- 12. Dumps, including garbage incineration and other waste materials
- 13. Entertainment facilities
- 14. Exotic animals
- 15. Fertilizer mixing and manufacturing
- 16. Fireworks or explosives manufacturing, or sales and storage
- 17. Grain elevators and feed mills
- 18. Junk yards and salvage
- 19. Lime, plaster and gypsum manufacturing
- 20. Mineral processing
- 21. Mineral, sand, gravel and clay extraction
- 22. Motels, hotels
- 23. Oil and gas wells
- 24. Outdoor advertising
- 25. Petroleum products, refining and storage
- 26. Racing facilities, car tracks, go carts, tracks and/or drag strips
- 27. Restaurants
- 28. Retail business
- 29. Saw mill and pulp mill
- 30. Slaughterhouse
- 31. Smelting
- 32. Steel and iron manufacturing
- 33. Stone quarries
- 34. Stock yards
- 35. Tar and coal tar manufacturing
- 36. Transport and trucking terminals

ARTICLE IX. EXCEPTIONS AND MODIFICATIONS

SECTION A. REQUIREMENTS AND REGULATIONS

Requirements and regulations specified in this Resolution shall be subject to the exceptions, modifications and interpretations set forth in this Article.

SECTION B. EXISTING LOTS OF RECORD

In any district where dwellings are permitted, a one-family detached dwelling may be erected on any lot of official record as of the effective date of this Resolution, irrespective of its area or width, provided the owner of such lot does not own any adjoining property, except that no lot shall be deemed to be less than forty (40) feet wide for the calculation of yard requirements and provided further:

1. The sum of the side yard widths on any such lot need not exceed thirty percent (30%) of the width of the lot, but in no case shall the width of any side yard be less than ten percent (10%) of the width of the lot; provided, however that on a corner lot, the width of the side yard adjoining the side street lot line shall not be less than eight (8) feet or twenty percent (20%) of the frontage, whichever is the greater.
2. The depth of the rear yard of any such lot need not exceed twenty percent (20%) of the depth of the lot, but in no case shall it be less than twenty (20) feet.

SECTION C. HEIGHT REGULATIONS

1. The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage tower, or scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, energy producing wind apparatus and flagpoles, except where the height of such structures will constitute a hazard to the safety of surrounding area or to the safe landing and take-off of military, public, commercial and private aircraft at any established airport.
2. Public, semi-public or public service buildings, hospitals, institutions or schools, where permitted, may be erected to a height not exceeding sixty (60) feet and churches and temples may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by one foot for each foot of additional building height above the height regulations for the district in which the building is located.

SECTION D. FRONT YARDS

1. When forty percent (40%) or more of the frontage on one (1) side of the street between two (2) intersecting streets is improved with buildings that have a front yard which is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established, provided, however, that a front yard depth shall not be required to exceed fifty percent (50%) in excess of the front yard otherwise required in the district in which the lot is located.
2. On lots having double frontage, the required front yard shall be provided on both streets.

SECTION D. FRONT YARDS (CONT'D):

3. In a residential district, no fence, structure or planting higher than three (3) feet above the established street grades shall be maintained within twenty (20) feet of any street intersection.
4. An open, uncovered porch or paved terrace may project into a required front yard for a distance of not more than ten (10) feet, but this shall not be interpreted to include or permit fixed canopies.
5. Filling station pumps and pump islands may be located within a required yard, provided they are not less than fifteen (15) feet from any street line and not less than fifty (50) feet from the boundary of any residential district.
6. Off-street parking facilities may be located within the required front yard of any "B" District or "MP" District but shall not be nearer than fifty (50) feet to any "A" or "R" District and no off-street parking shall be permitted in the required front yard of any "A" or "R" District.
7. Outdoor advertising signs hereinafter erected shall conform to the front yard requirements of the district in which they are located.

SECTION E. SIDE YARDS

1. On a corner lot, the width of the yard along the side street shall not be less than any required front yard on such street, provided, however, the buildable width of a lot of record shall not be reduced to less than thirty-two (32) feet.
2. No accessory building shall project beyond a required side yard setback for any district.
3. Where dwelling units are erected above commercial establishments, no side yard is required except when required for the commercial building on the side of a lot adjoining a residential district.
4. A porte-cochere or canopy may project into a required side yard, provided every part of such porte-cochere or canopy is unenclosed and not less than seven (7) feet from any side lot line.
5. For the purpose of side yard regulation, a two-family dwelling or multiple dwelling shall be considered as one (1) building occupying one (1) lot.
6. An owner of a dwelling erected prior to the effective date of this Resolution shall be permitted to enlarge or structurally alter such dwelling to provide additional enclosed space for living or garage purposes, provided, however, that no side yard shall be reduced to less than five (5) feet.
7. Where a lot of record at the time of the effective date of this Resolution is of less width than the minimum lot width required in the district in which the lot is located, the minimum side yard may be reduced to ten percent (10%) of the width of the lot, provided, however, that no side yard shall be less than five (5) feet.

SECTION F. REAR YARDS

1. Where a lot abuts upon an alley, one-half (½) the alley width may be considered as part of the required rear yard.
2. An accessory building, not exceeding twenty-four (24) feet in height may not occupy more than thirty percent (30%) of the lot; but no accessory building shall be closer than ten (10) feet to the main building nor closer than three (3) feet to any rear lot line. A building covering more than 120 square feet must be ten (10) feet from the lot line.
3. The ordinary projections of sills, belt courses, cornices, and ornamental features may extend to a distance not to exceed eighteen (18) inches into a required yard.
4. Open or lattice enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard may be permitted by the Township Zoning Inspector for a distance not to exceed five (5) feet when these are so placed as not to obstruct light and ventilation.

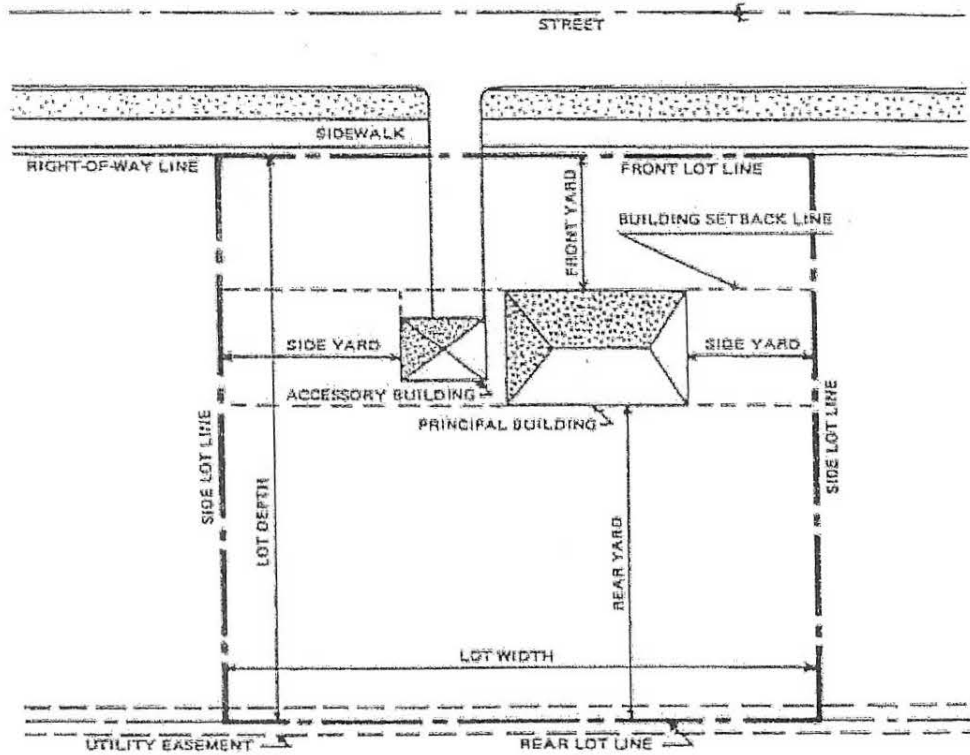
SECTION G. SETBACK FROM ESTABLISHED DRAINAGE DITCHES

In all districts a setback of forty (40) feet from the center line of an established drainage ditch shall be provided for all buildings or structures erected along such ditch.

NOTE: Ditch requirements for setback are thirty (30) feet from top of the bank with a minimum of twenty-five (25) feet in emergencies. Enclosed ditches should have a forty-foot (40 - ft.) setback from the center of the pipe.

ARTICLE V. HEIGHT, LOT AREA AND FLOOR AREA REQUIREMENTS

The height, lot area and floor area requirements for the location and erection of buildings on any lot or tract of land are established and shown on the accompanying tables which comprise Article V.



LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

ARTICLE V

HEIGHT, LOT AREA, AND FLOOR AREA REQUIREMENTS FOR RESIDENTIAL USES												
		MAXIMUM HEIGHT OF BUILDINGS		MINIMUM WIDTH (IN FEET)						MINIMUM RESIDENTIAL FLOOR AREA PER FAMILY IN SQUARE FEET		
LETTER SYMBOL	DISTRICT	STORIES	FEET	MINIMUM LOT FRONTAGE	EITHER SIDE YARD	SUM OF SIDE YARDS	MINIMUM DEPTH OF FRONT YARD IN FEET	MINIMUM DEPTH OF REAR YARD IN FEET	MINIMUM LOT AREA PER FAMILY	NUMBER OF STORIES	GROUND FLOOR	PER FAMILY
							(1)				(6)	
A-1	Agricultural	2½	35	175	15	35	75	50	1 A	1 - 2½	1,000	1,000
R-1	Suburban Residence	2½	35	125	15	35	45	45	27,000 sq. ft.	Less Than 2 2 or More	1,200 1,000	1,200 1,000
R-2	Residence											
	Individual Sewage Disposal & Water Supply Systems											
	Single-Family	2½	35	100	10	35	40	40	18,000 sq. ft.	1 - 2½	1,000	1,000
	Two-Family	2½	35	120	10	35	40	40	13,500 sq. ft.	1 - 2½	1,000	900
	Combined Sewage Disposal or Water Supply System											
	Single-Family	2½	35	100	10	30	35	35	15,000 sq. ft.	1 - 2½	900	900
	Two-Family	2½	35	120	10	30	35	35	10,000 sq. ft.	1 - 2½	900	900
	Combined Sewage Disposal and Water Supply System											
	Single-Family	2½	35	75	10	25	25	30	10,000 sq. ft.	1 - 2½	800	800
	Two-Family	2½	35	85	10	25	25	30	7,500 sq. ft.	1 - 2½	800	720

ARTICLE V

HEIGHT, LOT AREA, AND FLOOR AREA REQUIREMENTS FOR RESIDENTIAL USES (CONT'D)												
		MAXIMUM HEIGHT OF BUILDINGS		MINIMUM WIDTH (IN FEET)						MINIMUM RESIDENTIAL FLOOR AREA PER FAMILY IN SQUARE FEET		
LETTER SYMBOL	DISTRICT	STORIES	FEET	MINIMUM LOT FRONTAGE	EITHER SIDE YARD	SUM OF SIDE YARDS	MINIMUM DEPTH OF FRONT YARD IN FEET	MINIMUM DEPTH OF REAR YARD IN FEET	MINIMUM LOT AREA PER FAMILY	NUMBER OF STORIES	GROUND FLOOR	PER FAMILY
R-3	Residence											
	Individual Sewage Disposal & Water Supply Systems											
	Single-Family	2½	35	100	10	35	40	40	18,000 sq. ft.	1 - 2½	1,000	1,000
	Two-Family	2½	35	120	10	35	40	40	13,500 sq. ft.	1 - 2½	1,000	900
	Combined Sewage Disposal or Water Supply System											
	Single-Family	2½	35	100	10	30	35	35	15,000 sq. ft.	1 - 2½	900	900
	Two-Family	2½	35	120	10	30	35	35	10,000 sq. ft.	1 - 2½	900	900
	Combined Sewage Disposal and Water Supply System											
	Single-Family	2½	35	75	10	25	25	30	10,000 sq. ft.	1 - 2½	800	800
	Two-Family	2½	35	85	10	25	25	30	7,500 sq. ft.	1 - 2½	800	720
	Multiple Family (1) (8)	2½	35	100	10	25	25	30	5,000 sq. ft.	1 - 2½	800	600

NOTE: Manufactured Home Specifications: See ARTICLE VIII.

ARTICLE V

HEIGHT AND LOT AREA REQUIREMENTS FOR BUSINESS AND INDUSTRIAL USES								
LETTER SYMBOL	DISTRICT	MAXIMUM HEIGHT OF BUILDINGS		MINIMUM WIDTH IN FT.		MINIMUM DEPTH OF FRONT YARD IN FEET (1)	MINIMUM DEPTH OF REAR YARD IN FEET	MAXIMUM PERCENTAGE OF LOT COVERAGE
		STORIES	FEET	EITHER SIDE YARD	SUM OF SIDE YARDS			
B-1	Neighborhood Business (5) (7)	3	45	None	(2)	25	15 (3)	None
B-2	General Business (5) (7)	3	45	20	40	50	20 (3)	25%
B-3	Highway Business (5) (7)	3	45	20	40	50	40 (3)	25%
M-1	Light Industrial (5) (7)	3	45	20 (4)	50	50	40 (3)	25%
M-2	Heavy Industrial (5) (7)	3	45	20	50	50	40 (3)	25%
S-1	Special (5) (7)	3	45	20	40	50	40	25%

FOOTNOTES FOR ARTICLE V TABLES

- (1) A front yard depth of 100 feet shall be required for all lots fronting on Federal or State highways.
- (2) No side yards shall be required, except that a side yard of not less than 10 feet in width shall be provided on the side of lots adjoining a residential district.
- (3) A rear yard of not less than 15 feet in a "B-1" District and not less than 40 feet in a "B-2" District is required where a lot abuts upon a residential district.
- (4) A side yard of not less than 40 feet is required where a lot adjoins a residential district.
- (5) No residence permitted.
- (6) Ground floor elevations shall be constructed according to Wood County regulations.
- (7) Bufferyards: (See Article VII, Section R.)
- (8) Area calculations for condominiums will be 80 percent (80%) of the gross acreage to determine number of units permitted, (i.e., one acre (1 A) = 43,560 sq.ft. x .80 = 34,848 ÷ 5,000 = 6.97 units / acre)

ARTICLE VI. OFF-STREET PARKING AND LOADING REQUIREMENTS

SECTION A. OFF-STREET LOADING REQUIREMENTS

1. In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of ten thousand (10,000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, at least one (1) off-street loading space plus one (1) additional such loading space for each twenty thousand (20,000) square feet or major fraction thereof of gross floor area in excess of twenty thousand (20,000) square feet.
2. Each loading space shall not be less than ten (10) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height.
3. Subject to the limitations in Section B of this Article, such space may occupy all or any part of any required yard or court space.
4. No such space shall be located closer than fifty (50) feet to any other lot in any "R" District, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted board fence not less than six (6) feet in height.

SECTION B. OFF-STREET PARKING SPACE REQUIREMENTS

1. **General Requirements:** In all districts, in connection with every industrial business, institutional, recreational, residential or any other use, there shall be provided, at any time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the following requirements:
 - a. Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
 - b. There shall be adequate provisions for ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive not less than eight (8) feet in width in the case of a dwelling, and not less than eighteen (18) feet in width in all other cases, leading to the parking or storage area or loading or unloading spaces required hereunder in such manner as to secure the most appropriate development of the property in question, but, except where provided in connection with a use permitted in an "R" District, such easement of access or access drive shall not be located in any "R" District.
2. **Number of Spaces Required:** The number of off-street parking spaces to be provided shall not be less than the following:

SEE TABLES BEGINNING ON ARTICLE VI, PAGE 2

PARKING SPACE REQUIREMENTS	
USE	PARKING SPACES REQUIRED
Auction / Flea Market Establishments	Provision of suitable parking in non-public right-of-way is required. Site plan to be submitted with conditional use application for Board of Zoning Appeals review.
Auditoriums	<i>See: Churches, Auditoriums, Sport Arenas, et al</i>
Auto Wash (Automatic)	One (1) space for each one (1) employee. In addition, reservoir parking spaces equal in number to five (5) times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of auto-mobiles possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by twenty (20).
Auto Wash (Self-Service or Coin-Operated)	Three (3) spaces for each washing stall in addition to the stall itself
Automobile or Machinery Sales and/or Services Establishments	One (1) space for each two hundred (200) square feet of showroom area plus two (2) spaces for each service bay, plus one (1) space for each employee
Banks	One (1) space for each one hundred (100) square feet of usable floor space
Barber and Beauty Shops	Two (2) spaces for each chair, plus one (1) space for each employee
Bowling Alley	Seven (7) spaces for each lane; plus one (1) additional space for each two hundred (200) square feet of area used for accessory uses, such as eating or other recreation
Business Offices or Professional Offices	One (1) space for each two hundred (200) square feet of usable floor space
Carwash	<i>See: Auto Wash (Automatic); Auto Wash (Self-Service or Coin-Operated)</i>
Catering Halls	<i>See: Dance Halls, Catering Halls, et al</i>
Churches, Auditoriums, Sport Arenas, Theaters, Assembly Halls	One (1) space for each five (5) seats or maximum capacity
Clubs, Private, <i>et al</i>	<i>See: Swimming Pool Clubs, et al</i>
Colleges	<i>See: Schools, Senior High; Colleges, et al</i>
Community Center, Library, Museum, or Art Gallery	Ten (10) spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) square feet

PARKING SPACE REQUIREMENTS	
USE	PARKING SPACES REQUIRED
Condominiums	Two (2) spaces per dwelling unit
Contractor's Establishments	One (1) space for each employee, one (1) space for each vehicle stored on the premises, plus two (2) spaces for customers
Dance Halls, Catering Halls, Exhibition Halls, and Assembly Halls without fixed seats	One (1) space for each thirty (30) square feet of usable floor area
Drive-in Restaurant	One (1) space for each twenty-five (25) square feet of usable floor area <i>See Also: Restaurants ...</i>
Dwelling, Single Family	Two (2) spaces for each dwelling unit
Dwellings, Manufactured Home Park	Two (2) spaces per unit plus one (1) space for each two (2) employees of the park
Dwellings, Senior Citizen Units	One (1) space for each two (2) dwelling units, plus one (1) space for each employee
Dwellings, Two (2) and Multiple Family	Two (2) spaces for each dwelling unit
Exhibition Halls	<i>See: Dance Halls, Catering Halls, et al</i>
Flea Market Establishment	<i>See: Auction / Flea Market Establishments</i>
Fraternities / Sororities	One (1) space for each two (2) beds, or one (1) for each five (5) permitted active members, whichever is greater
Funeral Home / Funeral Parlor	<i>See: Mortuary / Funeral Home</i>
Furniture and Appliance, Household Equipment, Repair Shop, Showroom; or Plumber, Decorator, Electrician, or similar tradesperson; Shoe Repair, and similar uses	One (1) space for each eight hundred (800) square feet of usable floor area. (For that floor area used in processing, one (1) additional space shall be provided for each two (2) persons employed therein.)
Gasoline Service Stations	Two (2) spaces for each lubrication stall, rack, or pit, and one (1) space for each gasoline pump.
Golf Courses, Commercial (except Miniature and "Par-3" Courses)	Six (6) spaces for each golf hole and one (1) space for each employee, plus spaces required for each accessory use such as a restaurant
Golf Courses, Miniature or "Par-3" Courses	Three (3) spaces for each one (1) hole

PARKING SPACE REQUIREMENTS	
USE	PARKING SPACES REQUIRED
Hospital	One (1) space for each bed, plus one (1) space for each two (2) employees
Industrial or Research Establishments, and related accessory offices	One (1) space for every one (1) employee in the largest working shift, plus space to accommodate all trucks and other vehicles used in connection therewith
Junk Yards	One (1) space for each employee, plus one (1) space for each operating vehicle stored on the premises, plus two (2) spaces for each acre of land in the yard
Laundry / Dry Cleaning Store, Self-serve	One (1) space for each two (2) washing, drying, or dry-cleaning machines
Library	<i>See: Community Center, Library, et al</i>
Mortuary / Funeral Home	One (1) space for each fifty (50) square feet of floor space in slumber rooms, parlors, or individual funeral service rooms
Motel, Hotel, or Other Commercial Lodging Establishment	One (1) space for each (1) occupancy unit, plus one (1) space for each one (1) employee
Museum	<i>See: Community Center, Library, Museum, et al</i>
Planned Commercial or Shopping Center	One (1) space for each one hundred (100) square feet of usable floor area for the first 15,000 square feet; One (1) space for each one hundred twenty-five (125) square feet for the next 15,001 to 450,000 square feet of usable floor area; One (1) space for each one hundred fifty (150) square feet for that area in excess of 450,000 square feet of usable floor area.
Professional Offices of Doctors, Dentists and similar professions	One (1) space for each fifty (50) square feet of usable floor area in waiting rooms, and one (1) space for each examining room, dental chair, laboratory, or similar use area to be occupied by patients or employees

PARKING SPACE REQUIREMENTS	
USE	PARKING SPACES REQUIRED
Restaurants, and Other Establishments for the Sale and Consumption on the Premises of Beverages, Food, or Refreshments	One (1) space for each seventy-five (75) square feet of usable area <i>See Also:</i> Drive-in Restaurant
Retail Business or Business Service Establishments, except as otherwise specified herein	One (1) space for each one hundred fifty (150) square feet of gross floor area, plus one (1) space for each two (2) employees on the maximum work shift
Sanitarium, Convalescent Home, Home for the Aged, or similar institution	One (1) space for each two (2) beds
Schools, Elementary and Junior High	One (1) space for each employee, plus one (1) space for each classroom, including portables, in addition to the requirements of the auditorium
Schools, Senior High; Colleges; Universities	One (1) space for each employee, plus one (1) space for each four (4) students of the rated capacity, plus the requirements for the auditorium
Shopping Center	<i>See:</i> Planned Commercial or Shopping Center
Sport Arena	<i>See:</i> Churches, Auditoriums, <i>et al</i>
Swimming Pool Clubs, Private Clubs, Lodge Halls, and similar uses	One (1) space for each four (4) member families, plus spaces as required for each accessory use, such as a restaurant
Tennis Facility, Indoor and Outdoor	Eight (8) spaces for each court, plus spaces required for each accessory use, such as a full-service restaurant or a bar, or one (1) space for each three (3) or six (6) seats or benches, whichever is the greater
Theaters	<i>See:</i> Churches, Auditoriums, <i>et al</i>
Warehouses and Wholesale Establishments, and related accessory offices	One (1) space for every one (1) employee in the largest working shift; or five (5) spaces plus one (1) for every seventeen hundred (1,700) square feet of usable floor space, plus space to accommodate all trucks and other vehicles used in connection therewith

SECTION B. OFF-STREET PARKING SPACE REQUIREMENTS (CONT'D)

3. **Rules Governing the Determination of Required Number of Spaces:** In computing the number of spaces required in Section B, Subsection 2, of this Article, the following rules shall govern:
 - a. "Floor area" shall mean the gross floor area of the specified use.
 - b. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
 - c. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
 - d. Whenever a building or use constructed or established after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this Resolution is enlarged to the extent of fifty (50) percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.
 - e. All areas not used for access, parking, circulation, buildings and services shall be completely or permanently landscaped and the entire site maintained in good condition.
4. **Parking in residential areas:**
 - a. No off-street parking areas are or shall be permitted in any residential district other than such as are used exclusively in connection with and as an appurtenance or facility to dwellings and apartment buildings.
 - b. Parking area shall be set back from street in conformity with the established setback requirements for residential use.
 - c. Adequate ingress and egress for vehicles shall be provided and shall not insofar as possible be developed in a manner as to adversely affect adjacent residential property.
 - d. No driveway shall be closer than three (3) feet to a property line.

SECTION C. SPECIAL PARKING PROVISIONS

1. **Disabled, Abandoned, Junk Vehicles in any District:** The parking of an inoperable, disabled, abandoned, or junk vehicle is prohibited. Exceptions are permitted subject to the following conditions:
 - a. May be stored in an enclosed garage or other enclosed accessory building and no business conducted with said vehicles.
 - b. After a reported accident but for a period of not more than two (2) weeks if said vehicle is owned and was operated by the property owner or his immediate family.
 - c. So as not to conflict with Article VII, Section A and/or Article VII, Section N, of this Resolution.

SECTION C. SPECIAL PARKING PROVISIONS (CONT'D)

2. **Junk vehicle**, for the purpose of this section, means any motor vehicle meeting the requirements of divisions A, B, C, D, E of Section 505.173 of the *Ohio Revised Code*.
See: *O.R.C. 505.173, et seq.* Storage of junk motor vehicles [Eff. 11-19-96]
3. **Historical or collectors' vehicles** may be allowed under the same provisions as in #1 (a), (b) and (c) of this section.
4. **Trailers, Motor Homes, Recreational Vehicles:** The outdoor storage of not more than two (2) of the following - unoccupied recreational vehicle, self-propelled or trailered, small utility trailer, boat or horse van, shall be permitted on a residential lot, subject to the following conditions:
 - a. Recreation and utility equipment parked or stored shall be owned by the occupant of the residence, shall not have fixed connections to electricity, water, gas or sanitary sewer facilities, and at no time shall this equipment be used for living or house-keeping purposes.
 - b. If the recreation or utility equipment is parked or stored outside of a garage, it shall be parked or stored to the rear of the front line of the building. The setback requirements in the side or rear yard shall be a minimum of three (3) feet. On one (1) lot there shall be no more than two (2) pieces of equipment parked or stored outside. A mounted piece of equipment is construed as one (1) piece, disassembled as two (2) pieces.
 - c. Notwithstanding the provisions of Subparagraph (b), recreation and utility equipment may be parked anywhere on the premises for loading and unloading purposes, for a period of not more than seventy-two (72) hours.
 - d. All recreational and utility equipment must be kept in good repair.
 - e. Any variance of these conditions shall be considered by the Board of Zoning Appeals.
5. **Motels or Hotels:** Motels or hotels shall comply with the sanitary regulations prescribed by the county health authorities, the regulations of the building code and as may otherwise be required by law, and in addition shall comply with the following regulations:
 - a. Any lot to be used for a motel shall not be less than four (4) acres in area and shall contain not less than two thousand (2,000) square feet per sleeping unit in the first story to twelve hundred (1,200) square feet per sleeping unit above the first story. All buildings and structures shall be not less than fifty (50) feet from a front or rear lot line and not less than twenty-five (25) feet from any side lot line. The building and structures on the lot shall not occupy in the aggregate more than twenty-five percent (25%) of the area of the lot.
 - b. All areas not used for access, parking, circulation, buildings and services shall be completely and permanently landscaped and the entire site maintained in good condition.

SECTION C. SPECIAL PARKING PROVISIONS (CONT'D)

- 6. Truck, Tractor or Semi-Tractor Parking:** The outdoor parking of the vehicles described in this section are not permitted to exceed forty-eight (48) hours in an "R" District.
- a. Straight trucks over one (1) ton capacity.
 - b. Farm tractor or a powered vehicle designed to pull farm machinery, haul loads, or for any type of agricultural work.
 - c. Semi-tractor or motor vehicle with a driver cab and no body, designed for hauling semi-trailers.
 - d. Semi-trailer or detachable trailer designed to be attached to a coupling at the rear of a tractor.
 - e. Trucks defined in this section shall not leave the engine idling on private property for longer than thirty (30) minutes.
 - f. The outdoor parking of a truck, van, semi-trailer or detachable trailer for the purpose of storage shall not be permitted in any district.
- 7. Development and Maintenance of Parking Areas:** Every parcel of land hereafter used as a public, commercial or private parking area shall be developed and maintained in accordance with the following requirements:
- a. All parking spaces required herein shall be located on the same lot within the same building or use served, except that where an increase in the number of spaces is required by change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required space may be located not to exceed three hundred (300) feet from an institutional building served and not to exceed five hundred (500) feet from any other non-residential building served.
 - b. Not more than fifty percent (50%) of the parking spaces required for: (a) theaters, bowling alleys, dance halls, night clubs or cafes and up to one hundred percent (100%) of the parking space required for a church or school auditorium may be provided and used jointly by, (b) banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (a); provided, however, that written agreement thereto is properly executed and filed as specified in Subsection (h) hereof.
 - c. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the Township Solicitor and executed by the Trustees of the Township and shall be filed with the application for a building permit.

ARTICLE VII. SPECIAL PROVISIONS

SECTION A. PERFORMANCE REQUIREMENTS

1. No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat or cold, dampness; electrical or other disturbance; flare; liquid or solid refuse or wastes or other substance, condition or element in such a manner or in such an amount as to adversely affect the surrounding area or adjoining premises.
2. The Zoning Inspector or Board of Zoning Appeals, prior to the issuance of a zoning certificate, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerance.

SECTION B. ACCESSORY BUILDING

1. An accessory building, not exceeding twenty-four (24) feet in height may occupy property space not to exceed thirty (30) percent of the property.
2. No accessory building shall be closer than ten (10) feet to the main building nor closer than ten (10) feet to any lot line if it exceeds 120 square feet of floor space. If less than 120 square feet of floor space it may not be closer than five (5) feet to any lot line.
3. The ordinary projections of sills, belt courses, cornices, and ornamental features may extend to a distance not to exceed eighteen (18) inches in a required yard.
4. Open or lattice enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard may be permitted by the Township Zoning Inspector for a distance not to exceed five (5) feet when these are so placed as not to obstruct light and ventilation.
5. No accessory building shall be built forward of the projected line of the main building unless it is 120 square feet or less.

SECTION C. SATELLITE DISHES

1. Definition of Satellite Dish Antenna: A device (normally a dish or disk shape) used as an antenna for reception of signals via satellites. For determining the location on property, the dishes shall be considered as an accessory use.
2. Satellite Dishes are permitted in all Districts as an accessory use. Satellite dishes shall be within the required rear yard or side yard setbacks. Dishes are prohibited from placement in the front yard. Plans for any installations shall be submitted to the Zoning Inspector before a permit is issued.

SECTION D. FENCES AND HEDGES

1. Fences or hedges may not exceed three and one-half (3½) feet in height in the required front yard.
2. Fences may not exceed four (4) feet in height in the required side yard adjacent to the main building and projected to the required front yard.
3. Fences may not exceed seven (7) feet in height in any other location on a lot.
4. In any District, no fence, structure or planting shall be built or maintained in such a manner that the visibility is obstructed from intersecting streets within eighty (80) feet in each direction from the intersection of the street centerline.
5. A fence may be located on the property line. If the fence has a "good side", the "good side" must face away from the property of the owner. An agreement between all affected property owners must be signed and a copy of the agreement shall be filed with the permit application.

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SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES

1. Permits and Permission:

- a. No sign shall be permitted in any district except as hereinafter provided.
- b. No person shall erect, construct or maintain any sign upon any property or building without the permission of the owner or person entitled to possession of the property or building, or their authorized representative.

2. General Provisions:

- a. Signs not exceeding twelve (12) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located shall be permitted on any property.
- b. Announcement or professional signs for home occupations and professional activities where permitted shall not exceed four (4) square feet in area in an "R" District nor more than five (5) square feet in other districts.
- c. Bulletin boards and signs for a church, school, community or other public or semi-public institutional building and permitted conditional uses shall be permitted, provided the area of such bulletin board or sign shall not exceed thirty-two (32) square feet in area.
- d. Wall signs pertaining to a non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed twenty (20) square feet.
- e. No building wall shall be used for display of advertising, except that pertaining to the use carried on within such building, and as described in #3 of this section.

SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES (CONT'D):**2. General Provisions (cont'd):**

- f. Temporary signs not exceeding in the aggregate of fifty (50) square feet, announcing the erection of a building, or special events, the architect, the builders, contractors, etc., may be erected for the period of one (1) year, but not including the construction period, after which the sign shall be removed from the premises.
- g. Signs identifying apartment complexes shall not exceed fifty (50) square feet in size.

3. Commercial or Industrial District Signs:

- a. In a commercial or industrial district each business shall be permitted one (1) flat or wall sign. Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.
- b. The area of all permanent advertising signs for any single business enterprise shall be limited according to the width of the building or part of building occupied by such enterprise. For the purposes of this section, width shall be measured along the building face nearest parallel to the street line. In the case of a corner lot, either frontage may be used in determining maximum area of the sign.
- c. The area of all permanent advertising signs for any single business enterprise may have an area equivalent to one and one-half (1½) square feet of sign area for each lineal foot of width of a building, or part of a building occupied by such enterprise, but shall not exceed a maximum area of one hundred (100) square feet. All faces on which advertising is displayed are considered sign area.
- d. Permit one free standing identification sign of thirty (30) feet maximum height, at thirty (30) square feet area each side, having not more than two (2) sides total, provided a minimum ten (10) feet setback from the right-of-way is maintained, or permit one (1) free standing identification sign fifty (50) maximum feet in height with a total area of one hundred fifty (150) maximum square feet area each side, having not more than two (2) sides total, set back from the right-of-way a distance of seventy (70) feet.
- e. The required setback in all "B" and "M" districts fronting on service roads shall be fifty (50) feet as applies to signs measuring a maximum of fifty (50) feet high and with a total area not to exceed one hundred fifty (150) square feet of sign face area.
- f. On-premise information signs are permitted in "B" and "M" districts which read, for example: entrance, exit, this way, one way, or service department. Maximum size of these signs shall not exceed five (5) square feet.
- g. Temporary sandwich, trailer type, and banner signs or portable trailer type signs are permissible for a grand opening of a new business. These permitted temporary signs will be allowed to be used for a ten (10) day limit. These signs may not have any blinking, rotating, flashing, or fluttering lights or other illuminating devices which have a changing light intensity, brightness, or color. Banners must be located completely within the subject property.

SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES (CONT'D):

3. Commercial or Industrial District Signs (cont'd):

- h. Service stations offering petroleum fuel products are permitted to place a price per unit of measure sign on their entrance sign, said price shall not exceed twenty (20) inches in width and thirty (30) inches in height.

4. **Setback Requirements:** Except as provided above, signs and outdoor advertising structures where permitted shall be set back from the established right-of-way line of any street or highway at least as far as the required front yard depth for a principal use in such district except for the following modifications:

- a. For every square foot by which such sign or outdoor advertising structure exceeds eighty (80) square feet, such setback shall be increased by one-half (1/2) foot but need not exceed one hundred (100) feet.
- b. At the intersection of any state or federal highway with a major or secondary street, the setback of any sign or outdoor advertising structure shall not be less than one hundred (100) feet from the established right-of-way of each highway or street.
- c. Real estate signs and bulletin boards for a church, school or any other public or semi-public, religious or educational institution may be erected within ten (10) feet of any established right-of-way line or any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.
- d. In all "B" and "M" districts, for properties fronting on service roads the required setback line of buildings and signs may be reduced from seventy (70) feet to fifty (50) feet. This adjusted setback also applies to signs with height of fifty (50) feet and one hundred fifty (150) square feet in area.

5. **Special Yard Provisions:** The following special provisions shall be observed in the erection or placement of signs and outdoor advertising structures:

- a. No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in any "R" District within one hundred (100) feet of such lot line, or which faces any public parkway, public square or entrances to any public park, public or parochial school, library, church, or similar institution, within three hundred (300) feet thereof.
- b. Signs and advertising structures where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located except no sign or advertising structure shall be erected or placed closer than within fifty (50) feet to a side or rear lot line in any "R" district.

SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES (CONT'D):

- 6. Illumination:** The following provisions shall be observed in the illumination of signs and advertising structures:
- a. All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or hazard to traffic or conflict with traffic control signs or lights.
 - b. No illumination involving movement or causing the illusion of movement by reason of the lighting arrangement or other devices shall be permitted which may cause confusion or a hazard to traffic or conflict with traffic control signs or lights.
- 7. Subdivision Signs:** Upon application to the Zoning Inspector, a permit may be issued as a special exception to the terms of this resolution allowing a land-sales sign, provided that:
- a. The sign shall not be illuminated.
 - b. The sign shall advertise the sale or development of a recorded lot subdivision.
 - c. The sign shall be erected only upon the property for sale or being developed.
 - d. The sign shall not be in excess of forty (40) square feet.
 - e. Not more than one such sign shall be placed along single road frontage of any property in single and separate ownership, provided that not more than two (2) such signs may be permitted in any single development.
 - f. A permit for the erection, construction, or maintenance of said sign shall expire within one (1) year.
- 8. Permits:**
- a. A separate permit shall be required for the erection of signs regulated by this Resolution, except that ~~no~~ permit shall be required for temporary real estate signs with an area of twelve (12) square feet for the sale or lease of property and for small announcement signs with an area of less than two (2) square feet. Announcement signs shall be removed by the person or persons responsible for posting same within thirty (30) days after erection.
 - b. Each application for a sign permit shall be accompanied by a drawing showing the design proposed, the size, character and color of letters, lines and symbols, method of illumination, the exact location of the sign in relation to the building and property, and details and specifications for construction. The fees set may be adjusted from time to time by Resolution adopted by the Board of Trustees.
 - c. Every sign shall be maintained in a safe, presentable and structurally sound condition at all times, including the repair or replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign.

SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES (CONT'D):

8. Permits (cont'd):

- d. The Zoning Inspector shall require compliance with all standards of the Township Zoning Resolution. If the sign is not made to comply with adequate safety and maintenance standards, within a period of thirty (30) days, from written notification of violation, the Zoning inspector shall require its removal, with the owner bearing the cost.

9. Advertising Vehicles Prohibited:

- a. No person shall operate or park any vehicle or trailer as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of advertisement of products or directing people to a business or activity located on the same or nearby property or any other business.
- b. This section is not intended to prohibit any form of vehicular signage such as a sign attached to a bus or lettered on a motor vehicle unless the primary purpose of such vehicle is for such advertising.

10. Identification for Sign Installation and Maintenance:

As a condition to the issuance of a business sign permit, all persons engaged in installing or maintaining signs in whole or in part, the erection, alteration, relocation or maintenance of which is in or encroaches upon the public right-of-way or on public property shall agree to hold harmless and indemnify the township, its officers, agents and employees from any and all claims or negligence resulting from the erection, alteration, relocation and maintenance of said sign(s).

11. Unclassified Signs:

- a. Signs which bear or contain statements, words or pictures of an obscene, pornographic, or immoral character or which contain advertising matter which is untruthful are prohibited.
- b. Graffiti signs of any nature visible to public right of way is prohibited.

12. Unlawful Signs:

No person shall erect or allow to be erected any sign which contravenes this code or which the inspector may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment or a non-conforming sign for which a permit was not obtained.

SECTION E. SIGNS AND OUTDOOR ADVERTISING STRUCTURES (CONT'D):**13. Abandoned Signs Prohibited:**

Any sign which is located on property which becomes vacant and unoccupied for a period of three months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. Any off premise sign which no longer, and for a period of three consecutive months, advertises goods, products, services or facilities available to the public or which directs persons to a different location where such goods, products, services or facilities are not for a period of three months available, shall be deemed to have been abandoned.

14. Exemptions:

Public notices, traffic control signs and other official signs and notices are exempt from the provisions of this section.

SECTION F. COMMUNITY DEVELOPMENT PROJECTS

1. An authorized agency of the County, State or Federal Government or the owner or owners of any tract of land comprising an area of not less than ten (10) acres may submit to the Township Trustees a plan for the use and development of all of the tract of land for residential and allied purposes. The development plan shall be referred to the Township Zoning Commission for study and report and public hearings. Notice and publication of such public hearings shall conform to the procedures prescribed in Article XIII for hearings on changes and amendments. If the Commission approves the plans, these shall be submitted to the Trustees for consideration and action. The approval and recommendations of the Commission shall be accompanied by a report stating the reasons for approval of the application and specific evidence and facts showing that proposed community development project meets with the following conditions:
 - a. The property adjacent to the area included in the plan will not be adversely affected.
 - b. The plan is consistent with the intent and purposes of this Resolution to promote public health, safety, morals, and general welfare.
 - c. That the buildings shall be used only for single-family dwellings, two-family dwellings, or multiple family dwellings, and the usual accessory uses such as private or storage garages, storage space, and for community activities, including churches.
 - d. That the average lot area per family contained in the site exclusive of the area occupied by streets, will not be less than the lot area per family required in the district in which the development is located.
2. If the Board of Trustees approves the plans, a zoning certificate may be issued, even though the use of land, the location and height of buildings to be erected in the area and the yards and open space contemplated by the plan do not conform in all respects to the district regulations of the district in which it is located.

SECTION G. PRIVATE SWIMMING POOLS, PONDS, LAKES, BARROW PITS

1. A private swimming pool shall be any pool or open tank, where swimming is normally permitted, not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1½) feet. No such swimming pool shall be allowed in any "A", "S", or "R" District unless it complies with the following conditions and requirements:
 - a. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
 - b. No part of the water area, exposed equipment, or structure housing equipment shall be closer than ten (10) feet from any property line. Paved walks adjoining a pool may not be closer than five (5) feet from a property line.
 - c. A permit shall be required.
2. A private pond, lake, or barrow pit shall be allowed in any district with the following conditions required:
 - a. The property shall contain at least two (2) acres.
 - b. The pond, lake or barrow pit where the elevation is changed above or below the original or normal grade, shall not be located within twenty-five (25) feet of any property line.
 - c. Adequate provisions for drainage and design shall be made subject to approval of the County Engineer.
 - d. Fill dirt may be hauled off site. Any fill dirt retained on site shall not be mounded so as to obstruct a view from an adjoining neighbor's residence.
 - e. After completion, a pond shall be properly maintained and supervised by the property owner so that it will not become a danger or nuisance to area residents.
3. **Permits Required:** No person, firm, or corporation shall construct or install a swimming pool, pond, lake, or barrow pit or make any alterations without having first submitted an application and plans to the Wood County Planning Commission for approval, and then the County Engineer, and then the Township Zoning Inspector.

SECTION H. TEMPORARY BUILDINGS

Temporary buildings used for temporary living quarters or storage of material or equipment in conjunction with construction work may be permitted in any district only during the period that the construction is in progress. Such permitted use shall require approval by the Zoning Board of Appeals. Permits for such use shall be for one year only and expire automatically upon the completion of the construction work. Other permits may be necessary and may be obtained from the appropriate Wood County or State of Ohio agency office.

SECTION I. CONSTRUCTION EXCAVATION / FILLING

The placement of fill material, i.e. rock, topsoil, demolition debris, etc., for the purpose, whether current or in the future, of constructing a permanent structure is permitted. A site grading plan with a completion date must be filed with the Lake Township Zoning Inspector detailing at a minimum, current grade of property surrounding property, finished grade of the site and volume of materials to be used, along with plans for the diversion of all surface water. The building site, parcel or area, upon completion of the filling activity, shall be leveled and a suitable topsoil shall be placed over the entire site to promote growth of vegetation. Diverting surface water to adjacent property is prohibited. All plans must be approved by the Wood County Engineer and the Environmental Protection Agency (E.P.A.).

SECTION J. DEVELOPMENT IN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA (SFHA)

- a. Before beginning any development in an identified SFHA, a "Special Flood Hazard Area Development Permit" must be obtained from the local Floodplain Administrator, i.e., the Wood County Planning Commission. Applications for such permits may be obtained from the Planning Commission or from the Lake Township Zoning Inspector. Maps delineating the identified SFHAs are available from the local Floodplain Administrator or may be viewed in the office of the Township Zoning Inspector.
- b. As per the *Wood County Flood Damage Prevention Regulations*, and for the purposes of this section, the term "development" includes, but is not limited to:
 - (1) the construction or alteration of a building or structure, or a substantial improvement to a building or structure;
 - (2) the installation or placement of a manufactured home;
 - (3) the excavation, mining, filling, grading, paving, or drilling of the land;
 - (4) the dredging of, or alteration of the course of, a waterway; or
 - (5) the storage of equipment or materials in buildings or structures, or in the open.
- c. The "Special Flood Hazard Area Development Permit" issued by the local Floodplain Administrator must be presented to the Zoning Inspector when application for a zoning certificate is submitted for any development within an identified SFHA.

SECTION K. STORM WATER MANAGEMENT

Prior to the issuance of any zoning certificate for commercial or industrial uses, including new uses and changes of uses encompassing a lot of area greater than one (1) acre the applicant shall prepare and the Wood County Engineer shall review and approve storm water management plans. Said plans shall be prepared by a licensed professional engineer and be designed using commonly accepted principles and practices. The Wood County Engineer shall promulgate rules governing storm water retention/detention based upon agricultural run-off rates and other measures as appropriate.

SECTION L. SITE PLAN REVIEW

A site plan shall be available at the time of a Zoning Commission hearing. Site plans shall be presented when a zoning certificate is sought for a permitted use or for a conditional use in order to ensure that the development meets setback lines, height of building(s), landscaping, or other requirements set forth in the zoning resolution of the township.

In instances where an established permitted use is converted or expanded to another permitted use in B-1, B-2, B-3, M-1, or M-2 Districts, all information required of this section shall be submitted for review and approval of the Zoning Inspector.

1. General Requirements:

- a. A formal letter of submittal shall accompany the site plan. The letter shall provide the name, address and phone number of any parties who should be informed of progress on the request, e.g. land owner, attorney, architect, engineer, etc.
- b. All site plans shall have a title indicating the type of request being made, e.g. request for more than one main building on a parcel, zoning amendment, etc.
- c. The site plan shall be accompanied by a complete legal description of the subject property and a location sketch referenced from section lines and/or major streets.
- d. The site plan shall indicate the scale of the drawing and shall use an engineer's scale.
- e. The site plan shall have the north arrow pointing either toward the top of the drawing or to the right side of the drawing, preferably toward the top, and should be located with the scale.
- f. The following submissions are required:
 - (i) Nine prints of the site plan; and
 - (ii) A velox of PMT reduction made from the original tracing shall be submitted at a size ranging from 8½" x 11" to 11" x 17".
 - (iii) Two (2) additional copies shall be made available for distribution to the local police and fire department of jurisdiction.

2. Specific Requirements:

- a. The site plan shall show the zoning certificate of the subject property and all abutting property uses (residential, commercial, etc.) and approximate location of abutting property, buildings, and/or structures.
- b. The site plan shall indicate the distance of existing and proposed structure(s) from right-of-way line of all adjacent thoroughfares and show front, side and rear yard distances to the structure(s).
- c. The site plan shall indicate the exact dimensions of the property in question, and show existing structure(s) with dimensions and proposed structure(s) with dimensions. The site plan shall indicate building removals and other alterations, if any, of existing property.

SECTION L. SITE PLAN REVIEW (CONT'D):

2. Specific Requirements (cont'd):

- d. The site plan shall indicate, by name, all adjacent thoroughfares. The site plan shall show both right-of-way and pavement widths measured from the centerline.
- e. The site plan shall indicate the locations, size (height), and material of all existing and proposed lighting on the subject property.
- f. The site plans shall indicate the locations, dimensions and illuminating power of all existing and proposed lighting on the subject property.
- g. The site plan shall show the location, dimensions and illuminating characteristics (both internal and/or external) of existing or proposed signs on the property.
- h. The site plan shall indicate the widths of existing or proposed landscaping, screening, and sidewalks.
- i. Site plans shall show any ditches, creeks, or other natural features that may affect development of the property in question. Where appropriate, the two-foot (2') contours and the 100 year high water elevation should be shown on the site plan. Information on this requirement may be obtained from the Wood County Plan Commission.
- j. The site plan shall show existing and proposed drainage with dimensions.
- k. The site plan shall show existing and proposed sanitary and storm sewers, water mains, and location of hydrants and valves.
- l. The site plan shall show existing and proposed pavements and roadways with dimensions.
- m. The site plan shall indicate existing or proposed off-street parking, driveways, and recreational areas with complete dimensions. Curb cuts shall be measured at the curb and throat width shall be indicated. The drawing shall include the number and size of proposed parking stalls along the internal circulation pattern of the off-street parking. If the off-street parking is physically joined with abutting property, then circulation between the properties shall be shown.
- n. The site plan for a proposed drive-up establishment shall indicate where vehicles can stack and how many vehicles can stack at one time.

3. Application Procedure:

- a. Site plans shall be filed with the Zoning Inspector.
- b. The Zoning Inspector shall transmit the site plan to the Zoning Commission for review and recommendation.
- c. The date the Zoning Commission accepts the site plan shall constitute the official filing date.
- d. No permit shall be issued for any use or change in use prior to the review and recommendation of the site/development plan by the Zoning Commission. Conditions or modifications may be attached to these plans.

SECTION L. SITE PLAN REVIEW (CONT'D):**3. Application Procedure: (cont'd):**

- e. The review time for site plans, generally shall be in keeping with the time requirements established for zoning changes.
- f. Any change in the site plan once approved shall require a review by the Zoning Commission.
- g. All subsequent owners, heirs, or beneficiaries of a property zoned for B-1, B-2, B-3, M-1, or M-2 must resubmit site plans to the Zoning Commission for review and approval unless the proposed use of the property remains unchanged from a previously approved site plan.
- h. The Zoning Commission may seek information and recommendations from the Wood County Planning Commission or other appropriate agencies to aid in their review of the site plan.

SECTION M. ENVIRONMENTAL STANDARDS

No land or building shall be used or occupied for commercial, industrial or nonresidential purposes which produce any dangerous, injurious, noxious or otherwise objectionable element or condition which could adversely affect the adjacent land or pose a threat to the public health, welfare and safety of persons at the site or external to it. Such uses permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous objectionable elements to acceptable limits as established by the following standards:

- 1. **Environmental Standards** - Environmental standards will be maintained for air quality and solid waste disposal as required by the Ohio Environmental Protection Agency and the Ohio Department of Health.
- 2. **Glare and Heat** - No direct glare or reflected lights which are visible from other properties outside the industrial or commercial district shall be permitted.
- 3. **Vibration and Noise** - Noises and vibration shall not be permitted if determined by an outside independent testing organization that the levels exceed those standards established by the state or federal government.
- 4. **Smoke, Dust, Particulates and Odors** - The emission of smoke, dust, particulates or odors which are objectionable or pose a threat to the health and safety of the surrounding area shall not be permitted. Compliance shall be in accordance to Air Quality standards of the State of Ohio as administered by the Ohio EPA or other cognizant organization.
- 5. **Internal Roadways** - All roadways internal to the site will be paved or maintained to minimize dust.
- 6. **Radiation or Electromagnetic Disturbance** - No evidence of material which generates hazardous radiation or causes electromagnetic disturbances to nearby areas shall be permitted.
- 7. **Electrical and Telecommunication Facilities** - All electrical and telecommunication facilities should be hidden from view of adjoining property and roadways and where feasible will be placed underground.
- 8. **OUTDOOR LIGHTING** - All permanent outdoor light such as that used for area lighting or building floodlighting shall be steady, stationary, shielded sources directed so as to avoid glare for motorists, pedestrians or neighboring premises. The marginal increase of light, as measured at any property line other than a street line, shall not exceed one footcandle.

SECTION N. MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS

See also: Article VI, Section C; and *Ohio Revised Code* 505.173, et seq, Storage of Junk Motor Vehicles [Eff. 11-19-96]

1. General:

- a. The applicant shall provide a complete and accurate legal description of the entire site.
- b. The site plan shall be submitted which, at minimum, includes dimensions of the site, size of buildings, building locations, setbacks, storage areas, driveways and fencing.

2. Storage:

- a. When adding storage facilities, the applicant shall reduce the number of vehicles or junk in the storage yard.
- b. Motor vehicle wrecking yards shall maintain a list of vehicles in stock and submit this list to the township upon request.

3. Licensing:

- a. Applicants for junk yards shall be licensed as required under Chapter 4737 *O.R.C.* and file with the Township proof of licensing by Wood County Auditor.
- b. Applicants for motor vehicle wrecking yards shall be licensed as required under Chapter 4738 *O.R.C.* and file with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

4. Fencing and Screening:

Any area used as a motor vehicle wrecking yard or junk yard shall be effectively screened on all sides by means of walls, fences and plantings. Walls and fences shall be a minimum of six (6) feet in height with no advertising thereon. Storage of materials shall not exceed this height. A strip of land not less than 15 feet in width shall be planted and maintained on the exterior with evergreen hedge or shrubs and shall be equal to or greater than the height of the fence or wall. Said fencing and screening shall be in accordance with the setback yard requirements of this section.

5. Off-Street Parking and Loading:

Off-street parking and loading shall be provided as set forth under Article VI, Section B (2), Section B (3), and Article VI, Section C.

6. Yard Requirements:

- a. **Front Yard** - There shall be a front yard setback of not less than fifty (50) feet, but where such a yard is opposite an "A" Agricultural or "R" Residential district, it shall be a minimum of one hundred (100) feet and the first twenty-five (25) feet thereof shall be used only for landscaping purposes.
- b. **Side yard** - There shall be a side yard setback of not less than twenty-five (25) feet, but where abutting an "A" Agricultural or "R" Residential district it shall be a minimum of fifty (50) feet. Storage of materials and parking of vehicles is prohibited in a side yard.

SECTION N. MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS (CONT'D):

6. Yard Requirements: (cont'd):

- c. Rear yard** - There shall be a rear yard setback of not less than fifty (50) feet, but where such a yard is abutting an "A" Agricultural or "R" Residential district, it shall be a minimum of one hundred (100) feet.

7. Pavement:

All roadways internal to the site shall be paved or maintained to minimize dust.

SECTION O. BED AND BREAKFAST INN

The following conditions shall be met for all Bed and Breakfast Inns in addition to those identified in the definition in Article II.

1. The Inn must be owner-occupied; it must be the principal residence of the owner, and must be occupied by the owner.
2. One (1) individual not residing in the Inn may be employed in the operation of the Inn.
3. No more than four (4) rooms shall be offered for rent. The Board of Zoning Appeals may permit more rooms in Residential Zoning Districts which permit multi-family dwellings and in Agricultural Districts.
4. Each room rented shall contain a minimum of one hundred (100) square feet. No rented room shall have independent outside entrance (but emergency fire exits are permitted).
5. Neither any rented room nor the owner's dwelling space shall be located in an accessory structure.
6. No cooking facilities of any type shall be permitted in the rented rooms.
7. A minimum of one (1) on site paved or dustless surface parking space per room offered for rent and two (2) spaces for the owner shall be required.
8. No change to the outside appearance of the dwelling shall occur behind front yard setback as required.
9. One (1) sign not exceeding four (4) square feet in area shall be permitted identifying the dwelling as a "Bed and Breakfast Inn".
10. Any other condition or safeguard deemed appropriate by the Board of Zoning Appeals.

SECTION P. ACCESSORY ELDERLY DWELLING UNIT

An owner-occupied single-family dwelling unit may be converted to allow the incorporation of one additional dwelling unit for the exclusive occupancy of an elderly household, a member of which shall be an elderly person related to the owner of the single-family dwelling unit. Such accessory elderly dwelling unit shall be wholly contained within the existing principal building or shall be attached to it by a common wall, floor or ceiling. The application for the zoning permit for such conversion shall be accompanied by an affidavit attesting to the owner's present occupancy of the dwelling unit and to the age and relationship of the elderly person.

Accessory elderly dwelling units shall have a conditional use in all districts which permit single-family dwelling and shall require review and approval of the Zoning Board of Appeals.

SECTION Q. ADULT ENTERTAINMENT BUSINESSES

The following regulations shall apply to adult entertainment businesses as herein defined:

1. Purpose

The purpose of divisions 1 through 4, inclusive, of this section promote the public health, safety and welfare through the regulation of adult entertainment businesses. It is the intent of these sections to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to residentially and agriculturally zoned areas, schools, churches, parks and playgrounds within Lake Township.

2. Definitions

The following definitions shall apply in the interpretation of this Resolution:

- a. "Adult Entertainment Business" means an adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult-only entertainment establishment as defined.
- b. "Adult Book Store" means an establishment which utilizes fifteen percent (15%) (this may include video rental stores) or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image producing devices, or both; books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this section.
- c. "Adult Motion Picture Theater" means an enclosed motion picture theater which is regularly used or utilizes fifteen percent (15%) or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material as defined in this section.
- d. "Adult Motion Picture Drive-in Theater" means an open air drive-in theater which is regularly used or utilizes fifteen percent (15%) or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material as defined in this section.

SECTION Q. ADULT ENTERTAINMENT BUSINESSES (CONT'D):

2. Definitions: (cont'd):

- e. "Adult Only Entertainment Establishment" means an establishment at which the patron directly or indirectly is charged a fee for which features entertainment or services which constitute adult material as defined in this section, or which features exhibits, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services which constitute adult material and also private viewing booths.
- f. "Adult Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch, and
 - (i) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or
 - (ii) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.
- g. "Bottomless" means less than complete opaque covering of male or female genitals, pubic area or buttocks.
- h. "Massage parlor" means an establishment or place primarily in the business of providing massage services operated by anyone **not** a duly licensed medical doctor, osteopath, chiropractor, nurse, or physical therapist treating patients recommended by a licensed physician under a duly licensed physician's direction, or person practicing the art of massage on the face and hands in a duly licensed beauty parlor or barber shop.
- i. "Nude or Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area or buttocks, with less than complete, opaque covering of any portion thereof, or female breasts with less than a complete, opaque covering or any portion thereof below the top of the nipple, or of covered male genitals in a discernible turgid state.
- j. "Sexual Activity" means sexual conduct or sexual contact, or both.
- k. "Sexual Contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is female, a breast, for the purpose of sexually arousing or gratifying either person.
- l. "Sexual Excitement" means the condition of the human male or female genitals, when in a state of sexual stimulation or arousal.
- m. "Topless" means the showing of a female breast with less than a complete opaque covering of any portion hereof below the top of the nipple.

SECTION Q. ADULT ENTERTAINMENT BUSINESSES (CONT'D):

3. Conditional Use Permit Required

No building shall be erected, constructed, or developed, and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by issuance of a conditional use permit in accordance with the provisions; an adult business shall comply with the following conditional use criteria:

- a. Adult entertainment businesses shall comply with the regulations applicable to all properties in any district in which they are located;
- b. No adult entertainment business shall be permitted in a location which is within 1,500 feet of another adult entertainment business;
- c. No adult entertainment business shall be permitted in a location which is within 1,000 feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center;
- d. No adult entertainment business shall be permitted in a location which is within 500 feet of any residence or boundary of any residential district.

4. Zoning of Adult Entertainment Businesses

Adult entertainment businesses shall be conditionally permitted in accordance with the following schedule:

CONDITIONALLY PERMITTED USE	DISTRICTS WHEREIN PERMITTED
Adult Book Store	B-3
Adult Motion Picture Drive-In Theater	B-3
Adult Motion Picture Theater	B-3
Adults Only Entertainment Establishment	B-3
Massage Parlor	B-3

SECTION R. UNDERGROUND FUEL TANKS / PUMPS

The installation of underground fuel tanks and/or pumps shall be subject to the following conditions:

Plans shall be submitted to the Zoning Inspector prior to installation along with the necessary permit from the state fire marshal.

SECTION S. BUFFER YARDS

1. Purpose:

The buffer yard is that portion of a lot together with the planting/fencing required thereon. Buffer yards shall be required to separate different land uses from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor or danger from fires or explosions.

2. Applicability:

Non-residential buildings or uses shall not be located or conducted closer than fifty (50) feet to any lot line of a residential district or residence, except where minimum yard requirements, specified in Article V, require greater distances.

3. Location:

Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Buffer yards shall not be located on any portion of any existing or dedicated public or private street or right-of-way. In any district or instances where a buffer yard is required it shall be maintained in such a manner that the visibility is unobstructed from intersecting streets within eighty (80) feet in each direction from the intersection of the street centerline.

4. Buffer Yard Requirements:

a. Buffer yards shall be required in any district where non-residential buildings or uses, except those uses or buildings exempted under *O.R.C.* 519.21 and 519.211, impact upon residential districts or individual residences.

b. The following options are available in meeting the Township's buffer yard requirements:

- (i) **A 50-foot buffer yard** shall be located along the outer perimeter of the lot or parcel of the non-residential building or use. Said buffer yard shall be maintained in a yard-like appearance and free of weeds, litter, etc. No part of the buffer yards shall be used for storage of materials, parking, etc.

The minimum buffer yard dimensions may be reduced by fifty percent (50%) of the requirement stated in item 1, above, if acceptable obscuring wall or landscaping/ mounding plans approved by the Zoning Inspector are provided.

- (ii) **Obscuring Wall Option:** Said obscuring wall shall be either a solid masonry or solid wooden fence between four (4) and seven (7) feet in height, maintained in good condition and free of all advertising or other signs.

- (a) Obscuring wall defined as: any structure as noted throughout this Resolution which is intended to obscure vision through or over the area along which the wall is to be placed.

SECTION S. BUFFER YARDS (CONT'D)

4. Buffer Yard Requirements (cont'd):

(ii) Obscuring Wall Option (cont'd):

- (b) Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this Resolution requires conformance with front yard setback lines in abutting Residential Districts. Upon review of the site plan, the Zoning Inspector may approve an alternate location for the wall or may waive immediate installation for a period not to exceed six (6) months, if in specific cases it would not serve the purposes of screening the use effectively.
- (c) Such walls and screening barriers shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this Resolution and except such openings as may be approved by the Zoning Inspector. All walls herein required shall be durable, weather resistant, rustproof, and easily maintained.
- (d) Masonry walls may be constructed with openings which do not in any square section (height or width) exceed twenty percent (20%) of the surface. Where walls are so pierced, the openings shall be so spaced as to maintain the obscuring character required, and shall not reduce the minimum height requirement. The arrangement of the openings shall be reviewed and approved by the Zoning Inspector.

(iii) **Landscaping / Mounding Option:** The landscaping/mounding option in lieu of obscuring wall shall consist of a strip of land not less than twenty-five (25) feet in width, maintain earthen mound(s) not less than four (4) feet in height and planted with materials, spacing and maintenance as set forth below. In the event that the landscaping/mounding provision is utilized, the following criteria shall be used by the Zoning Inspector to insure uniformity throughout the Township.

(a) **Plant Materials -** Whenever in this Resolution a planting is required, it shall be planted within six (6) months from the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained with permanent, live plant materials to provide a screen to abutting properties. Suitable materials equal in characteristics to the plant materials listed with the spacing as required shall be provided.

(b) **Plant Material Spacing -**

- (1) Plant materials shall not be placed closer than four (4) feet from the fence line or property line.
- (2) Where plant materials are placed in two or more rows, plantings shall be staggered in rows.
- (3) Evergreen trees shall be planted not more than twelve (12) feet on centers, and shall be not more than three (3) feet in height.
- (4) Narrow evergreens shall be planted not more than six (6) feet on centers, and shall be not less than three (3) feet in height.

SECTION S. BUFFER YARDS (CONT'D)

4. Buffer Yard Requirements (cont'd):

(iii) Landscaping / Mounding Option (cont'd):

- (b) (5) Tree-like shrubs shall be planted not more than ten (10) feet on centers, and shall not be less than four (4) feet in height.
- (6) Large deciduous shrubs shall be planted not more than four (4) feet on centers, and shall not be less than six (6) feet in height.
- (7) Large deciduous trees shall be planted not more than thirty (30) feet on centers, and shall not be less than eight (8) feet in height.

(c) Trees not permitted:

- (1) Box Elder
- (2) Soft Maples (red or silver)
- (3) Elms
- (4) Poplars
- (5) Willows
- (6) Horse of Chestnut (nut bearing)
- (7) Tree of Heaven
- (8) Catalpa
- (9) Ginkgo (female)

(d) Maintenance - Plant material shall be maintained in a healthy and growing condition and withered or dead plant materials shall be replaced within a reasonable time but no longer than one growing season.

(iv) Exceptions - Other provisions within this Resolution such as screening and landscaping or parking areas and Article VII, Section A - Performance Requirements, may be waived should buffer yard provision be utilized and accepted by the Zoning Inspector.

The Zoning Board of Appeals may waive or modify the foregoing requirements where the future use of adjoining property may change.

In consideration of such request to waive all requirements between non- residential and residential districts, the Board shall refer the request to the Zoning Commission for a determination as to whether or not the residential district is considered to be an area of change and will become nonresidential in the future.

In such cases as the Zoning Commission determines the residential area is in transition, the Board may temporarily waive all requirements for an initial period not to exceed twelve (12) months. Granting of subsequent waivers shall be permitted, provided that the Zoning Commission shall make a determination as hereinbefore described for each subsequent waiver prior to the granting of such waiver.

SECTION T. EXOTIC ANIMALS

Any person owning, keeping, or harboring a wild or exotic animal shall provide housing and containment that is adequate to prevent such wild or exotic animal from escaping or injuring the public.

SECTION U. TRANSPORTATION-FOR-HIRE BUSINESS

- A. Transportation-for-hire business with not more than one commercial vehicle or trailer may be located in an "A" or "R" district so long as the business is operated from a parcel with an owner/operator single family dwelling. Any transportation-for-hire business with three or fewer vehicles and/or trailer may be permitted as a conditional use in an "A" district provided: the site, lot or parcel is located along a major roadway as designated in the Wood County Major Street and Highway Plan, access to the site does not require travel on a designated township road, and the business is operated from a minimum 2 acre parcel with an owner/operator single-family dwelling.
- B. Any transportation-for-hire business wherever located in the township must meet the following requirements:
 - 1. Parts, tires and other vehicle supplies shall be stored in an enclosed building.
 - 2. The drive and parking surface area shall be graveled or paved and shall be within the established setbacks. The parking area shall have 10'X25' for each vehicle and 10'X60' for each trailer.
 - 3. No more than one building or structure associated with the transportation for hire business shall be located on the property. The maximum floor area of such building or structure shall not exceed one thousand square feet or one-third the living area of the single family dwelling on the premises whichever is less.
- C. This provision does not apply to the following:
 - 1. Vehicles and trailers licensed as agricultural vehicles or trailers which are an integral part of an on-site agricultural business;
 - 2. Buildings or structures of, or the use of land by, a persona engaged in the transportation of farm supplies to the farm or farm products from farm to market or to a food fabricating plants;
 - 3. Infrequent short term parking of a commercial vehicle or trailer for the delivery of goods to a premises for use on the premises; and
 - 4. The delivery or moving of goods to or from a dwelling unit.

SECTION V. COMMERCIAL VEHICLES

COMMERCIAL VEHICLES - Any vehicle or trailer licensed and registered as a commercial vehicle or trailer with a gross weight of over 10,000 pounds and used for a business or commercial purpose but not for transportation-for-hire.

- A. One commercial vehicle (e.g. one panel truck, one tractor or one trailer) not operated as transportation for hire may be stored or parked in an "A" or "R" District on a parcel with a single family dwelling.

SECTION V. COMMERCIAL VEHICLES (CONT'D)

- B. Parts, tires, and other vehicle supplies shall be stored in an enclosed building. No more than one building or structure associated with the transportation for hire business shall be located on the property. The maximum floor area of such building or structure shall not exceed one thousand square feet or one-third the living are of the single family dwelling on the premises whichever is less.
- C. No trailer may be used for storage of personal or business materials in an "A" or "R" district.
- D. The drive and parking surface area shall be graveled or paved and shall be within the established setbacks for driveways of an "A" or "R" District and shall be accessory to owner-occupied dwelling, the parking area shall have a 10'X25' space for each vehicle and a 10'X60' space for each trailer.
- E. The parking or storage of more than one commercial vehicle must be located in a commercial district.

ARTICLE VIII. MANUFACTURED HOMES

SECTION A. PLACEMENT OF MANUFACTURED HOMES

1. Manufactured homes shall be permitted in either an established mobile manufactured home park or manufactured home subdivision.
2. Manufactured home parks and manufactured home subdivisions may be permitted in an "R-3" District.
3. A manufactured home used for temporary living quarters, or storage of materials or equipment in conjunction with construction work only may be permitted in any district during the period that the construction is in progress. Such permitted use shall be conditional and requires approval by the Board of Zoning Appeals and shall expire upon completion of the construction work. Permits for such use shall be for one year and will require renewal for continued use.
4. No porch, canopy, patio roof, room, structure for storage, or other addition may be attached to a manufactured home unless of a material or type of construction specifically designed and manufactured for such use.

A. Single Family Dwellings and Permanently Sited Manufactured Homes

1. Lake Township hereby establishes the following standards for the placement of all single-family dwellings and permanently sited manufactured homes in areas of the Township which single-family dwellings are permitted.
 - a. All permanently sited single-family dwellings and permanently sited manufactured homes shall meet the minimum lot area, minimum setbacks, and minimum height limitations for the particular district in which it will be located.
 - b. Off-street parking shall be provided according to Article VI.
 - c. The dwelling shall have all towing apparatus, wheels and exposed chassis, if any, removed before occupancy of any kind is permitted.
 - d. The dwelling must be approved for and permanently connected to all required utilities.
 - e. All dwellings shall be installed with properly engineered foundation systems that meet the manufacturer's installation requirements and/or applicable state and local building codes for residential dwellings. A properly engineered foundation system is one that provides adequate support of the dwellings vertical and horizontal loads and transfers these and other imposed forces, without failure, from the 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.

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

- a. Manufactured home parks and manufactured home subdivisions are permitted use in a R-3 residential district.

SECTION B. MOBILE HOME PARK REQUIREMENTS

General Requirements: Mobile home parks shall be constructed pursuant to the Rules of the Ohio Department of Health, Public Health Council, Mobile Home Parks, Chapter 3701-27. In addition, mobile home parks shall comply with the following:

SECTION B. MOBILE HOME PARK REQUIREMENTS (CONT'D):**General Requirements (cont'd):**

- a. A mobile home park shall have a public water and sewer system and/or on the site water and wastewater treatment system acceptable to the Ohio EPA, Wood County Health Department, or other approving agency of the State of Ohio or Wood County.
- b. A mobile home park shall be developed on a site of not less than ten (10) acres. Individual sites within a park shall be developed with sites having 5,500 square feet, including a minimum width of thirty (30) feet per mobile home being served. This 5,500 square feet may be reduced by twenty percent (20%) provided that the individual site shall be equal to at least 4,400 square feet. For each square foot lost through the reduction of the site below 5,500 square feet, at least an equal amount of land shall be dedicated as open space.
- c. The minimum setback for a park shall be fifty (50) feet from a public right-of-way. The mobile home shall be placed on the site so as to comply with the following:
 - (1) Each mobile home shall be placed upon the mobile home site so as to provide no less than fifteen (15) feet between the side of one mobile home and the side of another, fifteen (15) feet between the end of one mobile home and the side of another, and then ten (10) feet between the end of one mobile home and the end of another. In computing these distance requirements, an auxiliary room or similar accessory connected to the mobile home shall be considered as part of the mobile home. A temporary porch or canopy which is open on two or more sides shall not be considered as part of the mobile home.
 - (2) No portion of any mobile home, its appurtenances or parking structure shall be located on a mobile home site so as to be closer than fifteen (15) feet to a roadway boundary, or twenty-five (25) feet to a mobile home park boundary or property line.
- d. All mobile home spaces shall abut upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a private or public street.
- e. All land in a mobile home park shall comprise a single parcel. Public thorough-fares, except extensions of local and collector streets proposed as part of a mobile home site plan, shall not bisect or divide a mobile home park to avoid unwarranted public traffic from traveling through the park.
- f. Each mobile home within a mobile home park shall contain a complete bathroom, including flush toilet, kitchen facilities, sleeping accommodations and plumbing and electrical connections. Travel trailers, motor homes and other recreational vehicles shall not be occupied in a mobile home park.
- g. All areas not used for access, parking, circulation, buildings and services shall be completely and permanently landscaped and the entire site maintained in good condition.

SECTION C. MANUFACTURED HOME SUBDIVISION

The manufactured home subdivision is intended as an area chiefly designed for single family manufactured and modular homes attached to a permanent continuous foundation as well as other buildings, erected, arranged, intended or designed to be used for one single-family dwelling. Related community facilities, including churches, kindergartens, schools, public playgrounds, and public parks shall be permitted, as well as any building or permanent structure within a manufactured home subdivision to be used exclusively to provide accessory services for residents of said manufactured home subdivision such as, but not limited to, a recreational facility.

Manufactured home subdivisions shall be constructed pursuant to the Subdivision Rules and Regulations of Wood County, Ohio. In addition, manufactured home subdivisions shall comply with the following:

1. In a manufactured home subdivision a manufactured home, modular home, single-family dwelling or any other principal building shall be situated on a lot of no less than seventy-two hundred (7,200) square feet in area and each manufactured home or single-family dwelling shall have a minimum net floor area for living quarters of seven hundred twenty (720) square feet.
2. Each dwelling, manufactured home, modular home, or principal building in a manufactured home subdivision shall be designed to meet the following criteria:
 - a. It may contain either a basement of at least two hundred eighty-eight (288) square feet, a garage of at least two hundred eighty-eight (288) square feet, or a permanently constructed storage building containing at least one hundred (100) square feet and attached to a permanent continuous foundation in compliance with the Wood County Building Code. Each garage or storage building shall be constructed with materials compatible with the principal building or manufactured home.
 - b. All roofs shall be double pitched at least three (3) feet vertical for twelve (12) feet horizontal or greater and covered with material that is residential in appearance, including, but not limited to, approved wood, asphalt, composition or fiberglass shingles but excluding corrugated aluminum, corrugated fiberglass or metal roofing.
 - c. The exterior siding shall have a dull finish, not a high gloss finish, and shall be residential in appearance, including but not limited to: brick, stone, stucco, clapboard, simulated clapboard such as conventional vinyl or metal siding, wood shingles, shakes or similar material; but excluding smooth, ribbed, or corrugated metal or plastic panels.
 - d. Each dwelling, principal dwelling, manufactured home or modular home shall be designed so that it has a front entrance and front facade facing upon a public street.
3. The minimum lot frontage and setback requirement for each dwelling, manufactured home, modular home, or other principal building in a manufactured home subdivision, shall be in accordance with the lot frontage and setback requirements of a one (1) family dwelling in an "R-2" District.
4. A manufactured home subdivision shall have a public water and sewer system and/or on-site water and wastewater treatment system acceptable to the Ohio EPA, Wood County Health Department or other approving agency of the State of Ohio or Wood County.
5. All foundations shall be constructed in accordance with Wood County Department of Building Inspection rules and regulations and inspected by same.

ARTICLE XI. ZONING COMMISSION AND ZONING BOARD OF APPEALS

SECTION A. ORGANIZATION AND PROCEDURES

- 1. Membership:** There is hereby established a Township Zoning Commission and Board of Zoning Appeals each of which shall consist of five (5) members, who are residents of the unincorporated area of the Township included in the area zoned. Members shall be appointed and vacancies on the board shall be filled by a majority vote of the Board of Trustees. The five (5) members first appointed shall serve for terms of one (1), two (2), three (3), four (4), and five (5) years respectively; thereafter, appointments shall be made for five (5) year terms.
- 2. Hearings, Adoption of Rules:** The hearings of the Zoning Commission and of the Board of Zoning Appeals shall be public. Both Boards shall organize annually and elect a President, Vice-President, and Secretary. The Boards shall act by Resolution in which three (3) members must concur. The Boards shall adopt from time to time such rules and regulations as they may deem necessary to carry into effect the provisions of this Resolution.
- 3. Minutes:** The Boards shall keep minutes of their respective 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 the examinations and other official actions, all of which shall be immediately filed in the office of the Board of Trustees and shall be a public record.
- 4. Witnesses, Oaths, Subpoena Powers:** The Boards shall have power to subpoena witnesses, administer oaths, punish for contempt, and may require the production of documents, under such regulations as either board may establish.
- 5. The boards cannot go into executive session.**

SECTION B. APPEALS

1. Appeals may be taken to and before the Board of Zoning Appeals by any person aggrieved, or by an officer, department or Board of the Township. Such appeal shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken, and with the Board a notice of appeal and specifying the grounds thereof. The officer or department from which the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon which the appeals action was taken.
2. An appeal shall stay proceedings in furtherance of the action appealed from, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.
3. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal or other matters referred to it and give at least ten (10) days notice thereof to the parties in interest and decide the same within a reasonable time. Upon this hearing, any party may appeal in person or agent by attorney. The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken.

SECTION C. POWERS AND DUTIES

The Board of Zoning Appeals shall have the following powers and it shall be its duty:

- 1. To hear and decide appeals.** Where it is alleged there is error of law in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution or any amendments thereto.
- 2. Exceptions.** In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:
 - a. Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Resolution.
 - b. Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout as shown on the map aforesaid.
 - c. Permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God, or public enemy, to the extent of more than sixty (60) percent of its fair market value where the Board finds some compelling necessity requiring a continuance of non-conforming use and the primary purpose of continuing and non-conforming use is not to continue a monopoly.
 - d. Waive or reduce the parking and loading requirements in any of the districts whenever the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities, or where such regulations would impose an unreasonable hardship on the use of the lot, as contrasted with merely granting an advantage or convenience.
 - e. Permit land within three hundred (300) feet of a multiple dwelling to be improved for the parking spaces required in connection with a multiple dwelling, but only when there is positive assurance that such land will be used for such purpose during the existence of the multiple dwelling.
 - f. Determine whether an industry should be permitted within the "M-1" Industrial District because of the methods by which it would be operated and because of its impact upon uses within surrounding zoning districts.
- 3. Grant Variations.** The board shall have the authority to grant the following variations:
 - a. Area Variance:** Permit a variation in yard requirements of any district where there are unusual and practical difficulties or in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions provided such variation will not seriously affect any adjoining property or the general welfare.
 - b. Use Variance - Authorize Upon Appeal:** Whenever a property owner can show that a strict application of the terms of this Resolution relating to the use, construction or alterations of buildings or structures or the use of land will impose unnecessary hardships, such variations of the strict application of the terms of the Resolution as are in harmony with its general purpose and intent; but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the zoning plan as established by this Resolution, and at the same time, the surrounding property will be properly protected.

SECTION C. POWERS AND DUTIES (CONT'D):**3. Grant Variations (cont'd):**

- c. Non-conforming:** The extension or completion of a building devoted to a non-conforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became non-conforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all one hundred percent (100%) of the floor area of the existing building or buildings devoted to a non-conforming use and provided further that such extension or extensions shall be undertaken within five (5) years of the date when the use of such building became non-conforming.
- 4. Impose Requirements and Conditions:** The Board shall have the power to hear and decide in accordance with the provisions of this Resolution, applications for conditional uses. In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures; and in authorizing a conditional use, the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation - in addition to those expressly stipulated in this Resolution for the particular conditional use - as the Board may deem necessary for the protection of adjacent properties and the public interest.
- 5. Public Values and Safety:** In considering all appeals and all proposed exceptions to this Resolution, the Board shall, before making any exceptions or variances from the Resolution in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the portion of the Township to which this Resolution applies.

SECTION D. FEES

A fee (refer to current fee schedule) shall be paid to the Zoning Inspector at the time the notice of appeal is filed, which the Zoning Inspector shall forthwith pay over the Township Clerk to the credit of the general revenue fund of the Township.

ARTICLE XIII. AMENDMENT TO TOWNSHIP ZONING RESOLUTION

SECTION A. PROCEDURES FOR AMENDMENTS OR DISTRICT CHANGES

This Resolution may be amended by utilizing the procedure specified in this Resolution.

SECTION B. GENERAL

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by resolution, after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

SECTION C. INITIATION OF ZONING AMENDMENTS

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;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

SECTION D. CONTENTS OF APPLICATION FOR ZONING MAP AMENDMENT

Applications for amendments to the Official Zoning Map adopted as part of this resolution by Article I shall contain at least the following information:

1. The name, address, and phone number of applicant.
2. A statement of the reason(s) for the proposed amendment.
3. The present use of the land.
4. The present zoning district in which property is located.
5. The proposed use of the land.
6. A proposed zoning district for property.
7. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.
8. A list of all property owners and their mailing address who are within, contiguous to, or directly across the street from the parcel(s), proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned.
9. A statement on the ways in which the proposed amendment relates to the comprehensive plan.
10. A fee as established by resolution of the Lake Township Trustees.

SECTION E. CONTENTS OF APPLICATION FOR ZONING TEXT AMENDMENT

Application for amendments proposing to change, supplement, amend, or repeal any portion(s) of this Resolution, other than the Official Zoning Map, shall contain at least the following information:

1. The name, address, and phone number of the applicant.
2. A statement of reason(s) for the proposed amendment.
3. A statement explaining the ways in which the proposed amendment relates to the comprehensive plan.
4. A fee as established by resolution of the Township Trustees.

SECTION F. TRANSMITTAL TO ZONING COMMISSION

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner or lessee of property, said resolution or application shall be transmitted to the Commission.

SECTION G. SUBMISSION TO WOOD COUNTY PLANNING COMMISSION

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Township Trustees or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application, together with the text and map pertaining to the case in question, to the Wood County Planning Commission. The Wood County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

SECTION H. SUBMISSION TO DIRECTOR OF TRANSPORTATION (Reference: O.R.C. 5511.01)

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline or a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail, to the Director of Transportation. The Zoning Commission may proceed as required by law; however, the Board of Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Township Trustees that he shall proceed to acquire the land needed, then the Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Township Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Township Trustees shall proceed as required by Law.

SECTION I. PUBLIC HEARING BY ZONING COMMISSION

The Zoning Commission shall schedule a public hearing after the adoption of their motion, the transmittal of a resolution from the Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be no less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or filing of such application.

SECTION J. NOTICE OF PUBLIC HEARING IN NEWSPAPER AND TO PROPERTY OWNERS

Before holding the public hearing as required, notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspaper of general circulation in the Township at least ten (10) days before the date of said hearing. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the zoning commission, by first class mail, at least ten days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the zoning commission that will be conducting the public hearing;
2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and the names of owners of these properties, as they appear on the county auditor's current tax list;
4. The present zoning classification of property named in the property amendment and the proposed zoning classification of such property;
5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten (10) days prior to the public hearing;
6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
7. Any other information requested by the Zoning Commission;
8. A statement that after the conclusion of such hearing the matter will be submitted to the Board for its action.

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten (10) parcels of land, as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the zoning commission that will be conducting the public hearing on the proposed amendment;
2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;

SECTION J. NOTICE OF PUBLIC HEARING IN NEWSPAPER AND TO PROPERTY OWNERS (CONT'D):

3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten (10) days prior to the public hearing;
4. The name of the person responsible for giving notice of the public hearing by publication;
5. A statement that after the conclusion of such hearing the matter will be submitted to the board of township trustees for its action;
6. Any other information requested by the zoning commission.

SECTION K. RECOMMENDATION BY ZONING COMMISSION

Within thirty (30) days after the public hearing required by Section I, the Zoning Commission shall recommend to the Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment not be granted. The written decision of the zoning commission shall indicate the specific reason(s) upon which the recommendation is based, to include the basis for their determination that the proposed amendment is or is not consistent with the comprehensive plan.

SECTION L. PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES

Within thirty (30) days from receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper of general circulation shall be given by the Board of Township Trustees, at least ten (10) days before the date of such hearing.

If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date and place of the public hearing and shall include all of the following:

1. The name of the board that will be conducting the public hearings;
2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of the owners of these properties, as they appear on the county auditor's current tax list;
4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
5. The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten (10) days prior to the public hearing;
6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
7. Any other information requested by the board.

SECTION L. PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES (CONT'D):

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten (10) parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the board that will be conducting the public hearing on the proposed amendment;
2. A statement indicating that the motion, application or resolution is an amendment to the zoning resolution;
3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten (10) days prior to the public hearing;
4. The name of the person responsible for giving notice of the public hearing by publication;
5. Any other information requested by the board.

SECTION M. ACTION BY BOARD OF TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing required in Section I, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof.

SECTION N. EFFECTIVE DATE AND REFERENDUM

Such amendment adopted by Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment 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 equal to not less than eight percent (8%) of the total vote cast for all candidates for Governor, in such area at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

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

SECTION O. TRANSMITTAL OF AMENDMENT

Within five (5) working days after an amendment's effective date, the Board of Township Trustees shall file the text and maps of the amendment in the Office of the Wood County Recorder and with the Wood County Planning Commission.

SECTION P. APPLICATION FEES

At the time that an application for a change of zoning districts is filed with the Commission, as provided therein, there shall be deposited a fee as set by resolution of the Board of Trustees of Lake Township from time to time. Said fee is for the purpose of defraying the costs of investigation, legal notices, and other expenses incidental to the determination of such matter. Such sums so deposited shall be credited by the Township Clerk to the General Fund of the Township.

ARTICLE XIV. VALIDITY

Should any section or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole or any part thereof other than the part so declared to be invalid.

ARTICLE XV. EFFECTIVE DATE

SECTION A. GENERAL

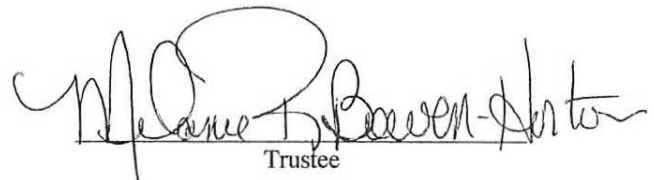
This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

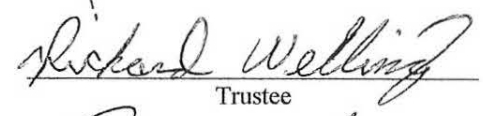
SECTION B. AUTHORIZATION

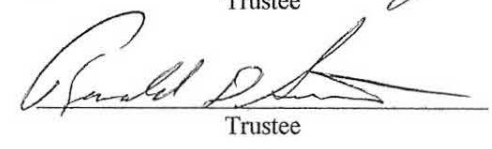
UPDATED AND REVISED: February 19, 2002

PASSED: February 19, 2002

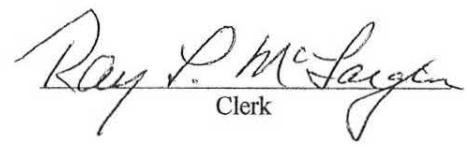
ADOPTED: February 19, 2002


Trustee


Trustee


Trustee

Attest:


Clerk