

**The Board of Trustees of Danbury Township, County of Ottawa, Ohio**, met in special session at 6:15 p.m., on April 27, 2016, at the Danbury Township Building, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak; Mr. Charles Scott; Mr. David Hirt

Mr./(Ms) ROZAK introduced the following resolution and moved its adoption:

**RESOLUTION NO. 05 - 2016**

**A RESOLUTION ADOPTING MULTIPLE TEXT AMENDMENTS  
TO THE DANBURY TOWNSHIP ZONING RESOLUTION**

**WHEREAS**, on March 2, 2016 the Danbury Township Zoning Commission, in accordance with Ohio Revised Code section 519.12(A)(1) initiated, by motion, the following amendments to the Danbury Township Zoning Resolution:

- *Article 2, Definitions, specifically Section 2.2:*
  - # 1 Accessory Structures – Eliminate decks, signs & billboards;
  - #15 Automotive Sales & Service – To include Marine Sales & Service
  - #40 Commercial Amusement Enterprise – Expand definition
  - New #80 Helipad/ Heliport
  - #82 Home Occupation - Expand definition & relocate requirements to Chapter 4
  - #83 Hospital - Expand definition
  - New #92 Limited Home Based Business
  - #106 Marina – Expand definition
  - #117 Nursery School – Cross reference to #35 “Child Day Care Center”
  - #133 Recreational Facility – Expand Definition, eliminating old #134 & #135 defining Commercial & Private Recreational Facility
  - #158 Temporary Building/Structure/Use – Eliminate specific uses listed.
- *Article 3, Zoning Districts – Expand “Permitted & Conditional Uses” for each district. Moving some “Conditional Uses” to “Permitted”.*
  - *Section 3.5.12 - Move “Temporary Use” language, including mobile vending to Chapter 4 under New 4.21 Temporary Uses.*
- *Article 4, Use Standards – Clarify how the Article is used. Create all new sections for uses that were listed as Conditional Uses, but never had any specific standards or requirements listed. With the creation of standards, some uses are also now “Permitted” provided these additional standards are met.*
- *Article 5, Site Standards, Section 5.8 Swimming Pools – Modify language for swimming pools to have same setback standards as accessory uses.*
- *Article 6, Section 6.1.2.G – Eliminate erroneous reference and Section 6.2 – Eliminate unnecessary language explaining what a Conditional Use is.*

**WHEREAS**, said text amendments were forwarded to the Ottawa County Regional Planning Commission (OCRPC) March 7, 2016 and considered by the Ottawa County Regional Planning Commission (OCRPC) on March 15, 2016 where the Commission recommended unanimous approval of said text amendments as presented; and

**WHEREAS**, the Danbury Township Zoning Commission held a public hearing on April 6, 2016 and by motion and vote, the Zoning Commission unanimously recommended approval of said text amendments with grammatical corrections; and

**WHEREAS**, the Board of Trustees held a public hearing on April 27, 2016 and, at the conclusion of the public hearing, voted to accept the recommendation of the Zoning Commission as set out in Exhibit A as attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Danbury Township, Ottawa County, Ohio:

- 1) The Board finds that:
  - a. The proposed amendment will improve the public health, safety, or general welfare of Danbury Township; and
  - b. The proposed amendment will clarify the intent of the Resolution.
  - c. The proposed amendment will better implement the intent of the Resolution.
  - d. The proposed amendment will improve enforcement of the Resolution.
- 2) The Board does hereby adopt the amendment to the Danbury Township Zoning Resolution attached hereto as Exhibit A; and
- 3) That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code; and
- 4) That this Resolution shall be effective at the earliest date allowed by law.

Mr. ~~Ms.~~ Scott seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak Yes Mr. Scott Yes Mr. Hirt Yes

**ADOPTED** this 27th day of April, 2016.

Attest:

Shelley Seamon  
Fiscal Officer

Board of Trustees  
Danbury Township  
Ottawa County, Ohio

Dianne Rozak  
Dianne Rozak

Charles B. Scott  
Charles B. Scott

David Hirt  
David Hirt

**AUTHENTICATION**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 27<sup>th</sup> day of April, 2016 and filed with the Danbury Township Fiscal Officer.

Shelley Seamon  
Shelley Seamon  
Danbury Township Fiscal Officer

**DANBURY TOWNSHIP ZONING COMMISSION  
REQUEST FOR ZONING AMENDMENT**

Danbury Township, Ottawa County, Ohio

APPLICATION NO: #2016 – 0029

During a regular meeting of the Danbury Township Zoning Commission held Wednesday, March 2, 2016 it was moved by Ms. Kopanski and seconded by Mr. Pitzer to initiate the attached Text Amendments:

- *Article 2, Definitions, specifically Section 2.2:*
  - # 1 Accessory Structures – Eliminate decks, signs & billboards;
  - #15 Automotive Sales & Service – To include Marine Sales & Service
  - #40 Commercial Amusement Enterprise – Expand definition
  - New #80 Helipad/ Heliport
  - #82 Home Occupation - Expand definition & relocate requirements to Chapter 4
  - #83 Hospital - Expand definition
  - New #92 Limited Home Based Business
  - #106 Marina – Expand definition
  - #117 Nursery School – Cross reference to #35 “Child Day Care Center”
  - #133 Recreational Facility – Expand Definition, eliminating old #134 & #135 defining Commercial & Private Recreational Facility
  - #158 Temporary Building/Structure/Use – Eliminate specific uses listed.
- *Article 3, Zoning Districts – Expand “Permitted & Conditional Uses” for each district. Moving some “Conditional Uses” to “Permitted”.*
  - Section 3.5.12 - Move “Temporary Use” language, including mobile vending to Chapter 4 under New 4.21 Temporary Uses.
- *Article 4, Use Standards – Clarify how the Article is used. Create all new sections for uses that were listed as Conditional Uses, but never had any specific standards or requirements listed. With the creation of standards, some uses are also now “Permitted” provided these additional standards are met.*
- *Article 5, Site Standards, Section 5.8 Swimming Pools – Modify language for swimming pools to have same setback standards as accessory uses.*
- *Article 6, Section 6.1.2.G – Eliminate erroneous reference and Section 6.2 – Eliminate unnecessary language explaining what a Conditional Use is.*

Vote resulted as follows: Ms. Kopanski – YES.; Mrs. Radabaugh – Ex.; Mr. Dress – YES.;  
Mr. Pitzer – YES; Mr. Kracer – YES. Motion carried.

**Applicant’s Name:** Danbury Township Zoning Commission  
5972 E. Port Clinton Eastern Rd.  
Marblehead, Ohio 43440

**Fee:** No Charge

**Date File:** March 3, 2016

**Ottawa County Regional Planning Commission Recommendation:**

Per 03.16.2016 letter from M. Messa, the Regional Planning Commission voted to recommend approval as presented to the Danbury Township Zoning Commission.

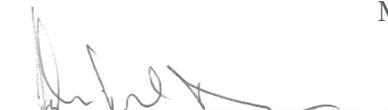
Date of Hearing: March 15, 2016

**Zoning Commission Action:**

Mr. Pitzer motioned to approve as presented and modified as discussed on minor grammatical items, finding Decision Criteria ii, iii, iv, and v. of Section 7.6.7.A were satisfied. Mrs. Radabaugh 2<sup>nd</sup> the motion.

Date of Hearing: April 6, 2016

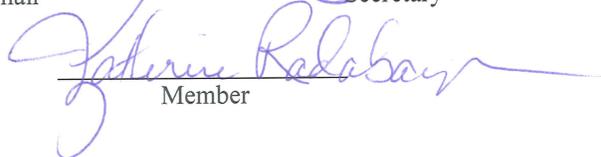
Vote resulted as follows: Mr. Dress - yes; Ms. Kopanski - yes; Mrs. Radabaugh - yes; Mr. Pitzer - yes; Mr. Kracer - yes. Motion carried.

  
Chair

  
Vice-Chair

  
Secretary

  
Member

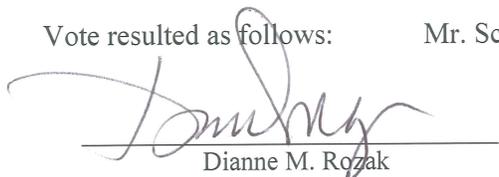
  
Member

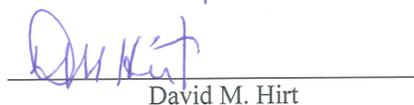
**Board of Trustees Action:**

Mrs. Rozak motioned to approve as presented. Mr. Scott 2<sup>nd</sup> the motion. Refer to Resolution # 05-2016

Date of Hearing: April 27, 2016

Vote resulted as follows: Mr. Scott - yes; Mrs. Rozak - yes; Mr. Hirt - yes;

  
Dianne M. Rozak

  
David M. Hirt

  
Charles B. Scott, President

*Article 2.0*  
*Definitions*

# Article 2.0 Definitions

## 2.1 Construction of Language

## 2.2 Definitions

- 1. Accessory Use
- 2. Adult Arcade
- 3. Adult Bookstore
- 4. Adult Cabaret
- 5. Adult Health Club
- 6. Adult Material
- 7. Adult Motion Picture Theater
- 8. Adult Oriented Sexual Business
- 9. Agriculture
- 10. Airport
- 11. Alley
- 12. Alteration, Structural
- 13. Automotive Repair
- 14. Automotive Service Station
- 15. Automotive, Manufactured Home, Recreational Vehicle, Marine, and Farm Implement Sales and Service
- 16. Automotive Wrecking
- 17. Bar, Saloon, Tavern/Night Club
- 18. Basement
- 19. Beach
- 20. Bed and Breakfast
- 21. Bottling Works
- 22. Buildable Area
- 23. Building
- 24. Building, Community
- 25. Building Height
- 26. Building Material Sales/Storage Yard
- 27. Building, Principal
- 28. Building Width
- 29. Business
- 30. Business, General
- 31. Business, Neighborhood
- 32. Business, Recreational
- 33. Cabins, Cottages
- 34. Cemetery
- 35. Child Day Care Center
- 36. Church
- 37. Club
- 38. Cluster Housing Community
- 39. Commercial
- 40. Commercial Amusement Enterprise
- 41. Community Sanitary Sewage Treatment System
- 42. Community Water Supply
- 43. Composting Facility
- 44. Conditional Uses
- 45. Condominium
- 46. Condominium Development
- 47. Condominium Property
- 48. Condominium Unit
- 49. Condominium, Water Slip Unit
- 50. Continuing Care Retirement Community
- 51. Contractor's Establishment
- 52. Converse Condominium Development
- 53. Conversion
- 54. Crematory
- 55. Cul-de-sac
- 56. Curb Grade
- 57. Density
- 58. Drive-In Theater
- 59. Dwelling/Dwelling Unit
- 60. Dwelling/Multi-Family
- 61. Dwelling/One-Family
- 62. Dwelling/Two-Family
- 63. Easement
- 64. Entertainment Facility
- 65. Family
- 66. Fence
- 67. Fishing Business
- 68. Flea Market
- 69. Floor Area
- 70. Food Processing
- 71. Foundry
- 72. Game Room/Arcade
- 73. Garage, Private
- 74. Garage, Public
- 75. Garage, Service
- 76. Golf Course
- 77. Golf Driving Range
- 78. Government Building
- 79. Grocery Store
- 80. Helipad/Heliport
- 81. Historic Site
- 82. Home Occupation
- 83. Hospital
- 84. Hotel, Motel
- 85. Indoor Theater
- 86. Industrial Park
- 87. Industrial Unit or Dwelling
- 88. Institution
- 89. Junk Yard
- 90. Kennel
- 91. Landing Strip
- 92. Limited Home Based Business
- 93. Loading Berth or Space
- 94. Lot
- 95. Lot Coverage
- 96. Lot Frontage
- 97. Lot, Minimum Area of
- 98. Lot Measurements\*
- 99. Lot of Record
- 100. Lot Types\*
- 101. Manufactured Home
- 102. Manufactured Home Park
- 103. Manufactured Home Subdivision
- 104. Manufacturing, Heavy
- 105. Manufacturing, Light
- 106. Marina
- 107. Massage
- 108. Massage Establishment
- 109. Masseur or Masseuse
- 110. Metal Stamping
- 111. Mini-Warehouse
- 112. Miniature Golf
- 113. Motel/Hotel
- 114. Non-Conforming Uses
- 115. Nude or Nudity
- 116. Nursing Home
- 117. Nursery School
- 118. Nursery, Plant Materials or Greenhouse
- 119. Open Space
- 120. Park
- 121. Parking Area or Lot
- 122. Parking Space, Off-Street
- 123. Personal Services
- 124. Planned Unit Development
- 125. Playground
- 126. Printing Shop/Publishing
- 127. Professional Activities
- 128. Propane Storage Facility
- 129. Public Community Facility
- 130. Public Park
- 131. Quarrying
- 132. Recreational Camp
- 133. Recreation Facility\*
- 134. Recreation Facility, Commercial
- 135. ~~Recreation Facility, Private~~
- 136. Recreational Vehicle\*
- 137. Research Laboratories
- 138. Resort
- 139. Restaurant
- 140. Riding Stable
- 141. Roadside Stand
- 142. Rock Crusher
- 143. School
- 144. Setback Line
- 145. Sexual or Genital Area
- 146. Sexually Oriented Business
- 147. Sign\*
- 148. Shop
- 149. Specified Anatomical Areas
- 150. Slaughter House
- 151. Specified Sexual Activities\*
- 152. Storage Area
- 153. Story
- 154. Street
- 155. Structure
- 156. Substantial Progress
- 157. Swimming Pool
- 158. Tavern/Night Club
- 159. Telecommunication Tower
- 160. Temporary Building/Structure/Use
- 161. Townhouse
- 162. Trailer Camp
- 163. Unnecessary Hardship
- 164. Use
- 165. Variance
- 166. Veterinary Clinic or Animal Hospital
- 167. Warehouse
- 168. Wholesale Business
- 169. Wind Farm, Small
- 170. Windmill, High Impact
- 171. Windmill, Low Impact
- 172. Yard
- 173. Yard, Front
- 174. Yard, Rear
- 175. Yard, Required Front
- 176. Yard, Required Rear
- 177. Yard, Required Side
- 178. Yard, Side
- 179. Zoning Certificate/Permit

\*Multiple Definitions

# 2.0 Definitions

## 2.1 CONSTRUCTION OF LANGUAGE

For the purpose of this Resolution, certain terms or words used herein shall be interpreted as follows:

1. The words "used for" include "designed for" and vice versa;
2. Words used in the present tense include the future tense;
3. Words in the singular number include the plural number and vice versa;
4. The word "building" includes the word "structure";
5. The word "dwelling" includes the word "residence";
6. The word "lot" includes the words "plot" and "parcel";
7. The word "shall" is a mandatory requirement and the word "may" is a permissive requirement.

## 2.2 DEFINITIONS

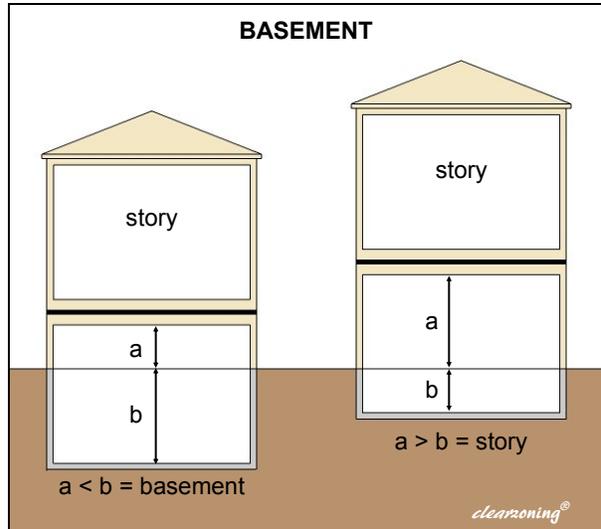
1. **Accessory Use or Building.** A use or building on the same lot with, and subordinate to, the principal use or building. Any structure designed or intended to be used for permanent or temporary residential use or for transporting materials on the highway shall not be used as an accessory building. An accessory use or building shall include, but not be limited to, fences, sheds, garages, parking areas, ~~decks~~, pools, ~~signs~~, ~~and~~ docks, ~~and billboards~~.
2. **Adult Arcade.** Any place to which the public is permitted and or/charged an admittance fee wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of nudity or sexual or genital areas.
3. **Adult Bookstore.** Any establishment which utilizes ten (10) percent or more of its retail selling area for the purpose of retail sale or rental or for the purpose of display by coin-operated or slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, books, magazines, periodicals, films, tapes, and cassettes which are distinguished by their emphasis on adult

materials or characterized by the depicting or describing of nudity or genital areas.

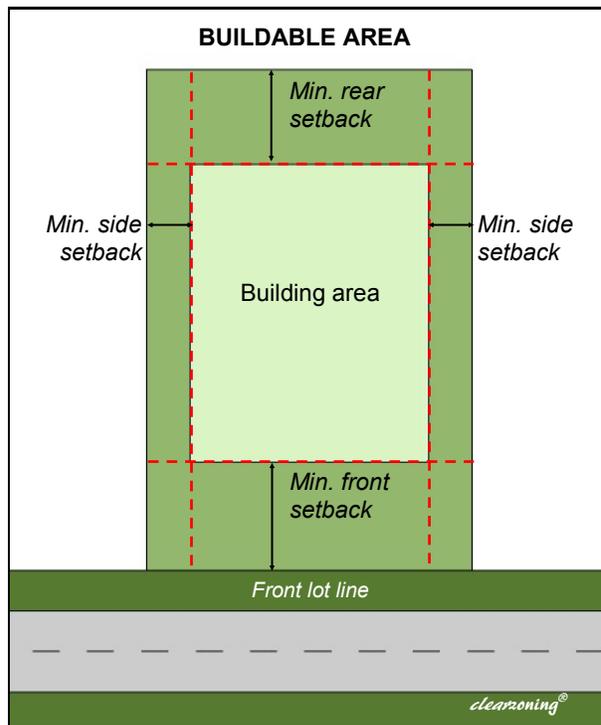
4. **Adult Cabaret.** A nightclub, bar, restaurant, or similar establishment in which persons appear in a state of nudity in the performance of their duties.
5. **Adult Health Club.** Any establishment that provides equipment and facilities for exercising and improving physical fitness where employees and/or patrons appear in a state of nudity.
6. **Adult Material.** 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 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 which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.
7. **Adult Motion Picture Theater.** A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified anatomical areas or specified sexual activities, nudity, or sexual or genital areas.
8. **Adult Oriented Sexual Business.** Any business or establishment which provides goods or services meeting the definition of adult material.
9. **Agriculture.** The use of land for farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to, the care and raising of livestock, equine, and fur bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

**Exhibit A: Trustee Res.# \_\_\_ - 2016**

- 10. **Airport.** Any runway, land area, or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage, and tie-down areas, hangers, and other necessary buildings and open spaces.
- 11. **Alley.** A public or private thoroughfare designed to provide access to the rear or side of property or lots.
- 12. **Alteration, Structural.** Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
- 13. **Automotive Repair.** The repair, rebuilding, or reconditioning of motor vehicles or parts thereof including collision service, painting, and steam cleaning of vehicles.
- 14. **Automotive Service Station.** Any premises used for supplying gasoline and oil, at retail direct to the customer, including minor accessories and services for motor vehicles.
- 15. **Automotive, Manufactured Home, Recreational Vehicle, Marine and Farm Implement Sales and Service.** The sale, service or rental of new and used motor vehicles, manufactured homes, recreational vehicles, marine equipment, boats and recreational watercraft or farm implements, including accessory parts and supplies or repair work of such vehicles.
- 16. **Automotive Wrecking.** Same as "Junkyard".
- 17. **Bar, Saloon, Tavern/Night Club.** An establishment used primarily for the serving of liquor, including beer and wine, by the drink to the general public and where food may be served or sold only as necessary or secondary to the primary use. All activities and music shall be within a fully enclosed building.
- 18. **Basement.** A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.
- 19. **Beach.** A nearly level stretch of pebbles and/or sand beside a body of water that may be artificially created or created by the action of water.
- 20. **Bed and Breakfast Inn.** An owner-occupied, single-family residential dwelling in which rooms are rented to paying guests on an overnight basis and one (1) meal only is provided; the entire service to be included in one (1) stated price.
- 21. **Bottling Works.** A manufacturing or processing facility where materials are placed within a container and sealed for purposes of sale or distribution.



- 22. **Buildable Area.** The area of a lot remaining after the minimum required yards and open space requirements of the zoning resolution have been met.
- 23. **Building.** Any structure consisting of foundations, walls, columns, girders, beams, floors, and roofs, or any combination thereof, designed for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.



**Exhibit A: Trustee Res.# \_\_\_- 2016**

- adoption, for any part of the twenty-four hour day in a building, place, or residence other than the child's own home, including Type A & Type B home daycares as regulated and defined by Ohio Department of Job and Family Services (OAC Chapter 5101:2).
36. **Church.** A building or group of buildings that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.
  37. **Club.** The place where members of a local chapter of an association or a fraternal, cultural, or religious organization hold their meetings and activities.
  38. **Cluster Housing Community.** A parcel of land developed with one and two-family dwellings located on separate building lots where flexible spacing of lots and buildings are permitted in order to encourage:
    - A. The creation of functional and interesting residential areas.
    - B. The provision of readily accessible recreation areas and open space.
    - C. The conservation of the natural amenities of the landscape.
  39. **Commercial.** Same as "Business".
  40. **Commercial Amusement Enterprise.** An establishment, **indoors or outdoors**, engaged in providing short-term amusement/~~arcade~~ activities for a fee. Such activities would include **arcades, game rooms, splash parks, water slides, go carts, bumper boats, mini golf, ice skating rink, batting cages, laser tag, paintball, jump houses (trampoline or inflatable), amusement rides, circuses, petting or drive-thru zoo's** and the like.
  41. **Community Sanitary Sewage Treatment System.** A system including pipelines or conduits, pumping stations, force mains, treatment plants, lagoons and all other constructions, devices, appurtenances and facilities used for the collection, treatment and disposal of water-borne sewage as regulated by Chapter 6111 of the Ohio Revised Code.
  42. **Community Water Supply.** A system, including the collection, treatment, storage, and distribution facilities, for the provision of piped water for human consumption. Such system shall have at least fifteen service connections or regularly service at least twenty-five individuals. The system shall comply with all of the requirements of Chapter 6109 of the Ohio Revised Code.
  43. **Composting Facility.** A facility for the controlled process of degrading organic matter by microorganisms. The facility must meet the guidelines of and be registered or licensed by the Ohio EPA.
  44. **Conditional Uses.** A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board of Zoning Appeals only where there is a specific provision for such conditional use made in the Resolution. A conditional use is not considered to be a non-conforming use.
  45. **Condominium.** A dwelling unit which is part of the condominium property consisting of one (1) or more rooms on one (1) or more floors of a building and designated as a dwelling unit in the condominium declaration and delineated on the drawings provided in Section 5311.07 of the Ohio Revised Code.
  46. **Condominium Development.** A condominium property in which two (2) or more individual dwelling units, together with undivided interests in the common areas and facilities of the property are offered for sale.
  47. **Condominium Property.** All lands, buildings, improvements, and structures; all easements, rights, and appurtenances belonging to the land; and all articles of personal property submitted as required by Section 5311 of the Ohio Revised Code.
  48. **Condominium Unit.** A part of the condominium property consisting of one (1) or more rooms on one (1) or more floors of a building and designated on the required drawings.
  49. **Condominium, Water Slip Unit.** A part of the condominium property consisting of the land under a portion of the water in a water slip or the land under a portion of a water slip and under a portion of the piers and wharves that form a water slip, which portion of water or portion of water, piers, and wharves is used for the mooring of watercraft, and designated as a unit in the declaration and delineated on the drawings provided for in Section 5311.07, Ohio Revised Code.
  50. **Continuing Care Retirement Community.** Any age-restricted development, with a minimum of twelve dwelling units, which may be in any housing form, including detached and attached dwelling units, apartments, continuing care/ congregate care facilities, assisted living facilities, nursing homes, rest homes and service support areas required for the development such as recreation, health, dining,

Exhibit A: Trustee Res.# \_\_\_- 2016

66. **Fence.** A barrier intended to prevent intrusion or escape, or to mark a boundary; constructed of posts and wires, boards, metal, and/or plastic or similar durable material. Decorative structures not designed as barriers shall be excluded.
67. **Fishing Business.** An establishment primarily engaged in providing opportunity for fishing including the sale of related products.
68. **Flea Market.** An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.
69. **Floor Area.** The sum of the gross horizontal area of all floors, excluding basement areas and other areas not used for permanent occupancy or use. Calculation of floor area shall include only those areas used for living purposes; garages, carports, patios and other such areas should be excluded from said calculation.
70. **Food Processing.** The preparation, storage, or processing of food products including bakeries, dairies, canneries, or other similar businesses.
71. **Foundry.** An establishment employing the art, process or act of casting materials.
72. **Game Room/Arcade.** A room in which three (3) or more percentage games, such as pin ball, pool, video, computer and similar devices played on any mechanical or electronic device are located for use by the general public.
73. **Garage, Private.** An accessory building or a portion of a principal building used for the parking or storage of vehicles.
74. **Garage, Public.** A principal or accessory building other than a private garage used for the parking or storage of vehicles.
75. **Garage, Service.** Buildings and premises where motor vehicle accessories may be supplied and dispensed including motor vehicle repair, but excluding automotive wrecking.
76. **Golf Course.** A tract of land laid out for at least nine (9) holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse and shelter.
77. **Golf Driving Range.** A tract of land used for the practice hitting of golf balls.
78. **Government Building.** A building or structure, owned and/or operated, by a political subdivision.
79. **Grocery Store.** A retail store selling meat, fruit, vegetables, breads, dairy products, minor household supplies, beverages including beer and wine, and other foods, all for use or consumption off the premises.
80. Helipad/Heliport. A designated area on the ground or a structure rooftop where a helicopter can take off or land.
81. **Historic Site.** A structure or place of outstanding historical and cultural significance and designated as such by the county, state, or federal government.
82. **Home Occupation. A Home Occupation is the less intensive form of home-based business where the** An occupation **is** conducted in a dwelling unit, **by the occupant(s) of the dwelling,** as a secondary use in connection with **that dwelling and there is no visible activity occurring from the property. (See Also Limited Home Based Business)** which ~~there is no person employed other than members of the family residing on the premises, provided:~~
- ~~A. Such occupation is conducted wholly within the dwelling;~~
  - ~~B. Floor area devoted to such use does not exceed twenty five (25%) percent of the total ground area occupied by all buildings on the lot;~~
  - ~~C. Such use is not objectionable due to noise, hours of operation, traffic generated, or hazardous, or noxious process;~~
  - ~~D. Adequate provision for parking is assured; and~~
  - ~~E. Signs be provided as indicated in Article 5 of this Resolution.~~
83. **Hospital.** A facility or institution classified as a hospital under Section 3701.07 of the Ohio Revised Code providing inpatients diagnostic medical, obstetrical, psychiatric, rehabilitation care or surgical services for sick or injured persons primarily on an in-patient basis for a continuous period longer than twenty-four hours and including ancillary services for outpatient and emergency treatment, training, research, administration, and services to patients, employees, and visitors.
84. **Hotel/Motel.** Any structure with more than five (5) sleeping rooms, that are each approved through a valid certificate of occupancy issued by the building code official having jurisdiction and the state fire marshal, which is specifically

constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests for a period of thirty (30) days or less and licensed through the State of Ohio Department of Commerce as a hotel or motel. "Hotel/Motel" does not include one and two-family dwelling units, multi-family dwelling units, condominiums, or other similar places of permanent personal residence, bed & breakfasts, lodging houses, resorts, or recreational camps. A hotel/motel that is owned, or to be owned in a condominium form of ownership must meet all requirements for a condominium development in Chapter 4 of the zoning resolution.

- 85. **Indoor Theater.** A building, or portion thereof, devoted to showing motion pictures or for dramatic, dance, musical, or other live performances.
- 86. **Industrial Park.** A tract of land that is planned, developed, and operated as an integrated facility for a number of individual industrial uses, with consideration to transportation facilities, circulation, parking, utility needs, aesthetics, and compatibility.
- 87. **Industrial Unit or Dwelling.** A constructed unit that is approved by the Ohio Department of Industrial Relations and meets the requirements of Section 4101:2-98 of the Ohio Basic Building Code. Verification of whether the unit is an industrial unit or dwelling as approved by the State of Ohio can be made by the Ottawa County Building Inspection Office.
- 88. **Institution.** A building occupied by a non-profit corporation or a non-profit organization.
- 89. **Junk Yard.** An establishment or place of business, which is maintained or operated for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard.
- 90. **Kennel.** Any lot or premises on which four (4) or more domesticated dogs and cats, more than four (4) months of age are housed, groomed, bred, boarded, trained, bought, or sold for commercial gain and which offers provisions for minor medical treatment.
- 91. **Landing Strip.** Any runway and necessary taxiway areas for the use of no more than two (2) aircraft that are privately owned and used exclusively for the landing of crop dusting and similar function aircraft.

**92. Limited Home Based Business. A Limited Home Based Business is the more intensive form of a**

**home occupation where the property owner works from the home, as a secondary use in connection with that dwelling, but where there may be clientele that visit the home. Examples include, but are not limited too, a Piano or Dance Instructor, a Teacher/Tutor, a CPA, an Architect, Seamstress, Notary Public, or Cake Decorator.**

- 93. **Loading Berth or Space.** An off-street space or berth on the same lot with a building for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.
- 94. **Lot.** A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:
  - A. A single lot of record;
  - B. A portion of a lot of record;
  - C. A combination of complete lots of record, of complete lots of record or portions of lots of records, or of portions of lots of record.

Once declared, such uses shall be identified in the zoning permit and none of these lands shall be sold separately, unless all parcels created by said division meet the minimum zoning size requirements for the zoning district in which they occur.

- 95. **Lot Coverage.** The ratio of enclosed ground floor area of all buildings, principal and accessory, on a lot to the horizontally projected area of the lot, expressed as a percentage.
- 96. **Lot Frontage.** The width of the lot at the street right-of-way. In cases where lots front on Lake Erie, its harbors, or the Sandusky Bay, the front yard may be regarded as that portion of the lot oriented towards the water and is then measured at the water's edge. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to the street or the waters of Lake Erie, where appropriate, shall be considered frontage, and yards shall be provided as indicated under "Yard" in this section and Article 5.
- 97. **Lot, Minimum Area of.** The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street or easement of record required for public water, sanitary sewer, or storm sewer.

105. **Manufacturing, Light.** Manufacturing or other industrial uses which are usually controlled operations, relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operating and storing within closed structures, and generating little industrial traffic and no nuisances.
106. **Marina.** A boat basin that has docks or moorings for seven (7) or more watercraft as defined in Section 1547.01 of the Ohio Revised Code. Is also a facility for launching, mooring, berthing, storing or securing watercraft for primarily recreational use. A marina provides services to recreational watercraft and occupants thereof, including sanitary and other servicing and repair to watercraft while in or out of the water and the sale of fuel and supplies. A marina may provide food, goods, beverages, recreation and entertainment as accessory uses. This classification includes public and private docks, yacht clubs, and boat clubs. "Marina" does not include:
- A. Docks or moorings contiguous to a private residence and used only by the occupant of that residence and his non-paying guests; and
  - B. Any boat basin located on waters where the watercraft used are normally unsuited for the installation of permanent sanitary systems.
107. **Massage.** Any method of exerting pressure on, stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating, the external soft tissue of the body with the hands, or with the aid of any mechanical or electrical apparatus or appliance.
108. **Massage Establishment.** Any fixed place of business where a person offers massages to patrons for a fee which may be in connection with the provision of another legitimate service.
109. **Masseur or Masseuse.** Any individual who performs massages at a massage establishment.
110. **Metal Stamping.** An establishment, within an enclosed building, employing a device or instrument used for making a permanent or lasting imprint on metal.
111. **Mini-Warehouse.** A structure containing separate storage spaces usually containing about thirty (30) to four hundred (400) square feet each with direct access to paved driveways, leased, rented, or sold on an individual basis for the storage of non-hazardous personal goods, and not exceeding twenty (20) feet in height.
112. **Miniature Golf.** A facility, usually consisting of nine or eighteen holes, where individuals use a putter to hit a golf ball into a designated hole.
113. **Motel/Hotel.** See "Hotel/Motel".
114. **Non-Conforming Uses.** A building, structure or use of land existing at the time of enactment of this Resolution, and which does not conform to the regulations of the district or zone in which it is situated.
115. **Nude or Nudity.** Showing of either the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering or the female breast with less than a full opaque covering on any part of the nipple.
116. **Nursing Home.** A home or facility for the care of the handicapped, aged, or ill persons in which three (3) or more persons are housed and cared for, and which may be operated for commercial gain.
117. **Nursery School.** See Child Day Care Center. ~~An establishment designed to provide care or instruction of two (2) or more children who are not residents of said establishment which is operated on a regular basis whether for commercial gain or not.~~
118. **Nursery, Plant Materials or Greenhouse.** Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.
119. **Open Space.** An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pool, tennis courts, any other recreational facilities deemed permissible. Streets, structures for habitation, submerged land, and the like shall not be included.
120. **Park.** A tract of land, designated and used by the public for active and passive use.
121. **Parking Area or Lot.** An open area, other than a private parking area, street or alley used for the parking of vehicles and available for public and quasi-public use.
122. **Parking Space, Off-Street.** For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on

**Exhibit A: Trustee Res.# \_\_\_- 2016**

both sides, together with properly related access to a street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

- 123.**Personal Services.** Establishments that are primarily engaged in providing services generally involving the care of the person or person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.
- 124.**Planned Unit Development.** An area of a minimum contiguous size of ten (10) acres to be planned and developed as a single entity and containing one or more types of residential development. Appropriate commercial, public, or quasi-public uses may be included if such uses are primarily for the benefit of the residential development and if it is approved as part of the overall development plan.
- 125.**Playground.** An active recreational area with a variety of facilities, including equipment for younger children as well as court and field games.
- 126.**Printing Shop/Publishing.** A commercial facility where documents are impressed with ink or similar substance resulting in a permanent copy of something.
- 127.**Professional Activities.** The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, and similar professions.
- 128.**Propane Storage Facility.** A facility where two thousand (2,000) gallons or more of liquefied petroleum gases are stored for the purpose of distribution or sale to others.
- 129.**Public Community Facility.** Any facility owned and operated by a governmental agency for use by the general public.
- 130.**Public Park.** Land owned by a governmental entity which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, open space, wilderness areas, or similar public land within the Township which is under the control, operation, or management of the Township, county, or state.

131.**Quarrying.** A place where rock, ore, stone, or similar materials are excavated for sale or for off-site use.

132.**Recreational Camp.** An area of land located, established, and maintained for occupancy by three (3) or more recreational vehicles as defined herein which are regularly accommodated with or without charge. No recreational vehicle within a camp shall be occupied on a permanent basis. Such camp shall include any building, structure, or fixture or equipment that is used or intended to be used in connection with providing such accommodations.

133.**Recreation Facility.** A place designed and equipped for the conduct of sports and leisure-time activities. Said facilities do not include: racetracks for animals or motorized vehicles, motocross, supermoto, ATV's, tractor pulls, mud-runs, demolition derby or other noise producing off-roading vehicles, amusement parks or firing ranges.

**A. Recreation Facility, Commercial.** A recreation facility operated as a business and open to the public for a fee.

**B. Recreation Facility, Private.** A recreation facility operated by a nonprofit organization and open only to bona fide members and guests of such nonprofit organization.

**C. Recreation Facility, Indoor. A Commercial or Private Recreation Facility that is operated inside of a completely enclosed structure or building.**

**D. Recreation Facility, Outdoor. A Commercial or Private Recreation Facility that is operated outside of a structure or building in the open air.**

134.**Recreational Vehicle.** Defined as and including the following:

**A. Travel Trailer** (including 5th wheels): A vehicular portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation, and vacation use and not exceeding thirty-five (35) feet in length.

**B. Truck Camper:** A structure designed primarily to be mounted on a truck and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation and vacation uses.

**C. Motor Home:** A portable dwelling designed and constructed as an integral part of a self-propelled vehicle which is more than

**Exhibit A: Trustee Res.# \_\_\_ - 2016**

- B. Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;
  - C. Masturbation, actual or simulated, or
  - D. Excretory functions as part of or in connection with any of the activities A-C above.
- 150.**Storage Area.** Any area, building, lot or facility designed, adapted, or used for the storage of more than three (3) boats, trailers, campers, recreational vehicles, boat trailers, and/or boat cradles for periods in excess of seven (7) consecutive days.
- 151.**Story.** That part of a building between the surface of the floor and the ceiling immediately above it.
- 152.**Street.** A public or improved private thoroughfare other than an alley. For the purpose of this Resolution, the word "street" shall include the words "road" and "highway".
- 153.**Structure.** Anything constructed, placed, or erected, the use of which requires location on the ground or attached to something on the ground.
- 154.**Substantial Progress.** Any construction, reconstruction, repair, or other improvement of a property, the cost of which equals or exceeds fifty (50) percent of the estimated total cost of such project, and completed within a specified time frame.
- 155.**Swimming Pool.** A permanent or semi-permanent structure, either above or below the surface of the ground, for the purpose of holding water for recreation or therapeutic purposes. This definition shall not apply to wading pools or other similar structures less than 18 inches in depth.
- 156.**Tavern/Night Club.** See Bar, Saloon, Tavern/Night Club.
- 157.**Telecommunication Tower.** "Wireless telecommunications facilities," "telecommunications site," and "personal wireless facility" are recognized as alternate terms. Any free-standing structure, or any structure to be attached to a building or other structure, that meets all of the following criteria.
- A. The freestanding or attached structure is proposed to be constructed on or after October 31, 1996.
  - B. The freestanding or attached structure is proposed to be owned or principally used by a public utility engaged in the provision of telecommunications services.
  - C. The freestanding or attached structure is proposed to be located in an unincorporated area of a township, in an area zoned for residential use.
  - D. The freestanding structure is proposed to top at a height that is greater than either the maximum allowable height of residential structures within the zoned area as set forth in the applicable zoning regulations, or the maximum allowable height of such a freestanding structure as set forth in any applicable zoning regulations in effect immediately prior to October 31, 1996, or as those regulations subsequently are amended.
  - E. The attached structure is proposed to top at a height that is greater than either the height of the building or other structure to which it is to be attached, or the maximum allowable height of such an attached structure as set forth in any applicable zoning regulations in effect immediately prior to October 31, 1996, or as those regulations subsequently are amended.
  - F. The freestanding or attached structure is proposed to have attached to it radio frequency transmission or reception equipment.
- 158.**Temporary Building/Structure/Use.** A building, structure, or use established for a fixed period of time with the intent to remove the building/structure or discontinue the use upon the expiration of the established time period. ~~Welcome centers, sales offices, information centers, etc. are included herein.~~
- 159.**Townhouse.** Same as Dwelling, Multi-Family.
- 160.**Trailer Camp.** Same as Recreational Camp
- 161.**Unnecessary Hardship.** When the zoning regulation, when viewing the property in the setting of its environment, is so unreasonable as to constitute an arbitrary and capricious interference with the basic right of private property.
- 162.**Use.** The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.
- 163.**Variance.** A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

# How to Use This Resolution

## 4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Resolution. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Permitted Use

C = Conditional Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	A	R-1	R-2	R-3	L	LBO	C-1	C-2	C-3	R-C	M-1	M-2	MHP
Accessory buildings and uses	P	P	P	P	P	P	P	P	P	P	P	P	P
Adult oriented sexual business									C				
Agriculture	P	P	P	P			P	P	P	P	P	P	
Airports	C						P C	C					
Automobile parts manufacturing and assembly												P	
Automotive repair								C P			P	P	
Automotive service stations							C P	P		P	P	P	
Automotive, manufactured home, recreational vehicle, and farm implement sales and service								P					
Bar, saloon, tavern/night club							P	C P		P			
Beaches, commercial swimming pools										P			
Bed and breakfast	C	C	C	C	C	C				C			
Building material storage yards, sales											P	P	
Cement or cinder block manufacturing												P	
Cemeteries	C P	P	P	P	P		P	P	P	P	P	P	
<b>Child Day-Care Centers</b>	C	C	C	C			P	P		P & C			
Churches or other places of worship	P	P	P	P	P	P	P	P					
Clubs	C							C		C			
Cluster housing communities			C	C									
Commercial amusement enterprises <del>which provide short-term entertainment such as arcades, game rooms, and the like</del>									P	C			
Commercial shipping and docking facilities												P	
Composting facility												P	
Continuing care retirement communities, <b>Nursing Homes</b>			C	C			C	C					
Contractors establishments including construction firms											P	P	

Exhibit A: Trustee Res.# \_\_\_ - 2016

Continued on next page

# How to Use This Resolution

Exhibit A: Trustee Res.# \_\_\_\_\_ - 2016

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Resolution. Uses below are generalized. Consult **Section 3.1** as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Permitted Use

C = Conditional Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	A	R-1	R-2	R-3	L	LBO	C-1	C-2	C-3	R-C	M-1	M-2	MHP
Drive-in restaurants								P					
Drive-in theaters								C	P				
Entertainment facility						P							
Fishing, private or commercial and related business										P			
Flea markets							C	C		C			
General businesses								P					
Golf courses	C									P			
Golf driving range and miniature golf						P		P		P			
Government buildings	P	P	P	P	P		P	P		P			
Grocery stores						P		P		P			
Historic sites	P	P	P	P	P	P	P	P		P			
Hobby bicycle, sign painting, plumbing, etc (designed to serve the day to day needs of the public)	-	-	-	-	-	-	P	-	-	-	-	-	-
Home occupations	C P	C P	C P	C P			C P	C P		C P			
Hospitals, nursing homes							C	C					
Hotel, motel						P		P		P			
Indoor theaters						P		P	P				
Industrial establishments manufacturing or assembling: small metal products, clothing, drugs and medicines, electrical equipment, glass products, furniture and wood products, the assembly of finished equipment											P	P	
Industrial parks											C P		
Kennels, Veterinary Clinic, Animal Hospital	C							C					
Landing strip	C						C	C					
Limited Home-Based Business	C	C	C	C			C	C		C			
Manufactured home park													P
Manufactured homes	P	P	P	P			P	P		P			
Marinas, boat launching, docking facilities										P			

Continued on next page

# How to Use This Resolution

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Resolution. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Permitted Use

C = Conditional Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	A	R-1	R-2	R-3	L	LBO	C-1	C-2	C-3	R-C	M-1	M-2	MHP
Mini-warehousing								P					
Multi-family including condominiums			C	C			C	C		C			
Neighborhood business <del>of local nature for the retail sale of food products within a building</del>						P	P			P			
Nurseries or greenhouses	P												
Nursery schools and child day-care centers	C	C	C	C	-	-	P	P	-	C	-	-	-
One-family dwellings	P	P	P	P	P	P	P	P		P			
Parking area, lot					P	P							
Personal services						P	P	P		P			
Printing shops - publishing								P					
Professional activities including doctors, dentist, attorney, etc.						P	P	P					
Propane storage facility											P		
Public community facilities										P			
Public parks and playgrounds	P	P	P	P			P	P		P			
Quarrying												P	
Recreation facility, <del>commercial outdoor</del>						P		<del>P</del> C		<del>P</del> C			
Recreation facility, <del>private indoor</del>						P		P		P			
Recreational businesses						P							
Recreational <del>vehicle park</del> Camp										C			
Resorts										C			
Restaurant						P	C	P		P			
Riding stable	P									P			
Roadside stands for the sale of agriculture and related products	P						P	P		P			
Rock crushers												P	
Schools, public and private	<del>P</del>	P	P	P	<del>P</del>	<del>P</del>	P	P		<del>P</del>			
Storage areas on property being used for boat sales and service and provided storage and maintenance is kept in an orderly fashion								P		<del>P</del>			

Continued on next page

# How to Use This Resolution

## 4. USE MATRIX (Continued)

Below is a reference table that summarizes the uses listed in the Resolution. Uses below are generalized. Consult **Section 3.1** as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in Section 3.1, the latter will control.

P = Permitted Use

C = Conditional Use



### Digital User Note:

Click on a district heading below to go directly to the corresponding district regulations.

	A	R-1	R-2	R-3	L	LBO	C-1	C-2	C-3	R-C	M-1	M-2	MHP
Storage areas, repair, and services provided maintenance is kept in an orderly fashion								P		P			
Telecommunication Towers		C	C	C									C
Temporary building/structure/use	P	C P	C P	C P			P	P		C P			
Two-family dwellings		C	C	P	C	C	C	C		C			
Wholesale business and warehousing activities											P	P	
Wholesale business where no processing, fabrication, or assembly takes place								P					
Wind Farm, Small	C											C	
Windmill, high impact											C	P	
Windmill, low impact	P	C					C	C					

*Article 3.0*  
*Zoning Districts*

# A Agricultural

Exhibit A: Trustee Res.# \_\_\_\_\_ - 2016

## A. INTENT

The purpose of the Agricultural district is to **accommodate low density single-family residential uses**, while preserving the agricultural or rural nature of those areas of Danbury Township so designated in the Land Use Plan, ~~but to permit very low density residential uses.~~



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>Ⓜ</sup>
- ii. One-family dwellings<sup>Ⓜ</sup> including **manufactured homes<sup>Ⓜ</sup> §4.1**
- iii. Roadside stands<sup>Ⓜ</sup>
- iv. Public parks<sup>Ⓜ</sup> and playgrounds
- v. Riding stable<sup>Ⓜ</sup>
- vi. Nurseries or greenhouses<sup>Ⓜ</sup>
- vii. Historic sites<sup>Ⓜ</sup>
- viii. Accessory buildings and uses<sup>Ⓜ</sup>
- ix. **Windmill, low impact<sup>Ⓜ</sup> §4.11** powered electric generator
- ~~x. Home Occupation<sup>Ⓜ</sup> §4.19~~
- ~~xi. Cemetery<sup>Ⓜ</sup>~~
- ~~xii. Churches or other places of worship<sup>Ⓜ</sup>~~
- ~~xiii. Government Buildings<sup>Ⓜ</sup> and uses~~
- ~~xiv. Temporary building/structure/use<sup>Ⓜ</sup> §4.21~~
- ~~xv. Schools<sup>Ⓜ</sup>, public or private~~

## C. CONDITIONAL USES

- i. Airport<sup>Ⓜ</sup>/**Helipad/Landing strip<sup>Ⓜ</sup> §4.15**
- ~~ii. Cemetery<sup>Ⓜ</sup>~~
- iii. Kennels<sup>Ⓜ</sup>
- iv. Veterinary clinic, animal hospital<sup>Ⓜ</sup>
- v. ~~Home occupation<sup>Ⓜ</sup>~~ **Limited Home-Based Business<sup>Ⓜ</sup> §4.19**
- ~~vi. Landing strip<sup>Ⓜ</sup>~~
- vii. **Bed and breakfast inn<sup>Ⓜ</sup> §4.5**
- viii. **Golf courses<sup>Ⓜ</sup> §4.8** (excluding driving ranges and miniature golf courses)
- ix. **Clubs<sup>Ⓜ</sup> §4.8**
- x. **Wind Farm, Small<sup>Ⓜ</sup> §4.13**
- ~~xi. Nursery school and Child Day-Care Centers<sup>Ⓜ</sup> §4.10~~
- ~~iv. Telecommunication Towers<sup>Ⓜ</sup> §4.14~~

## A. INTENT

The purpose of the Rural Residential district is to accommodate low density single and two family residential uses in areas not served by both a community water supply<sup>☐</sup> and community sanitary sewage treatment system<sup>☐</sup>.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>☐</sup>
- ii. One-family dwellings<sup>☐</sup> including **manufactured home<sup>☐</sup> §4.1**
- iii. Public parks<sup>☐</sup> and playgrounds
- iv. Churches or other places of worship<sup>☐</sup>
- v. Schools<sup>☐</sup>, public and private
- vi. Historic sites<sup>☐</sup>
- vii. Accessory buildings and uses<sup>☐</sup>
- viii. Home Occupation<sup>☐</sup> §4.19**
- xi. Cemetery<sup>☐</sup>**
- x. Government Buildings<sup>☐</sup> and uses**
- xi. Temporary building/structure/use<sup>☐</sup> §4.21**

## C. CONDITIONAL USES

- i. Two-family dwelling<sup>☐</sup>
- ii. ~~Home occupation<sup>☐</sup>~~ **Limited Home-Based Business<sup>☐</sup> §4.19**
- iii. **Bed and breakfast inn<sup>☐</sup> §4.5**
- iv. ~~Temporary building/structure/use<sup>☐</sup>~~
- iv. **Windmill, low impact<sup>☐</sup> §4.11**
- v. ~~Nursery school and~~ **Child Day-Care Centers<sup>☐</sup> §4.10**
- vi. **Telecommunication Towers<sup>☐</sup> §4.14**

## A. INTENT

The purpose of the Suburban Residential district is to accommodate medium density single and two family residential uses in areas served either by a community water supply<sup>☐</sup> or a community sanitary sewage treatment system<sup>☐</sup> or both.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>☐</sup>
- ii. One-family dwellings<sup>☐</sup> including **manufactured homes**<sup>☐</sup> §4.1
- iii. Public parks<sup>☐</sup> and playgrounds
- iv. Churches or other places of worship<sup>☐</sup>
- v. Schools<sup>☐</sup>, public and private
- vi. Historic sites<sup>☐</sup>
- vii. Accessory buildings and uses<sup>☐</sup>
- viii. Home Occupation**<sup>☐</sup> §4.19
- xi. Cemetery**<sup>☐</sup>
- x. Government Buildings**<sup>☐</sup> and uses
- xi. Temporary building/structure/use**<sup>☐</sup> §4.21

## C. CONDITIONAL USES

- i. Two-family<sup>☐</sup> and **multi-family dwellings**<sup>☐</sup> including **condominiums**<sup>☐</sup> §4.3
- ii. ~~Home occupation~~<sup>☐</sup> **Limited Home-Based Business**<sup>☐</sup> §4.19
- iii. **Bed and breakfast inn**<sup>☐</sup> §4.5
- iv. ~~Temporary building/structure/use~~<sup>☐</sup>
- v. **Nursing home**<sup>☐</sup> and **Continuing care retirement community**<sup>☐</sup> §4.6
- vi. **Cluster housing community**<sup>☐</sup> §4.7
- vii. ~~Nursery school~~ and **Child Day-Care Centers**<sup>☐</sup> §4.10
- viii. **Telecommunication Towers**<sup>☐</sup> §4.14

## A. INTENT

The purpose of the High Density Residential district is to accommodate high density single, two, and multi-family residential uses in areas served by a community water supply<sup>☐</sup> and a community sanitary sewage treatment system<sup>☐</sup>.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>☐</sup>
- ii. One-family dwellings<sup>☐</sup> including **manufactured homes<sup>☐</sup> §4.1**
- iii. Two-family dwellings<sup>☐</sup>
- iv. Public parks<sup>☐</sup> and playgrounds<sup>☐</sup>
- v. Churches or other places of worship<sup>☐</sup>
- vi. Schools<sup>☐</sup>, public and private
- vii. Historic sites<sup>☐</sup>
- viii. Accessory buildings and uses<sup>☐</sup>
- ix. Home Occupation<sup>☐</sup> §4.19**
- x. Cemetery<sup>☐</sup>**
- xi. Government Buildings<sup>☐</sup> and uses**
- xii. Temporary building/structure/use<sup>☐</sup> §4.21**

## C. CONDITIONAL USES

- i. **Multi-family dwellings<sup>☐</sup> including condominiums<sup>☐</sup> §4.3**
- ii. ~~Home occupation<sup>☐</sup>~~ **Limited Home-Based Business<sup>☐</sup> §4.19**
- iii. **Bed and breakfast inn<sup>☐</sup> §4.5**
- iv. ~~Temporary building/structure/use<sup>☐</sup>~~
- v. **Nursing home<sup>☐</sup> and Continuing care retirement community<sup>☐</sup> §4.6**
- vi. **Cluster housing community<sup>☐</sup> §4.7**
- vii. ~~Nursery school and~~ **Child Day-Care Centers<sup>☐</sup> §4.10**
- viii. **Telecommunication Towers<sup>☐</sup> §4.14**

## A. INTENT

The creation of the Lakeside district recognized the unique situation within the property owned by "The Lakeside Association" and is designed to accommodate the mix of residential, recreational, educational, and commercial uses therein. The Lakeside Historic District is listed on the National Register of Historic Places. Aside from zoning regulations stated in this Resolution, other design regulations may be enforced by the Lakeside Association through its Historic Preservation and Design Review Board.

## B. PERMITTED USES

- i. One-family dwellings<sup>Ⓜ</sup>
- ii. Parking area, lot
- iii. Accessory buildings and uses<sup>Ⓜ</sup>
- iv. **Attached Garages §3.6**
- v. Churches or other places of worship<sup>Ⓜ</sup>
- vi. Government Buildings<sup>Ⓜ</sup> and uses
- vii. Historic sites<sup>Ⓜ</sup>
- xxii. Schools<sup>Ⓜ</sup>, public or private

## C. CONDITIONAL USES

- i. Two-family dwellings<sup>Ⓜ</sup>
- ii. **Bed and breakfast<sup>Ⓜ</sup> inn §4.5**

## 3.1.6 LBO Lakeside Business Overlay District

### A. INTENT

The purpose of the LBO Lakeside Business Overlay District is to provide for retail sales, food services or other services involving an office or places of business frequented by clients or customers and is designed to accommodate the mix of residential, recreational, educational, and commercial uses therein.

Where the property is classified in an overlay district (i.e. Lakeside Business Overlay District) as well as a general use district then the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying district. In the event of an express conflict between the standards set forth in the underlying district and the standards set forth in the overlay district, the standards set forth in the overlay district shall control.

The district shall be comprised of the following areas of the Lakeside Subdivision plat: Blocks 11, 12, 19, 20, 22; lots 10,11 and 12 of Block 33; lots 1 and 9 of Block 18; and that area of the plat designated as Hotel, Central Auditorium and the area between Sycamore Ave., Kenton Row and the lakefront designated as Park.

### B. PERMITTED USES

- i. Business, neighborhood<sup>□</sup>
- ii. Business, recreational<sup>□</sup>
- iii. Grocery store<sup>□</sup>
- iv. Hotel/motel<sup>□</sup>
- v. Indoor theatres<sup>□</sup>
- vi. Miniature golf<sup>□</sup>
- vii. One-family dwellings<sup>□</sup>
- viii. Parking area, lot
- ix. Personal services
- x. Professional activities<sup>□</sup>
- xi. Restaurant<sup>□</sup>
- xii. Recreation Facility, Commercial<sup>□</sup>
- xiii. Recreation Facility, Private<sup>□</sup>
- xiv. Entertainment Facility<sup>□</sup>
- xv. Accessory buildings and uses<sup>□</sup>
- xvi. **Attached Garages §3.6**
- xvii. Churches or other places of worship<sup>□</sup>**
- xviii. Government Buildings<sup>□</sup> and uses**
- xix. Historic sites<sup>□</sup>**
- xxii. Schools<sup>□</sup>, public or private**

### C. CONDITIONAL USES

- i. Two-family dwellings<sup>□</sup>
- ii. Bed and breakfast<sup>□</sup> inn

# C-1 Limited Commercial

Exhibit A: Trustee Res.# \_\_\_\_\_ - 2016

## A. INTENT

The purpose of the Limited Commercial district to provide for commercial uses that are of a local or neighborhood-oriented nature in close proximity to residential areas and are appropriate in meeting day-to-day shopping and service needs.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>☐</sup>
- ii. One-family dwellings<sup>☐</sup> including **manufactured homes<sup>☐</sup> §4.1**
- iii. Roadside stands<sup>☐</sup> for the sale of agriculture and related products
- ~~iv. Neighborhood business<sup>☐</sup> of local nature for the retail sale of food products in an enclosed building~~
- ~~v. Shops designed to serve the day-to-day needs of the public including, but not limited to, hobby, bicycle, sign painting, plumbing, etc. if conducted within an enclosed building.~~
- vi. Professional activities including doctors, dentists, attorneys, etc.
- vii. Personal services<sup>☐</sup>
- viii. Schools<sup>☐</sup>, public or private, ~~including nursery schools<sup>☐</sup> and child day care centers<sup>☐</sup>~~
- ix. Churches or other places of worship<sup>☐</sup>
- x. Public parks<sup>☐</sup> and playgrounds
- xi. Government buildings<sup>☐</sup> and uses
- xii. Accessory buildings and uses<sup>☐</sup>
- xiii. Automotive service stations<sup>☐</sup>**
- xiv. Restaurant<sup>☐</sup>**
- xv. Home Occupation<sup>☐</sup> §4.19**
- xvi. Cemetery<sup>☐</sup>**
- xvii. Bar, saloon, tavern/night club<sup>☐</sup>**
- xviii. Temporary building/structure/use<sup>☐</sup> §4.21**
- xix. Historic sites<sup>☐</sup>**
- xx. Child Day Care Centers<sup>☐</sup> §4.10**

## C. CONDITIONAL USES

- ~~i. Restaurant<sup>☐</sup>~~
- ii. ~~Home occupation<sup>☐</sup>~~ **Limited Home-Based Business<sup>☐</sup> §4.19**
- iii. Two-family<sup>☐</sup> and **multi-family dwellings<sup>☐</sup>** including **condominiums<sup>☐</sup> §4.3**
- iv. Hospital<sup>☐</sup>
- v. Nursing home<sup>☐</sup> and **Continuing care retirement community<sup>☐</sup> §4.6**
- vi. Flea markets<sup>☐</sup>
- vii. Windmill, low impact<sup>☐</sup> §4.11**  
Automotive service stations<sup>☐</sup>
- viii. Airport<sup>☐</sup>/Helipad/Landing strip<sup>☐</sup> §4.15**

## A. INTENT

The purpose of the General Commercial district is to promote the development of those commercial uses which tend to serve the larger community.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>☐</sup>
- ii. One-family dwellings<sup>☐</sup> including **manufactured homes** <sup>☐</sup> §4.1
- iii. Roadside stands<sup>☐</sup> for the sale of agriculture and related products
- iv. Churches<sup>☐</sup> or other places of worship
- v. Schools<sup>☐</sup>, public or private including nursery schools<sup>☐</sup> and child day care centers<sup>☐</sup>
- vi. Public parks<sup>☐</sup> and playgrounds
- vii. Government buildings<sup>☐</sup> and uses
- viii. General businesses<sup>☐</sup>
- ix. Professional activities including doctors, dentists, attorneys, etc
- x. Restaurants<sup>☐</sup> including drive-in restaurants.
- xi. Indoor theaters<sup>☐</sup>
- xii. Automotive **repair** <sup>☐</sup> & service stations<sup>☐</sup>
- xiii. Automotive, manufactured home, recreational vehicle, and farm implement sales and service <sup>☐</sup>
- xiv. Mini-warehousing<sup>☐</sup>
- xv. Hotel, motel<sup>☐</sup>
- xvi. Wholesale business<sup>☐</sup> where no processing, fabrication, or assembly takes place
- xvii. Printing shops - publishing<sup>☐</sup>
- xviii. Storage areas <sup>☐</sup> on property being used for boat sales and service and provided storage and maintenance is kept in an orderly fashion
- xix. Accessory buildings and uses<sup>☐</sup>
- xx. Grocery stores
- xxi. Personal services<sup>☐</sup>
- xxii. Recreation facility, ~~commercial~~ **indoor**<sup>☐</sup>
- xxiii. Recreation facility, private<sup>☐</sup>
- xxiv. Bar, saloon, tavern/night club**<sup>☐</sup>
- xxv. Cemetery**<sup>☐</sup>
- xxvi. Golf Driving Range**<sup>☐</sup> & Miniature golf<sup>☐</sup>
- xxvii. Historic sites**<sup>☐</sup>
- xxviii. Home Occupation**<sup>☐</sup> §4.19
- xxix. Temporary building/structure/use**<sup>☐</sup> §4.21
- xxx. Child Day Care Centers**<sup>☐</sup> §4.10

## C. CONDITIONAL USES

- i. Two<sup>☐</sup> and **multi-family dwellings**<sup>☐</sup> including **condominiums**<sup>☐</sup> §4.3
- ii. Kennels<sup>☐</sup>
- iii. Veterinary clinic, animal hospital<sup>☐</sup>
- iv. Hospital<sup>☐</sup>
- v. Nursing home<sup>☐</sup> and **Continuing care retirement community**<sup>☐</sup> §4.6
- vi. ~~Home occupation~~<sup>☐</sup> **Limited Home-Based Business**<sup>☐</sup> §4.19
- vii. Flea markets<sup>☐</sup>
- ~~viii. Automotive repair~~<sup>☐</sup>
- ~~ix. Bar, saloon, tavern/night club~~<sup>☐</sup>
- x. **Clubs**<sup>☐</sup> §4.8
- xi. Drive-in theaters<sup>☐</sup>
- xii. **Windmill, low impact**<sup>☐</sup> §4.11
- viii. Airport**<sup>☐</sup>/**Helipad/Landing strip**<sup>☐</sup> §4.15
- ix. Recreational facility, outdoor**<sup>☐</sup> §4.20

# C-3 Entertainment Commercial

Exhibit A: Trustee Res.# \_\_\_\_ - 2016

## A. INTENT

The purpose of the Entertainment Commercial district is to provide areas for development of entertainment activities for the Township.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture <sup>☞</sup>
- ii. Drive-in theaters <sup>☞</sup>
- ~~iii. Commercial amusement enterprises <sup>☞</sup>~~
- iv. Indoor theaters <sup>☞</sup>
- v. Accessory buildings and uses <sup>☞</sup>

## C. CONDITIONAL USES

- i. **Adult oriented sexual businesses** <sup>☞</sup> §4.9

## A. INTENT

The purpose of the Recreational Commercial district is to provide for the development of commercial activities related to the recreational nature of the area.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>□</sup>
- ii. One-family dwellings<sup>□</sup> including **manufactured homes<sup>□</sup> §4.1**
- iii. Roadside stands<sup>□</sup> for the sale of agricultural and related products
- iv. Public parks<sup>□</sup> and playgrounds
- v. Hotels, motels<sup>□</sup>
- vi. Marinas<sup>□</sup>, boat launching, docking facilities
- vii. Storage areas<sup>□</sup>, repair, services and sales provided maintenance is kept in an orderly fashion
- viii. Beaches<sup>□</sup>, commercial swimming pools<sup>□</sup>
- ix. Grocery stores<sup>□</sup>
- x. Automotive service stations<sup>□</sup>
- xi. Fishing, private or commercial and related businesses<sup>□</sup>
- xii. Golf driving range<sup>□</sup>, miniature golf,<sup>□</sup> golf courses<sup>□</sup>
- xiii. Riding stables<sup>□</sup>
- xiv. Public community facilities<sup>□</sup>
- xv. Restaurants<sup>□</sup>
- xvi. Neighborhood businesses<sup>□</sup>
- xvii. Historic sites<sup>□</sup>
- xviii. Accessory buildings and uses<sup>□</sup>
- xix. Personal Services<sup>□</sup>
- xx. Recreation Facility, commercial<sup>□</sup> **or private<sup>□</sup>**
- ~~xxi. Recreation facility, private<sup>□</sup>~~
- xxi. Recreation Facility, Indoor**
- xxii. Bar, saloon, tavern/night club<sup>□</sup>**
- xxiii. Cemetery<sup>□</sup>**
- xxiv. Government Buildings<sup>□</sup> and uses**
- xxv. Home Occupation<sup>□</sup> §4.19**
- xxvi. Temporary building/structure/use<sup>□</sup> §4.21**
- xxvii. Schools<sup>□</sup>, public or private**
- xxviii. Child Day Care Centers<sup>□</sup> (in Non-Residential Neighborhood or subdivision) §4.10**

## C. CONDITIONAL USES

- i. Flea markets<sup>□</sup> **§4.18**
- ii. Recreational Camp<sup>□</sup> **§4.2**
- iii. Two<sup>□</sup> and **multi-family dwellings<sup>□</sup> including condominiums<sup>□</sup> §4.3**
- iv. ~~Home occupation<sup>□</sup>~~ **Limited Home-Based Business<sup>□</sup> §4.19**
- v. **Resort<sup>□</sup> §4.4**
- vi. **Clubs<sup>□</sup> §4.8**
- ~~vii. Commercial amusement enterprises<sup>□</sup> §4.16~~
- viii. **Bed and breakfast inn<sup>□</sup> §4.5**
- ~~ix. Temporary building/structure/use<sup>□</sup>~~
- x. ~~Nursery school and~~ **Child Day-Care Centers<sup>□</sup> (in Residential Neighborhood & Subdivisions) §4.10**
- xi. **Recreation Facility, Outdoor §4.20**

# M-1 Light Manufacturing

## A. INTENT

The purpose of the Light Manufacturing district is to accommodate the development of limited manufacturing enterprises.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>☐</sup>
- ii. Automotive service stations<sup>☐</sup>
- iii. Building material sales, storage yards<sup>☐</sup>
- iv. Contractors establishments<sup>☐</sup> including construction firms
- v. Industrial establishments manufacturing or assembling the following:
  - a. small metal products;
  - b. clothing;
  - c. drugs and medicines;
  - d. electrical equipment;
  - e. glass products;
  - f. furniture and wood products;
  - g. the assembly of finished equipment.
- vi. Wholesale business<sup>☐</sup> and warehousing<sup>☐</sup> activities
- vii. Propane storage facility<sup>☐</sup>
- viii. Accessory buildings and uses<sup>☐</sup>
- ix. Automotive repair<sup>☐</sup>
- x. Cemetery<sup>☐</sup>
- xi. Industrial parks<sup>☐</sup>

## C. CONDITIONAL USES

- ~~i. Industrial parks<sup>☐</sup>~~
- ii. Windmill, high impact<sup>☐</sup> §4.12**
- iii. Windmill, low impact<sup>☐</sup> §4.11**

## A. INTENT

The purpose of the Heavy Manufacturing district is to provide for the development of heavy manufacturing enterprises which may potentially generate a high nuisance level.



**User Note:** For uses listed in **bold blue**, refer to Article 4 for use-specific standards

## B. PERMITTED USES

- i. Agriculture<sup>Ⓜ</sup>
- ii. Automotive service stations<sup>Ⓜ</sup>
- iii. Building material sales, storage yards<sup>Ⓜ</sup>
- iv. Contractor establishments<sup>Ⓜ</sup> including construction firms
- v. Industrial establishments manufacturing or assembling the following:
  - a. small metal products;
  - b. clothing;
  - c. drugs and medicines;
  - d. electrical equipment;
  - e. glass products;
  - f. furniture and wood products; and
  - g. the assembly of finished equipment
- vii. Wholesale business<sup>Ⓜ</sup> and warehousing<sup>Ⓜ</sup> activities.
- viii. Cement or cinder block manufacturing
- ix. Automobile parts manufacturing and assembly
- x. Quarrying<sup>Ⓜ</sup>
- xi. Rock crushers<sup>Ⓜ</sup>
- xii. Commercial shipping and docking facilities
- xiii. Composting facility<sup>Ⓜ</sup>
- xiv. Accessory buildings and uses<sup>Ⓜ</sup>
- xv. **Windmill, high impact<sup>Ⓜ</sup> §4.12** powered electric generator
- xvi. Automotive repair<sup>Ⓜ</sup>
- xvii. **Windmill, low impact<sup>Ⓜ</sup> §4.11**
- xviii. Cemetery<sup>Ⓜ</sup>**

## C. CONDITIONAL USES

- i. **Wind Farm, Small<sup>Ⓜ</sup> §4.13**

parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, stacks, stage towers or scenery lofts, and necessary mechanical appurtenances shall be permitted to exceed the maximum height provision when erected in accordance with all other laws. Windmills, as herein defined, shall comply with the requirements as listed in **Article 4, Section 4.10 and Section 4.11.**

3. No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the yard and lot area regulations of the district in which the building is located unless otherwise specified herein.
4. No building shall be erected, or structurally altered except in conformity with the off-street parking and loading regulations of the district in which such building is located unless otherwise specified herein.
5. The minimum yard, parking space, and other spaces, including lot area per family, required by this Resolution for any building hereafter erected or structurally altered, shall not be encroached upon or considered as parking area or open space or lot area requirement for any other building, nor shall any lot area be reduced beyond the district requirements of this Resolution, including setback requirements.
6. No lot shall hereafter be reduced or divided so as to provide less than the minimum lot size required in the district in which such land is situated. Contiguous lots held under single ownership may be considered to be one lot for the purposes of these regulations unless said lots are part of a recorded subdivision.
7. Any lot of record at the time of the adoption of this Resolution may be used for a single family dwelling. Any lot of record that can comply with the required setback requirements of the district in which it is located shall be required to do so. However, on such lots in all districts where compliance with required district setbacks can not occur, the following setbacks shall be maintained unless a variance is granted by the Board of Zoning Appeals:

Required Setbacks	
Yard	Minimum Depth
Front	20 ft.
Rear	5 ft
Side	5 ft

8. Additions to existing buildings on pre-existing lots shall also be required to meet the setbacks described above. For pre-existing corner lots, the minimum front yard depth as described above shall be met for both front yards. For lots that use the waters of Lake Erie as their front yard, the minimum rear yard depth from the road shall be twenty (20) feet.
9. Every residential building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one (1) residential building on one (1) lot except as specifically provided hereafter.
10. Uses other than those specifically mentioned herein shall be prohibited, unless provided that in the judgment of the Board of Zoning Appeals such other uses are of similar character to those mentioned and will have no more adverse influence on adjacent properties or the neighborhood or community than the uses specifically mentioned and are consistent with the intent and purpose of the zoning resolution and the district and the required use variance is granted.
11. For residential uses, all building and structures must conform to the requirements of either the Ohio Basic Building Code or the Manufactured Housing Construction and Safety Standards Act of 1974. For manufactured homes, the standards in **Section 4.1** of the Danbury Township Zoning Resolution shall also be met.
- 12.** For non-residential uses, only buildings and structures that conform to the Ohio Basic Building Code may be occupied for commercial and industrial purposes.

~~Any structure designed or intended to be used for temporary residential use, for transporting materials on the highway, or for the temporary sale of food, drink, food products, and any other products or services shall not be located in the township. The exception is where these vehicles are allowed as a part of an approved temporary amusement/philanthropic event or activity such as a flea market, carnival, festival etc. or where such concessions are permitted by zoning regulations and/or variances and conditional uses.~~

*Article 4.0*  
*Use Standards*

## Article 4.0 Use Standards

- 4.1 Manufactured Homes
- 4.2 Recreational Camp
- 4.3 Condominium/Multi-Family Housing Development
- 4.4 Resort
- 4.5 Bed and Breakfast Inn
- 4.6 Continuing Care Retirement Community
- 4.7 Cluster Housing Community
- 4.8 Clubs, Private and Public, Golf and Country Clubs, and Lodges Operated by Educational, Social or Fraternal Organizations
- 4.9 Conditions for Operation of a Sexually Oriented Adult Business
- 4.10 Child Day Care Center
- 4.11 Windmill, Low Impact
- 4.12 Windmill, High Impact
- 4.13 Wind Farm, Small
- 4.14 Telecommunication Towers
- 4.15 Airports & Landing Strips**
- 4.16 Commercial Amusement Enterprises**
- 4.17 Drive-in Theaters**
- 4.18 Flea Markets**
- 4.19 Home Occupations & Limited Home Based Business**
- 4.20 Outdoor Recreational Facilities**
- 4.21 Temporary Structures**
- 4.22 Hospitals**

# 4.0 Use Standards

## A. INTENT

**(MOVED FROM ART. 6)** It is recognized that an increasing number of new kinds of uses are appearing daily and that experience with some of the more conventional uses call for a more flexible procedure so that these uses might be accommodated in the Township. Due to the peculiar nature of some uses, it is felt that each use should be given more detailed consideration as it relates to location, design, size, method of operation, traffic movements, concentration of population, and the kinds of public facilities and services it requires. **This Article outlines the additional standards some permitted uses listed in Article 3 must follow in order to be approved administratively. Conditional Uses listed in Article 3 must also following these standards, but are subject to review by the Board of Zoning Appeals in accordance with Article 6 & 7.**

### 4.1 MANUFACTURED HOMES<sup>24</sup>

Manufactured homes shall be regarded as one-family dwellings if the following conditions are met:

1. The axles and wheels must be removed and the tongue removed or covered with a material similar to the exterior siding of the home.
2. The exterior siding of the unit and any attachments thereto must be residential in appearance, consist of materials customarily used on conventional dwellings constructed on site, and extend to the top of the foundation.
3. The home must be placed on a permanent foundation consisting of a footer or series of piers to the frost line and structurally designed and approved by the County's Building Department. The design of the foundation must qualify it for real property taxation.
4. The roof must consist of shingles or other materials customarily used for conventional dwellings constructed on site.
5. The minimum building width for a manufactured home shall be twenty (20) feet for a minimum depth of twenty (20) feet; and
6. The replacement of a manufactured home previously located on a lot shall be required to comply with all of the above conditions.

### 4.2 RECREATIONAL CAMP<sup>24</sup>

1. An application for a conditional use must be filed with the Board of Zoning Appeals including the plans for the proposed camp and a fee as established by the Board of Township Trustees.
2. **Camp Requirements:** All camps shall meet the following requirements:
  - i. Size - Minimum of 10 acres.
  - ii. Width and Depth - Minimum width of 200 feet; ratio of width to depth shall not exceed one to five (1:5).

- iii. Yard - Minimum required front yard of 70 feet; minimum required side yards of 45 feet each side; minimum required rear yard of 60 feet. If either side yard abuts a public or private right-of-way, the minimum required yard shall be 55 feet. The first 20 feet of each required yard setback shall be composed of a green planting strip (buffer zone).
- iv. Access - Shall be provided into the camp with a minimum right-of way of 50 feet. Marginal access roads may be required if deemed necessary by the Board of Zoning Appeals.
- v. Streets - Shall have a minimum right-of-way of 20 feet; all streets shall be all-weather roads. Streets may be placed within the yard setback but not within the buffer zone.
- vi. Recreation and Open Space - 25 percent of the gross camp area shall be reserved for such uses excluding yards, camp sites, buffer zones, submerged lands, and streets.

3. **Site Requirements:** Individual sites within the camp shall meet the following requirements
  - A. Site Area - Minimum of 1,200 square feet per site.
  - B. Site Width - Minimum of 30 feet and should front on road.
  - C. Site Setbacks - Minimum of 8 feet on all boundaries for all trailers, tents, etc.
  - D. Corner Markers - All 4 corners of each site shall be appropriately marked as approved by the Board of Zoning Appeals.
4. **Camp Utilities and Services.** Such improvements shall be provided as required by the Ohio Administrative Code 3701-25-51 to 3701-25-75 as amended.

- K. **Alternate Vehicle Storage.** An area or building shall be set aside for the storage of bicycles, mopeds, snowmobiles, and other alternate vehicles excluding boats. If located outside a building, such area shall be properly screened and maintained.
- L. **Streets.** Streets and driveways on the site will be adequate to serve the residents and suitable to accommodate the anticipated traffic within and through the development including access by emergency and fire vehicles. The applicant shall submit a parking and traffic circulation plan to the Board of Zoning Appeals for approval. The design, location and surface of the parking area and vehicular approaches shall be subject to approval by the Board of Zoning Appeals so as to reduce traffic congestion and promote pedestrian and vehicular safety.

**4.4 RESORT**

The following requirements shall be met:

- 1. **Setbacks.** There shall be a required front yard setback of ~~fifty five (55')~~ feet, a required side yard of ~~forty five (45')~~ feet, and a required rear yard setback of ~~fifty five (55')~~ feet. The setback area to be totally open except for plantings and trees.
- 2. **Parking.** Each unit used for lodging purposes shall be provided with two (2) parking spaces. Other uses shall meet the requirements of Article 5, **Section 5.2 and** Section 5.3.
- 3. **Density.** The maximum number of cabins, cottages, recreational vehicles and the like per acre for the resort shall not exceed five (5).
- 4. **Open Space.** Twenty-five (25%) percent of the gross land area involved in the resort shall be set aside as open space. Yards, submerged land, and streets shall not be included.
- 5. **Minimum Acreage.** A minimum of ~~five (5)~~ acres shall be included in each resort.
- 6. **Development.** The resort may be developed using a variety of housing types intended for transients. Maximum building height shall be ~~thirty five (35')~~ feet and each cottage/cabin must contain 600 square feet of ground floor area for the first floor.
- 7. **Building Separation.** Buildings designed for living purposes shall be separated from each other by a minimum distance of ~~twenty (20')~~ feet. This measurement shall be from the

nearest point of one building to the nearest point of the adjacent building.

**4.5 BED AND BREAKFAST INN**

The following conditions shall be met for all Bed and Breakfast Inns in addition to those identified in its definition in Article 2.

- 1. The Inn must be owner occupied; it must be the principal residence of the owner and 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.
- 4. Each room rented shall contain a minimum of ~~one hundred (100)~~ square feet. No rented room shall have an independent outside entrance, but emergency fire exits are permitted.
- 5. No use of an accessory building for rental rooms or the owner's residence will be allowed.
- 6. No cooking facilities of any type shall be permitted in the rented rooms.
- 7. A minimum of one (1) on-site parking space per room offered for rent and two (2) spaces for the owner shall be required.
- 8. The outside appearance of the dwelling shall remain residential in appearance, including any additions thereto.
- 9. One (1) sign not exceeding ~~four (4)~~ square feet in area shall be permitted identifying the dwelling as a Bed and Breakfast Inn.

**4.6 CONTINUING CARE RETIREMENT COMMUNITY**

- 1. An application for a conditional use must be filed with the Board of Zoning Appeals including plan for the proposed continuing care retirement community and a fee as established by the Board of Township Trustees.
- 2. **Continuing Care Retirement Community Requirements:**
  - A. **Setbacks.** There shall be a required front yard setback of ~~fifty (50')~~ feet, a required side yard setback of ~~forty (40')~~ feet, and a required rear yard setback of ~~forty (40')~~ feet.
  - B. **Parking.** One (1) parking space for each dwelling unit and for each three (3) beds in nursing home facilities, and one (1) parking space for each ~~eight hundred~~

**Exhibit A: Trustee Res.# \_\_\_- 2016**

- J. A vicinity map showing the location of the property in relation to existing streets and roadways.
- 11. **Final Site Development Plans.** After the preliminary site plans have been approved, the final site development plans may be submitted for approval. The final site development plans shall be prepared and sealed by a professional engineer registered in the State of Ohio. The final site development plans shall contain the following:
  - A. All of the items required on the preliminary site plans and all additional criteria, amendments, and revisions required by the Board of Zoning Appeals drafted in the form of construction drawings. Construction drawings for site improvements shall include detailed sanitary sewer, waterline, storm drainage and roadway plans, and a site grading plan.
  - B. A staged development plan if applicable.
- 12. **Staged Developments.** Developments larger than ~~six (6)~~ acres may be constructed in stages. A stage shall be at least ~~three (3)~~ acres in size. Each stage shall be submitted for approval and shall contain all the requirements listed herein.
- 13. **Amendments.** Amendments to the final plans may be sought by the applicant in accordance with the procedures required by this article for the original approval subject to the same limitations and requirements as those under which final plans were originally approved.
- 14. **Time Limitations.** Approval by the Board of Zoning Appeals shall expire after a period of one (1) year from the date of approval of the final plans, for the entire site or any particular stage, whichever is applicable.
- 15. Approval by the Danbury Township Board of Zoning Appeals for a cluster housing community has no impact upon Ottawa County's review of the proposed development. The requirements of the Ottawa County Subdivision Regulations shall be met, if appropriate. Prior to finalizing any conditional use action, this review and approval by Ottawa Regional Planning must be obtained.

**4.8 CLUBS<sup>♠</sup>, PRIVATE AND PUBLIC, GOLF<sup>♠</sup> AND COUNTRY CLUBS, AND LODGES OPERATED BY EDUCATIONAL, SOCIAL OR FRATERNAL ORGANIZATIONS**

- 1. An application for a conditional use must be filed with the Board of Zoning Appeals including the plans for the proposed club. A fee as established by the Board of Township Trustees shall be paid at the time application is submitted.
- 2. **Club Requirements are as follows:**
  - A. Adequate lot areas shall be provided for the use contemplated in order to meet all of the requirements of the regulations herein.
  - B. Minimum setback lines for building purposes shall comply with the district in which it is located. However, the distance from the center and centerline of all greens and fairways shall be at least ~~one hundred fifty (150') feet~~ from an adjoining property line. ~~When~~ Any softball, baseball, soccer or football field, tennis court, structured play area shall be 45' from an adjoining residential property. ~~or~~ All parking areas, including access lanes shall be setback 20' from any property line. ~~is located less than one hundred fifty (150') feet from any residential property, a continuous planting screen not less than six (6') feet in height shall be provided.~~
  - C. Parking shall be provided as required in Article 5, Section 5.2.
  - D. Accessory uses necessary to the operation of such use, such as clubhouses, restaurants, bars, swimming pools and similar activities, shall be permitted, provided, however, such uses are accessory uses to the club and not the principal use.

**4.9 CONDITIONS FOR THE OPERATION OF A SEXUALLY ORIENTED ADULT BUSINESS<sup>♠</sup>**

- 1. This requirement establishes reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the Township. This requirement has neither the purpose or effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this requirement

**Exhibit A: Trustee Res.# \_\_\_ - 2016**

- A. Sexually oriented business uses shall be located at least ~~five hundred (500')~~ feet from any church, child day care center, library, public park, public or private school, social service facility, neighborhood center, or amusement arcade.
- B. Sexually oriented business uses shall be located at least five hundred (500') feet from any boundary of any residential district in an abutting local unit of government.
- C. Sexually oriented business uses shall be located at least ~~one thousand five hundred (1,500')~~ feet from any other adult entertainment uses.
- D. Adult entertainment uses shall be located at least ~~two hundred (200')~~ feet from a bar, tavern, or other business serving or selling liquor, beer, wine, or other alcoholic beverages.

**4.10 CHILD DAY CARE CENTER**

The following conditions shall be met for **Child Day Care Centers** in the ~~A, R-1, R-2, R-3 and R-C Districts~~:

- 1. An application for a conditional use must be filed in the A, R-1, R-2, R-3 and within residential neighborhoods or recorded subdivisions of the R-C zoning districts, with the Board of Zoning Appeals including a site plan and a fee as established by the Board of Township Trustees.
  - A. A ~~nursery school or child day care center~~ in the R-C district, ~~and that is not located~~ in a residential neighborhood or recorded subdivision, is not required to be operated as a ~~home occupation~~ limited home-based business, ~~provided or be approved by~~ the Board of Zoning Appeals ~~approves it as a Conditional Use~~, but all other applicable requirements herein shall be and ~~conditions 3.A & 3.B above are satisfied~~.
- 2. The building in which a child day care center is established, if including a Type A or Type B home daycare, shall be residential in character.
- 3. Any child day care center ~~in districts other than the R-C, shall be operated as a~~ Type A or Type B home daycare home occupation and shall meet the requirements of a ~~home occupation~~ limited home-based business as defined in Chapter 2, listed in Section 4.19 with the exception of the floor area.

- A ~~4.~~ Any toys or outdoor play equipment shall be kept in an orderly fashion.
- B ~~5.~~ Outdoor play yards shall only be permitted in the side or rear yards and follow the Accessory Building setbacks established in Section 5.1
- ~~5. A nursery school or child day care center in the R-C district, and not in a residential neighborhood or recorded subdivision, is not required to be operated as a home occupation, provided the Board of Zoning Appeals approves it as a Conditional Use and conditions 3.A & 3.B above are satisfied.~~
- 6. A copy of any required licenses for such operation shall be provided to the Township Zoning Inspector and kept with the Board of Zoning Appeals case.

**4.11 WINDMILL, LOW IMPACT**

The following conditions shall be met for windmill, low impact wind powered electric generator:

- 1. The proposed wind powered electric generator/windmill shall be a distance of at least 125% of the height of the total structure to any property line, off-site residence or building, and public or private road right-of-way.
- 2. The maximum tower height shall not exceed ~~one hundred and fifty (150')~~ feet.
- 3. The maximum lighting used for or on the structure is a low intensity red light as defined by the Federal Aviation Administration.
- 4. The wind powered electric generator/windmill shall have a rated capacity of not more than 100 kW.
- 5. The wind powered electric generator/windmill shall service only one property.
- 6. The noise level measured at the property line(s) shall not exceed 60 dBA.
- 7. All necessary township, county, state and federal permits shall be obtained.

**4.12 WINDMILL, HIGH IMPACT**

The following conditions shall be met for windmill, high impact wind powered electric generator:

- 1. The proposed wind powered electric generator/windmill shall be a distance of at least 150% of the height of the total structure to any property line, off-site residence or building, and public or private road right-of-way.
- 2. The maximum lighting used for or on the structure is a low intensity red light as defined by the Federal Aviation Administration.

#### 4.15 AIRPORTS/HELIPAD/LANDING STRIPS <sup>□</sup>

Any private airport, helipad or landing strip shall be subject to all Federal and State Regulations. Any application for an private airport, helipad or landing strip shall include a site plan illustrating the development plan for the said airport, helipad or landing strip, including but not limited to, the location of all proposed structures, runways, towers, landing areas, as well as elevations of all proposed structures. The site plan shall also identify the location of all structures adjoining, or adjacent to, the perimeter boundary of the proposed airport, helipad or landing strip development site. The Township may call upon any regulating Federal or State Agency to have a representative provide or present any information they find necessary related to the regulations of an private airport, helipad or landing strip prior to rendering a decision on the Conditional Use request.

#### 4.16 COMMERCIAL AMUSEMENT ENTERPRISES <sup>□</sup>

The following requirements shall be met:

1. Size: Minimum of 2 acres on a non-residentially platted, subdivision lot.
2. Setbacks: Shall be the same as underlying zoning district setback requirements, including all ancillary structures or uses, with the exception of a side or rear-yard abutting a residentially zoned property, which shall then be required to be setback 25' feet.
3. Parking/Traffic Plan:
  - A. The applicant shall submit a parking and traffic circulation plan.
  - B. Said plan shall delineate the parking requirements for each use on the property, as outlined in Article 5 of the zoning resolution, and their respective locations.
  - C. All parking spaces, including access lanes shall be setback 10' from any property line.
4. Development:
  - A. Such Commercial Amusement Enterprise establishment may be seasonal, but shall not be a temporary establishment or operate primarily from a temporary building or structure, including ancillary uses.
  - B. No outdoor lighting shall be permitted other than basic security lighting.
  - C. The BZA may require portions of the site with high activity areas to be screened by a fence having a maximum height of 7 feet.
  - D. Speaker systems, music, or any other discernable sounds coming from the site may be subject to the Township Noise Resolution.
  - E. Building elevations shall also be included on the plan, along with indication of materials to be used.

5. Trash Receptacles. An area shall be set aside for the purpose of trash and garbage receptacles. Such receptacle area shall be properly screened and maintained.
6. Buffering. A landscape and buffering plan shall also be incorporated as part of the site plan or submitted as a separate sheet and reflect landscaping within all required lot setbacks.

#### 4.17 DRIVE-IN THEATERS <sup>□</sup>

The following requirements shall be met:

1. No screen shall be located or oriented in such a way so that the images projected on the screen are visible to persons driving on any road, street, or highway located within a radius of one-third mile from the theater screen.
2. Per ORC 505.171, the owner or operator of a drive-in theater shall be required to construct and maintain a fence, wall, or tangible barrier or install landscaping and vegetation which shall, to the maximum extent practicable, in relation to the topography of the site and location of the screen, conceal or obscure obscene or x-rated images projected on the screen from the ordinary view of persons driving on any road, street, or highway located within a radius of one-third mile from the theater screen.
3. Per ORC 505.171, the township police chief, or his duly appointed officer shall inspect each drive-in theater located in the township; furnish the owner or operator thereof with a copy of the regulations adopted pursuant to divisions (1) and (2) of this section; and notify in writing the owner or operator if he finds there is a violation of the regulations.
  - A. Whoever violates any regulation adopted pursuant to division (2) or (3) of this section is guilty of a minor misdemeanor.
4. Size: Minimum of 5 acres.
5. Setbacks. All support structures to the operation of a drive-in theater (i.e. concession stand, ticket booth, restrooms) are subject to the underlying zoning district setback requirements. A side or rear-yard abutting a residentially zoned property, such structures shall be setback 40' including all drives and vehicle parking spaces. The movie screen shall be 100' feet from any road right-of-way.
6. Access: There shall be a minimum of two points of access in and out of the theater viewing area. Access drives from the main road to the point of gate entry into the theater viewing area shall have a minimum right-of way of 30 feet.

**4.18 FLEA MARKETS**

The following requirements shall be met:

- 1. Size : Minimum of 5 acres.
- 2. Setbacks: All vendor stands, displays and support structures to the operation of a flea market, are subject to the underlying zoning district setback requirements, with the exception of a side or rear-yard abutting a residentially zoned property, which shall then be required to be setback 40' feet, including all drives and vehicle parking spaces.
- 3. Access: There shall be a minimum right-of way of 40' feet for the main entry of the flea market.
- 4. Set-up for the flea market shall not start more than 72 hours prior to the event and shall be completely removed within 48 hours after the event.
  - A. Upon completion of the event, the site shall be cleaned of trash and debris, and all evidence of the vendor stands, displays and support structures to the operation of a flea market removed.
- 5. A site plan shall be submitted showing the location of all vendor stands, tents, or other portable uses and equipment, and the parking arrangements.
  - A. Ample space shall be provided to allow fire and police emergency access throughout the flea market, however, general vehicular access throughout the market should be limited.
- 6. Any vendor stands or displays in need of temporary electric connections must also contact the Ottawa County Building Department.
- 7. No temporary tent shall exceed six-hundred (600 sq.ft.) square feet and the Ottawa County Building Department shall be contacted to determine if permits are required by that agency.

**4.19 HOME OCCUPATIONS & LIMITED HOME BASED BUSINESS**

The purpose of home occupation regulations is to permit residents an opportunity to use their homes as a place of livelihood. While permitting such uses in homes, it is important to protect adjacent residential areas from any adverse impacts caused by activities associated with the home occupation. The limitations in this section are designed to assure compatibility between the home occupation and neighboring properties, while retaining the residential character of the building in which the home occupation is conducted.

Two separate forms (levels) of home occupation businesses exist in accordance with the provisions below:

- 1. Home Occupation: A Home Occupation is the less intensive form of home-based business where the operation is conducted entirely by the resident(s) of the home and there is no advertising contained on the interior or exterior of the structure or property. The business does not generate traffic or other persons visiting the home. The specific requirements for a Home Occupation are contained below.
  - A. Home Occupations are a permitted use in any residential structure containing a legal residential use, regardless of zoning district.
  - B. No one other than those persons residing on the premises shall be employed, commissioned or engaged in the home occupation activity.
  - C. There shall be no signage placed on the building or anywhere on the property indicating the business activity.
  - D. An accessory structure may be utilized for hobby-type occupations that involves the use of machinery for metal working, painting, wood-working or the like.
    - i. A maximum of 25 percent of the accessory structures floor area may be utilized for such occupation.
    - ii. Such accessory structure shall not be utilized for a hobby-type occupation if it is the required parking space for the principle use.
  - E. The operation shall not generate customers, clients or other individuals coming to the home and shall not generate an unreasonable quantity of traffic compared to what would normally be seen on the street.
  - F. A permit for a Home Occupation is not required. However, if the Zoning Inspector finds that any of the above provisions are being violated, the owner may be subject to a citation or requested to submit for a Limited Home Based Business Permit.
- 2. Limited Home-Based Business: A Limited Home-Based Business is the more intensive form of a home occupation where there may be involvement by residents of the home and one or more persons living outside the home. The occupation may advertise on the property, and may generate some additional traffic in the neighborhood. The specific requirements for a Limited Home Based Business are contained below.

- A. Limited Home Based Business is a Conditional Use in any residential structure containing a legal residential use, regardless of zoning district.
- B. Persons residing in the premises shall be engaged in the business activity.
- C. Not more than one (1) person, other than resident(s) of the home in which the operation will be conducted shall be engaged in the operation. The Board of Zoning Appeals may at its sole discretion allow more than one person outside the home to be engaged in the business if it can be shown that the engagement of the additional individual(s) in the operation will not adversely affect the surrounding neighborhood and can be adequately accommodated in regard to on-site parking.
- D. Any operation to be conducted on the premises should be restricted to those types of occupations where customers can be scheduled for appointments rather than just being open generally to the public as walk-in traffic.
  - i. Licensed Type A & B daycare is exempt from the visitor requirement.
- E. The operation shall occupy a maximum of forty (40%) percent of the floor area of the residence, including storage.
- F. Signage is permitted in accordance with Article 5 of this resolution.
- G. The use of accessory buildings, including attached and detached garages is prohibited. The Board of Zoning Appeals, at its sole discretion, may allow the use of these types of structures upon request by the applicant in such cases where the applicant can demonstrate to the Board that such use is not detrimental to the inhabitants of the subject property or the surrounding neighborhood, and where the applicant can demonstrate as part of their application, that the use of such structures can be undertaken in compliance with all applicable Township, State or Federal codes.

**3. General Requirements for both a Home Occupation and Limited Home-Based Business:**

- A. Such use is not objectionable due to noise, hours of operation, traffic generated, or hazardous, or noxious process, odors, vibrations, glare, fumes or electrical interference detectable outside of the dwelling unit or off of the lot.

- B. The exterior appearance of the building may not be altered for the purpose of accommodating the home occupation in a manner that is inconsistent with the residential character of the building.
- C. No materials, commodity or stock in trade shall be sold, displayed or stored outside.
- D. No separate or private entrance from the outside of the principal building shall be used to serve only the Home Occupation.
- E. The operation of the home based occupation must be conducted entirely within the main residential structure and may not be conducted outside the principal use in the yard, driveway or in any accessory building or structure, unless otherwise provided herein.
- F. Where there are two or more dwelling units attached, the calculation of the total floor area shall be limited to the area of the dwelling unit in which the occupation will be located.

**4. Prohibited Home Occupations & Limited Home-Based Businesses.**

- A. Those that serve as a gathering point for employees engaged in the business operation that takes place off the premises. This may include, but it is not limited to, landscape and/or lawn care business offices, construction offices, or a business where drivers or employees gather at the before being dispatched from the home for the purposes of the home occupation.
- B. Operations that require fire safety inspections, permits or other regulatory inspections and permits.
- C. Operations involving biohazard materials or hazardous waste that poses substantial or potential threats to public health or the environment.
- D. Operations that require the use of mechanical ventilation systems to exhaust the by-products of the home occupation.
- E. Operations that involve the use of controlled substances.
- F. Any operation that is specifically listed as a Conditional Use of this zoning resolution.

**4.20 RECREATIONAL FACILITY, OUTDOORS**

The following requirements shall be met:

1. Size: Minimum of 2 acres on a non-residentially platted, subdivision lot.
2. Setbacks: Shall be the same as underlying zoning district setback requirements, including all ancillary structures or uses, with the exception of a side or rear-yard abutting a residentially zoned property, which shall then be required to be setback 45' feet.
3. Parking/Traffic Plan:
  - A. The applicant shall submit a parking and traffic circulation plan.
  - B. Said plan shall delineate the parking requirements for each use on the property, as outlined in Article 5 of the zoning resolution, and their respective locations.
  - C. All parking spaces, including access lanes shall be setback 20' from any property line.
  - D. Access lanes and driveways on the site shall be adequate and suitable to accommodate the anticipated traffic within and through the development including access by emergency and fire vehicles. The design, location and surface of the parking area and vehicular approaches shall be subject to approval by the Board of Zoning Appeals so as to reduce traffic congestion and promote pedestrian and vehicular safety.
4. Development:
  - A. Such Outdoor Recreational Facility establishment may be seasonal, but shall not be a temporary establishment or operate primarily from a temporary building or structure, including ancillary uses.
  - B. No outdoor lighting shall be permitted other than basic security lighting.
  - C. The BZA may require portions of the site with high activity areas to be screened by a fence having a maximum height of 7 feet or dense landscaping.
  - D. Speaker systems, music, or any other discernable sounds coming from the site may be subject to the Township Noise Resolution.
  - E. Building elevations shall also be included on the plan along with indication of materials to be used.
5. Trash Receptacles. An area shall be set aside for the purpose of trash and garbage receptacles. Such receptacle area shall be properly screened and maintained.
6. Buffering. A landscape and buffering plan shall also be incorporated as part of the site plan or submitted as a separate sheet and reflect landscaping within all required lot setbacks.

**4.21 TEMPORARY/BUILDINGS/STRUCTURES/USES**

This section provides standards for the establishment of certain temporary uses and structures of limited duration, provided that such uses and structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period.

1. A Zoning Certificate shall be required for all temporary buildings, structures or uses. The temporary building, structure or use shall be reviewed in accordance with this section and all other applicable sections of this Resolution.
2. Failure to obtain a zoning permit or complying with the standards contained herein shall be a considered a violation of this resolution.
3. No required off-street parking space(s) shall be occupied by the temporary use.
4. Any temporary use, structure, building, tent or equipment must include a placard which is clearly visible and which includes the container identification number (where applicable), the business that owns and is responsible for the unit and a phone number of such business.
5. Prohibited Temporary Uses.
  - A. Mobile Vendors and Food Carts, including, but not limited to, temporary or seasonal vendors, such as, book sales/purchases, mattress sales, jewelry sales, art sales, craft, rug, flowers, drink or food sales.
    - i. Mobile Vendors and Food Carts shall only be permitted in conjunction with a special event or festival as outlined in Section D herein, or flea market event, located on the same property as the event and on the same dates as the event.
6. Permitted Temporary Uses:
  - A. Contractor Offices and Equipment .
    - i. A mobile home unit, or trailer unit similar to, shall be limited to one (1) in a residential district and two (2) in a non-residential district and only be used for a field office. No such use shall contain any sleeping or cooking accommodations.
    - ii. Any trailer, shed or staging yard shall meet the accessory building setbacks of the district in which it is located.
    - iii. All such uses shall be located on the same site or in the same development as the related construction.
    - iv. Such uses shall be limited to a period not to exceed the duration of the active construction phase of such project or within 30 days following a certificate of



- v. The person responsible for the operation of any such event shall provide the Zoning Inspector and Danbury Police Department in advance of the event date(s), the contact information for the primary person in charge and whom will be on-site the day(s) of the event.
- vi. Requests for any other special arrangements (i.e. road closures, police assistance or emergency personnel) must be made with the applicable departments at least 2 weeks in advance of the event. Such requests may be denied by the department head of that department.
- vii. A site plan shall be submitted showing the location of all temporary stands, tents, rides, other portable uses and equipment and the parking arrangements.
  - a. Ample space shall be provided to allow fire and police emergency access throughout the special event, however, general vehicular access should be limited.
- v. Outdoor weddings, graduations and similar private, residence events are exempt from this standard but organizers of such events are encouraged to notify the Zoning Inspector or Danbury Police Department to determine if special accommodations should be made to address traffic and circulation.
- vi. All events, including private events, are subject to the noise resolution of the Township.
- vii. All events, including private events, utilizing tents, rides or in need of temporary electric connections must also contact the Ottawa County Building Department.

**E. Temporary Portable Storage Containers**

- i. Containers designed for the temporary storage of property that can be moved by truck or trailer (including intermodal storage units).
  - a. Only one portable storage unit shall be permitted on a residential lot at any one time.
  - b. The size of a portable storage unit shall not exceed 1,024 cubic feet, measured by the exterior length, width, and height multiplied together.
  - c. Such unit shall be located in the side or rear yard to the maximum

extent possible or located on a driveway or other hard surfaced area.

- d. A portable storage unit shall be permitted on a lot when necessary to facilitate clean up and/or restoration activities resulting from a fire or natural disaster to a building or structure for a period not to exceed the duration listed under subsection C. "Temporary Shelter";
- e. A portable storage unit shall be permitted when the occupant of the property is relocating for a period not to exceed 30 consecutive days.
- f. A portable storage unit shall be permitted on any non-residential lot for a period not to exceed 30 consecutive days, up to two times per calendar year.
- g. Storage of hazardous materials as defined under applicable state, local and federal laws and regulations are prohibited.
- h. No part or former part of a semi-trailer mobile home unit, or trailer unit similar to, or recreational vehicle shall be utilized as a portable storage unit.
- ii. Containers or drop boxes designed for the temporary storage of donations or charity drives, items to be serviced (i.e dry cleaning) or for recycling.
  - a. Only one unit shall be permitted on a non-residential lot, in a Commercial or Industrial zoning district, at any one time.
  - b. The size of a portable storage unit shall not exceed 300 cubic feet, measured by the exterior length, width, and height multiplied together.
  - c. Such unit shall be located in the side or rear yard to the maximum extent possible or located on a hard surfaced area.
  - d. Such unit shall not be located in any required setback, parking and circulation area, right-of-way, or required landscape or buffer area.
  - e. The property owner of the property where the unit is located shall be responsible for ensuring that no items are left lying on the ground outside of such unit and keeping it orderly and maintained.

f. No part or former part of a semi-trailer mobile home unit, or trailer unit similar to, or recreational vehicle shall be utilized as a portable storage unit.

g. Storage of hazardous materials as defined under applicable state, local and federal laws and regulations are prohibited.

F. Temporary outdoor sales and displays.

i. Temporary outdoor sales and display areas are prohibited on vacant lots.

ii. Only those goods and materials associated with the commercial use existing on-site may be sold and displayed.

iii. Temporary outdoor sales and display areas shall only be permitted in a Commercial zoning district.

iv. Merchandise is prohibited from being sold directly out of a semi-trailer, box truck, moving van or other vehicle.

v. Temporary outdoor sales and display areas shall not be located in any required setback, fire lane, parking spaces, driveways, circulation areas, right-of-way, or required landscape or buffer area.

vi. Adequate passage for pedestrians and the handicapped shall be provided.

vii. The total display area shall not be greater than 40% of the principal building floor area.

viii. A site plan illustrating the location, size, and other pertinent information related to the outdoor sales or display, or storage shall be submitted.

ix. There shall be no bulk materials permitted except in packaged form.

x. Materials shall not be stacked in piles or stacks in excess of ten (10') feet in height.

xi. The site is to remain free of litter and debris and shall be restored to its original condition upon expiration of the permit.

xii. A temporary tent utilized for such sales and display shall not exceed six-hundred (600 sq.ft.) square feet and the Ottawa County Building Department shall be contacted to determine if permits are required by that agency. Said use of a tent this size shall only be permitted once per year and for no more than 14 days.

xiii. Temporary outdoor sales and display events utilizing a tent over one-hundred (100sq.ft.) square feet may

only do so for a 14-day period, two (2) times in one calendar year.

**4.22 HOSPITAL**

The following requirements shall be met:

1. Size : Minimum of 5 acres.

2. Setbacks. There shall be a required front yard setback of 70' feet, a required side yard setback of 45' feet, and a required rear yard setback of 50' feet.

3. Development:

A. A site plan shall be submitted showing the location of all buildings, drives, parking, fencing, accessory buildings, helipad, landscaping, infrastructure, grading and signage. Building elevations shall also be included for every structure along with indication of materials to be used.

i. Height exceptions may be reviewed by the Board of Zoning Appeals in accordance with Section 7.8, but under no circumstance shall the principal hospital structure exceed 50' in height.

ii. A helipad may be located on grade at ground level, or on the roof top of said hospital structure, but shall not be located where parking or traffic patterns would be disrupted.

B. Exterior Lighting. All outdoor lights shall be shielded to direct light and glare only onto the structures and drives. Said lighting and glare shall be deflected, shaded and focused away from all adjoining property and shall be a maximum height of 24' feet.

C. Refuse Collection. The refuse collection areas provided for the collection of trash, garbage and other refuse shall be enclosed on three sides by a solid wall or fence and shall be located on the side or rear of the development site.

4. Parking/Traffic Plan:

A. Said plan shall delineate the parking requirements for each use on the property, as outlined in Article 5 of the zoning resolution, and their respective locations.

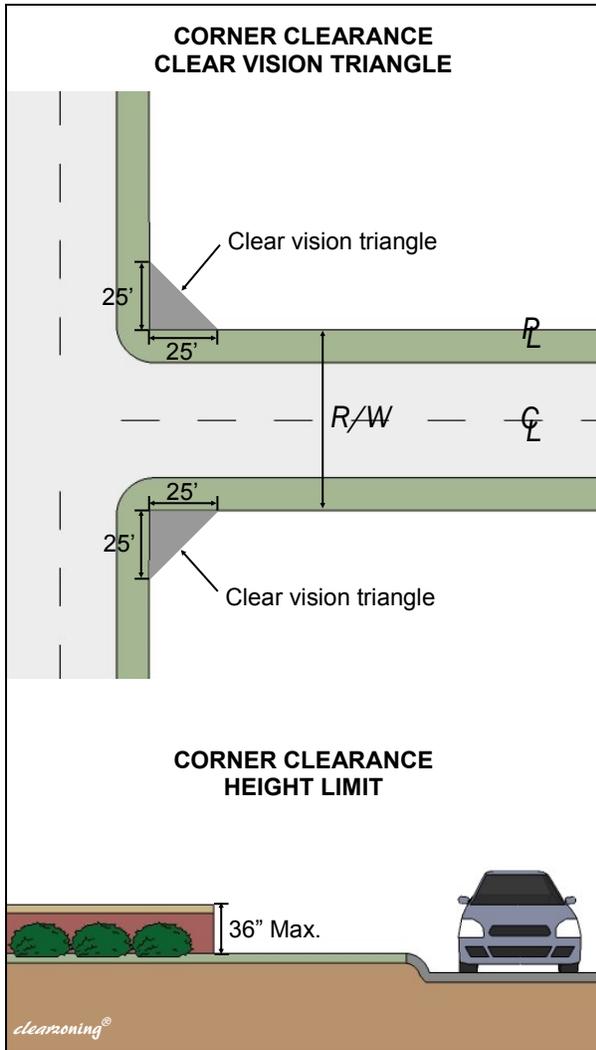
B. All parking spaces, including access lanes shall be setback 25' from any property line.

C. Access lanes and driveways on the site shall be adequate and suitable to accommodate the anticipated traffic within and through the development including access by emergency and fire vehicles. The design, location and surface of the parking area and vehicular approaches shall be subject to approval by the Board of Zoning Appeals so as to reduce traffic congestion and promote pedestrian and vehicular safety.

*Article 5.0*  
*Site Standards*

**5.7 CORNER CLEARANCE (CLEAR VISION)**

On property located at street and/or highway intersections in any district established by this Resolution, no fence, wall, hedge, shrubbery, sign, or other structure or planting which obstructs the view of motorists, and thereby creates a traffic hazard, shall be erected, placed, planted, or maintained in excess of three (3) feet in height within the clear vision triangular area formed by connecting with a straight line two (2) points located on the respective right-of-way, a distance of twenty-five (25) feet from their point of intersection.



**5.8 SWIMMING POOLS**

1. Swimming pools which are private, shall be permitted with any residential use but subject to the following requirements:
  - A. The pool shall be only for the use of the occupants of the principal building and their guests.
  - B. The pool, **including decking or steps**, shall be located in the **side or rear** of the lot and shall be located no closer than ~~ten (10)~~ **5'** feet from any lot line.
  - C. The pool shall be fenced or elevated to a minimum height of 42 inches and shall have a gate which will be kept locked when not in use. Such fencing shall be designed in a manner so as to prohibit access by young children.
2. In the C-1, C-2 and R-C districts, commercial pools shall meet the setback requirements for an accessory building or structure.

**5.9 STORAGE OF BOATS**

Only boats and travel trailers, owned by the property owner, shall be stored on property in the A, R-1, R-2, and R-3 districts, provided that no use shall be made and no living quarters shall be maintained, or any business practiced in such a unit.

*Article 6.0*  
*Development Procedures*

# 6.0 Development Procedures

## 6.1 ZONING CERTIFICATE/PERMIT APPROVAL

### 1. General Standards

- A. It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, converted or enlarged, wholly or partly, until a zoning certificate/permit shall have been issued by the Zoning Inspector. It shall be the duty of the Zoning Inspector to issue a certificate/permit, provided he is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Resolution. No certificate/permit for excavation, construction or reconstruction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution.
- B. Upon written request from the owner or tenant, the Zoning Inspector shall issue a zoning certificate/permit for any building or premises existing at the time of enactment of this Resolution certifying, after inspection the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this Resolution. No charge shall be made for issuing a zoning certificate/permit in accordance with this paragraph.
- C. **Uses Exempt From Zoning Certificates/Permits.** This zoning resolution is effective to the full extent allowed by law. Certain laws limit the effect of zoning resolutions. These laws are contained in Sections 519.21 and 519.211 of the Ohio Revised Code.

However, these code sections have exceptions wherein zoning resolutions are effective. These exceptions are noted as Sections 519.21(B), 519.211(B) and 519.211(C) of the Ohio Revised Code. This zoning resolution is effective in all of the noted exceptions areas and they are incorporated herein by reference. Exceptions, authorized by future amendments to the sections by the Ohio legislature shall also be effective for purposes of this zoning resolution. In general, Sections 519.21 and 519.211 prohibit regulation of certain Agricultural uses, public utilities, railroads, liquor sales,

oil and gas production, and telecommunication towers.

### 2. Conditions under which Certificates/Permits are Required

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

- A. Construction or enlargement of a building, including accessory buildings.
- B. Change in use of an existing building or accessory building to a use of a different classification.
- C. Occupancy and/or use of land.
- D. Change in the use of land to a use of a different classification.
- E. Any change from one (1) nonconforming use to another.
- F. A zoning certificate may be issued upon request for any lawful nonconforming uses of land or buildings created by adoption of this Resolution or any amendments thereto.
- G. Marinas and/or marina expansions **as defined in Article 4 of this Resolution or any amendments thereto.**
- H. Permanent, portable and identification signs as defined in Article 5.

### 3. Application and Issuance of Zoning Certificate/Permit

- A. Written application shall be made for a zoning certificate/permit for the construction of a new building or the enlargement of an existing building. Said certificate/permit shall be issued within ten (10) days after a written request for the same has been made to the Zoning Inspector or his agent, provided such construction or alteration is in conformity with the provisions of this Resolution.
- B. Written application for a zoning certificate/permit for the use of vacant land, or for a change in the use of land or of a building, or for a change in a nonconforming use, as herein provided, shall be made to the Zoning Inspector. If the proposed use is in conformity with the provisions of this Resolution, the certificate/permit therefore shall be issued within sixteen (16) days after the application for same has been made.
- C. Every application for a zoning certificate/permit shall be accompanied by a plot plan

Exhibit A: Trustee Res.# \_\_\_ - 2016

Exhibit A: Trustee Res.# \_\_\_ - 2016

and such other plans as may be necessary to show the location and type of buildings to be erected or to be made.

- i. Each plan shall show:
  - a. The street providing access to the lot and the exact location of the lot in relation to the nearest cross street.
  - b. The name of the concerned lot plan, if any, and the lot numbers of the concerned and abutting properties.
  - c. The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.
  - d. The location and size of the proposed structure and/or the proposed enlargement of the existing structure.
  - e. Any other information which in the judgment of the Zoning Inspector may be necessary to provide for the enforcement of this Resolution.
- ii. Each plan shall bear statements declaring:
  - a. That no part of the land involved in the application has been previously used to provide required yard space or lot area for another structure or septic system.
  - b. Which abutting land was formerly that of the owner of the land involved in the application, and, if any, the approximate date of title transfer.
- iii. Where complete and accurate information is not readily available from existing records, the Zoning Inspector may require the applicant to furnish a survey of the lot by a registered engineer or surveyor.
- iv. Each property owner or authorized agent may be required to attest to the correctness of the statements and data furnished with the application. The certificate/permit will be issued based on the attestation if all other requirements of the Resolution are met.

- v. A file of such applications and plans shall be kept in the office of the Zoning Inspector.

4. Period of Validity

A zoning certificate/permit shall be valid for a period of one (1) year from the date of issuance by the Zoning Inspector. If substantial progress is not made within one (1) year, the applicant must reapply for a new zoning certificate/permit. An extension may be issued by the Zoning Inspector if due cause is shown.

5. Fees

- A. A fee, as established by the Board of Township Trustees, shall accompany each application for a zoning certificate/permit.
- B. The Zoning Inspector shall forthwith deposit all fees with the Township Fiscal Officer who shall credit such fees to the credit of the Zoning Fund of the Township.
- C. A record of all zoning certificates/permits shall be kept on file in the office of the Zoning Inspector or his agent and copies shall be furnished upon request at cost to any person having proprietary or tenancy interest in the building or land affected.

6.2 CONDITIONAL ZONING CERTIFICATE:

The Board of Zoning Appeals shall have the duty to hear and decide applications for conditional zoning certificates where they are **permitted listed in Subsection "C" of the respective zoning district** in Article 3 of this resolution. ~~It is recognized that an increasing number of new kinds of uses are appearing daily and that experience with some of the more conventional uses call for a more flexible procedure so that these uses might be accommodated in the Township. Due to the peculiar nature of some uses, it is felt that each use should be given more detailed consideration as it relates to location, design, size, method of operation, traffic movements, concentration of population, and the kinds of public facilities and services it requires.~~

- 1. **Requirements for Issuance of Conditional Zoning Certificates.** The Board of Zoning Appeals shall determine that the general standards pertinent to each conditional use indicated herein shall be satisfied by the establishment and operation of the proposed conditional use. The Board of Zoning Appeals may also impose such additional conditions and safeguards as it deems necessary for the general welfare, for the protection of individual