

I hereby certify the following to be a true copy of the "Zoning Resolution of Danbury Township, Ottawa County, Ohio" as approved by the Danbury Township Zoning Commission on June 30, 1975.

John A. Lyman, Chairman

H. W. Wollers, Secretary

# ZONING

# RESOLUTION

FOR

# DANBURY TOWNSHIP

# OTTAWA COUNTY, OHIO

INDEX

ZONING RESOLUTION

DENBURY TOWNSHIP

OTTAWA COUNTY, OHIO

BOARD OF TRUSTEES

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## ARTICLE 1

### TITLES, AUTHORIZATION, PURPOSE, AND INTERPRETATION

#### 100 LONG TITLE

A resolution providing for the zoning of the unincorporated area of Danbury Township, Ottawa County, Ohio by regulating the size, location, height, and use of buildings and structures, the area and dimensions, by dividing the unincorporated area of the township into zones or districts of such number, size, and shape as are deemed best suited to carry out said purposes and prescribing penalties and proceedings for the administration and enforcement of this Resolution.

WHEREAS The Board of Trustees of Danbury Township, Ottawa County, Ohio, deems it in the public health, safety, morals, comfort, and general welfare of said township and its residents to establish a general plan of zoning; and

WHEREAS the effect of this Resolution shall be that it will be the general plan of zoning for all of the unincorporated areas of Danbury Township, Ottawa County, Ohio, at the date of the adoption of this Resolution; and

WHEREAS upon the approval by a majority of voters in the area of Danbury Township, Ottawa County, Ohio to be zoned, this Resolution shall take place of all previous zoning regulations in said Township;

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

#### 101 SHORT TITLE

This Resolution shall be known as the "Zoning Resolution of Danbury Township, Ottawa County, Ohio."

#### 102 AUTHORIZATION

This Resolution is authorized by the Revised Code of the State of Ohio.

#### 103 GENERAL PURPOSES

For the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land, and to facilitate adequate but economical provision of public improvements; the Board of Trustees of this Township finds it necessary and advisable to regulate the location, height, bulk, number of stories and size of buildings and other structures, including tents, cabins, trailer coaches and the uses of land for trade, industry, residence, recreation or other purposes, and for such purposes have divided the unincorporated area of the township into districts or zones as shown on the official zoning map of Danbury Township, Ottawa County, Ohio.

#### 104 EFFECTIVE DATE

The Zoning Resolution shall be effective only after approval of a majority of the voters in the area of Danbury Township, Ottawa County, Ohio to be zoned in a general or special election.

#### 105 INTERPRETATION AND APPLICATION

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

In all districts minimum lot areas have been established for dwelling lots. It should be noted that in some cases, the Board of Health or other agencies may require greater lot areas than the minimum herein provided on whether the lots are served by municipal water and/or community sewage treatment facilities.

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

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

#### 106 VALIDITY AND SEPARABILITY

It is hereby declared to be the legislative intent that, if any provision or provisions of this Resolution, or the application thereof to any zoning lot, building, or other structure, or tract of land, are declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, or to be inapplicable to any person or situation the effect of such decision shall be limited to the provisions which expressly stated in the decision to be invalid or ineffective, or to the zoning lot, building or other structure, or tract of land immediately involved in the controversy. All other provisions of this resolution shall continue to be separate and fully effective, and the application of any such provision to other persons or situations shall not be affected.

## ARTICLE 2

### GENERAL REGULATIONS

#### 200 GENERAL REGULATIONS APPLICABLE TO ALL DISTRICTS

200.1 No building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or land be used, except for a purpose permitted in the district in which the building or land is located.

200.2 No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height and bulk limit herein established for the district in which the building is located, except that 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 of the township and county.

200.3 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.

200.4 No building shall be erected, or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of the district in which such building is located.

200.5 The minimum yard, parking space, and other open 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 of lot area requirement for any other building, nor shall any lot area be reduced beyond the district requirements of this Resolution.

200.6 No parcel of land 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 parcels of land held under single ownership shall be considered to be one parcel for the purposes of these regulations.

200.7 Every 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 main building or use on one lot except as specifically provided hereafter.

200.8 Any lot of record at the time of the adoption of this Resolution may be used for a single family dwelling. However, on such lots in all districts unless specified otherwise, the following setbacks shall be maintained unless a variance is granted by the Board of Zoning Appeals:

Minimum front yard depth	20 feet
Minimum rear yard depth	5 feet
Minimum side yard width	5 feet

200.9 Uses other than those specifically mentioned herein as permitted uses in each of the districts may also be allowed therein, 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 permitted uses specifically mentioned for the district.

## 201 ZONING MAP

201.1 The location and boundaries of the Districts shall be shown on the map entitled, "Danbury Township Zoning Plan, 1975". A certified copy of this map is on file in the office of the Board of Danbury Trustees, and said map and all notations, dimensions and designations shown thereon are hereby declared to be a part of this Resolution.

201.2 Where there is uncertainty as to the boundaries of any of the Districts shown on the aforesaid map, the following shall apply:

- a. The District boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this Resolution unless otherwise indicated by dimensions on the Zoning Map. In case of the vacation of a street, alley, watercourse or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the center line of said vacated street, alley, watercourse or right-of-way.
- b. Where boundaries appear to approximately follow such aforesaid lines and are not more than ten (10) feet distant therefrom, such lines shall be construed to be the boundary unless specifically shown otherwise.



ARTICLE 3  
DEFINITIONS

300 DEFINITIONS

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

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

- 1 Accessory Use or Building: A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.
- 2 Agriculture: The use of land for farming, dairying, pasturage, apiculture, horticulture, viticulture, animal and poultry husbandry and the necessary accessory uses and buildings including packing, treating, and storing of produce.
- 3 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, hangars, and other necessary buildings and open spaces.
- 4 Alley: A public or private thoroughfare designed to provide access to the rear or side of property or lots.
- 5 Alteration, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
- 6 Apartment House: same as "Dwelling, Multifamily".
- 7 Auto Service Station: Any premises used for supplying gasoline and oil, at retail direct to the customer, including minor accessories and services for motor vehicles.
- 8 Automotive Repair: The repair, rebuilding, or reconditioning of motor vehicles or parts thereof including collision service, painting, and steam cleaning of vehicles.
- 9 Automotive, Mobile Home, Travel Trailer, and Farm Implement Sales and Service: The sale or rental of new and used motor vehicles, mobile homes, travel trailers, or farm implements, but not including repair work except minor repairs of such vehicles.
- 10 Automotive Wrecking: same as "Junkyard"

11 Basement: A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

12 Billboard: Any sign used as an outdoor display for the purpose of anything known, the location of such display being removed from the point of sale.

13 Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

14 Building, Community: A building for social, educational, and recreational activities of a community provided such use is not operated for commercial gain.

15 Building Height: The vertical distance measured from the adjoining curb grade to the highest point of the roof surface if a flat roof, to the deck-line of a mansard roof, and to the mean height level between eaves and ridges for a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

16 Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

17 Business: The purchase, sale, or exchange of goods, or services and the maintenance or operation of offices and recreational and amusement enterprises.

18 Business, General: Commercial uses which generally require locations on or near major thoroughfares and which tend, in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the community.

19 Business, Neighborhood: Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences.

20 Business, Recreational: Commercial establishments which generally cater to the tourist population of the township normally on a seasonal basis.

21 Cabins, Cottages: Detached buildings used seasonally for recreation purposes and not designed for year around occupancy.

22 Campground: same as "Trailer Camp"

23 Clinic: same as "Nursing Home"

24 Commercial: same as "Business"

25 Conditional Use: 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 special exception made in this resolution. A conditional use is not considered to be a non-conforming use.

26 Condominium: same as "Dwelling, Multifamily".

27 Curb Grade: The elevation of the established curb in front of a building measured at the center of such front. Where no curb grade has been established, the County Engineer shall establish such curb grade for the purpose of this Resolution.

28 Day-care Center: same as "Nursery School"

29 Density: the number of dwelling units per acre of land.

\* 30 Dwelling: A building, or portion thereof, designed exclusively for permanent residential occupancy excluding units designed for transients and vehicles or residences designed to be moved. A mobile home shall be considered a dwelling as specified in Section 805.1 of this Resolution.

31 Dwelling, Multifamily: A building, or portion thereof, designed for permanent occupancy by three or more families living independently of each other.

32 Dwelling, One-Family: A detached building designed for permanent occupancy by one family.

+ 33 Dwelling, Two-Family: A building designed for permanent occupancy by two families living independently of each other.

34 Family: One or more persons occupying a single dwelling unit provided that unless all members are related by blood, adoption, or marriage, no such family shall contain over five persons.

35 Fence: A barrier intended to prevent intrusion or escape excluding decorative structures not designed for such purposes.

36 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.

+ 37 Food Processing: The preparation, storage, or processing of food products including bakeries, dairies, canneries, or other similar businesses.

38 Garage, Private: An accessory building or a portion of a principal building used for the parking or storage of vehicles.

39 Garage, Public: A principal or accessory building other than a private garage used for the parking or storage of vehicles normally for commercial gain.

40 Garage, Service: Buildings and premises where motor vehicle accessories may be supplied and dispensed including motor vehicle repair but excluding automotive wrecking.

41 Home Occupation: An occupation conducted in a dwelling unit as a secondary use in connection with 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 or an accessory building
- b. floor area devoted to such use does not exceed 25 per cent 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.
- e. signs be provided as indicated in Section 802.2(e) of this Resolution.

41 Hotel, Motel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation.

42 Junkyard: Any land, property, structure, or combination of these where junk, waste, scrap metal, paper, rags, junk motor vehicles or parts thereof are bought, sold, exchanged, stored, packed, or handled.

43 Kennel: Any lot or premises on which 4 or more domesticated animals more than 4 months of age are housed, groomed, bred, boarded, trained, or sold.

44 Kindergarten: same as "Nursery School"

45 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.

46 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 and portions of lots of record, or of portions of lots of record.

47 Lot Coverage: The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

48 Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this section.

49 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.

50 Lot Measurements: A lot shall be measured as follows:

1. Depth: The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

51 Lot of Record: A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

52 Lot Types: Terminology used in this Resolution with reference to corner lots, interior lots, and through lots (double-frontage lots) is as follows:

- a. Corner Lot: a lot located at the intersection of two or more streets
- b. Interior Lot: a lot with only one frontage on a street
- c. Through (Double-frontage) Lot: a lot other than a corner lot with frontage on more than one street

53 Manufacturing, Heavy: Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.

54 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.

\* 55 Marina: An area having water access which is used for boat sales, service, docking, mooring, storage and/or including boat rebuilding and repairing.

\* 56 Mobile Home: Any non-selfpropelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so construed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and an overall length of thirty (30) feet. When a mobile home is provided as designated in Section 805.1 of this Resolution, it shall be considered a dwelling for residential purposes.

57 \* Mobile Home Park: Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

58 \* Non-conformities: 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.

59 \* Nursing Home: A home or facility for aged or ill persons in which 3 or more persons are housed and cared for which may be operated for commercial gain.

- 60 Nursery School: An establishment designed to provide day-time care or instruction of 2 or more children which is operated on a regular basis whether for commercial gain or not,
- 61 Nursery, Plant Materials; 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,
- 62 Open Space: An area substantially open to the sky which may be on the same lot as a building.
- 63 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 both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.
- 64 Personal Services: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities,
- 65 Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.
- 66 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.
- 67 Roadside Stand: A structure designed or used for the display or sale of agricultural and related products, 10 per cent of which must be produced on the premises.
- 68 Setback Line: A line established on a lot at a specified distance from and parallel to a lot line to restrict the encroachment of buildings on the lot line.
- 69 Sign: Any device designed to inform or attract the attention of persons not on the premises on which said device is located.
- 70 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".
- 71 Structure: Anything constructed, placed, or erected, the use of which requires location on the ground or attached to something on the ground.
- 72 Swimming Pool: A permanent or semipermanent 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 and other similar structures less than 18 inches in depth.

fr  
23 Trailer Camp: An area of land on which 2 or more travel trailers, campers, motor homes, tents or other similar recreational structures are accommodated with or without charge on a seasonal basis. Such camp shall include any building, structure, or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

24 Use: The specific purposes for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

25 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.

26 Yard: A required open space unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

27 Yard, Front: A yard extending across the full width of the lot between the nearest front main building and the street right-of-way line; the depth of the required front yard shall be measured horizontally from the nearest part of a main building towards the nearest point of the street right-of-way line. For lots fronting on the water, however, the front yard may be considered that area facing the water and not the street or road.

28 Yard, Rear: A yard extending across the full width of the lot between the nearest rear main building and one rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest point of the rear lot line, or to the center of an alley if one is present. For those lots fronting on water, and considering their rear yard as adjacent to the street right-of-way, the rear lot line shall be interpreted as the street right-of-way in all cases.

29 Yard, Side: A yard between a main building and the side lot line extending from the front yard, or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line towards the nearest part of the main building.

30 Zoning Certificate: A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

## ARTICLE 4

### ESTABLISHMENT AND PURPOSE OF DISTRICTS

#### 400 ESTABLISHMENT OF DISTRICTS

The following zoning districts are hereby established for Danbury Township, Ottawa County, Ohio:

- "A" - Agricultural District
- "R-1"- Rural Residential District
- "R-2"- Suburban Residential District
- "R-3"- High Density Residential District
- "L" - Lakeside District
- "C-1"- Limited Commercial District
- "C-2"- General Commercial District
- "R-C"- Recreational Commercial District
- "M-1"- Light Manufacturing District
- "M-2"- Heavy Manufacturing District

#### 401 PURPOSE OF DISTRICTS

The purpose of the zoning districts established in Section 400 are as follows:

##### Agricultural District ("A")

The purpose of the agricultural district is to preserve the agricultural or rural nature of those areas of Danbury Township so designed in a comprehensive plan, but to permit very low density residential uses.

##### Rural Residential District ("R-1")

X It is the purpose of this district to accommodate low density single and two family residential uses in areas not served by municipal water and community sanitary sewage treatment facilities, and where underground water supply or soil conditions will not safely permit more dense residential uses.

##### Suburban Residential District ("R-2")

The purpose of the suburban residential district is to accommodate medium density single and two family residential uses in areas served either by a public water supply or a community sanitary sewage treatment facility, or both.

##### High Density Residential District ("R-3")

① The purpose of this district is to accommodate high density, single, two, and multi-family residential uses along with private seasonal dwellings in areas to be served by approved water and sewage facilities.



Lakeside District ("L")

The creation of the Lakeside District recognizes the unique situation within the Association grounds and is designed to accommodate the mixed residential and commercial uses therein regulated by specific restrictions.

Limited Commercial District ("C-1")

It is the purpose of this 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.

General Commercial District ("C-2")

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

Recreation Commercial District ("R-C")

The purpose of this district is to provide for the development of commercial activities related to the recreational nature of the township.

Light Manufacturing District ("M-1")

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

Heavy Manufacturing District ("M-2")

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

## ARTICLE 5

### PERMITTED AND CONDITIONAL USES

#### 500 AGRICULTURAL DISTRICT ("A")

500.1 Uses Permitted - after obtaining a valid zoning certificate: */ permit*

- a. agriculture
- b. one-family dwelling
- c. roadside stands for sale of agricultural and plant nursery products, provided 10 per cent of the total value of products sold are raised on the premises.
- d. churches or other places of worship
- e. schools, public or private, excluding nursery schools and day-care centers
- f. public, non-commercial parks, playground
- g. government buildings and uses
- h. riding stables
- i. country clubs, golf courses except a miniature course or driving range
- j. oil wells, but not within 300 feet of any residence
- k. nurseries, greenhouses
- l. accessory buildings and uses

500.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. airport
- b. cemetery
- c. hospital, nursing home
- d. kennels, animal hospital
- e. public garage
- f. automobile service station
- g. radio and TV towers, station
- h. privately operated community building or activities
- i. mobile home park
- j. home occupations
- k. planned unit developments

*for Boat Storage Bldgs.*

#### 501 RURAL RESIDENTIAL DISTRICT ("R-1")

501.1 Uses Permitted - after obtaining a valid zoning certificate:

*In*

- a. agriculture
- b. one-family dwelling
- c. churches or other places of worship
- d. schools, public or private, excluding nursery schools and day-care centers
- e. public, non-commercial parks and playgrounds
- f. government buildings and uses
- g. accessory buildings and uses

501.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. two-family dwellings
- b. cemetery
- c. hospital, nursing home
- d. planned unit developments
- e. *Home Occupation*

502 SUBURBAN RESIDENTIAL DISTRICT ("R-2")

502.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. agriculture
- b. one-family dwellings
- c. churches or other places of worship
- d. schools, public or private, excluding nursery schools and day-care centers
- e. public, non-commercial parks and playgrounds
- f. government buildings and uses
- g. accessory buildings and uses

502.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. two-family dwellings
- b. cemetery
- c. hospital, nursing home
- d. planned unit developments
- e. *Home Occupation*

503 MULTI-FAMILY RESIDENTIAL DISTRICT ("R-3")

503.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. agriculture
- b. one-family dwellings, including private seasonal dwellings
- c. two-family dwellings
- d. churches or other places of worship
- e. schools, public or private, excluding nursery schools and day-care centers
- f. public, non-commercial parks and playgrounds
- g. government buildings and uses
- h. accessory buildings and uses

503.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. multifamily dwellings
- b. cemetery
- c. hospital, nursing home
- d. mobile home parks
- e. planned unit developments
- f. *Home Occupations*

504 LAKESIDE ASSOCIATION DISTRICT ("L")

504.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. one-family dwellings
- b. accessory buildings and uses <sup>with</sup>
- c. other uses not in conflict <sup>with</sup> legally adopted restrictions and amendments thereto.

505 LIMITED COMMERCIAL DISTRICT ("C-1")

505.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. agriculture
- b. neighborhood business of local nature for the retail sale of food products in an enclosed building
- c. 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
- d. personal services
- e. professional activities including doctors, dentists, attorneys, etc.
- f. roadside stands for sale of agricultural and plant nursery products, provided 10 per cent of the total value of products sold are raised on the premises
- g. schools, public or private, including nursery schools and day-care centers
- h. churches or other places of worship
- i. public, non-commercial parks and playgrounds
- j. government buildings and uses
- k. accessory buildings and uses

505.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. automobile service stations
- b. restaurants, taverns
- c. home occupations
- d. two-family and multifamily dwellings
- e. hospital, nursing home
- f. planned unit developments

506 GENERAL COMMERCIAL DISTRICT ("C-2")

506.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. agriculture
- b. one-family dwelling
- c. roadside stands (10% produced on premises)
- d. churches or other places of worship
- e. schools including nursery schools and day-care centers
- f. public, non-commercial, parks and playgrounds
- g. government buildings and uses
- h. retail stores and businesses
- i. offices, business and professional; banks
- j. restaurants including drive-ins
- k. taverns, night clubs

- l. lodges or fraternal organizations
- m. theaters, indoor or drive-in
- n. auto service stations
- o. auto, trailer, farm implement sales and services
- p. garages, parking and service
- q. hotel, motel
- r. wholesale business where no processing, fabrication, or assembly takes place
- s. other general business activities
- t. accessory buildings and uses

506.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. two and multifamily dwellings
- b. kennels, animal hospital
- c. hospital, nursing home
- d. home occupations
- e. mobile home park
- f. planned unit development

#### 507 RECREATION - COMMERCIAL DISTRICT ("R-C")

507.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. agriculture
- b. one-family dwellings
- c. public, non-commercial parks and playgrounds
- d. commercial recreation facilities and activities
- e. hotels, motels, cabins, cottages, lodging houses
- f. marinas, boat launching, docking facilities
- g. boat storage, repair, and servicing, provided maintenance is kept in an orderly fashion
- h. beaches, commercial swimming pools
- i. commercial amusement enterprises
- j. retail business related to recreational activities
- k. auto service stations
- l. fishing, private or commercial and related businesses
- m. golf driving ranges, miniature golf, golf courses, country clubs
- n. riding stables
- o. public community facilities
- p. accessory buildings and uses

507.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. mobile home parks
- b. trailer camp, camping
- c. two and multifamily dwellings
- d. home occupations
- e. planned unit developments

508 LIGHT MANUFACTURING DISTRICT ("M-1")

508.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. agriculture
- b. one-family dwelling
- c. auto service station
- d. building material storage yards, sales
- e. printing shops, publishing
- f. kennels, animal hospitals
- g. bottling works
- h. contractors establishments including construction firms
- i. industrial establishments manufacturing or assembling the following: small metal products; clothing; drugs and medicine; electrical equipment; glass products; furniture and wood products; and the assembly of finished equipment
- j. research laboratories
- k. accessory buildings and uses
- l. wholesaling and warehousing activities

508.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. home occupations
- b. planned unit developments
- c. industrial park

509 HEAVY MANUFACTURING DISTRICT ("M-2")

509.1 Uses Permitted - after obtaining a valid zoning certificate:

- a. any use permitted in the "M-1" District
- b. asphalt mixing plant
- c. cement or cinder block manufacturing
- d. iron, steel, brass, copper foundaries
- e. metal stamping
- f. automobile parts manufacturing and assembly
- g. quarrying
- h. rock crushers
- i. commercial shipping and docking facilities
- j. other heavy manufacturing enterprises
- k. accessory buildings and uses

509.2 Uses Conditionally Permitted - subject to approval as described herein:

- a. slaughter houses
- b. junkyards, auto wrecking
- c. crematory
- d. disinfectant, insecticides manufacture
- e. commercial fish smoking or curing
- f. petroleum products manufacture, storage
- g. paint, oil, varnish, turpentine manufacture
- h. food processing
- i. rubber or leather goods manufacturing
- j. home occupations
- k. industrial park
- l. planned unit developments

# ARTICLE 6

## MINIMUM DIMENSIONAL REQUIREMENTS

### 600 DIMENSIONAL REQUIREMENTS FOR DWELLINGS

The following chart establishes dimensional requirements for private dwellings by districts; it should be noted that such required dimensions are subject to the provision of approved utilities by the Board of Health.

District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Front Yard (feet)	Minimum Side Yard (ft. ea. side)	Minimum Rear Yard (feet)	Maximum Bldg. Hgt. (feet)
"A"	1 acre	150'	50'	20'	40'	35'
"R-1"	(one-family dwelling) 20,000	100'	40'	15'	35'	35'
"R-1"	(two-family dwelling - conditional use) 25,000	100'	40'	15'	35'	35'
"R-2"	(one-family dwelling) 16,000	80'	35'	10'	35'	35'
"R-2"	(two-family dwelling - conditional use) 20,000	100'	35'	10'	35'	35'
"R-3"	(one-family dwelling) 7,200	60'	25'	5'	25'	35'
"R-3"	(two-family dwelling) 8,400	70'	25'	8'	25'	35'
"R-3"	(multi-family dwelling - conditional use) Dimensions to be decided by Board of Zoning Appeals upon submission of detailed plans by developer.					
"L"	(one-family dwelling) *	*	5'	3'	3'	35'
"L"	(two-and multi-family dwellings) Approval of said dwelling types and dimensional requirements to be determined by Lakeside Assoc., Inc.					
"C-1"	(all dwelling types) same as "R-3" District					
"C-2"	(all dwelling types) same as "R-3" District					
"R-C"	(all dwelling types) same as "R-3" District					
"M-1"	(one-family dwellings) same as "A" District					
"M-2"	(one-family dwelling) same as "A" District					

- \* Since the area owned by the Lakeside Association, Inc. is platted, the minimum width and area requirements for lots shall be that of the individual lot of record or a combination of such lots of record.

#### 601 MINIMUM LOT AREA FOR NON-RESIDENTIAL USES

A lot on which one of the following uses is located may not be smaller than the area prescribed as follows:

<u>Use</u>	<u>Minimum Lot Area</u>
Airport	100 acres
Cemetery	20 acres
Clinic	15,000 sq. ft.
Commercial Greenhouse	25,000 sq. ft.
Heliport	1 acre
Hospital	5 acres
Industrial Park	10 acres
Day-care center; Kindergarten	100 sq. ft. per child
Mobile Home Park	10 acres
Public or Employee Parking Lot	1,500 sq. ft.
Riding Stable	20,000 sq. ft. plus 5,000 sq. ft. for every horse over 4
Trailer Camp	5 acres

#### 602 MINIMUM LOT DEPTH FOR DWELLINGS

No lot for residential purposes shall be less than one hundred twenty (120) feet in depth.

#### 603 Maximum Lot Coverage

No lot in any of the following districts shall exceed the following percentages of lot coverage. This percentage shall include both the principal building and all accessory buildings:

<u>District</u>	<u>Maximum Coverage</u>
"A"	30%
"R-1"	35%
"R-2"	40%
"R-3"	40%
"L"	*
"C-1"	60%
"C-2"	60%
"R-C"	60%
"M-1"	75%
"M-2"	75%

\* Subject to approval of Lakeside Assoc., Inc.



# 604 MINIMUM DIMENSIONS FOR NON-RESIDENTIAL USES

<u>District</u>	<u>Front Yard</u>	<u>Side Yard (each)</u>	<u>Rear Yard</u>	<u>Max. Bldg. Hgt.</u>
"A"	40'	20'	25'	35'
"R-1"	40'	15'	25'	35'
"R-2"	35'	10'	25'	35'
"R-3"	35'	10'	25'	45'
"L"	5'	3'	3'	45'
"C-1"	15'	10'*	15'	35'
"C-2"	25'	10'*	15'	35'
"R-C"	30'	10'	25'	35'
"M-1"	40'	15'*	25'	75'
"M-2"	40'	15'*	25'	100'

\*Only required when adjacent to residential use or district

## 605 SPECIFIC SETBACKS

605.1 In addition to the setbacks required in this Article, the following uses shall require the respective setbacks as shown below. Omission indicates that the normal district setback applies:

<u>Use</u>	<u>Front Yard</u>	<u>Side Yard (each)</u>	<u>Rear Yard</u>
Mobile Home Park	50'	25'	40'
Travel Trailer Park or Camp	50'	25'	40'
Drive-in Theatre	100'	40'	40'
Riding Stable	100'	50'	60'
Petroleum, Gas, Chemical			
Mfg. and/or Storage	200'	200'	200'
Mineral Extraction	150'	100'	100'
Cemetery	50'	30'	50'

605.2 Setbacks for buildings with the following uses shall have minimum setbacks on interior roads as follows:

<u>Use</u>	<u>Front Setback</u>
Industrial Park	50'
Mobile Home Park	15'
Outdoor Commercial Recreation	20'

## 606 FLOOR AREA REQUIREMENTS FOR DWELLINGS

The following table establishes the minimum floor area for dwellings in square feet. The calculation of floor area shall include only those areas used for living purposes; garages, carports, patios, and other such areas shall be excluded from said calculation:

<u>District</u>	<u>One-Family</u>	<u>Two-Family</u>	<u>Multi-Family</u>
"A"	800 (1000*)	-	-
"R-1"	700 (900*)	1300 (1500*)	-
"R-2"	700 (900*)	1200 (1400*)	-
"R-3"	600 (750*)	1100 (1300*)	set by BZA <sup>1</sup>
"L"***	600 (750*)	-	-
"C-1"	same as "R-3"	same as "R-3"	same as "R-3"
"C-2"	same as "R-3"	same as "R-3"	same as "R-3"
"R-C"	same as "R-3"	same as "R-3"	same as "R-3"
"M-1"	700 (900*)	-	-
"M-2"	700 (900*)	-	-

\*This figure applies to dwellings with more than one story. All others apply to one-story dwellings.

\*\*Floor area requirements within "L" District as applied to two and multi-family units are dependent upon approval of such uses by Lakeside Association, Inc.

<sup>1</sup>BZA - Board of Zoning Appeals, within conditional use procedure, shall establish standards.

## ARTICLE 7

### PARKING AND LOADING REQUIREMENTS

#### 700 AUTOMOBILE PARKING REQUIREMENTS

700.1 Quantity: There shall be provided at the time of the erection or enlargement of any main building or structure the following off-street parking spaces, with a minimum area of two hundred (200) square feet per parking space exclusive of driveways, and with adequate provision made for ingress and egress to the parking spaces:

- a. Dwelling: Two parking spaces per dwelling unit.
- b. Auditorium, theaters, churches, schools, and other similar places of assembly: One parking space for each three seats in the main auditorium.
- c. Hospitals and institutions: One parking space for each eight hundred (800) square feet of floor area.
- d. Clubs and lodges: One parking space for every three (3) members.
- e. Commercial buildings: One parking space for each two hundred (200) square feet of floor area.
- f. Industrial buildings: One parking space for every two (2) employed in the largest working shift.
- g. Hotels, Motels, Cottages, Cabins: One parking space per unit plus one for every two (2) employees.

#### 700.2 Rules:

- a. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- b. No building shall be enlarged, rebuilt, or structurally altered to the extent of more than a fifty (50) percent addition in floor area unless there shall be provided the total number of off-street parking spaces required for the original use and its enlargement.
- c. All parking spaces required herein shall be located on the same lot with the building or use served except that spaces may be located within three hundred (300) feet of the lot on which the main building is located, or within six hundred (600) feet in the case of required spaces for the use of employees.

#### 701 OFF-STREET TRUCK LOADING BERTHS

701.1 Quantity: Every building of the type described below which is hereafter built, relocated or expanded more than fifty (50) percent in floor area, shall provide an off-street loading berth or berths in accordance with the following schedule:

- a. A building whose dominant use is handling and selling goods at retail shall provide berths in relation to the floor area used for retail purposes as follows:

<u>Area</u>	<u>Berths Required</u>
5,000 - 10,000 sq. ft.	One
10,000 - 20,000 sq. ft.	Two
over 20,000 sq. ft.	Three

- b. Manufacturing, repair, wholesale, trucking terminal or warehouse uses shall provide berths in relation to total floor area as follows:

<u>Area</u>	<u>Berths Required</u>
5,000 - 40,000 sq. ft.	One
over 40,000 sq. ft.	Two

- c. Other buildings not listed above, but having over ten thousand (10,000) square feet in floor area, shall provide one berth, including offices, hotels, mortuaries, etc.

701.2 Minimum Size of Berth: The required dimensions of a loading berth shall be a minimum width of 12 feet, a minimum of 50 feet in length, with a minimum height clearance of 15 feet exclusive of all driveways.

#### 701.3 Rules:

- Each space shall be easily accessible from a street or alley without substantial interference with traffic.
- All required loading berths shall be on the same lot as the use served and if such berths abut an A or R District, they shall be suitably screened or fenced from view.
- No loading berth shall be located in a required front or side yard.

### 702 IMPROVEMENTS TO PARKING AND LOADING AREAS

702.1 All parking and loading areas shall be surfaced with gravel or crushed stone with adequate dust treatment, or with permanent surfacing.

702.2 Where the parking area adjoins lots in an A or R District, such lots shall be protected by the erection and maintenance of a permanent fence, screen and/or planting approved by the Commission. Such protection shall not extend into the front yard required on the lot on which the parking area is located.

702.3 Any lights used to illuminate parking areas shall be so arranged as to reflect the light away from adjoining premises in an A or R District.

702.4 When a parking area is located wholly or partly in an A or R District, the following regulations shall apply in addition to the above:

- No commercial enterprise of any kind shall be established on the area.
- No fee shall be charged for parking thereon.
- No signs of any kind shall be erected, except those necessary for the orderly parking thereon.

## ARTICLE 8

### SUPPLEMENTAL REGULATIONS

#### 800 ACCESSORY BUILDINGS AND USES

800.1 All accessory buildings shall be subject to the following regulations:

- a. they shall be located in the rear yard.
- b. such buildings not exceeding 20 feet in height may occupy not to exceed 30 percent of the required rear yard, but no accessory building shall be closer than 60 feet to the front line, closer than 5 feet to the main building, nor closer than 3 feet to any lot line.

800.2 Private swimming pools shall be permitted with any residence 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 shall be located in the rear of the lot and shall be located no closer than ten (10) feet from any lot line.
- c. the pool shall be fenced 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.

#### 801 YARD REQUIREMENTS

801.1 Front Yards: the following regulations shall apply to front yards in all districts:

- a. interior lots having frontage on two streets shall provide the required front yard on both streets.
- b. in the case of residential uses on corner lots, only one front yard of said corner lot shall be required in excess of 25 feet.
- c. in situations where 40 percent or more of the frontage on the same side of a street between two intersecting streets is developed with buildings, new buildings shall be erected no closer to the street than the average front yard so established by the existing buildings.
- d. in cases where lots front on Lake Erie or Sandusky Bay, the front yard may be regarded as that portion of the lot oriented towards the water. This regulation also applies to East, Middle, and West Harbors or any inlets thereof.

## 802 SIGNS

### 802.1 General Regulations

- a. no sign shall be erected or maintained at any location where it may obstruct or impair traffic in any manner.
- b. no illuminated signs shall be permitted in residential districts
- c. temporary signs (i.e., movable or portable) signs may be permitted unless otherwise prohibited.
- d. any illuminated sign shall employ only a source which emits a light of constant intensity; no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights.

### 802.2 Signs Permitted in Any District

- a. for one-family dwellings, one name plate not exceeding one and one-half square feet in area indicating the name and/or address of the occupant.
- b. for multi-family dwellings (if permitted), one sign not exceeding 12 square feet in area indicating the name and address of the building and the name of the management thereof.
- c. for churches, one bulletin board not exceeding 48 square feet in area including the supporting structure.
- d. one sign not exceeding 12 square feet pertaining to the sale or rent of the property on which the sign is located.
- e. for home occupations (if permitted), one sign not exceeding 9 square feet in area indicating the name and the home occupation of the occupant.
- f. signs established by, or by order of, any governmental agency.
- g. for required parking areas, signs identifying such areas shall be permitted not to exceed 9 square feet.
- h. for special events of public interest, one sign not over 24 square feet in area and located on the site of the event shall be permitted; such signs shall be removed immediately after the event.

### 802.3 Height

No part of a free-standing sign shall be erected to a height greater than that of the requirements for principal structures in any district.

### 802.4 Setback

The minimum setback of all free-standing signs (including billboards) from the street right-of-way line shall not be less than as follows:

<u>Area of sign per face</u>	<u>Minimum Setback</u>
5 sq. ft. or less	2 feet
5 to 14.9 sq. ft.	10 feet
15 to 49.9 sq. ft.	20 feet
50 to 99.9 sq. ft.	30 feet
100 or more sq. ft.	60 feet

#### 802.5 Measurement of Sign Area

The area of a sign shall be determined by the smallest circle, triangle, or rectangle that can be used to enclose the sign exclusive of supporting members that bear no message or symbol.

#### 802.6 Signs in Agricultural District

In the "A" District, the following signs may be erected as follows:

- a. Outdoor advertising (billboards) not to exceed 72 sq. ft. in area;
- b. Directory signs indicating services, commodities, or facilities available within a distance of 10 miles not to exceed 9 sq. ft. in area;
- c. those signs indicated in Section 802.2 of this Resolution.

#### 802.7 Signs in "R" or "L" Districts

The following signs may be erected in any "R" or "L" District, unless otherwise prohibited:

- a. those signs as indicated in Section 802.2 of this Resolution.

#### 802.8 Signs in Commercial Districts

The following signs may be erected in any Commercial District, unless otherwise prohibited:

- a. those signs as indicated in Section 802.2 of this Resolution.
- b. each commercial use on its own lot shall be permitted the following number of advertising signs and areas as follows:

<u>District</u>	<u>No. of Signs</u>	<u>Net Sign Area (ea.)</u>
"C-1"	2	30 sq. ft.
"C-2"	3	40 sq. ft.
"R-C"	3	30 sq. ft.

#### 802.9 Signs in Manufacturing Districts

The following signs may be erected in any "M" District, unless otherwise prohibited:

- a. those signs as indicated in Section 802.2 of this Resolution.
- b. each use shall be permitted identification signs on the lot not to exceed two (2) such signs with a net area of 300 sq. feet each.

### 803 FENCES AND HEDGES

803.1 Fences or hedges shall not exceed the following height in the specified yards unless otherwise restricted:

<u>District</u>	<u>Front Yard</u>	<u>Other Locations</u>
A	7	7
R-1, R-2, R-3, L	5	7
C-1, C-2, R-C	5	7
M-1, M-2	10	10

803.2 No fences or hedges shall be permitted at the intersection of streets which will impair or obstruct the vision of traffic. Such fence or hedge shall not exceed 3 feet in height within the triangle formed by two adjoining sides running parallel with the edge of the nearest existing travelling lines and extending 25 feet therefrom.

### 804 STORAGE OF BOATS AND TRAILERS

804.1 Boats and travel trailers may be stored in the rear or side yard of any "A" or "R" District, provided that no use shall be made and no living quarters shall be maintained, or any business practiced in such a unit.

804.2 Unless otherwise prohibited, such storage may be permitted on any residential lot in any district in addition to the any other districts as specified herein.

### 805 MOBILE HOMES

805.1 Unless otherwise prohibited, mobile homes placed on a permanent foundation shall be regarded as one-family dwellings if the wheels, axles, and tongue are removed, the mobile home is completely skirted, and is taxed as real property.

### 806 MOBILE HOME PARKS

806.1 An application for a conditional use must be filed with the Board of Zoning Appeals including the plans for the proposed park and a fee as established by the Board of Township Trustees.

#### 806.2 Mobile Home Park Requirements

All mobile home parks shall meet the following requirements:

- Park Size - minimum of 10 acres
- Density - maximum of 6 mobile homes per gross acre
- Width and Depth - minimum width of 300 feet; ratio of width to depth shall not exceed one to five (1:5)
- Yards - minimum front yard of 50 feet; minimum side yards of 25 feet each; minimum rear yard of 40 feet. If either side property line abuts a public or private right-of-way, the minimum yard shall be 35 feet.



#### 806.2 Mobile Home Park Requirements (cont'd.)

- e. Access - shall be provided into the park with a minimum right-of-way of 50 feet in width. Marginal access roads may be required if deemed necessary by the Board of Zoning Appeals.
- f. Streets - shall have a minimum right-of-way width of 50 feet, shall have a minimum pavement width of 30 feet, and shall have curbs and gutters.
- g. Walkways - shall be provided with a minimum width of 3 feet and shall be paved.
- h. Recreation and Open Space - 10 per cent of the gross land area of the park shall be reserved for recreation and open space uses excluding any yard requirements.
- i. Buffering - the outer boundaries of the park shall contain a buffer zone composed of a green strip, not less than 20 feet in width, located along all park boundaries.

#### 806.3 Mobile Home Lot Requirements

Individual lots within mobile home parks shall conform to the following requirements:

- a. Lot Size - minimum of 4000 square feet
- b. Lot Width and Depth - minimum of 40 feet in width (50 feet for corner lots); minimum of 100 feet in depth
- c. Clearance - minimum of 20 feet between individual mobile homes
- d. Parking - minimum of 400 sq. ft. parking area for 2 off-street parking spaces
- e. Walkway - each lot shall have a paved walkway of a minimum of 3 feet in width leading to the main entrance from the main walkway or the street
- f. Skirting - each mobile home shall be skirted, entirely enclosing the bottom section, within 90 days after its placement
- g. Mobile Home Stand - each lot shall be provided with a stable base on which to place the mobile home as acceptable to the Board of Zoning Appeals
- h. Floor Area - each mobile home shall have a minimum floor area of 550 sq. ft.
- i. Accessory Buildings - shall be permitted no closer than 3 feet to any lot line
- j. Corner Markers - the 4 corners of each lot shall be marked in a manner acceptable to the Board of Zoning Appeals
- k. Height - maximum height of mobile homes and accessory structures shall be 20 feet
- l. Lot Numbering - each mobile home lot shall be numbered for identification purposes.

#### 806.4 Mobile Home Park Utilities and Services

Such improvements shall be provided as required by the Ohio Revised Code.

## 806.5 On-site Mobile Home Sales and Storage

Such uses shall be permitted upon meeting the following requirements:

- a. such areas shall be well screened from the residential portion of the park and shall be located on the periphery of the site in accordance with the approval of the Board of Zoning Appeals.
- b. any signs used for advertising shall be inoffensive to park residents and the surrounding properties.

## 807 TRAILER CAMPS

807.1 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.

### 807.2 Trailer Camp Requirements

All trailer camps shall meet the following requirements:

- a. Camp Size - minimum of 5 acres
- b. Density - maximum of 10 sites per gross acre
- c. Width and Depth - minimum width of 200 feet; ratio of width to depth shall not exceed one to five (1:5)
- d. Yards - minimum front yard of 50 feet; minimum side yards of 25 feet each side; minimum rear yard of 40 feet. If the rear or either side yard abuts a public or private right-of-way, the minimum yard shall be 35 feet.
- e. 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.
- f. Streets - shall have a minimum right-of-way of 20 feet; all streets shall be all-weather roads
- g. Recreation and Open Space - 25 per cent of the gross camp area shall be reserved for such uses excluding yards and camp sites.
- h. Buffering - the outer boundaries of the camp shall contain a buffer zone composed of a green strip, not less than 20 feet in width, located along all park boundaries.

### 807.3 Trailer Camp Site Requirements

Individual camp sites within trailer camps shall meet the following requirements:

- a. Camp Site Area - minimum of 1500 sq. ft. per site
- b. Camp Site Width - minimum of 30 feet and should front on road
- c. Camp Site Setbacks - minimum of 8 feet on all boundaries for all trailers, tents, etc.
- d. Corner Markers - all 4 corners of each camp site shall be appropriately marked.

807.4 Trailer Camp Utilities and Services

Such improvements shall be provided as required by the Ohio Revised Code.

807.5 Supplementary Regulations

- a. Accessory Buildings and Uses - such uses which are appropriate to the operation of a camp may be permitted within the conditional use procedure of review by the Board of Zoning Appeals.

## ARTICLE 9

### BOARD OF ZONING APPEALS AND CONDITIONAL ZONING CERTIFICATES

#### 900 ORGANIZATION AND PROCEDURES OF THE BOARD OF ZONING APPEALS

900.1 Appointment: There is hereby established a Board of Zoning Appeals which shall consist of five (5) electors appointed by the Board of Trustees. The Board of Trustees shall choose a successor to fill any vacancy. The five (5) electors first appointed shall serve for terms of one (1), two (2), three (3), four (4) and five (5) year terms, beginning January 1st. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Trustees and shall be for the respective unexpired term. The members of the Board of Zoning Appeals may receive such compensation as the Board of Trustees provides.

900.2 Hearings, Rules, etc.: The hearings of the Board of Zoning Appeals shall be public. However, the Board may go into executive session for discussion but not for vote on any case before it. The Board shall organize annually and elect a President, Vice-President and Secretary. The Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Resolution.

The Board shall hear any owner of property adjacent to the lot for which the granting of any zoning permit is pending, and shall also hear any other parties having substantial interest as determined by the Board,

The Board shall fix a reasonable time for the hearing of an appeal, variance, conditional use, or special exception give at least ten (10) days' public notice thereof in a newspaper of general circulation in the Township and at least ten (10) days' notice to parties having proprietary interest in land within two hundred (200) feet and decide upon the appeal, variance, conditional use, or special exception within a reasonable time after it is submitted. At this hearing, any party may appear in person or by attorney.

Upon the day for hearing any application or appeal, variance, conditional use, or special exception, the Board may adjourn the hearing in order to permit the obtaining of additional information or to cause such further notice as it deems proper to be served upon such other property owners as it decides may be substantially interested in the appeal, variance, conditional use, or special exception. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the Board so decides.

900.3 Minutes and Records: The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or, if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Trustees and shall be a public record.

900.4 Witnesses, Oaths, etc.: The Board shall have the power to compel the attendance of witnesses, administer oaths, and may require the production of documents, under such regulations as it may establish.

900.5 Departmental Assistance: The Board may call upon the various officials of the county for assistance, and may also make use of such consultants as the Board deems necessary.

900.6 Decision of the Board: The Board shall decide all appeals, variances, conditional uses, or special exceptions within thirty (30) days after the final hearing thereon.

A certified copy of the Board's decision shall be transmitted to all parties in interest. Such decision shall be binding upon the Zoning Inspector and observed by him, and he shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board.

A decision of the Board shall not become final until the expiration of five (5) days from the date of such decision is made, unless the Board shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.

The Board may reverse or affirm wholly or partly, or may modify the order, requirements, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made on the premises; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken. Any party adversely affected by a decision of the Board may appeal to the Court of Common Pleas of the County on the ground that the decision was unreasonable or unlawful.

900.7 Applications For Appeals, Variances, Special Exception And Conditional Use Certificates: An application, in cases in which the board has original jurisdiction under the provisions of this Resolution, may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board or bureau. Such application shall be filed with the Zoning Inspector who shall transmit same to the Board. A deposit of twenty-five (\$25.00) shall be paid upon filing of each application, for the purpose of defraying the costs of the proceedings described herein.

## 901 POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall have the following powers and responsibilities:

901.1 Appeals: To hear and decide appeals where it is alleged there has been an error in any interpretation, order, requirement, decision, or determination by the zoning inspector in the enforcement and administration of this Resolution.

- a. An appeal to the Board may be taken by any person aggrieved or by an officer of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision, by filing with the Zoning Inspector and with the Board a notice of appeal specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken.
- b. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.
- c. The Board may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken.

901.2 Special Exceptions: To hear and decide the following special exceptions:

- a. Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of passage of this Resolution.
- b. Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than sixty (60) percent of its fair market value where the Board finds some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.
- c. Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements; or permit (1) the waiver of the requirement that automobile parking space be provided on the same lot with a dwelling, if other suitable and convenient parking space is available within or without a building; or (2) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

901.3 Variances: The Board shall have the power to hear and decide such variances from the provisions or requirements of this Resolution as will not be contrary to the public interest. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of this Resolution. On appeal where there is unnecessary hardship, the Board may grant a variance in the application of the provisions of the Zoning Resolution only if all of the following findings are made:

- a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions generally created by the provisions of the Zoning Resolution in the neighborhood or district in which the property is located.
- b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning resolution and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- c. That such unnecessary hardship has not been created by the appellant.
- d. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.
- e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

901.4 Conditional Zoning Certificates: The Board of Zoning Appeals shall have the duty to hear and decide applications for conditional zoning certificates where they are permitted in Article 5 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 or operation, traffic movements, concentration of population, and the kinds of public facilities and services it requires.

- a. Requirements For Issuance of Conditional Zoning Certificates: The Board of Zoning Appeals shall establish beyond reasonable doubt 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 property rights, and for insuring that the intent and objectives of this Resolution will be observed, including specific limitations as to future expansion.

1. General Requirements: The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that such use in the proposed location:

- a. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan (whether present or future);
- b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
- c. Will not be hazardous or disturbing to existing or future neighboring uses;
- d. Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- e. Will be served adequately by essential public facilities and services;
- f. Will be in compliance with the Subdivision Regulations, the Board of Health Standards, and the Building Code if there are such requirements;
- g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public streets or roads.

901.5 Additional Uses: If, by some oversight on the part of the Zoning Commission who drafted this resolution, a specific use is proposed that has not been provided for as either permitted or conditionally permitted in any zoning district, then it shall be the responsibility of the Board to determine in which district(s) said specific use shall be permitted or conditionally permitted. In making their determination, the Board shall consider the nature of the proposed use and shall only assign this use to a district(s) where uses of a similar nature are provided for. In addition, the Board may require such additional conditions and safeguards as it feels are necessary to uphold the intent of this Resolution.



## ARTICLE 10 - NONCONFORMING USES

### 1000 PURPOSE

The purpose of this section is to (1) define the legal status of buildings or land uses which do not conform to this Resolution but which were in operation prior to the enactment of this Resolution and (2) to provide either for the conversion of nonconforming uses into conforming uses as soon as reasonably possible or for the eventual and equitable elimination.

### 1001 NONCONFORMING USES

1001.1 Any lawful uses of buildings and/or land existing at the effective date of this Resolution may be continued, even though such use does not conform to the District provisions. The addition to or enlargement of a nonconforming building or structure shall be permitted provided such addition or enlargement does not exceed 20 per cent of the floor area contained in the original building or structure. All other requirements of the District (lot area, yards, etc.) shall be met unless a variance is obtaining. A nonconforming use of land shall not be expanded or extended into any other portion of the lot or adjoining property.

1001.2 Whenever the use of a building or land becomes nonconforming through a change in the amended Zoning Resolution or in the district boundaries, such use may be continued.

1001.3 After the effective date of this Resolution a nonconforming use which is discontinued for a period of two (2) years shall not again be used except in conformity with the regulations of the district in which it is located.

1001.4 A nonconforming use which has been damaged by fire, explosion, act of God, or the public enemy to the extent of 75 per cent or more of its reproduction value at the time of damage shall not be restored except in conformity with the regulations of the district in which it is located. When damage by less than 75 per cent of its reproduction value, a nonconforming use may be repaired or reconstructed, and used as before the time of damage, provided such repairs or reconstruction are started within one (1) year of the date of such damage.

1001.5 It is not the intention herein to classify as nonconforming, a use or building allowed in a district as a conditional use under the regulations of this Resolution.

1001.6 Any building arranged, intended or designed for a nonconforming use the construction of which has been started at the time of the passage of this Resolution, but not completed, may be completed and put into such nonconforming use, provided it is done within one (1) year after this Resolution takes effect.

1001.7 Any use which is a permitted conditional use in a district under the terms of this Resolution shall, without further action, be considered a conforming use.

## ARTICLE 11

### ZONING COMMISSION, BOARD OF TOWNSHIP TRUSTEES, DISTRICT CHANGES, AND RESOLUTION AMENDMENTS

#### 1100 GENERAL

1100.1 Whenever the public necessity, convenience, general welfare or good zoning practices require, the Board of Trustees may, by resolution -- after receipt of recommendations thereof from the Zoning Commission, and subject to the procedures provided by law -- amend, supplement or change the regulations, district boundaries or classification of property, now or hereafter established by this Resolution or amendments thereof. It shall be the duty of the Commission to submit its recommendations regarding all applications or proposals for amendments or supplements to the Board of Trustees.

#### 1101 PROCEDURE FOR CHANGE IN ZONING DISTRICTS

1101.1 Amendments or supplements to zoning resolution; procedures; referendum: Amendments or supplements to the zoning resolution may be initiated by motion of the township rural zoning commission, by the passage of a resolution thereof by the Board of Township Trustees or by filing of an application therefor by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the township zoning commission. The Board of township trustees shall upon the passage of such resolution certify it to the township zoning commission.

Upon the adoption of such motion, or the certification of such resolution or the filing of such application the township zoning commission shall set a date for a public hearing thereon, which date shall not be less than twenty nor more than forty days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application.

1101.2 Applications for any change of district boundaries or classifications of property as shown on the Zoning Map, shall be submitted to the Commission, as its public office, upon such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Commission shall be accompanied by its motion pertaining to such proposed amendment.

1101.3 Names and address of adjacent property owners: Any person or persons desiring a change in the zoning classification of property shall file with the application for such change, a statement giving the names and addresses of the owners of all properties lying within two hundred (200) feet of any part of the property the zoning classification of which is proposed to be changed.

1101.4 Referral of proposed change to Regional Planning Commission: Within five (5) days after the application for change in the resolution or districts, the Zoning Commission shall transmit a copy thereof, together with text and map pertaining thereto to the Regional Planning Commission. The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement of the approval or some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment or supplement.

1101.5 Public hearing by Zoning Commission: Before submitting its recommendation on a proposed amendment to the Board of Trustees, the Commission shall hold a public hearing thereon, notice of which shall be given by publication in a newspaper of general circulation in the Township at least fifteen (15) days before the date of hearing. The notice shall state the place or places and times at which the proposed amendment to the Resolution, including the text and maps, may be examined,

1101.6 Notice to property owners by Zoning Commission: If the proposed amendment or supplement intends to rezone or redistrict ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least twenty days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be re-zoned or re-districted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of County Commissioners. The failure to notify, as provided in this section, shall not invalidate any recommendations adopted hereunder; it being the intention of this section to provide, so far as may be possible, due notice to persons substantially interested in the proposed change that an application is pending before the Commission, proposing to make a change in the Zoning District Map or the regulations set forth in this Resolution.

1101.7 Action by Zoning Commission: The Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application be not granted. These recommendations shall then be certified to the Board of Trustees within thirty (30) days after the hearing.

1101.8 Public hearing by Board of Township Trustees: Within thirty (30) days after receiving from the Commission the certification of said recommendations on the proposed amendment, and before adoption of such amendment, the Board of Trustees shall hold a public hearing thereon, at least fifteen (15) days' notice of the time and place of which shall be given by publication in a newspaper or general circulation in the Township once a week for two weeks. The notice shall state the place or places and times at which the proposed amendment to the Resolution, including text and maps, may be examined and other notices as required by state statutes.

1101.9 Action of Board of Township Trustees: Within twenty (20) days after receiving from the Commission certification of the recommendations on the proposed amendment and after holding the public hearing, the Board of Township Trustees shall consider such recommendations and vote on the passage of the proposed amendment to the text of the Resolution or Zoning District Map, The Board of Township Trustees may overrule the recommendations of the Commission by unanimous vote of the full membership of the Board of Township Trustees.

#### 1102 APPLICATION FEES

1102.1 At the time that an application for change of zoning districts is filed with the Commission, as provided herein, a fee as established by the Board of Township Trustees shall be required.

## ARTICLE 12 - ENFORCEMENT

### 1200 ZONING INSPECTOR

1200.1 It shall be the duty of the Township Zoning Inspector, who shall be appointed by the Board of Trustees, to enforce this Resolution. It shall also be the duty of all officials and employees of the township to assist the Zoning Inspector by reporting to him upon new construction, reconstruction, or land uses.

1200.2 Appeal from the decision of the Zoning Inspector may be made to the Board of Appeals as provided herein.

### 1201 ZONING CERTIFICATES

1201.1 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, changed, converted or enlarged, wholly or partly, until a zoning certificate shall have been issued by the Zoning Inspector. It shall be the duty of the Zoning Inspector to issue a certificate, provided he is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Resolution. No 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.

1201.2 Upon written request from the owner or tenant, the Zoning Inspector shall issue a zoning certificate 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 in accordance with this paragraph.

### 1202 CONDITIONS UNDER WHICH CERTIFICATES ARE REQUIRED

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

- (a) Construction or structural alteration of any building, including accessory buildings.
- (b) Change in use of an existing building or accessory building to a use of a different classification.
- (c) Occupancy and use of vacant land.
- (d) Change in the use of land to a use of a different classification.
- ✓(e) Any change in the use of nonconforming use.
- (f) A zoning certificate shall be required for all lawful nonconforming uses of land or buildings created by adoption of this Resolution or any amendments.

## 1203 APPLICATION AND ISSUANCE OF ZONING CERTIFICATE

1203.1 Written application shall be made for a zoning certificate for the construction of a new building or the alteration of an existing building. Said certificate 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.

1203.2 Written application for a zoning certificate 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 therefor shall be issued within sixteen (16) days after the application for same has been made.

1203.3 Every application for a zoning certificate shall be accompanied by a plot plan in duplicate, and such other plans as may be necessary to show the location and type of buildings to be erected or alterations to be made.

(a) Each plan shall show:

1. The street providing access to the lot and the exact location of the lot in relation to the nearest cross street.
2. The name of the concerned lot plan, if any, and the lot numbers of the concerned and abutting properties.
3. The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.
4. The location and size of the proposed structure and/or the proposed enlargement of the existing structure.
5. Any other information which in the judgment of the Zoning Inspector may be necessary to provide for the enforcement of this Resolution.

(b) Each plan shall bear statements declaring:

1. 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.
2. 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.

(c) 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.

- (d) Each property owner or authorized agent may be required to attest to the correctness of the statements and data furnished with the application.
- (e) A file of such applications and plans shall be kept in the office of the Zoning Inspector.

#### 1204 FEE FOR ZONING CERTIFICATES

1204.1 A fee, as established by the Board of Township Trustees, shall accompany each application for a zoning certificate.

1204.2 The Zoning Inspector shall forthwith deposit all fees with the Township Clerk who shall credit such fees to the credit of the Zoning Fund of the Township.

1204.3 Every zoning certificate shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all zoning certificates shall be kept on file in the Office of the Zoning Inspector or his agent, and copies shall be furnished upon request to any person having proprietary or tenancy interest in the building or land affected.

#### 1205 VIOLATIONS AND PENALTIES

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Board of Trustees. Any person, firm or corporation violating any regulation thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred dollars (\$100). Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues, may be deemed a separate offense.

#### 1206 VIOLATIONS - REMEDIES

1206.1 Any certificate issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the certificate shall be revoked by notice in writing to be delivered to the holder of the void certificate upon the premises concerned, or, if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new certificate in accordance with this Resolution shall be deemed guilty of violation thereof.

1206.2 In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of this Resolution or any amendment or supplement thereto, the Zoning Inspector, County Prosecutor, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.