

***WEBSTER TOWNSHIP  
ZONING RESOLUTION***

***Effective Date:*** September 1, 2008

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## ZONING RESOLUTION

A resolution providing for regulating the location, size, height and use of buildings and structures, the area and dimensions of lots and yards, and the use of lands, and for such purposes, dividing the unincorporated portion of the Township into zones or districts of such number, sizes and shapes as are deemed best suited to carry out said purposes, and providing for a method and proceedings for the administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Webster Township, deem it in the interest of the public health, safety, morals, comfort and general welfare of said township and its residents to adopt a zoning plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Webster Township, Wood County, Ohio, that the Zoning Resolution of Webster Township read as follows:

### ZONING RESOLUTION FOR WEBSTER TOWNSHIP

#### ARTICLE I. PURPOSE

For the purpose of promoting public health, safety, morals and general welfare; to conserve and protect property values to secure the most appropriate use of land; to facilitate adequate and economical provision of public improvements; and to promote, orderly development of property in the township, all in accordance with the comprehensive plan or plans developed and coordinated by the County Planning Commission, the Board of Trustees of Webster Township find it necessary and advisable to regulate the location, height, bulk, size of buildings and use of buildings and other structures, including tents, cabins, and trailer coaches, percentages of lot areas which may be occupied, set back building lines, sizes of yards and other open spaces, and the use of land for trade, agriculture, industry, residence, recreation or other purposes and for such purposes divides the township into districts or zones, all as shown on the district map on file in the office of the Board of Township Trustees.

#### ARTICLE II. IDENTIFICATION

Whenever the word "Township" appears in this resolution, it shall be deemed to mean the "Township of Webster, Wood County, State of Ohio, and whenever the word "County" appears in this resolution, it shall be deemed to mean the County of Wood, State of Ohio.

#### ARTICLE III. INTERPRETATION

1. In interpretation and application, the provisions of this resolution shall be held to the minimum requirement adopted for the promotion of public health, safety, morals, comfort and general welfare.
2. 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 buildings or premises.
3. Words used in this resolution in the present tense shall be interpreted to include the future tense; words used in the singular number shall include the plural number, as the plural number shall include the singular number. The word "shall" as used in this resolution shall be construed to mean mandatory, the word "may" is permissive. The masculine gender as used in this resolution shall include the feminine and neuter gender and vice-versa.

4. Where this resolution imposes a greater restriction upon the use of buildings or premises or upon the height 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 apply, but nothing herein shall interfere with, abrogate or annul any easements, covenants, deed restrictions or agreements between the parties which impose restrictions greater than those imposed by this resolution.

#### ARTICLE IV. EXEMPTIONS

In accordance with Section 5519.21 of the Ohio Revised Code the following and only the following are exempt from the zoning regulations.

1. The use of any land for agricultural purposes or the construction or use of buildings of building or structures incident to the use for agricultural purposes of land on which such buildings or structures are located, and no zoning certificate shall be required for any such building or structure. This does not include the residential dwelling.
2. The use of land or buildings of any public utility or railroad whether publicly or privately owned, for the operation of its business.

#### ARTICLE V. DEFINITIONS

Definitions which shall be applicable in construing this resolution.

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

- a. Whose use is clearly incidental to the use of the principal building, other structure or use of land, and
- b. Which is customary in connection with the principal building, other structure or use of land, and
- c. Which is located on the same lot with the principal building, other structure or use of land.

Agricultural - Agriculture shall include farming, dairying, pasturage, apiculture, agriculture, horticulture, viticulture, animal and poultry husbandry, sod farming, and fur bearing animal production.

Agricultural Zone - Areas of land may be classified as agricultural provided that the general area is not built up for urban use and the general area is open space.

Alteration - Any change to a structure which does not involve a structural change.

Anemometer - An instrument that measures the force and direction of the wind.

Apartment - A room or suite of rooms intended, designed, or used as a residence by a single family.

Area of Building - The number of square feet included within the outside walls excluding porches, breezeways, terraces.

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

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

Building, Accessory - A subordinate building, or portion of the main building on the lot, the use of which is customarily incidental to that of the main or principal building, no part of which accessory building may be devoted to human occupancy either before or after the erection of the principal building.

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

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

Clear Fall Zone – An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty constructive methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located at, the purpose being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not fall onto dwellings, any inhabited buildings, and will not intrude onto neighboring property.

Clinic - Any building or other structure devoted to the diagnosis, treatment and care of outpatients.

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

#### Commercial Classifications:

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

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

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

Cottage - Building designed and/or constructed for seasonal occupancy only.

Cowling – A streamlined removal metal that covers the turbine’s nacelle.

Decibel – A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

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

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

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

Dwelling, Multiple-Family - A building arranged and designed to be occupied by three (3) or more families living independently of each other and having independent and separate living areas, including apartment houses, apartment hotels, flats and group houses.

Essential Services – The erection, construction, alteration, or maintenance, by public utilities, or municipal or governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health, or safety or general welfare, but not including buildings, other than structures for mainly enclosing essential services described herein.

Family - An individual or married couple and natural or adopted children thereof, or foster children (not more than three {3}), placed by a duly constituted state or county agency, occupying a dwelling for the purpose of habitation and including other persons related directly to the individual or married couple by blood or marriage.

Floor Area - The sum of the gross horizontal areas of the several floors of a building, "floor area" shall not include: garages, stair bulkheads, attic space, terraces, breezeways and open

porches and uncovered steps. For purposes of this resolution, "floor area" shall also not include basements, unless such area is fully improved with electrical hook-up as well as furnishings and decor similar to the rest of the home. It shall be the determination of the zoning inspector, based on blue prints and home improvement plans, whether such basement area may be included in floor area calculation.

Front Yard – Minimum distance between a structure and the front lot line.

Frontage - The part of a lot or parcel of land adjacent to public street or highway.

Garage, Private - An accessory building designed or used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle, which vehicle shall not exceed a two (2) ton capacity.

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

Gas Station, Service Station - Any building, structure or land used only for the sale of motor vehicle fuels, oils, lubricants and automobile accessories directly to the consumer, and may include minor repairs incidental to such use. Storage tanks shall be located completely within lot lines and underground.

Gross Leasable Area - The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any; expressed in square feet and measures from the center line of joint partitions and from outside wall faces. It is all that area on which the tenants pay rent; it is the area producing income, abbreviated GLA.

Group Home - A private residence which provides resident services to a maximum of eight (8) unrelated persons, inclusive of the resident care provider. Persons who are developmentally disabled, mentally retarded, mentally ill, aged, and handicapped may be occupants of a group home.

Highway, Major – A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

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

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

Industrialized Unit – A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as a part of a greater structure, and that requires transportation to the site of intended use. “Industrial Unit” includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction needs to form a completed structural entity. “Industrial Unit” does not include a manufactured home or mobile home as defined herein.

In-ground Swimming Pool – A swimming pool constructed as such that the water level is at or below grade level.



Institution - A building occupied by a non-profit corporation or a non-profit establishment for public use.

In The Home Business – Business activities being conducted in or from the residential premises by the occupant of the residence providing the activities do not involve; hired employees, private phone or mail advertising status, nor involve any modification which alters the outward appearance as a residential premises.

Junk Yards - Two (2) or more unlicensed vehicles, or places for the collection of machinery, scrap metal, paper, rags, glass or junk for salvage or storage purposes, or sale of used parts shall constitute a junk yard.

Laborer, Seasonal Agricultural - An individual employed only during the growing and/or harvesting or processing of agricultural products and whose place of employment is primarily on the premises on which the product is grown.

Loading Space - A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks. Such space shall have direct usable access to a street or alley. Where such loading space has been provided, an additional space lying alongside, contiguous to and not separated from the first such loading space need not be wider than twelve (12) feet.

Lodging House - As herein defined is a building other than a hotel where lodging for three (3) or more persons is provided for compensation pursuant to previous arrangement and not to anyone who may apply.

Lot - A parcel of land occupied by or legally capable of being occupied by a building and accessory building and to include such open areas as required by this resolution.

Lot, Area of - The area of a lot computed inclusive of any portion of the right-of-way of any public thoroughfare.

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

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

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

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

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

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

Manufactured Home – A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the “Manufactured Housing Construction and Safety Act of 1974” and has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

Manufactured Home Pad - That portion of a manufactured home site that is designed, constructed, and improved in such a manner as to provide a base upon which a manufactured

home shall rest, and which also serves as a base upon which blocks or other materials are placed to assist in leveling the floor of the manufactured home and provide a temporary type of foundation.

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

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

Manufactured Home Subdivision - A subdivision designed and/or intended for the sale of lots for manufactured home sites. A manufactured home subdivision will be subject to the same land development and site improvement standards that apply to conventional subdivisions under the Subdivision Rules and Regulations of Wood County, except as provided under Article XVI, Section 3 herein.

Manufacturing, General – Any manufacturing or industrial process including food processing and plant product processing, except that which is incident to agricultural operations on an individual's property holdings, which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, gas fumes, dust, smoke, refuse matter or water carried waste.

Manufacturing, Restricted - Any manufacturing or industrial processing which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. Restricted industrial uses shall include the industrial uses listed below and any other use which are determined to be of the same general character: drugs, jewelry, musical instruments, sporting goods; processing and assembly of glass products, small household appliances, electronic products and parts for production of finished equipment; research and testing laboratories; printing and engraving plants.

Mobile Home - Any vehicle manufactured as a single family residence, comprised of one or more sections, excluding recreational vehicles, which has been designed and manufactured for transportation on the public streets and highways on its own wheels, arriving at the site ready for occupancy except for normal unpacking, assembly operations and connections to utilities. This term shall not include an industrialized unit as defined in Section 378.10 of the Ohio Revised Code, but includes a manufactured home as defined in this resolution.

Mobile Home (House Trailer): – A single family dwelling unit which contains a mobile-component designed and maintained in condition for transportation, after fabrication, to the site at which it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location or jacks or other foundations, and connection to essential public utilities; and falling within the definition of a “Manufactured Home” in section 4501.01 of the Ohio Revised Code. A portable unit single, double wide or any other combination towed on its own chassis, comprised of frame, wheels and hitches and designed without a permanent foundation for year round living, whether or not it has since been affixed to a permanent pad of foundation of any form whatsoever.

Motor Court or Motel - A building or a group of buildings used for the temporary residence of motorists or travelers.

Nacelle – A separate streamlined metal enclosure that covers the essential mechanical components of the turbine.

Non-Conforming Use - Is one that does not comply with the regulations established for the particular use, district or zone in which it is situated.

Non-Traditional Accessory Building – The use, including but not limited to, semi truck trailers, box trucks, cargo containers used by the air, rail, shipping, and land transportation industries as an accessory building on a temporary basis subject to approval by the Zoning Appeals Board in the following districts. A-1, R-1, R-2, R-3

Nursery School - A school designed to provide day-time care or instruction for two (2) or more children and operated on a regular basis. "Nursery School" is synonymous with the term "Day Care Center". An occupied dwelling unit shall not be considered a nursery school.

Off-Street Parking Space - An off-street space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet, exclusive of passageways, driveways and other maneuvering area appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

Parcel - An area of land shown as a unit or contiguous units on the County Auditor's map.

Parking Area - An open unoccupied space used or required for use for parking of automobiles exclusively.

Parking Space - A surface area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than two hundred (200) square feet exclusive of driveways.

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

Permanently Sited Manufactured Home: Is a manufactured home that meets all of the following criteria:

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities
2. The structure, exceeding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 1250 square feet, excluding any garages, porches, or attachments.
3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a 6 inch minimum eave overhand, including appropriate guttering.
4. The structure was manufactured after January 1, 1995.
5. The structure is not located in a manufactured home park.

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

Planning Commission - Whenever Planning Commission or County Planning Commission is referred to, it shall be the Wood County Planning Commission.

Plant Cultivation - The cultivation of crops, fruit trees, nursery stock, truck garden products and similar plant materials outside of structures, such as greenhouses.

Plat Required - When more than five (5) parcels are created from one (1) parcel or a new road is dedicated.

Platting - Platting shall mean the platting for residential development in accordance with Wood County Subdivision Rules and Regulations.

Pond - A still body of water covering at least one-half (1/2) acre and being at least 14 feet deep at its deepest point.

Porch - Wherever mentioned is a roofed open area, projecting from the front side or rear wall of a building.

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

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

Professional Engineer – A qualified individual who is licensed as a Professional Engineer in the State of Ohio.

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

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

Quarry - Any land from which rock, stone, gravel, sand, earth or mineral is removed or excavated for the purpose of disposition away from the immediate premises. However, this shall not include excavation necessary for the actual foundations of any building or structure for which a zoning certificate has been issued.

Rear Yard – Minimum distance between a structure and the rear lot line.

Recreational Facilities – commercial – Recreational facilities open to the public established and operated for a profit, such as commercial golf courses, golf driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, amusement parks, carnivals and similar enterprises.

Recreational Facilities-Non-Commercial - Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses and other private non-commercial recreation areas and facilities or recreation centers including private community swimming pools.

Recreational Facilities-Restricted Commercial - Recreational facilities open to the public, established and operated for a profit and restricted to bowling alleys, swimming pools, ice skating rinks, miniature golf and similar recreation activities requiring limited land area.

Recreational Vehicle – A vehicle designed to be used primarily for recreational purposes, including temporary sleeping quarters or cooking facilities, or unit designed to be attached to a vehicle and used for such purposes, including self-propelled motor homes, pick-up campers, travel trailers and tent trailers, provided any such vehicle or unit which is forty-five (45) feet or more in length shall be considered a mobile home and shall be subject to all regulations of this Resolution applicable to mobile homes.

Residence or Residential - A "residence" or "residential" shall include a building, or any part of a building, which contains dwelling units for permanent occupancy. "Residences" therefore include all one-family and multi-family dwellings. However, "residences" do not include: transient accommodations, as in transient hotels, motels, tourist cabins, and trailer camps; and that part of a building which is used for any non-residential uses; and institutional uses, as in rest homes, nursing homes, homes for the aged, orphanages and other institutional residential uses.

Residential Floor Area - The area of a dwelling devoted to living purposes, including stairways, halls, and closets, but excluding porches and space used for a garage or carport.

Rest Home - A home which provides personal assistance to persons who, by reason of age or infirmity, are dependent upon the service of others.

Right-of-way - Land which is set aside between property lines for streets, alleys, easements, utilities or other physical improvements.

Satellite Dish - A device (normally dish or disk shape) used as an antenna for reception of signals via satellites.

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

Set Back Building Line - Line perpendicular to the set back distance at the specified distance.

Set Back Distance - The minimum horizontal distance between the road right-of-way and the building line.

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

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

Sexually-Oriented Business – An establishment where a substantial portion of the use is distinguished or characterized by its emphasis on sexually-oriented materials. Permitted sexually-oriented businesses include, but are not limited to the following uses: sexually-oriented cabarets/movie houses, sexually oriented media stores, sexually-oriented motels, and sexually-oriented shops, more specifically defined hereunder by this regulation. Specifically prohibited sexually-oriented businesses include: sexually oriented encounter centers; sexually-oriented escort agencies; sexually-oriented nude modeling studios; sexually-oriented spas; and sexually-oriented viewing booths, more specifically defined hereunder by this Zoning Regulation.

Sexually-Oriented Cabaret/Movie House – An auditorium, bar, concert hall, movie house, nightclub, restaurant, indoor or outdoor theater, or similar sexually-oriented business

establishment which, for any form of consideration, features sexually-oriented materials to patrons in a seating area exceeding 150 square feet as a substantial portion of its entertainment or presentation time. Entertainment or presentations may include on-site live performances, such as exhibitions, dance routines, gyrational choreography, strippers (male or female), female impersonators, lingerie modeling, or lingerie dancers; or other adult media, including films, motion pictures, computer files or software, laser discs, video cassettes, DVD's, slides, and similar photographic reproductions or media.

Sexually Oriented Encounter Center – An establishment that for any form of consideration, offers activities or physical contact between male and female persons and/or person of the same sex in a private or semi-private area and where one or more of the persons displays or exhibits specified sexual anatomical areas or performs specified sexual activities, including wrestling or tumbling, lap dancing, or body painting.

Sexually-Oriented Escort Agency – An establishment which for a fee, tip, or other consideration advertises to furnish, offers to furnish, or furnishes as its primary business a companion, guide, or date for a service which includes specified sexual activities or the exposure of specified sexual anatomical areas. This service also includes the private modeling of lingerie or private striptease performances.

Sexually-Oriented Materials – Media, matter, visual representations, performances, or services distinguished or characterized by the emphasis on specified sexual anatomical areas or specific sexual activities or which are otherwise harmful to juveniles or obscene. Such materials may include any one or more of the following: books, magazines, newspapers, periodicals, pamphlets, posters, prints, pictures, photographs, slides, transparencies, figures, images, descriptions, motion picture films, previews, trailers, video cassettes, compact discs, laser discs, DVD's, computer files or software, phonographic records, tapes, or other printed matter, visual representations, tangible devices or paraphernalia designed for use in connection with specified sexual activities, plays, shows, skits, dances, exhibitions, or any service capable of arousing prurient or scatological interests through sight, sound or touch.

Sexually-Oriented Media Store – A business establishment which offers media-based sexually-oriented materials for retail sale or rental for any form of consideration as a substantial portion of its stock in trade, including books, magazines, periodicals, or other printed matter, visual representations, instruments, devices or paraphernalia.

Sexually-Oriented Motel – A hotel, motel, or similar commercial establishment that offers, as a substantial portion of its business, accommodation to the public for any form of consideration of closed-circuit television transmissions, films, motion pictures, laser discs, videocassettes, DVD's, slides, or other photographic reproductions that are characterized by the depiction or description of sexually-oriented materials; and which:

- a. Has a sign visible from the public right of way that advertises the availability of sexually-oriented materials along with room rentals; or
- b. Offers a sleeping room for rent for a period of time that is less than ten (10) hours or allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

Sexually-Oriented Nude Model Studio – An establishment where a person who exhibits specified sexual anatomical areas is to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. A Nude Model Studio shall not include a proprietary school licensed by the State of Ohio or a College, Junior College, or University supported entirely or in part by public taxation, a private college or university that maintains and operates educational programs in

which credits are transferable to a College, Junior College, or University supported entirely or partly by taxation, or in a structure, provided such institution meets all of the following criteria:

- a. There is no sign visible from the exterior of the structure and no other advertising that indicates a person exhibiting specified sexual anatomical areas is available for viewing; and
- b. In order to participate in a class a student must enroll at least three days in advance of the class; and
- c. No more than one person exhibiting specified sexual anatomical areas is on the premises at any one time.

Sexually-Oriented Shop – An establishment offering for retail sale or rent leather goods marketed or presented in context to suggest their use for sadomasochistic practices, and/or sexually-oriented toys or novelties, and where retail sale or rent of these goods individually or in combination or in combination with lingerie or media-based sexually-oriented material constitute a substantial portion as a substantial portion of its business.

Sexually-Oriented Spa – An establishment not operated by medical professionals or certified massage therapists which for a fee, tip, or other consideration advertises to furnish, offers to furnish, or furnishes as its primary business a massage, bath, sauna, exercise equipment, shower, or hot tub service, and which includes sexually-oriented material or engages or offers to engage patrons in specified sexual activities, or activities commonly associated with a sexually-oriented encounter center.

Sexually-Oriented Viewing Booth – Any booth, cubicle, stall, or compartment less than or equal to 150 square feet in area that is primarily designed, constructed, or used to hold or seat patrons therein, who are charged a fee of some other form of consideration for viewing sexually-oriented materials, such as publications, viewing by any photographic, electronic, magnetic, digital, or other means or media (including, but not limited to, film, video or magnetic tape, laser disc, cd-rom, books, magazines, or periodicals), or live entertainment.

Side Yard – Minimum distance between a structure and the side lot line.

Sign - Any device designated to inform or attract the attention of persons not on the premises which the sign is located.

1. Sign, On Premises: Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
2. Sign, Off Premises: Any sign unrelated to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.

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

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

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

Story, Half - A story under a gable, hip or gambrel roof, the wall plates of which on at least two

(2) opposite exterior walls are not more than four (4) feet above the floor of such story.

Street - A public or private thoroughfare which affords the principal means of access to abutting property.

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

Structure - Structure or building is anything erected, constructed or reconstructed on a foundation, posts, piles, blocks, skids, sills, or any other support, whether such foundation, posts, piles, blocks, skids, sill, other support is or is not permanently located in or attached to the soil.

Structural Change - Wherever mentioned in this resolution means any change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, excepting such structural change as may be required for the safety or the building or occupants thereof. This does not include repairing, reroofing or residing.

Tourist Home - A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests.

Township – Wherever Township is referred to, it shall be Webster Township, Wood County, Ohio.

Transmitting Tower – A tower equipped with a transmitting device capable of generating a carrier wave, modulating it with a signal to be broadcast and radiating the resulting wave from an antenna. This includes cell phone towers that are considered an utility and can not be regulated through zoning unless they are located in an area zoned for residential, commercial, or industrial uses.

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

Travel Trailer – A non self-propelled recreational vehicle that does not exceed an overall length of thirty-five feet, exclusive of bumper and tongue or coupling, and contains less than 320 square feet when erected on site. “Travel trailer” includes tent-type and foldout camping trailers.

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

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

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

Variance - A change in the requirements within a district, not to include a change in basic land use.

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

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



retail sale.

Wind Generated Turbines Owner – The person or persons who owns the Wind Generated Turbine.

Wind Generated Turbines Tower – The support structure to which the turbine and rotor are attached.

Wind Generated Turbine Height – The distance from the rotor blade at its highest point to the top service of the tower foundation.

Zoning Appeals Board - Board of Appeals of Webster Township, Wood County, Ohio.

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

Zoning Commission - Wherever "Commission" or Zoning Commission" is referred to, it shall be the Zoning Commission of Webster Township, Wood County, Ohio.

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

## ARTICLE VI. DISTRICTS

For the purpose of carrying out the provisions of this resolution the unincorporated area of the township may hereby be divided into the following districts:

- “A” Agricultural District
- “R-1” Residential District
- “R-2” Residential District
- “R-3” Residential District
- “C-1” Neighborhood Commercial
- “C-2” Shopping Center Commercial District
- “C-3” Highway Commercial District
- “I” Industrial District
- “S” Special District

These zones are designated on a zoning map and are hereby established and said map is made a part of the resolution. No buildings or premises shall be used and no buildings shall be erected except in conformity with regulations prescribed herein for the district in which it is located.

## ARTICLE VII. CLASSIFICATION OF USES

For the purpose of this resolution the following uses shall be permitted, including building and premises used for the district mentioned.

### Uses in A-Agricultural District

Permitted Uses:

1. Any agricultural use.
2. Any use or structure permitted and as regulated in the R-1 District.
3. Roadside stands consisting of structures used for the display and sale of agricultural products of which 50% or more must be produced on the premises where stand is located. Such stands or displays shall be a minimum of twenty (20) feet from the edge of a right-of-way and adequate parking facilities shall be maintained on the premises and not in the road right-of-way for customer parking. Any roadside stand shall have points of ingress-egress so situated that the visibility on the highway affording said ingress-egress be unobstructed for a distance of five hundred (500) feet in each direction.

Conditional Uses Requiring Board Approval:

1. Manufactured homes as permitted in ARTICLE XV.
2. Structures for the temporary housing and shelter of seasonal, agricultural laborers may be permitted on, or adjacent to land, the use of which is for the production of the crops for which the agricultural labor is necessary. The location of such structures shall be as provided in ARTICLE XI and ARTICLE XII. Minimum dwelling size, as provided in ARTICLE XII shall not apply to such structures and the number of such structures per parcel of land shall be unlimited. Occupancy of such structures shall not extend more than thirty (30) days beyond the harvest season.
3. Non-commercial recreation private uses requiring open space, such as golf courses, hunting clubs, race tracks.
4. In The Home Business not related to agriculture
5. Non-traditional accessory building
6. Wind Turbine Generators
7. Aircraft Landing Field
8. Transmitting Tower
9. Sand, gravel, and top soil extraction
10. Oil and Gas Wells

Uses in R-1 Residential District

The Residential zone is intended as an area chiefly designed for single family homes with related community facilities such as religious and public recreation facilities, which go into making up a balanced residential neighborhood.

Permitted Uses:

1. One (1) single family or one (1) two-family dwelling per lot for residential purposes, and buildings accessory thereto; but excluding the use of tents, cabins, and basements for residential purposes.
2. Schools and colleges for academic instruction
3. Churches and Parish houses, including Sunday schools and meeting facilities.
4. Public buildings and properties of the cultural, administrative or public service type, but not including such uses as storage yards and warehouses.
5. Private recreation facilities not operated for profit including swimming pools,

- tennis courts, etc.
6. Hospitals, sanatoriums but not including those for contagious diseases or for the insane, liquor or drug addicts, and religious institutions, not including correctional institutions.
  7. Platting of land for residential development in accordance with the SUBDIVISION REGULATIONS for Wood County.

Accessory Uses:

1. Summer houses and other customary incidental structures.
2. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
3. One (1) bulletin board or sign not exceeding twenty (20) square feet in area for and permitted church, school, or other public or semi-public institution.

Conditional Uses Requiring Board Approval:

1. Specialized animal raising and care.
2. In The Home Business
3. Non-traditional accessory building
4. Wind Turbine generators
5. Transmitting Tower

Uses in R-2 Residential District

Permitted Uses:

1. Any use as permitted in the R-1 District.
2. Multiple dwellings.

Conditional Uses Requiring Board Approval:

1. In The Home Business
2. Non-traditional accessory building
3. Wind Turbine generators
4. Transmitting Tower

Uses in R-3 Residential District

Permitted Uses:

1. Multiple Dwellings
2. Apartment Buildings

Conditional Uses Requiring Board Approval:

1. Mobile home parks, manufactured home parks, manufactured home subdivisions
2. Specialized animal raising and care
3. Campgrounds
4. Manufactured Homes as provided in Article XV
5. In The Home Business

6. Group Homes
7. Non-traditional Accessory Building
8. Ponds or Swimming Pools for Public Use
9. Transmitting Tower

### General Requirements of the C-1, C-2, C-3 Commercial Districts

The various commercial zones are intended as areas wherein commercial uses are concentrated categorically for the benefits of the residents of the township and others doing business within the commercial area. By concentrating the commercial areas the following might be better accomplished. For the safety and welfare of the commercial uses through better sharing of water, sewer, fire protection, trash collection, off-street parking, and other community services; and for the economy and efficiency of the public agencies which provide these services.

### Commercial Requirements

1. All commercial structures shall have plans reviewed by the Ohio Department of Industrial Relations and/or Wood County Building Inspection and said plans shall be approved by the same prior to the issuance of a zoning permit.
2. Lot size, side yards and set back lines shall be in accordance with ARTICLES XI, XII, XIII.
3. The front setback distance shall remain free of any and all structures.

### Uses in C-1 Neighborhood Commercial

#### Permitted Uses:

1. Personal services
2. Business services
3. Professional offices and activities
4. Offices and banks
5. Restaurants
6. Agricultural
7. Public Uses
8. Semi-public Uses
9. Essential Services
10. Social Activities
11. Tourist Homes
12. Neighborhood Commercial (see definition)

#### Conditional Uses Requiring Board Approval:

1. Drive-in commercial uses
2. Commercial schools
3. Mortuaries
4. Entertainment facilities
5. Outdoor advertising
6. Gas Stations and Fuel Stops
7. Animal Hospitals or Clinics
8. Day Care Center or Nursery

9. Dairying
10. Pasturage
11. Poultry Husbandry
12. Specialized Animal Raising and Care
13. Animal Husbandry
14. Country Club or Golf Course
15. Golf Driving Range
16. Lodge or Private Club
17. Outdoor Theater
18. Transmitting Tower

#### Uses in C-2 Shopping Center Commercial

##### Permitted Uses:

1. Retail business
2. Personal services
3. Business services
4. Professional offices and activities
5. Commercial schools
6. Offices and banks
7. Restaurants
8. Drive-in commercial uses
9. Entertainment facilities
10. Commercial recreational facilities
11. Automobile service stations
12. Agricultural
13. Essential services
14. Public uses
15. Semi-public uses

##### Conditional Uses Requiring Board Approval:

1. Mortuaries
2. Automotive sales
3. Hotels and motels
4. Gas stations and fuel stops
5. Health spas
6. Massage facilities
7. Day care center or nursery school
8. Animal husbandry
9. Poultry husbandry
10. Dairying
11. Pasturage
12. Specialized animal raising and care

#### Uses in C-3 Highway Commercial

##### Permitted Uses:

1. Wholesale business

2. Sale or storage of building materials
3. Motels and hotels
4. Retail business
5. Restaurants
6. Automobile service stations
7. Automotive sales and repair facilities
8. Entertainment facilities
9. Mortuaries
10. Professional offices and services
11. Agricultural
12. Essential services
13. Public uses
14. Semi-public uses
15. Drive-in commercial
16. Warehousing and wholesale activities
17. Self service storage facilities
18. Farm implement sales and service
19. Sale or storage of building materials

Conditional Uses Requiring Board Approval:

1. Taverns
2. Animal hospitals or clinics
3. Outdoor advertising
4. Health spas
5. Massage facilities
6. Printing and publishing
7. Animal husbandry
8. Poultry husbandry
9. Dairying
10. Pasturage
11. Specialized animal raising and care
12. Trucking and transport terminals
13. Airport or Aircraft Landing Field
14. Country Club or Golf Course
15. Golf Driving Range
16. Lodge or Private Club
17. Outdoor Theater
18. Transmitting Tower
19. Soil, gravel, and top soil extraction

Uses in I – Industrial District

Permitted Uses:

1. Any industrial use provided that no noxious or offensive activity shall be carried on within this district, nor shall anything be done which is injurious, dangerous or offensive to the neighborhood by reason of excessive emission of odor, dust, smoke, gas, noise, fumes, flame, radiation or vibration.
2. No residential construction shall be permitted.

Industrial Requirements:

1. All industrial structures shall have plans reviewed by the Ohio Department of Industrial Relations and said plans shall be approved by the same prior to issuance of zoning permit.
2. Lot size shall be in accordance with SECTION XII LOT SIZE.
3. Off-street parking shall be provided in accordance with SECTION XIII and shall be on the same side of the public road as the establishment.

Conditional Uses Requiring Board Approval:

1. Breweries
2. Metallic powder works
3. Chemical plants
4. Crematory
5. Distilling of bones, fat or glue, glue or gelatin manufacturing
6. Manufacturing or storage of explosives, gun powder or fireworks
7. Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal, or dead animals except such as result from the normal use of residential or agricultural premises, unless such dumping is done at a place provided by the Township Trustees for such specific purposes.
8. Junk yards, automobile graveyards, or places for the collection of scrap metal, paper, rags, glass, or junk for salvage purpose: or for dismantling used vehicles or machinery.
9. Sexually oriented business
10. Airport or Aircraft Landing Field
11. Transmitting Tower
12. Sand, gravel, top soil extraction
13. Oil and Gas wells

ARTICLE VIII. NON-CONFORMING USES

1. A non-conforming use existing at the time of this resolution takes effect may be continued, except that if it is voluntarily discontinued for two (2) or more years, it shall be deemed abandoned and any further use must be in conformity with the uses permitted in such district.
2. Any building arranged, intended or designed for a non-conforming 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 to such non-conforming use provided it is done within one (1) year after this resolution takes effect.
3. Any structure or building existing as a non-conforming use at the time this resolution takes effect, which is destroyed by fire, accident, public enemy or the elements, may be reconstructed and restored providing the same is done within two (2) years from the date of said destruction, and is rebuilt as nearly as possible to conform with the zoning requirements within the district in which is located.
4. Any building or structure or land area devoted to a non-conforming use at the time this resolution takes effect may not be altered or enlarged so as to extend said non-conforming use more than 25% of the original area, providing the alterations or enlargement is toward conformity with the zoning resolution within the district in which it is located.
5. When a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.

ARTICLE IX. RELOCATION OF A STRUCTURE

When any structure is relocated, it shall conform to all zoning requirements for the district in which it is to be placed, and a permit is required.

ARTICLE X. SET BACK BUILDING LINES

1. Set-back building lines shall pertain to all structures but not including fences.
2. Minimum set-back distance shall be measured from the eaves and shall be as follows:

Distance in Feet From Road Right-of-Way

<u>District</u>	<u>Township or County</u>	<u>State or Federal</u>
all*	75**	75

3. Set-back lines on corner lots shall be the same distance from each road according to its classification above.



ARTICLE XI  
LOT AND FLOOR AREA REQUIREMENTS

<u>District</u>	Min. Front Yard Depth in Ft. (see Article X for exceptions)	Min. Side Yard in Ft.	Min. Rear Yard in Ft.	Min. Lot Per Family in Acres or Sq. Ft.	Min. Lot Frontage in Ft.	Min. Building Floor Area Per Family in Sq. Ft.
<u>Agriculture – A</u>						
Individual sewage disposal and water supply						
1 family	75	25	25	3 acres	330 feet	1250 sq. ft.
2 family	75	25	25	3 acres	330 feet	1250 sq. ft.
<u>Residential R-1</u>						
Individual sewage and water supply						
1 Family	75	25	25	3 acres	330 feet	1250 sq. ft.
2 Family	75	25	25	3 acres	330 feet	1250 sq. ft.
Either public sanitary sewer or public water supply						
1 Family	75	25	25	20,000	100	1 Story – 1000 1 ½ or 2 Story 1000 (1 <sup>st</sup> Fl. –720)
2 Family	75	25	25	15,000	125	1000
Both public sanitary sewer and public water supply						
1 Family	75	25	25	10,000	75	1 Story – 1000 1 ½ or 2 Story 1000 (1 <sup>st</sup> Fl. -720)
2 Family	75	25	25	7,500	85	1000

<u>Residential R-2</u>							
1 Family	Same as Residential R-1						
2 Family	Same as Residential R 1						
Multiple Family with individual sewage disposal and water supply system	not permitted						
Multiple Family with public sanitary sewer and private water supply system		75	25	25	7,500	85	800 Sq. Ft.
Multiple Family with public sanitary sewer and public water supply		75	25	25	7,500	60	800 Sq. Ft.
<u>Residential R-3</u>		75	25	25	5,000	120	Efficiency 400 Sq. Ft. 1 Bedroom 520 Sq. Ft. 2 Bedroom 640 Sq. Ft. 3 Bedroom or more 800 Sq. Ft.
<u>Neighborhood Commercial C-1</u>		75	25	25			
<u>Shopping Center Commercial C-2</u>		75	25	25			
<u>Highway Commercial C-3</u>		75	25	25			
<u>Industrial - I</u>		75	25	25			
<u>Special - S</u>	Same as Agricultural - A						

\*See exceptions ARTICLE XVII.

\*\* Set-back distance shall be on the basis of seventy-five (75) feet from the edge of a sixty (60) foot right-of-way. If road has less than sixty (60) foot right-of-way then set back will be greater correspondingly.

## ARTICLE XII. MAXIMUM HEIGHT OF BUILDING

This resolution does not establish a definite maximum height of buildings or structures. The height of buildings and structures shall be such as to conserve the value of adjacent property, and so as to secure adequate light and air for the adjacent property.

## ARTICLE XIII. PARKING FACILITIES

### Off Street parking

In computing the number of parking spaces required by these regulations, a parking space as hereinbefore defined as an enclosed or unenclosed area of not less than two hundred (200) square feet permanently reserved for off-street parking, serviced by adequate access drives and connected with a street by a driveway which affords satisfactory ingress and egress (same side of road).

The following general requirements shall prevail:

1. Uses not specified – The parking area required for a use not specifically mentioned herein shall be the same as for a use of similar nature.
2. Mixed uses (non shopping plaza) - In the case of mixed uses, the number of parking spaces shall be the sum of the various uses computed separately.
3. Location of parking spaces - All parking spaces shall be located within a distance of 350 feet of the facility being served, and on the same side of the road as the establishment.
4. All districts - Off-street parking in front yards - A distance of ten (10) feet measured from the front lot line toward the building shall remain unobstructed.
5. Shopping Plaza:
  - Neighborhood - 8 spaces per 1,000 square feet of gross leasable area.
  - Community - 6.5 spaces per 1,000 square feet of gross leasable area.
  - Regional - 5 spaces per 1,000 square feet of gross leasable area.
6. Specific Requirements - There shall be provided at the time of change in land use, off-street parking and loading spaces in accordance with the following requirements:

<u>Use</u>	<u>Number of Off-Street Parking Spaces</u>
Dwellings	One (1) per dwelling unit, except that one (1) additional space of proper size shall be provided for each additional motor vehicle owned or stored on the property by the resident or owner.
Museums, Schools Libraries	One (1) per staff member and one (1) Per 400 square feet of floor area.
Churches, Auditoriums, Arenas, Stadiums, Spectator Facilities In outdoor recreation areas	One (1) per five (5) seats.
Hospitals	One (1) per two (2) beds.
Motels and Hotels	One (1) per guest room.
Theaters, Restaurants	One (1) per four (4) guests.
Skating, Risks, Dance Hall, Medical and Dental Offices	One (1) per 100 square feet of floor area of fraction thereof.
Clubs, Lodges and Similar Uses	One (1) per 200 square feet of floor area, or one (1) per four (4) persons that can be seated in an assembly room, whichever is greater.
Bowling Alleys	Four (4) per bowling alley.
All other commercial establishments	One (1) per 300 square feet of floor area or fraction thereof.
All industrial establishments	One (1) per each employee on maximum working shift plus spaces necessary to accommodate all vehicles used in connection therewith.
In-the-home business	Two (2) per each proprietor and/or employee

7. Parking of semi trucks, semi trailers, or trucks used for hire shall be limited to one (1) for each residential lot and must be operated by the resident. This shall be exclusive of all vehicles used solely for agricultural purposes.

## ARTICLE XIV. SIGNS AND OUTDOOR ADVERTISING STRUCTURES

1. No sign shall be permitted in any district except as hereinafter provided:
2. One (1) sign is permitted for each farm residence, providing the sign is not exceed thirty-two square feet and relates to the premises, to the products sold on the premise, or to activities carried on within the premises.
3. Signs advertising the sale, lease or rental of the premises upon which the sign is located, shall not exceed twelve (12) square feet in area, except in all residential districts where the area of the sign shall not be more than six (6) square feet. No permit is required.
4. In a commercial or manufacturing district, each business may be permitted one flat or wall sign. Such wall sign must project beyond the face of the building but shall not exceed two (2) feet measured from the face of the building. The area of all flat or wall signs for any single business enterprise may have an area equivalent to one and one-half (1 1/2) square feet of sign area for each lineal foot of building width, or part of a building, occupied by such enterprise, and shall not exceed a maximum area of one hundred (100) square feet. A permit is required.
5. Commercial or manufacturing operations, not located in residential districts, may in addition be permitted two (2) free-standing on-site signs each not to exceed one hundred (100) square feet in area. Such signs must relate to products sold on the premise. (For purposes of this resolution, each surface of a free-standing sign that is utilized for display, shall count as one (1) sign). Height restrictions for such signs shall be regulated as per township zoning district requirements. A permit(s) is required.
6. Bulletin boards and signs for a church, school, community or other public or semi-public building shall be permitted provided the area of such bulletin board or sign shall not exceed twenty (20) square feet in. A permit is required.
7. Portable or temporary signs not exceeding fifty (50) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period. No permit is required.
8. Off-site signs for the purpose of outdoor advertising, including billboards, may be conditionally permitted in all districts except residential districts. There shall not be more than one (1) sign structure per parcel of land. Said structure may have two advertising faces with permits required of both. No building wall shall be used for such off-site advertising. All such structures must be placed at least thirty (30) feet from adjoining property lines. No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in an "R" District and is within one hundred (100) feet of such lot line or which faces any public park, school, library, church or similar institution and is within three hundred (300) feet thereof. A permit is required for all off-site outdoor advertising.
9. The surface area of a sign shall be computed as including the entire area within a regular,

geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

10. All signs and advertising structures shall be setback a minimum of twenty-five (25) feet from all State highways, all Federal highways, and all other roadways – measured from the edge of the road right-a-way to the closest protruding edge of the sign or structure.
11. All signs and advertising structures may be illuminated internally or by reflected light provided the source of the light is not directly visible and is so arranged to reflect away from adjoining premises and provides that such illumination shall not be placed as to cause confusion or create a hazard to traffic.
12. In the event that a property is rezoned for the purpose of accommodating a new use, all previous signs and advertising structures relating to the premise, products sold on the premise, or to activities carried on the premise, shall become non-conforming. A permit is required for any sign that is related to the new occupants premise, to new products sold on the premise, or to new activities carried on within the premise.
13. For the purpose of this resolution, outdoor advertising off-premise signs shall be classified as a business use and be permitted in all districts zoned for manufacturing or business or lands used for agricultural purposes. In addition, regulation of signs along interstate highways, primary highways, and all other roads shall conform to the requirements of the Ohio Revised Code Chapter 5516 and the regulations adopted pursuant thereto.
14. Public notices, traffic control signs, and small signs bearing only property numbers or the names of the occupants of the premise are exempt from this resolution.

## ARTICLE XV. MANUFACTURED HOUSING

### Section 1. Placement of Manufactured Homes

1. Manufactured homes shall be permitted in either an established manufactured home park or manufactured home subdivision.
2. Manufactured home parks and manufactured home subdivisions may be permitted in an "R-3" District, but only with a conditional use permit granted by the Board of Appeals.
3. One (1) manufactured home per farm, forty (40) acres or more may be permitted as a conditional use by the Board of Appeals. Permits for such use shall be for one year and will require renewal for continued use. The location of such permitted manufactured home shall be in accordance with the yard requirements specified for residential uses in "R-1" District.
4. A manufactured home used for temporary living quarters, or storage of material or equipment in conjunction with construction work only may be permitted in any district during the period that the construction is in progress. Such permitted use shall be conditional and requires approval by the Zoning Board of Appeals and shall expire upon completion of the construction work. Permits for such use shall be for one year and will require renewal for continued use.

5. No porch, canopy, patio roof, room, structure for storage, or addition, may be attached to a manufactured home unless of a material or type of construction specifically designed and manufactured for such use.
6. A manufactured home meeting the requirements of 3781.10 O.R.C. may be placed in any district which permits single-family dwelling(s), provided all matters regarding lot size, setback and other provisions of this Resolution are maintained. Industrialized units meeting the requirements of this section are licensed by the State of Ohio with a letter of certification. A copy of said letter of certification shall be required at the time of the zoning permit is requested as evidence of meeting the requirements of 3781.10 O.R.C.

## Section 2. Manufactured Home Park Requirements

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

1. A manufactured home park shall have a public water and sewer system and/or the site water and wastewater treatment system acceptable to the EPA, Wood County Health Department or other approving agency of the State of Ohio or Wood County.
2. A manufactured home park shall be developed on a site of not less than 10 acres. Individual sites within a park shall be developed with sites having 5,500 square feet, including a minimum width of thirty (30) feet per manufactured home being served. This 5,500 square feet may be reduced by twenty (20) percent provided that the individual site shall be equal to at least 4,400 square feet. For each square foot lost through the reduction of the site below 5,500 square feet, at least an equal amount of land shall be dedicated to open space.
3. The minimum setback for a park shall be fifty (50) feet from a public right-of-way. The manufactured home shall be placed on the site so as to comply with the following:
  - a. Each manufactured home shall be placed upon the manufactured home site so as to provide no less than fifteen (15) feet between the side of one manufactured home and the side of another, fifteen (15) feet between the end of one manufactured home and the side of another, and ten (10) feet between the end of one manufactured home and the end of another. In computing these distance requirements, an auxiliary room or similar accessory connected to the manufactured home shall be considered as part of the manufactured home. A temporary porch or canopy which is open on two or more sides shall not be considered as part of a manufactured home.
  - b. No portion of any manufactured home, its appurtenance or parking space shall be located on a manufactured home site so as to be closer than fifteen (15) feet to a roadway boundary, or twenty-five (25) feet to a manufactured home park boundary or property line.
4. All manufactured home spaces shall abutt upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a private or public street.

5. All land in a manufactured home park shall comprise a single parcel. Public thoroughfares, except extensions of local and collector streets proposed as part of a manufactured home site plat, shall not bisect or divide a manufactured home park to avoid unwarranted public traffic from traveling through the park.
6. Each manufactured home within a manufactured home park shall contain a complete bathroom, including flush toilet, kitchen facilities, sleeping accommodations and plumbing and electrical connections. Travel trailers, motor homes and other recreational vehicles shall not be occupied in a mobile home park.
7. All areas not used for access, parking, circulation, buildings and services shall be completely and permanently landscaped and the entire site maintained in good condition.
8. Each manufactured home located within a manufactured home park does not require individual approval by the Board of Zoning Appeals and is not subject to one year permit renewal for continued use.

### Section 3. Manufactured Home Subdivision

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

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

1. In a manufactured home subdivision, a manufactured home, modular home, single-family dwelling or any other principal building shall be situated on a lot of no less than seventy-two hundred (7,200) square feet in area and each manufactured home or single-family dwelling shall have a minimum net floor area for living quarters of seven hundred twenty (720) square feet.
2. Each dwelling, manufactured home, modular home, or principal building in a manufactured home subdivision shall be designed to meet the following criteria:
  - a. It shall contain either a basement of at least two hundred eighty-eight (288) square feet, a garage of at least two hundred eighty-eight (288) square feet, or a permanently constructed storage building containing at least one hundred square feet and attached to a permanent continuous foundation in compliance with the Wood County Building Code. Each garage or storage building shall be designed compatible with the principal building or manufactured home. The Zoning Administrator shall determine whether a design is compatible.
  - b. All roofs shall be double pitched at least three (3) feet vertical for twelve (12) feet horizontal or greater and covered with material that is residential in appearance, including, but not limited to, approved wood, asphalt, composition or fiberglass shingles but excluding corrugated aluminum, corrugated fiberglass or metal roofing.
  - c. The exterior siding shall have a dull finish, not a high gloss finish, and shall be



residential in appearance, including but not limited to: brick, stone, stucco, clapboard, simulated clapboard such as conventional vinyl or metal siding, wood shingles, shakes or similar material; but excluding smooth, ribbed or corrugated metal or plastic panels.

- d. Each dwelling, principle building, manufactured home or modular home shall be designed so that it has a front entrance and front facade facing upon a public street.
3. The minimum lot frontage and setback requirements for each dwelling, manufactured home, modular home, or other principal building in a manufactured home subdivision, shall be in accordance with the lot frontage and setback requirements as a one (1) family dwelling in an “R -1” District
4. A manufactured home subdivision shall have a public water and sewer system and/or on site water and wastewater treatment system acceptable to the Ohio EPA, Wood County Health Department, or other approving agency of the State of Ohio or Wood County.
5. Each manufactured home located in a manufactured home subdivision does not require individual approval by the Board of Zoning Appeals and is not subject to one year permit renewal for continued use.

## ARTICLE XVI. CONDITIONAL USE PERMIT

### Section 1. Permits for Conditional Uses

Conditional uses may be permitted only by the Board of Zoning Appeals in accordance with the procedure described in Section 2 of this article.

### Section 2. Procedure

All requests for conditional use permits shall be reviewed by the Board of Zoning Appeals within the same time limits as set forth in Section 519.14 and 519.15, Ohio Revised Code for hearing appeals.

The Board of Zoning Appeals may require such supporting information, maps and sketches from the applicant as it deems necessary to review in order to reach a decision.

If the Board of Zoning Appeals finds the request reasonable and that the use would be consistent with the spirit, purpose and intent of this resolution, and will not substantially injure the appropriate use of neighboring property and will generally serve the public convenience and welfare of the township it may grant the permit including imposition of conditions of the use.

## ARTICLE XVII. PLANNED UNIT DEVELOPMENT

### Section 1. General

The township recognizes that it is increasingly difficult to forecast the various conditions and factors that may be encountered in sizeable developments and that certain flexibility in the execution of the design and layout of a project should be permitted by the township. This will allow the developer to take advantage of topography in order to utilize the natural surface drainage, to economize in the construction of streets, sewers and storm drainage facilities, to reduce the amount of grading and thus minimize destruction of trees and topsoil. It may further allow him to adjust the layout to geographical and cultural limitations such as property

ownership lines and among other things, create architectural variation in the development as well as attractive and usable buildings and building sites, and further, such developments can be designed so as to enhance the community in general.

The owner or owners of any tract of land comprising an area of not less than five (5) acres may submit to the Township Trustees a preliminary plan for the use and development of all of the tract of land for residential, commercial, industrial and allied purposes. The development plan shall be referred to the Township Zoning Commission and the County Planning Commission for study and report and for public hearings. Procedures and publications for such public hearings shall conform to the procedures prescribed in Section 519.12, Ohio Revised Code for hearings on changes and amendments.

Planned Unit Developments may be residential, commercial or industrial developments, or they may be combinations of residential and commercial, or commercial and industrial. The minimum site area for a residential development shall be ten (10) acres; for a commercial development, five (5) acres; and for an industrial development, twenty-five (25) acres.

A residential-commercial development shall have a minimum of twenty (20) acres and not less than 180 residential units. The commercial facilities which are part of such combination development shall be devoted primarily to the convenience and service of the population concentration area of the planned unit; provided further that no such commercial area shall exceed five (5) acres in size for the first 160 acres in the plan plus one (1) acre for each additional thirty-two (32) acres.

Planned Commercial Unit Development adjoining or adjacent to a residential area shall be complementary to the residential area and shall consist of low intensity uses providing convenience, products and/or services to neighboring residents and the surrounding area.

The type of service and/or products dispensed, maximum hours of operation, approximate number of employees, signs, lighting, service and waste disposal facilities, parking, set-backs, screening, fencing and such other similar and related duties and facilities as may be required by the zoning commission shall be provided by the applicant and may be made part of the plan by the commission.

Such development shall be so located and designed so that it will not introduce outside commercial traffic into interior residential areas.

Deed restrictions shall be drawn to subject the owners in fee, and all lessees or others holding, hereunder, to the requirements of the Planned Unit Development by reference thereto and shall provide further that any resident or owner of property in or adjoining the Planned Unit Development, or the Township may enforce such requirements by injunction or other appropriate legal remedy.

Planned units shall be arranged progressively in relation to the zoning of the area adjoining and shall observe the set-back requirements for each district as provided by this resolution.

Such a development plan may be submitted to the Township Trustees and shall be referred to the Zoning Commission for study and report and for public hearings. Notice and publication of such public hearings shall conform to the procedures and prescribed in Article XXIII for hearings on changes and amendments.

## Section 2. Required Plan and Actions by the Zoning Commission and Board of Trustees

1. In order that the Commission may determine that the Planned Unit Development is

consistent with good zoning practice and in harmony with the welfare of the community, the developer shall furnish a preliminary plan of the entire tract showing topography, roads, lot lines, lot areas, streets, easements for utilities, encumbrances, and other relevant data. The plans shall include the location of existing structures, areas of shrubs and/or trees of ten (10) inch diameter or more, existing contours and the proposed grading plan.

2. Upon determination by the Zoning Commission that the proposed Planned Unit Development project as shown on the preliminary plan conforms to paragraph 1. above and all other applicable provisions of this Resolution, it shall recommend approval to the Board of Trustees for a change of zoning districts as necessary. Such zoning approval shall be conditional, subject to approval of a final development plan, prepared by the proponent, which shall incorporate all requirements of this Resolution and such conditions, changes or modifications as required by the Zoning Commission.

### Section 3. Requirements of the Final Plan

1. After approval of the final plan of the Zoning Commission and Board of Trustees, adjustments or re-arrangement of buildings, parking areas, yards, driveways, streets, or entrances shall require resubmission of the final plan for approval by the Commission and Board of Trustees.
2. Planned Unit Developments shall be encouraged but they shall conform to the regulations of this Resolution or to the following modifications.
3. In R-2 and R-3 Districts, a Planned Unit Development may be permitted as follows:
  - a. The lot area per family may be reduced, but such reduction shall not exceed twenty (20) percent of the area required in Article XI.
  - b. Fifty (50) percent of the lot area reduction or not less than ten (10) percent of the total project area shall be devoted to open area and recreational facilities for the residents of the area being developed. Such open space land or recreational facilities shall be held in corporate ownership by the owners of the project area building sites, and the developer shall incorporate into protective covenants and/or deed restrictions, a clause giving an interest in such land to each owner who buys property within the development and provisions for maintenance and upkeep. As an alternate to a property owners' association, the developer may (under conditions suitable to the township) deed the land to the township, which shall maintain the open space in lieu of a property owners' association.
  - c. In no case shall the density of families per net residential acre be greater than ten (10) percent more than that which would develop due to the uses permitted by right in each of the R-1, R-2 or R-3 Districts. The maximum density permitted by this provision is as follows: In R-1, 3.1 families per acre; in R-2, 6.4 families per acre; and in R-3, 9.6 families per acre.
  - d. The lot width or required yards, may be reduced not to exceed a ten (10) percent reduction of the requirements of Article XI.
  - e. The design of single and two family residential structures to be erected in a planned unit development shall be so varied in placement of windows, entrance ways, roof design, coloring and height that no structure shall be closer than five (5) lots to another structure substantially similar in design. The lot widths may be varied due to the variety of structural designs and it is recommended that set-backs may be varied, but in no case shall a structure be closer to the street than is permitted by the front yard requirements as modified in paragraph (d) above. If lot widths for single or two family residential lots

are varied by the developer, he shall enter into an agreement with the Township that the property owners within a planned unit development of this nature shall be assessed equally for any improvements which may be made by assessment.

- f. Every property shall be designed to have suitable access directly to the open space or recreation facilities required.
- g. Individual sewage disposal and/or water supply shall not be permitted in any planned unit development.

In "C" Districts, a planned unit development may be permitted in accordance with the following provisions provided:

1. The proponents of the development satisfactorily guarantee financial ability to complete the proposed project.
2. Construction is begun within one (1) year of the necessary zoning approval.
3. The project is completed within a reasonable time as determined by the Commission.
4. Market studies or other evidence satisfactory to the Commission demonstrates a need for the proposed development.
  - a. Commercial buildings and establishments shall be planned as a group having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of buildings or establishments, no yard space will be required between uses within the groups: however, the yard requirements must be observed at the edge of the complete development. Planting screens of fences as may be required by the commission shall be provided.
  - b. Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool or other business service type uses, repair services, or clinics which form a small commercial center to serve the needs of the industries or their personnel, may be permitted in a planned industrial area.
  - c. Off-street parking and loading areas shall conform to the provisions of this resolution.
  - d. Yards. No building shall be less than seventy-five (75) feet distance from any boundary of the tract on which the office, research, or industrial development is located. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped and properly maintained at all times.

## ARTICLE XVIII. SUPPLEMENTAL REGULATIONS

### Section 1. Satellite Dishes

Satellite dishes are permitted in all districts as an accessory use. Satellite dishes shall be within the required rear or side yard setbacks. Dishes are prohibited from placement in the front yard. Plans for any installations shall be submitted to the Zoning Inspector before a permit is issued.

### Section 2. Fences and Hedges

- a. Fences measuring less than four (4) feet in height do not require a permit for installation. Conversely, fences measuring four (4) feet in height or greater require a permit.

- b. Construction and development of rural non-farming dwellings in agricultural districts shall meet all minimal dimensional requirements as herein required. The non-farm dwelling shall take into account common agricultural practices. Landscaping along property lines shall take into account the maturation of landscaping materials. Trees, shrubs, etc. with root systems and canopy that overhand adjacent property lines may be subject to removal.
- c. For purposes of this resolution, fences shall be treated as accessory uses and setbacks shall be maintained as per the zoning district.

### Section 3. Private Swimming Pools and Ponds

- 1. A private swimming pool shall be any pool or open tank, where swimming is normally permitted, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any one point greater than five (5) feet. Such swimming pools shall be allowed under the following conditions and requirements.
  - a. The pool is intended as is to be used solely for the enjoyment of the occupants of the principle use of the property on which it is located.
  - b. No part of the water area, exposed equipment or structure housing the equipment shall be closer than twenty-five (25) feet from any property line. Paved walks adjoining a pool may not be closer than twenty (20) feet from a property line.
  - c. An in-ground swimming pool, or the entire property on which it is located, shall be fenced so as to prevent controlled access by children from the street or from adjacent properties. Said fence shall not be less than four (4) feet in height and maintained in good condition with a lock and gate.
  - d. The pool is not greater than twelve-hundred (1,200) square feet in surface area and no more than twelve (12) feet in depth.
- 2. A private pond is permitted in all districts, with the following conditions:
  - a. Ponds shall be permitted in any district.
  - b. A pond shall not be located on a parcel less than three acres inclusive of any portion of the right-a-way of any public thoroughfare.
  - c. A pond shall not be located within fifty (50) feet of any drainage ditch, well or septic system.
  - d. A pond shall be a minimum of twenty-five (20) feet from the foundation of any structure.
  - e. The elevation for pond shall not begin within fifty (50) feet of any adjacent property line.
  - f. A pond shall contain a minimum of one-half (1/2) acre of water surface area and shall maintain a minimum depth of fourteen (14) feet at its deepest point so as to avoid stagnation of pond water.
  - g. Ponds located in the front yard shall have a 75 foot setback.

- h. All grading, berming, or mounding of a pond shall be so constructed to avoid soil erosion occasioned by wind or water.
- i. Grading, berming, or mounding of a pond shall be constructed to avoid surface water runoff onto adjacent property.
- j. Ponds shall maintain an adequate overflow that discharges excess water into a draining tile and/or drainage ditch.
- k. Any pond designed or used as a source of potable drinking water shall be approved by the Wood County Health Department.
- l. Prior to any construction activity, a pond plan approved by a registered engineer, shall be submitted to the Township Zoning Inspector for approval and issuance of a zoning permit upon compliance with all requirements for ponds in this resolution.

#### Section 4. Group Homes

It is proposed that group homes be permitted only in R-3 districts under a conditional use designation. Any other criteria for conditional use permits would also apply. In addition, the following specific criteria is proposed for group home special uses:

1. Group home facilities are defined as a private residence which provides resident services to a maximum of eight (8) unrelated persons. Residence should be restricted to a maximum of two (2) persons per bedroom inclusive of the bedroom needed for the resident care-provider.
2. Group homes which contain one to eight (1-8) residents, exclusive of the care provider(s), shall be operated by a resident/owner of the home and shall not require a lot larger than the residential, district within which it is located.
3. All group homes must be licensed by the appropriate state or county licensing agency (examples are Ohio State Department of Mental Health, Ohio State Department of Human Services, Wood County Health Department, etc.)
4. Public utilities of sewer and water should be provided where possible. In unsewered areas, appropriate approval shall be obtained from the Wood County Board of Health or Ohio Environmental Protection Agency.
5. The proximity and nature of the group home to the surrounding area shall be considered in determining the feasibility of the location or the conditions of approval. To minimize concentration of group homes within a township, a distance separate between group homes shall be one (1) mile in unsewered areas of the township. In the developed severed areas, group homes may be located no closer than one-fourth (1/4) mile of each other.
6. The owner should maintain a planned continuing contact with the adjacent residents and as necessary with the neighborhood with respect to operation of the facility. An awareness and acceptance of the group home and its residents shall be a goal. A report of activities and any incidents may be required as a condition of approval or subsequent thereto, by the township.
7. Residential care facilities which contain greater than eight (8) persons is defined as an institution.

## Section 5. Abandoned, Disabled, Junk Vehicles

1. Abandoned, Disabled, Junk Vehicles in any District. The parking of an inoperable, disabled, abandoned or junk vehicles is prohibited. Exceptions are permitted subject to the following criteria:
  - a. Shall be stored in an enclosed garage or other enclosed accessory building and no business conducted with said vehicles.
  - b. May be stored in an area properly screened by means of fencing, trees or other suitable screening or concealment. It shall be the determination of the zoning inspector based on site plans or related drawings as to whether such vehicles are properly screened.
  - c. After a reported accident but for a period of not more than 48 hours, if said vehicles is owned and was operated by the property owner or his immediate family.
2. For the purpose of this section, junk vehicles means any motor vehicle meeting the requirements of divisions B. C. and D. of Section 4513.63 of the Ohio Revised Code.
3. Historical or collectors vehicles may be allowed under the same provisions as in #1 a, b of this section.

## Section 6. In The Home Business

In the home business may be allowed as a conditional use requiring board approval in all residential and agricultural districts where it is clearly incidental and secondary to the use of the premises for residential purposes, and does not change the character thereof. In the home business shall be subject to the following conditions:

1. Permit Required
  - a. No in the home business shall be permitted until an application for a In The Home Business Conditional Use Permit is reviewed and approved by the Board of Zoning Appeals.
  - b. An In The Home Business Conditional Use Permit shall be issued only to a resident of the premises in which the in home business is to be conducted. If the resident rents the premises, the resident shall provide evidence of written permission from the premises' owner as part of the permit application.
  - c. In The Home Business Conditional Use Permits shall not be transferable, shall not run with the land, and shall expire upon the sale, transfer, or lease of the property to a new owner or tenant.
2. Prohibited In Home Businesses.

The following uses and activities shall not be permitted as or conducted as an in the home business.

  - a. Funeral Homes
  - b. Hair care, salon, tanning studio, or similar personal services

- c. Hotels, motels, bed and breakfast facilities
  - d. Professional offices of physicians, dentists, or other medical related services
  - e. Restaurants
  - f. Sexually-oriented businesses
  - g. Vehicle or equipment sales or rental
  - h. Veterinary facilities and/or small animal clinics or kennels
3. Workforce.  
No one other than members of the family residing in the dwelling unit shall be engaged in the in home business.
4. Operational Standards
- a. The use of the premises for an in home business shall be clearly incidental and subordinate to its use as a residential dwelling.
  - b. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers or causes fluctuations in line voltages off the premises.
5. Parking.
- a. An in home business shall provide off-street parking area adequate to accommodate all needs created by the in home business in addition to the requirements for the principle use of the premises.
  - b. Required off-street parking to serve the in home business shall not be permitted in the front yard of the dwelling, other than the driveway.
6. Traffic Impact.  
An in home business shall not generate traffic in greater volumes than would normally be expected for agricultural or residential area.

## Section 7. Wind Generated Turbines

Webster Township recognizes the importance of clean, sustainable and renewable energy sources. To that end, Webster Township permits the use of residential wind turbines under the following regulations to ensure the safety and welfare of all township residents is met.

- I. Wind turbines shall be a *permitted use* in all districts under the following conditions:
  - A. The maximum height of any turbine shall be 100' ft. For purposes of this Particular zoning item, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.
  - B. Setbacks: the following shall apply in regards to setbacks.



1. Any turbine erected on a parcel of land will need to establish a "clear fall zone" from all neighboring property lines, structures, as well as any **inhabited** structures on the parcel intended for the turbine. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at, and would not strike any structures including the primary dwelling, and any **inhabited structures**.

#### C. Maintenance

1. Wind turbines must be maintained in good working order. Turbines that become inoperable for more than **24** months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing turbine.

#### D. Decibel Levels

**1. All units shall operate within a decibel range of 50 to 70 decibels. This information shall be included in the engineering report described below in Section II of this document. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken from the nearest neighboring property.**

#### E. Wiring and electrical apparatuses:

**1. All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground.**

### II. Permits

- A. A permit shall be required before construction can commence on an individual wind turbine system.
- B. As part of the permit process, the applicant shall inquire with the Wood County Planning Commission as to whether or not additional height restrictions are applicable due to the unit's location in relation to either the Wood County Airport, or Toledo Metcalf Field.
- C. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:
  - 1. Location of all public and private airports in relation to the location of the turbine.
  - 2. An engineering report that shows:
    - a. The total size and height of the unit

- b. The total size and depth on the unit's concrete mounting pad, as well as soil and bedrock data.
  - c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection,
  - d. Data specifying the kilowatt size and generating capacity of the particular unit.
  - e. **The maximum decibel level of the particular unit. This information must be obtained from the manufacturer of the turbine unit.**
3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right of ways, and neighboring properties.
  4. Evidence of a "clear fall zone" with manufacturer's recommendation must be attached to the engineering report.
  5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

#### Section 8. Site Plan Review

All proposed zoning amendments to any of the following zoning districts shall require site plan review. Those districts are: C-1, C-2, C-3 and I-Industrial.

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

##### A. General Requirements:

1. A formal letter of submittal shall accompany the site plan. The letter shall provide the name, address and phone number of any parties who are informed of progress on the request, e.g. land owner, attorney, architect, engineer, etc.
2. All site plans shall have a title indicating the type of request being made, e.g. request for more than one main building on a parcel, zoning amendment, etc.
3. The site plan shall be accompanied by a complete legal description of the subject property and a location sketch referenced from section lines and/or major streets.
4. The site plan shall indicate the scale of the drawing and shall use an engineer's scale.
5. The site plan shall have the north arrow pointing either toward the top of the drawing or to the right side of the drawing, preferable toward the top, and should be located with the scale.
6. Nine (9) prints of the site plan shall be submitted to the Township Zoning Inspector.

## B. Specific Requirements:

1. The site plan shall show the zoning classification of the subject property and all abutting property uses (residential, commercial, etc.) and approximate location of abutting property, buildings, and/or structures.
2. The site plan shall indicate the distance of existing and proposed structure(s) from right-of-way line of all adjacent thoroughfares and show front, side and rear yard distances to the structure(s).
3. The site plan shall indicate the exact dimensions of the property in question, and show existing structure(s) with dimensions and proposed structure(s) with dimensions. The site plan shall indicate building removals and other alterations, if any, of existing property.
4. The site plan shall indicate, by name, all adjacent thoroughfares. The site plans shall show both right-of-way and pavement widths measured from the centerline.
5. The site plan shall indicate the locations, size (height), and material of all existing and proposed fencing on the subject property.
6. The site plan shall show the location of all existing and proposed lighting on subject property.
7. The site plan shall indicate the widths of existing or proposed landscaping, screening and sidewalks.
8. Site plans shall show any ditches, creeks, or other natural features that may affect development of the property in question. Where appropriate, the 100 year high water elevation should be shown on the site plan. Information on this requirement may be obtained from the Wood County Plan Commission.
9. The site plan shall show existing and proposed drainage with dimensions
10. The site plan shall show existing and proposed sanitary storm sewers, water mains, and location of hydrants and valves.
11. The site plan shall show existing and proposed pavements and roadways with dimensions.
12. The site plan shall indicate existing or proposed off-street parking, driveways, and recreational areas with complete dimensions. Curb cuts shall be measured at the curb and throat widths shall be indicated. The drawing shall include the number and size of proposed parking stalls along with internal circulation pattern of the off-street parking. If the off-street parking is physically joined with abutting property, then circulation between the properties shall be shown.
13. The site plan for a proposed drive-up establishment shall indicate where vehicles can stack and how many vehicles can stack at one time.

## C. Application Procedures:

1. Site plan shall be filled with the Zoning Inspector.
2. The Zoning Inspector shall transmit the site plan to the Zoning Commission for review and recommendations.

3. The date of the Zoning Commission/Zoning Inspector accepts the site plan shall constitute the official filing date.
4. No permit shall be issued for any use or change in use prior to the review and recommendation of the site/development plan by the Zoning Commission/Zoning Inspector. Conditions or modifications may be attached to these plans.
5. The review time for site plans, generally shall be in keeping with the time requirements established for zoning changes.
6. Any change in the site plan once approved, shall require a review by the Zoning Commission/Zoning Inspector.
7. All subsequent owners, heirs, or beneficiaries of a property zoned for C-1, C-2, C-3 or I-Industrial must resubmit site plans to the Zoning Commission/Zoning Inspector for review and approval unless the proposed use of the property remains unchanged from a previously approved site plan.
8. The Zoning Commission may seek information and recommendations from the Wood County Planning Commission or other appropriate agencies to aid in their review of the site plan.

## ARTICLE XIX. ADMINISTRATION

### Section 1. Zoning Inspector

Enforcement By Whom: The position of Township Zoning Inspector is hereby created and he is hereby designated and authorized to enforce this resolution. The Township Zoning Inspector, and such assistants as may be determined necessary, shall be appointed by, and serve at the pleasure of the Board of Township Trustees and shall receive such compensation as the Board of Township Trustees may provide.

### Section 2. Plats, Maps and Descriptions

Each application for a zoning permit shall be accompanied by a plat, map or comprehensive description, in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, reconstructed, or structurally altered, and such other information as shall be necessary to provide for the enforcement of this resolution. A careful record shall be kept of all such applications, maps, or comprehensive descriptions, in the office of the Township Zoning Inspector or the office of the Board of Township Trustees.

### Section 3. Zoning Certificate (Permit)

1. Before constructing, locating, reconstructing, changing the use of, or altering the outside dimensions of any structure, applications shall be made to the township zoning inspector for a zoning certificate. The application shall indicate the exact location of the proposed construction, addition, alteration, or change of use and shall include a plot plan, plans and specifications showing the proposed location and dimensions, and the proposed use, all of which shall be included in the permanent record of the application. Within ten (10) days after receipt of the application, the zoning inspector shall issue a zoning certificate if the proposed construction, alterations, or change of use by applicant complies with the requirements of this resolution, and the application is accompanied by the proper fee, or shall refuse the same if it does not comply.

2. 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 by the Zoning Inspector or his agent, and copies shall be furnished or tenancy interest in the building or land affected.
3. Each applicant shall pay a fee prior to the issuance of a zoning permit as set from time to time by a resolution passed by the Webster Township Board of Trustees. Such fees are for the purpose of defraying the costs of inspection, certification and maintenance of necessary records pertaining to the implementation of the zoning resolution.
4. The zoning inspector shall forthwith deposit all fees with the Township Clerk who shall credit such fees to the credit of the general revenue fund of the township.
5. Proposed construction, reconstruction, changing use of, and/or alterations of living quarters shall begin within one year of receipt of zoning certificate. If proposed construction, reconstruction, changing use, of, and/or alterations do not begin within one year of receipt of zoning certificate, the original certificate will be void and a new application will be required.

#### ARTICLE XX. PENALTIES

1. In accordance with Section 519.99 of the Ohio Revised Code, any person, firm or corporation violating this resolution, or any regulation, provision or amendment thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (500) for each offense. Each and every day there is a violation of these resolutions, may be deemed a separate offense.
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 law or of this resolution or any amendment thereof, the Board of Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector 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 or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

#### ARTICLE XXI. VALIDITY

Each section, sub-section, provision, requirement, regulation or restriction, established by this resolution or any amendment thereto is hereby declared to be independent and the holding of any part to be unconstitutional; invalid or ineffective for any cause shall not affect nor render invalid the resolution or amendments thereto as a whole or any part thereof except the particular part so declared to be invalid.

#### ARTICLE XXII. BOARD OF ZONING APPEALS

##### Section I. Organization and Procedures

1. The Board of Township Trustees shall proceed as provided in Sections 519.13 through 519.15 inclusive Ohio Revised Code to appoint a Board of Zoning Appeals and such board shall proceed under the regulations and powers provided by Section 519.13

through 519.15 inclusive.

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 Chairman, Vice-Chairman and Secretary. The Board shall act by resolution in which three (3) members must concur. 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 the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any building permit is pending, and shall also hear any other parties in interest.
3. 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 officials' actions, all of which shall be immediately filed with the Board of Trustees and shall be a public record.
4. Witnesses, Oaths, Etc. - The Board shall have the power to subpoena witnesses, administer oaths, and may require the producing of documents, under such regulations as it may establish.

## Section 2. Application and Appeals

1. Application - 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 fee as set from time to time by the Webster Township Trustees, shall be paid to the zoning inspector at the time the notice of appeal is filed, for the purpose of defraying the cost of investigation, legal notices and other expenses incidental to the determination of such matter. Such sums so deposited with the zoning inspector shall be forthwith paid over to the township clerk to the credit of the general revenue fund of the township.
2. Appeals - Appeals shall be taken as provided in Section 519.15 O.R.C. and the Board of Zoning Appeals shall act as therein provided.

## Section 3. Powers and Duties

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

1. To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Resolution or any amendments thereto.
2. In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances.
  - a. Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Resolution.
  - b. Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout, as shown on the map aforesaid.

- c. Determine whether an industry should be permitted within the I-Industrial District because of an operation or activity of a noxious or offensive nature or causing excessive emission of odor, dust, smoke, gas, noise, fumes, flame, radiation, or vibration; or is of such a nature as to excessively restrict the circulation of air or light on adjoining property.
3. The Board shall have the authority to grant the following variances:
  - a. Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.
  - b. The extension or completion of a building devoted to a non-conforming use upon a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became non-conforming and where such extension is necessary and incidental to the existing use of such building; provided, however, that floor areas of such extension shall not exceed twenty-five (25) percent of the floor area of the existing building or buildings devoted to a non-conforming use and provided that such extension or extensions shall be undertaken within five (5) years of the date when the use of such building became non-conforming.
  - c. Authorize upon appeal - Whenever a property owner can show that a strict application of the terms of the Resolution relating to the use, construction or alterations of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship - such variations of the strict application of the terms of this Resolution as are in harmony with its general purpose and intent; but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the zoning plan as established by this Resolution, and at the same time, the surrounding property will be properly protected.
4. The Board shall have the power to hear and decide in accordance with the provisions of this Resolution, applications for conditional uses. In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures; and in authorizing a conditional use, the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation in addition to those expressly stipulated in this Resolution for the particular conditional use - as the Board may deem necessary for the protection of adjacent properties and the public interest.
5. In considering all appeals and all proposed exceptions to this Resolution, the Board shall, before making any exceptions or variations from the Resolution in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the portion of the Township to which this Resolution applies.

## ARTICLE XXIII. DISTRICT CHANGES AND RESOLUTION AMENDMENTS

### Section 1. General

Whenever the public necessity, convenience, general welfare or good zoning practices require, the Board of Trustees may by Resolution - after receipt of recommendation thereon from the 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 Township Trustees.

### Section 2. Procedure for Change in Zoning Districts

1. Applications for any change of district boundaries or classifications of property as shown on the Zoning Map, shall be submitted to the Commission, upon such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Commission. Each such application shall be verified by at least one (1) of the owners or lessees of property within the area proposed to be reclassified. Applications for amendments initiated by the Commission shall be accompanied by its motion pertaining to such proposed amendment.
2. Supplement to all applications for any change of district boundaries or classifications of property, the applicant shall be required to submit a site plan(s) which details the proposed use of the property, including but not limited to such information as future tenants; internal street patterns; points of ingress/egress to the property, drainage plans, utilities service, building(s) placement, and any additional information as requested.
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.
4. Upon application for any change of district boundaries or classification of property as shown on the zoning map; or any amendment or supplement of this resolution, the zoning commission shall proceed as provided in 519.12 Ohio Revised Code.

### Section 3. Application Fees

1. At that time an application for a change of zoning districts is filed with the Commission for Board of Zoning Appeals, as provided herein, there shall be deposited a fee as set by resolution of the Board of Trustees of Webster Township from time to time. Said fee is for the purpose of defraying costs of investigation, legal notices and other expenses incidental to be credited by the township clerk to the general fund of the township.

## ARTICLE XXIV. EFFECTIVE DATE



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

PASSED \_\_\_\_\_

ADOPTED \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

Trustee \_\_\_\_\_

ATTEST \_\_\_\_\_



Webster Township Trustees  
Pemberville, Ohio 43450

BY ORDER OF THE WEBSTER TOWNSHIP TRUSTEES:

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DATE: April 14, 2008