

ZONING RESOLUTION
OF
SUFFIELD TOWNSHIP
PORTAGE COUNTY
STATE OF OHIO

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Suffield Township Zoning Resolution

February 23, 2021

ARTICLE I

TITLE, PURPOSE AND CONFLICT

A Resolution providing for the zoning of the unincorporated area of Suffield Township.

SEC. 101 TITLE

This Resolution shall be known as the "Zoning Resolution of Suffield Township, Portage County, Ohio".

SEC. 102 PURPOSE

For the purpose of promoting public health, safety, morals, comfort, and general welfare; to conserve and protect property and property values; to continue a high level of planned growth by establishing certain minimum restrictions, all in accordance with a comprehensive plan, the Board of Trustees of Suffield Township finds it necessary and advisable to regulate the location, height, bulk, size of buildings and other structures, percentage of lot areas which may be occupied, setback lines, the uses of land, buildings and structures. This Zoning Resolution is established under authority derived from the Revised Code of the State of Ohio, Sections 519.01 to 519.99, inclusive.

SEC. 103 CONFLICT

It is not intended by this Resolution to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Resolution or with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenant running with the land to which the Township is a party. When this Resolution imposes a greater restriction upon land, buildings or structures than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Resolution shall control.

ARTICLE II

DEFINITIONS

For the purpose of this Resolution, certain terms are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular. For the purpose of this code, certain words shall be interpreted as follows:

The word “shall” is a mandatory requirement, the word “may” is a permissive requirement and the word “should” is a preferred requirement.

The word "building" shall include the word "structure".

The words “used” or “occupied” include the words intended, designed or arranged to be used or occupied.

The word “person” includes a firm, association, organization partnership, trust, company or corporation, as well as an individual.

The word “lot” included the words “plat” or “parcel”.

Any word or term not defined herein shall be given a meaning found in Webster’s Dictionary.

Access Strip: A parcel of land, at least sixty (60) feet in width for its entire length, which provides only one lot with access to a public street.

Accessory Structure/Use: An uninhabited structure or use that: (a) is clearly incidental to and customarily found in connection with a principal building or use; (b) is subordinate to and serves a principal building or a principal use; (c) is subordinate in area, extent or purpose to the principal building or principal use served; (d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or principal use served; and, (e) is located on the same lot as the principal building or use served.

Adult Bookstore: An establishment which derives twenty five percent (25%) or more of its gross income from the sale and rental of, or utilizes twenty-five percent (25%) or more of its retail selling area for the display of, or both, books, magazines, other periodicals, films, tapes and cassettes, which materials have as their major or dominant theme matter depicting, describing, or relating to "specified sexual

activities" or "specified anatomical areas" as described hereafter.

Adult Cabaret:

A nightclub, bar, restaurant, or similar establishment that regularly features live dancers.

Adult Motion Picture Theater:

An enclosed motion picture theater or motion picture drive-in-theater which derives twenty-five percent (25%) or more of its gross income from the showing of, or utilizes twenty-five percent (25%) or more of its total viewing time for the presentation of, or both, materials for observation by its patrons which have as their major or dominant theme matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" as described hereafter.

Adult Day Care Center:

Any place in which day care is provided for adults in need of temporary oversight, and which may include incidental facilities for the preparation and consumption of meals, rest and recreation.

Acreage, Gross:

The total area measured in acres to the property lines of a lot, tract, or parcel of land.

Acreage, Net:

The total acreage of a lot, tract, or parcel of land excluding land in existing and proposed public road right-of-ways and other areas to be dedicated or reserved for public use are deducted from the lot, tract, or parcel of land.

Agriculture:

Agriculture includes farming, ranching, aquaculture, apiculture, horticulture, viticulture, animal husbandry including but not limited to the care and raising of livestock, equine, and fur-bearing animals, poultry husbandry and the production of poultry and poultry products, dairy production, the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod and mushrooms, timber, pasturage, an combination of the foregoing, the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but not secondary to such husbandry or production.

Alley:

A minor street used primarily for vehicular service.

Alterations: Any change, addition, modification in construction or occupancy of an existing structure.

Alteration, Structural: Any change in the supporting members of a building or structure, such as bearing walls, columns, beam or girders; provided, however, that the application of any exterior siding to an existing building for the purpose of beautifying and modernizing shall not be considered a structural alteration.

Anatomical (Specified) Areas: Less than completely and opaquely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola; and human male genitals in a discernible turgid state, even if completely and opaquely covered.

Antenna: Any structure or device used for the purpose of collecting or transmitting electromagnetic signals, including but not limited to directional antennas, such as panels, microwave dishes, satellite dishes, and omni-directional antennas, such as whip antennas.

Attached: An accessory or main building having a shared wall(s) and roof with another accessory or main building.

Automotive, Mobile Home Travel Trailer Manufactured Home and Farm Implement Sales: The sale or rental of new and used motor vehicles, mobile homes, travel trailers, or farm implements, but not including repair work except incidental warranty repair of same to be displayed and sold on the premises.

Automotive Repair: The repair, rebuilding, reconditioning or servicing of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

Automobile Service Station: A place where gasoline, kerosene or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises.

Automotive Wrecking:	The dismantling or wrecking of used motor vehicles, manufactured homes, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.
Auto Wash:	A building housing facilities such as chain conveyors, blowers and steam-cleaning and or high pressure devices for the washing and or waxing of automobiles.
Bar and /or Cocktail Lounge:	Any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded by law.
Basement:	A story having more than one-half (1/2) of its height below average grade. A basement shall not be counted as a story for the purpose of height regulations.
Bed and Breakfast Inn:	A house or portion thereof, where short term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.
Billboard:	Any Sign that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.
Board:	Board of Zoning Appeals
Boarding House:	A building other than a hotel or motel where a resident family is compensated by the week, month, or day and where meals and or lodging is provided for two or more persons.
Building:	Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.
Building, Agricultural:	A building or structure used for agricultural purposes as part of an agricultural operation.
Building Height:	The vertical distance to the highest point of the roof surface if a flat roof; to the deck line of mansard roofs; and to the highest point for gable, hip and gambrel roofs. The height of the building shall be

measured from the average elevation of the finished grade along the front of the building. (See Appendix #4.)

Building Line:

A line parallel to the road right-of-way defining the location of the main building or structure with respect to the road, outside of which no part of the foundation of the main building or structure projects.

Building Signs:

A sign which identifies the business or profession conducted or the principal products sold upon the premises.

Business, Convenience:

Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to drugstores, beauty salons, barber shops, carry outs, dry-cleaning and laundry pickup facilities, and grocery stores if less than 10,000 square feet in floor area. Uses in this classification tend to serve day to day needs in the neighborhood.

Business, General:

Commercial uses which generally require locations on or near major arterials and or their intersections, and which tend in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the whole city. General business uses include, but need not be limited to such activities as supermarkets, stores that sell hardware, apparel, footwear, appliances, furniture, department stores, and discount stores.

Business, Highway:

Commercial uses which generally require locations on or near major arterials and/or their intersections and which tend to serve the motoring public. Highway business uses include, but need not be limited to such activities as filling stations, truck and auto sales and service, restaurants and motels, and commercial recreation.

Business, Office Type:

Quasi-commercial uses which may often be transitional between retail business and / or manufacturing and residential uses. Office business

generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, data processing, and drafting. Institutional offices of a charitable, philanthropic, religious, or educational nature are also included in this classification.

Business, Services:

Any profit making activity which renders services primarily to other commercial or industrial enterprises or which services and repairs appliances, equipment, and machines in homes and businesses.

Business, Wholesale:

Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, or other wholesale establishments or manufacturing establishments. These commodities are basically for further resale for use in the fabrication of a product, or for use by a business service.

Commercial Entertainment Facilities:

Any profit making activity which is generally related to the entertainment field such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.

Carport:

A covered automobile parking space not completely enclosed by walls or doors. A carport shall be subject to all the provisions prescribed in these regulations for a private garage.

Centralized Sewer System:

A system where individual lots are connected to a common sewerage system whether publicly or privately owned and operated.

Centralized Water System:

A system where individual lots are connected to a common water system whether publicly or privately owned and operated.

Child Day Care:

Administering to the needs of infants, toddlers, preschool children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives for any part of the twenty four hour day in a place or residence other than the child's own home. The following are child day care facilities:

1. Child Day Care Center:

Any place in which child day care is provided, with or without compensation, for 13 or more children at any one time, or any place that is not the permanent residence of the licensee or administrator in which child day care is provided, with or without compensation, for 7 to 12 children at any one time. In counting children for the purposes of this definition, any children under 6 years of age who are related to a licensee, administrator, or employee and who are on the premises shall be counted.

2. Type A Child Day Care Home:

A permanent residence of the administrator in which child day care is provided for 4 to 12 children at any one time, if 4 or more children are under 2 years of age. In counting children for the purposes of this definition, any children under 6 years of age who are related to a licensee, administrator, or employee and who are on the premises of the Type A home, shall be counted. The term "Type A child day care home" does not include a residence in which the needs of children are administered to, if all such children are siblings of the same immediate family and the residence is their home.

3. Type B Child Day Care Home:

A permanent residence of the provider in which child day care or child day care services are provided for 1 to 6 children at one time and in which no more than 3 children may be under 2 years of age at any one time. In counting children for the purposes of this definition, any children under 6 years of age who are related to the provider and are on the premises of the type B home shall be counted. The term "Type B child day care home": does not include a residence in which the needs of children are administered to, if all such children are siblings of the same immediate family and the residence is their home.

Clean Wood:

Wood that has no paint, stains, or other types of coatings, and wood that has not been treated with,

- including but not limited to copper chromium arsenate, creosote, or pentachlorophenol.
- Clinic:** Any building or other structure devoted to the medical diagnosis, treatment, and care of human outpatients.
- Commercial Vehicle:** A vehicle used for and or engaged in the buying or selling of goods including the distribution, production or designation of passengers, goods, or equipment.
- Commission:** The Township Zoning Commission.
- Common Open Space:** A required land area that may include associated facilities, within a development that is to be utilized for active and/or passive recreational use by the residents, tenants and their guests of the development.
- Conditional Certificate (Permit):** A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.
- Conditional Use:** A use permitted within a district other than a principally permitted use, requiring a conditional use certificate (permit) as regulated by this resolution.
- Congregate Care/Assisted Living Facilities:** A facility that provides accommodations for seventeen (17) or more unrelated individuals and provides supervision of personal care services for three or more of those individuals who are dependent on the services of others by reason of age and/or physical and/or mental impairment.
- Dedication:** The act of legally setting apart to a definite use or service.
- Detached:** Any accessory or main building that does not share a common wall and roof with any other accessory or main building.
- Dewatering:** The withdrawal of ground water from an aquifer or saturated zone.
- Dump:** Any premises used primarily for non-hazardous

solid waste disposal that is not licensed by the Ohio EPA and where wastes are not compacted and covered daily. This also includes the unlicensed storage, processing or abandonment of any hazardous wastes.

Dwelling: Any building, or portion thereof, which is designed or used primarily for residence purposes, including hotels, motels, boarding houses, lodging houses, and tourist dwellings. An attached garage for purposes of determining the front, side and rear yards, shall be considered a part of the dwellings.

Dwelling, Multi-Family: A building consisting of four or more dwelling units, including condominiums and apartments, with varying arrangements of entrances and party walls.

Dwelling, Single-Family Detached: A building consisting of a single dwelling unit only, separated from other unattached dwelling units by open space.

Dwelling, Two-Family: A building consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling, Three-Family: A building consisting of three dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling Unit: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family.

Earth Products: Any solid material, aggregate, or substance of commercial value, whether consolidated or loose, found in natural deposits on or in the earth, including but not limited to clay, silt, diatomaceous earth, sand, gravel, stone, metallic ores, shale, and soil.

Easement: An interest in land in the possession of another which entitles the owner of such interest to a limited use or enjoyment of the land in which the interest exists. An easement shall not become a right-of-

way unless said easement meets all right-of-way specifications.

Electronic Signs:

Outdoor advertising signs that use digital technology to display changeable content.

Essential Services:

The erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, for underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communications, supply or disposal systems, including poles, wires, main drains, sewers, pipes, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare.

Extraction of Natural Resources:

Any mining, quarrying, excavating, processing, storing, separating, cleaning or marketing of any mineral natural resource (coal, sand, gravel, clay, stone, top-soil and sub-soil). The removal of topsoil and or sub-soil shall also be included when the extraction involves two hundred and fifty (250) tons or more (requiring a State of Ohio Surface Mine Permit).

Factory Built Housing:

Factory built housing means a factory built structure designed for long term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this resolution, "Factory Built Housing" includes manufactured homes, modular homes, and mobile homes.

Family:

One or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth or marriage, and distinguished from a group occupying a boarding house, lodging house, hotel, tourist dwelling, sorority or fraternity. A family may also include domestic servants and gratuitous guests.

Floor Area, Gross:

The sum of all the horizontal areas of every floor of

a building, measured from the interior faces of the exterior walls. Except as otherwise specified, the floor area of a building includes: halls, stairways, elevator, shafts, floor space used for mechanical equipment, attached garages, roofed porches, attics with 7'10" headroom, floor area devoted to accessory uses.

Floor Area, Living:

The sum of the gross horizontal area of the floors of a residential building, excluding the basement floor areas not devoted to residential use, porches, terraces, garages, or other spaces not in compliance with building code specifications for habitable space.

Floor Area of Non-residential Building:

The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms and similar areas.

Food Processing:

The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Frontage:

Frontage of the lot shall be considered as the portion nearest the street. For corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage.

Garage, Service Station, Filling Station:

Buildings and premises where gasoline, kerosene, diesel fuel, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail and where in addition, the following services may be rendered and sales made:

1. Sale and service of spark plugs, batteries, and distributor parts.
2. Tire servicing and repair but not recapping or regrooving.
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, windshield wipers and blades, grease containers, wheel bearings, mirrors, and like items.

4. Radiator cleaning, flushing, welding, and repair.
5. Greasing and lubrication.
6. Providing and repairing fuel pumps, oil pumps, water pumps and lines.
7. Minor servicing and repair of carburetors.
8. Adjusting, repairing, and replacement of brakes, shock absorbers, and struts.
9. Minor motor adjustment not involving removal of the head or crankcase or racing the motor.
10. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers as accessory and incidental to principal operations.
11. Provisions of road maps and other informational materials to customers.
12. Provision of restroom facilities.
13. Warranty maintenance and safety inspections.

Uses permissible at a filling station do not include major mechanical and body work, straightening of body parts, painting, body and frame welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations. A filling station is neither a repair garage nor a body shop.

Garage, Private:

An accessory building or an accessory portion of the main building, enclosed on all sides and designed or used for the shelter or storage of passenger vehicles and located on the same lot as the dwelling to which it is accessory.

Garage, Public:

A building, or portion of a building, in which more than four motor vehicles are, or are intended to be, housed under arrangements made with patrons for

renting or leasing such space and accommodation and in which no repair work is carried on.

Garage Sale:

Any casual sale of tangible personal property which is advertised by any means whereby the public at large is or can be made aware of said sale, shall include, but not limited to, sales entitled, "Garage Sale", "Lawn Sale", "Attic Sale", "Rummage Sale", "Flea Market", or any similar terms.

Home Occupation:

Any business use or profession customarily conducted entirely within a dwelling by the family residing on the premises with no more than one (1) non-resident employee. The use shall be secondary in importance to the use of the dwelling for dwelling purposes. Any building constructed (not a separate building) for the extension of home occupation use shall be no more than 25% of the square footage of the living area of the principal dwelling. Parking spaces shall be provided off-street for any traffic generated by such use.

Hospital:

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

Hotel:

A building in which lodging is provided and offered to the public for compensation and which is open to transient guests, as distinguished from a boarding house or lodging house.

In situ:

At the permitted site.

Institution:

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

Junk:

Any old or scrap copper, brass, rope, rags, trash, waste, used batteries, paper, rubber, junked, dismantled, or wrecked automobiles or parts thereof, iron, steel and other old or scrap ferrous or nonferrous materials.

Junk Motor Vehicle:

Any motor vehicle that meets all of the following requirements:

1. Is at least three (3) years old.

2. Is extensively damaged, such damage including but not limited to such items as missing wheels, tires, motor, transmission, etc.
3. Is apparently inoperable.
4. Has a fair market value of fifteen hundred dollars (\$1,500.00) or less; or
5. Is left uncovered in the open on private property with the permission of the person having the right to the possession of the property unless the person having right to the possession of the property can establish that the motor vehicle is part of a permitted commercial operation or if the motor vehicle is a collector's vehicle.

Junk Yard:

The use of more than twenty-five (25) square feet of any land, building, or structure for storing, keeping, dismantling, buying or selling junk or for the maintenance and operation of an auto graveyard and includes garbage dumps and sanitary landfills. Junk yard also includes scrap metal processing facilities located within one thousand (1,000) feet of the nearest edge of the right-of-way of a highway in the interstate or primary system, and site location or premise on which are kept two or more junk motor vehicles whether or not for commercial purposes.

Landfill, Sanitary:

An area licensed by the Ohio EPA where non-hazardous solid wastes are compacted and covered with soil daily.

Loading Space:

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

Lot:

A piece, parcel, or plot of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open spaces and access to or frontage on a public street, as required by these regulations.

Lot, Area:	The computed area contained within the lot lines. Where the lot has been conveyed to the center of the street the area of the lot lying within the established street right-of-way shall not be included as part of the lot area for the purpose of these regulations.
Lot, Corner:	A lot at the junction of and abutting upon two (2) intersecting streets. The rear of the corner lot is opposite the street mailing address.
Lot, Depth:	The mean horizontal distance between the right-of-way line of the street and the rear lot line.
Lot, Double Frontage:	A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.
Lot, Interior:	A lot other than a corner lot.
Lot Line, Front:	The line separating a lot from the street on which the lot fronts.
Lot Line, Rear:	The lot line opposite and most distant from the front lot line.
Lot Line, Side:	Any lot line other than a front or rear lot line; a side lot line separating a lot from a street is called a side street lot line; a side lot line separating a lot from another lot or more lots is called an interior side lot line.
Lot of Record:	A lot which is part of a subdivision, the map of which has been recorded in the office of the Recorder of Portage County; or a parcel of land, the deed of which was of record on or prior to the effective date of these regulations.
Lot, Width of:	The horizontal distance between side lot lines as measured along the front minimum building setback line.
Manufactured Home:	Any non-self propelled vehicle transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit

with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning, and electrical systems contained therein, and which bears a label certifying that it is built in compliance with Federal Manufactured Housing construction and safety standards.

Massage Parlor:

An establishment where, for any form of consideration, massage, alcohol or oil rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or other establishment where professional persons licensed by the state offer massage or similar manipulation of the human body as an incidental or accessory service.

Mineral, Natural Resource:

Any inorganic substance occurring naturally in the earth having a constant and distinctive set of physical properties without manmade changes.

Mobile Home:

Any non-self propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such a manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so constructed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and an overall length of thirty (30) feet or more and not in compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974.

Mobile Home Park:**Manufactured Home Park:****House Trailer Park:**

Any tract of land upon which three or more mobile homes (manufactured homes, house trailers) used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building structure, vehicle, or enclosed used or intended for use as a part of the facilities of such park. A tract of land which is subdivided and the individual lots are not for rent or rental, but are for

sale or sold for the purpose of installation of mobile homes (manufactured homes house trailers) on the lots is not a mobile home (manufactured home house trailer) park, even though three or more mobile homes (manufactured homes house trailers) are parked thereon if the roadways are dedicated to the local government authority. Mobile home (manufactured home house trailer) park does not include any tract of land used solely for the storage or display for sale of mobile homes (manufactured homes house trailers).

Modular Home:

Factory built housing certified as meeting Local and State building code as applicable to modular housing. Once certified by the State, modular homes shall be subject to the same standards as site built homes.

Motel:

A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or tourist court with more than one unit or a motor lodge shall be deemed a motel.

Non-Conforming Use:

A building structure and or use of land lawfully used and occupied at the time of the enactment of this resolution, which does not conform to the regulations of the district in which it is located.

Nursing Home/Assisted Living Home:

A licensed facility that provides personal care services and skilled nursing care for the aged or infirmed in which three or more persons not of immediate family are received, kept, or provided with food and shelter, or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Open-Air Market:

A periodic market, held outdoors, in an open area where groups of individual vendors/sellers offer goods for sale to the public.

Open Space:

An area substantially open to the sky that may be on the same lot with a building. The area may include, along with natural environmental features, water areas, swimming pools, and tennis courts, and other

recreational facilities that the Suffield Zoning Commission deems permissive. Streets, parking areas, structures for habitation and the like shall not be included.

Original Tract:

A contiguous quantity of land held in common ownership which has not been platted by the existing owner or owners as it appeared on the last preceding tax roll.

Outdoor Advertising Sign:

A fixed or portable appliance, structure or surface, including the supporting structure made necessary thereby, which is, or is to be erected upon the ground, or wall of the building or above the roof of a building, and which is used, erected, intended and or designed to be used for the public display of posters, painted displays, electrical displays, pictures or other pictorial or reading matter, for the benefit of a person, organization, business or cause not residing or located on the lot or in the building or on a lot adjoining the lot or building where said appliance, structure, or surface is, or is to be located. The term "placed" as used in the definition of "Outdoor Advertising Sign" or referred to in connection with "Outdoor Advertising Structure" shall include: erecting, construction, posting, painting, printing, tacking, bailing, gluing, sticking, carving, or otherwise fastening, affixing or making visible in any manner whatsoever.

Outdoor Hydronic/Forced Air Burner:

A fuel burning device designed to (1) burn wood or other approved solid fuels; (2) that the manufacturer specifies for outdoor installation or installation in structures not normally occupied by humans (e.g., garages); and (3) heats building space and/or water via the distribution, typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture. Including forced air heating devices.

Parking Space:

An off-street space or berth for the temporary parking of a vehicle for a period longer than required to load or unload persons or goods.

Public Utility:

Any person, firm, corporation, governmental agency or board fully authorized to furnish to the public, electricity, gas, steam, telephone,

telegraphy, transportation, or water. For the purpose of this resolution, wireless telecommunications services shall not be considered public utility uses and are defined separately.

Recreation, Active:

Recreation that involves the construction of permanently sited structures, parking areas and/or buildings.

Recreation, Passive:

Recreation that involves the use of the existing natural features and resources of the land and may include improved walkways and sitting areas having a minimal impact to the environment.

Recreation Facilities:

Public or private facilities that may be classified as either “extensive” or “intensive” depending on the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to miniature golf courses, amusement parks, stadiums, bowling alleys, and tennis courts.

Residential/Commercial and Industrial Buffer:

A buffer means a designated strip of land reserved for the purpose of blocking the view and sound from a residential use or the abutting commercial or industrial use by landscaping material (tree, shrubs, etc.) or a fence the height of at least six (6) feet.

Restaurant:

A business establishment whose principal business is the selling of unpackaged food to the customer in a ready to consume state, in individual servings, or in non-disposable containers, and where the customer consumes these foods while seated at tables or counters located within the building. This includes outdoor cafes.

Restaurant, Drive-In:

An establishment that delivers prepared food and / or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption on or off the premises.

- Restaurant, Fast Food:** An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or griddled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.
- Restricted Open Space:** The required open space area of a development that is restricted from further development in perpetuity by a legal instrument, such as a conservation easement.
- Right-Of-Way:** A strip of land dedicated for use as a public way. In addition to the roadway, it normally incorporates the curb, lawn strips, sidewalks, lighting, drainage facilities, and may include special features required by the topography, such as grade separation, landscaped areas, viaducts, and bridges. Right(s)-of-Way shall be a least sixty-(60) feet in width for its entire length.
- Sanitarium:** Any building or other structure used for the cure of invalids, convalescents or the treatment of patients with a specific disease.
- Satellite Dish:** A device consisting of an antenna and reflector for reception or transmission of radio signals or energy from an earth orbit satellite or celestial body.
- Self Service Storage Facility:** A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.
- Self Service Station:** An establishment where liquids used as motor fuels are stored and dispersed into fuel tanks of motor vehicles by persons other than the service station attendant and may include facilities available for the sale of other retail products.
- Setback Lines, Minimum Building:** The lines parallel to the street right-of-way side and property lines and at a distance there from equal to the required depth of the front, side and rear yards, and extending across the full width, and or depth of the lot. Where the established street right-of-way, if any, cannot be ascertained, it shall be deemed to be

thirty (30) feet from the central line of the existing roadway. When a major thoroughfare or collector thoroughfare is designated on the Land Use and Thoroughfare Plan, the front setback line shall be measured from the proposed right-of-way.

Sexual (Specific Activities):

1. Human genitals in the state of sexual stimulation or arousal.
2. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
3. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
4. Masturbation, actual or simulated; or
5. Excretory functions as part of or in connection with any of the activities set forth in 1 through 4 above.

Sign:

Any structure, or natural object such as a tree, rock, bush, and the ground itself, or part thereof, or device attached thereto or painted or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business, or which shall display or include any letter, work, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of an announcement, direction or advertisement. For the purpose of these regulations the word "sign" does not include the flag, pennant, badge, or insignia of any government, or governmental agency or any charitable, religious, educational or similar organization.

Sign, Sandwich Board:

A movable sign not secured or attached to the ground or surface upon which it is located. It is constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

Site Improvements:

Improvements on a site which are required so that the use on the site complies with the provisions of

this Resolution. Site improvements include but are not limited to sewer and septic system facilities, landscaping, parking, design features, roadways, recreation space, and other open spaces on the site.

Small Wind Energy System:

A wind energy system consists of a wind turbine, a tower, and associated controls or conversion electronics, which has a rated capacity of not more than one hundred (100) kW, and which is intended to primarily reduce on-site consumption of utility power. The purpose of a small wind energy system is to be an accessory use of the property. (I.e., Windmills.)

Story:

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

Street, Private:

A thoroughfare, street, road or easement of access with any type of street classification that has not been dedicated and accepted for public use.

Street, Public:

A right-of-way, dedicated to public use, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or however otherwise designated excepting however private streets.

Street, Right-Of-Way Lines:

A dividing line between a lot, tract or parcel of land and a contiguous street. Also known as lot line, front and frontage.

Structure:

Anything, constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures are buildings, walls, fences, and signs.

Tavern:

An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks are available for consumption on the premises.

Thoroughfare: The full width between property lines bounding every public or private way, for whatever nature, including an easement of access with a part thereof to be used for vehicular access.

Townhouse: Any single family residential dwelling of one or more floors, having or appearing to have a common wall with an adjacent similar unit or units.

Trailer: Any vehicle or structure constructed in such a manner as to permit occupancy thereof as a sleeping quarters or the conduct of any business, trade or occupation, or use as a selling or advertising device, or use for storage or conveyance for tools, equipment, or machinery and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor powers.

Subdivision:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or
2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Subdivision, Major: Any subdivision that does not meet the requirements of a minor subdivision. Major

subdivisions require plat approval by the Portage County Regional Planning Commission.

Subdivision, Minor:

A division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any street or road, does not involve more than five (5) lots after the original tract has been completely subdivided, and is not contrary to applicable zoning regulations or applicable subdivision regulations. (Subdivision exempt from platting.) Minor subdivisions require approval by the Portage County Regional Planning Commission.

Travel Trailer:

Any vehicular portable structure built on a chassis and not exceeding a gross weight of four thousand five hundred (4,500) pounds when factory equipped for the road or an overall length of thirty (30) feet and designed to be used a temporary dwelling for travel, recreation, and vacation use.

**Trustees:
Usable Open Space:**

The Board of Trustees of Suffield Township.
The portion of a lot excluding the required front yard area which is unoccupied by principal or accessory buildings and available to all occupants of the building for use for recreational and other leisure activities normally carried on outdoors.

Use:

The purpose for which a building or premises is or may be occupied. In the classification of uses, a "use" may be a use as commonly understood or the name of an occupation, business, activity or operation carried on, or intended to be carried on in a building or on premises, or the name of a building, place or thing which name indicates the use or intended use.

Used Car Lot:

Any lot on which two (2) or more motor vehicles (which have been previously titled in a name other than the manufacturer or dealer) in operating condition are offered for sale or displayed to the public.

Variance:

A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest not in conflict with the intent and purpose of this resolution where, owing to conditions peculiar to the property and not

the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship, not solely financial, and provided that the granting of a variance shall not, in effect, constitute a rezoning of the parcel in question. A variance is granted in perpetuity (See Section 1008 (B)).

Variance, Area:

A modification of the strict terms of the zoning resolution relating to dimensional requirements only, re: height, bulk, area and yard.

Variance, Use:

An authorization to establish a use of land that is otherwise prohibited in that zoning district.

Warehouse:

A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions.

**Wireless Telecommunications,
Collocation:**

The use of a wireless telecommunication facility by more than one wireless telecommunication provider.

**Wireless Telecommunications,
Public Utility:**

See public utility.

**Wireless Telecommunication(s)
Service Facility:**

A facility consisting of equipment, structures, parking area, and accessory development, involved in transmitting and/or receiving electromagnetic signals.

**Wireless Telecommunication(s)
Services:**

Licensed wireless telecommunication services including cellular, personal communication services (PCSs), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR) paging, and similar services that are marketed to the general public.

**Wireless Telecommunication(s)
Substantial Evidence:**

Such relevant evidence as a reasonable mind would accept as adequate to support a conclusion.

**Wireless Telecommunication(s)
Tower:**

Any structure, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of supporting one or more antenna, or similar apparatus.

**Wireless Telecommunication(s)
Tower, Multi-User:**

A tower to which is attached the antennas of more than one wireless telecommunication service, provider or governmental entity.

**Wireless Telecommunication(s)
Tower, Single-User:**

A tower to which is attached only the antenna of a single-user, although the tower may be designed to accommodate the antennas of multiple users as requested in this resolution.

**Wireless Telecommunication(s)
Technically Suitable:**

The location of a wireless telecommunication antenna(s) which reasonably serves the purpose for which it is intended within the band width of frequencies for which the owner or operator of the antenna(s) has been licensed by the FCC to operate without a significant loss of communication capability within developed areas of the Township.

Yard, Front:

A yard extending across the full width of a lot and for the perpendicular distance between the street right-of-way line and the nearest portion of any building or structure existing or proposed for construction on said lot. Where the established right-of-way line, if any, cannot be ascertained, it shall be deemed to be thirty (30) feet from the centerline of the existing roadway.

Yard, Rear:

A yard extending across the full width of a lot between the side lot lines and being the perpendicular distance between the rear lot line and the nearest portions of any building or structure existing or proposed to be constructed on said lot. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall be in all cases at the opposite end of the lot from the front yard.

Yard, Side:

A yard between the nearest portion of any building

or structure existing or proposed to be constructed on said lot and the side lines of the lot and extending from the front yard to the rear yard.

Zoning District:

Area of the unincorporated territory of Suffield Township within which certain uses of land and buildings are permitted and certain others are prohibited; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being uniform for the zoning district in which they apply.

Zoning Map:

The "Zoning Districts Map, Suffield Township, Portage County, Ohio".

ARTICLE III

GENERAL PROVISIONS

SEC 300.0 PURPOSE

The purpose of this article is to provide regulations, which address health, safety, and general welfare concerns that are applicable in any and all districts. (Article IV lists the types of Districts and District Regulations)

SEC 301.1 SUPPLEMENTARY REGULATIONS

A. Uses Exempt from Regulations

1. Agricultural Uses:

Nothing contained in these regulations shall prohibit the use of any land for agricultural purpose or the construction or use of buildings or structures incidental to the use of agricultural purposes of the land upon which said buildings or structures are located and no Zoning Certificate shall be required for such use, building or structure except for agricultural uses permitted to be regulated in accordance with the Ohio Revised Code and as specified in Section 301.2 of this Resolution. However, farm dwellings shall conform to the regulations contained in this Resolution.

A Zoning Certificate shall not be required for any agricultural building or use exempt from zoning. However, a signed affidavit stating that the purpose of the building is for agricultural use only is required, prior to construction. The Zoning Inspector must authorize the affidavit.

2. Public Utilities and Railroads:

Nothing contained in these regulations shall prohibit the location, erection, construction reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility OR railroad, for the operation of its business, except telecommunication facilities in accordance with the provisions of Section 519.211 of the Ohio Revised Code.

B. Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the boundaries of any zoning districts as shown on the “Zoning Districts Map of Suffield Township, Ohio”, the following rules shall apply:

1. Where boundaries approximately follow streets, alleys or highways:

Where boundaries are indicated as approximately following the centerline or street line of streets, the centerline or alley line of alleys, or the centerline or right-of-way lines of highways, such lines shall be construed to be such district boundaries.

2. Where boundaries parallel street lines, alley lines or highway right-of-way lines:

Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, the centerlines or alley lines of alleys or the centerlines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said zoning map.

3. Where boundaries approximately follow lot lines:

Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries, and shall be construed to be boundaries of lots of ownership as shown on the Tax Maps as of November 9, 2006.

4. Vacation of public ways:

Whenever any street, alley or other public way is vacated in a manner authorized by Law, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all areas included in the vacation shall then and henceforth be subject to all regulations of the extended district.

C. Compliance with These Requirements

1. No building shall be erected, placed, converted, enlarged, demolished, reconstructed, or structurally altered, nor shall any building or land be used, arranged to be used, or designed to be used, in a manner, which does not comply with all of the district requirements established by these Regulations for the districts in which the building or land is located.
2. Uses, which are omitted from these Regulations, not being specifically permitted, shall be considered prohibited until, by amendment such uses are incorporated into these regulations.
3. Determination of whether or not a use is specifically permitted by virtue of being similar in character to a specified permitted use in the district shall be made by the Board of Zoning Appeals based on the purpose of the district, adopted policies regarding development and this Zoning Resolution.

SEC 301.2 SUPPLEMENTARY REGULATIONS**A. Agricultural Uses**

1. Unless otherwise specified in this Resolution the following regulations shall govern agricultural in:
 - a. Farm markets in any district.
 - b. Platted subdivisions.
 - c. Areas with 15 or more contiguous lots on one side of a public dedicated road, approved as subdivisions exempt from platting under Ohio Revised Code, Section 711.131 and Portage County Subdivision Regulations.
 - d. Areas with 15 or more lots where some are contiguous to one another on one side of a dedicated public road, and the balance are contiguous to one another and across the street of the same dedicated public road and which have been approved as subdivisions exempt from platting under Ohio Revised Code, Section 711.131, and Portage County Subdivision Regulations
2. Farm markets/roadside stands or winery may be established for the purpose of selling agricultural products, providing the following requirements are met:
 - a. There shall only be one (1) farm market structure permitted per farm, which shall be located on the same property as the farm owner or operator. A winery may have several structures.
 - b. The structure complies with side yard setback requirements of the district.
 - c. The structure shall be located at least thirty (30) feet from the road right-of-way.
 - d. If the structure is located within the minimum front yard setback area of the property, the height of the structure shall not exceed twenty (20) feet.
 - e. The floor area of a farm market sales structure shall not exceed fifty (50) percent of the principal building floor area if on the same lot or one-thousand (1000) square feet, whichever is less. A winery may be up to 2,000 square feet of floor area.
 - f. Adequate ingress and egress and parking facilities are provided to allow cars to get off of the street and be able to turn around without creating a safety hazard or blocking oncoming traffic.
 - g. Construction materials of the farm market shall be of materials that would

blend with the principal building.

- h. At least fifty (50) percent of the gross income received is derived from produce raised on the farm owned or operated by the market operator.
 - j. At least fifty percent (50%) of the gross sales of the winery must be derived from wine produced and/or bottled at the winery.
 - k. Signs as regulated in Article 5.
3. Platted subdivisions and subdivisions approved as subdivisions exempt from platting under Ohio Revised Code, Section 711.131, and Portage County Subdivision Regulations
- a. On lots of less than two (2) acres in area, normal household pets shall be permitted. Animals being raised for recognized youth programs (i.e., 4-H, FFA) must not have a mature weight of over 20 pounds and the project must be for less than twenty-four (24) months. All state, county and local health and safety requirements must be followed and no nuisance be created for neighboring property owners or residents within the Township. This includes the proper disposal of waste and control of odor and noise.
 - b. Dairying and animal and poultry husbandry shall be permitted on lots with
 - a. Minimum area of two (2) acre in compliance with the following:
 - 1. Shelter for Animals. The following regulations are established for the keeping of animals:
 - a. Whenever one or more animals are kept outdoors on a lot, an accessory building for their shelter shall be constructed on the lot.
 - b. The area of the accessory building intended to provide shelter for one or more animals shall not exceed 3% of the lot area.
 - c. Such accessory building shall be located no closer than:
 - i. Sixty (60) feet to a street right-of-way.
 - ii. Twenty-five (25) feet to a side or rear lot line.
 - iii. One hundred (100) feet from any water well.
 - iv. One hundred (100) feet from inhabited dwelling.

2. Fencing Requirements:

a. Large Animals:

A corral shall be required for large animals such as, but not limited to, horses, mules, donkeys, swine, cattle, buffalo, alpacas, and llamas.

1. The corral can be located on the property line if the landowner can prove the existence/location of the property line; other than the roadside which will require a 15-foot set back from the edge of the road. Also see SEC.301.2.J Visibility at Corner Lots.
2. A letter from the OSU extension shall be provided by the applicant stating that the intended corral shall provide at least the minimum grazing area for grazing livestock in compliance with the latest “animal units” per acre standards set forth by the OSU Extension Service, based on the applicant’s intended use and types of pasture grasses to be planted.

b. Small Animals:

If a fenced area is provided for small animals such as, but not limited to, poultry, goats, sheep and mini breeds of horses, cattle and swine, but not including dogs, cats and other common household pets, the fenced area shall be located in a side or rear yard and can be located on the property line if the landowner can prove the existence/location of the property line; other than the roadside which will require a 15 foot set back from the edge of the road. Also see SEC.301.2.J Visibility at Corner Lots.

3. Beekeeping (Apiculture):

All bee-keeping activities shall be a minimum of 250 feet from any residence on adjacent parcels.

4. Wild and Exotic Pets:

The keeping of wild or exotic animals, is in compliance with these regulations provided all federal, state, and local permits are first obtained and animal humane and safety standards are met, except for carnivorous animals or reptiles considered potentially dangerous to residents of the community.

B. Permitted Height Exceptions:

Except as specifically stated in other parts of these regulations, no building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except that penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, radio and television aerials, wireless masts, water tanks or similar structures may be erected above the height limits herein. No such roof structure shall exceed twenty (20) feet; nor shall such structure have a total area greater than twenty-five percent (25%) of the roof area of the building nor shall such structure be used for any purpose other than a use incidental to the main use of the building, except that radio, television, and wireless aerials or masts may be erected to any height. Public or semipublic buildings, when permitted in a District, may be erected to a height not to exceed forty-five (45) feet except that churches and temples may be erected to a height not to exceed seventy-five (75) feet if the building is set back from each LOT line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the District in which the building is located.

C. Corner Lot

Corner lots in all districts are required to have the minimum front yard requirements, as indicated in that District, facing both streets.

D. Zoning Certificate

No zoning certificate shall be issued without evidence that the responsible health authority has approved the proposed sanitary sewage disposal facilities for the use of which the zoning certificate has been requested. No zoning certificate shall be granted to build any structure within the confines of the unincorporated area of the Township, which has ingress or egress to the highway until the owner of such property has secured a permit from the State Highway Department, the County Engineer, or the proper Township Official (whichever authority has jurisdiction). The Zoning Certificate should include the requirement to install a culvert of the proper size and specifications required by said State Highway Department, County Engineer, or proper local Township Official (whichever authority has jurisdiction) and completed proper installation of such culvert.

E. Essential Services

Essential services as defined by these regulations shall be permitted to any utilities as authorized under any franchise, or as regulated by any law or public authority of the State of Ohio, it being the intention to exempt such essential services from the application of these regulations.

F. Construction

1. Nothing contained in these Regulations shall hinder the construction of a building or prohibit its use where construction has started before the effective date of these Regulations or amendments thereto provided the foundations shall have been installed before such effective date, and provided further, that such building shall be substantially completed within one (1) year after the effective date of these Regulations and amendments to such Regulations.
2. If the work described in any type of Zoning Certificate has not been substantially completed within one (1) year of the date of issuance of the Zoning Certificate it shall expire. Substantially completed requires that at a minimum, the following items are completed: finished roof, windows installed, the siding or other exterior finish materials of the principal and accessory buildings/structures and final grade of site are completed.
3. The reviewing zoning authority (i.e., Zoning Inspector or Board of Zoning Appeals) and the applicant may agree to an extension of time based on reasonable circumstances that precluded the applicant from beginning or substantially completing construction. The circumstances and facts must be submitted to the reviewing zoning authority in writing, along with a schedule for completion of work. Unless otherwise specified in this Resolution, the reviewing zoning authority may grant an extension of time for up to six (6) months before the applicant would need to submit a new application for review. If an extension is granted, the reviewing zoning authority shall notify the affected person(s) in writing of such extension and the time frame for completion of work.
4. Unfinished construction projects that do not comply with this section and for which no progress is being made, shall be considered to be abandoned and may be declared a nuisance.

G. Principal Building

No more than one (1) dwelling shall be permitted on any lot unless otherwise specifically stated in these regulations and every dwelling shall be located on a lot having required frontage on a public street, as well as private streets, if such private streets meet County Subdivision Regulation Standards.

Design Criteria: Single-Family and Two-Family Dwellings:

1. All single-family and two-family homes shall be at least twenty-four (24) feet in width.
2. All single and two-family homes must be covered with exterior wall material customarily used on conventional homes, such as vinyl or aluminum siding, wood shingles, shakes, clapboards, masonry or stucco. The use of asphalt or fiberglass composition siding and flat or corrugated sheet metal on the

exterior walls is prohibited.

3. All dwellings must conform to the regulations of the Portage County Building Department and any applicable federal regulations.
4. Foundations: Dwellings, including manufactured homes, must have a permanent and complete perimeter foundation installed to a depth below the frost line. The foundations system must conform to the regulations of the Portage County Building Department.

H. Lots, Yards, and Open Space

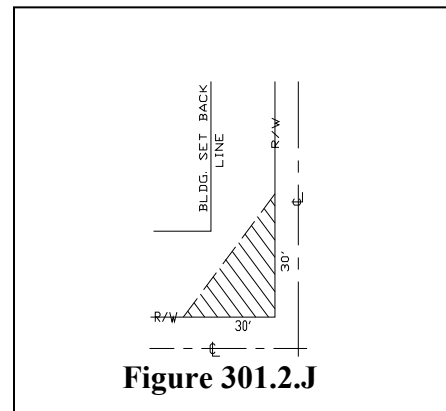
No space which, for the purpose of a building, has been counted or calculated as part of a side yard, rear yard, front yard, or other open space required by these regulations may, by reason of change in ownership or otherwise, be counted or calculated to satisfy the yard or other open space requirements of or for any other building.

I. Projections into Yard Areas

1. Every part of a required yard shall be open to the sky unobstructed, except for the ordinary projections of balconies, chimneys or flues, and similar architectural projections shall be considered parts of the building to which they are attached and may project into the required minimum front, side, or rear yard a distance of not more than twelve (12) inches. This requirement shall not prevent the construction of fences that comply with the requirements of this Resolution.
2. An open, unenclosed porch, or paved terrace may project into the front yard for a distance not to exceed ten (10) feet.
3. Terraces, porches, platforms or other ornamental features, whether covered or uncovered, which do not extend more than three (3) feet above the level of the ground, may project into a required side yard, provided these projections remain a distance of at least twelve (12) feet from the adjacent property lot line to allow passage of emergency vehicles and fire apparatus.

J. Visibility at Corner Lots

No obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty (30) feet from the intersection of the street lines, except for shade trees which are pruned at least eight (8) feet above the established grade of the roadway so as not to obstruct clear view by



motor vehicle drivers (See Figure 301.2.J).

K. Residential Accessory Building

An accessory building shall not be attached to the principal building, on a lot, and shall not be made structurally a part thereof.

1. No accessory building permitted on vacant lots.
2. Must conform to permitted building square footage based on lot acreage (See Figure 301.2.K).
3. Minimum 14 ft. from the principal building.
4. Minimum 10 ft. from the rear lot line.
5. Minimum 14 ft. from the side lot lines.
6. Minimum 60 ft. from the front lot lines.
7. Maximum of two (2) accessory buildings which collectively cannot exceed total permitted square footage for the lot size.
8. Maximum accessory building height is 25 ft. in any residential district.
9. Must conform to all Portage County Health Department guidelines as to where the building can be placed on the lot.
10. Accessory buildings that are removable (without foundation or pole barn structure) are subject to zoning regulations, but no zoning permit or fee is required. Portage County's maximum size of these types of structures is 16 ft. in any direction.
11. Suffield zoning regulations regarding accessory buildings apply to subdivisions, however some deed restrictions may be stricter.
12. Agricultural use of land is exempt from accessory building regulations.

FIGURE 301.2.K

Accessory Building Size per Lot Acreage

Acreage	Lot Sq. Footage	Max Sq. Footage	Est. # of Car Garage
0-1	43,560	870	2
1 ½ +	65,340	1,310	3
2 +	87,120	1,745	4
2 ½ +	108,900	2,180	5
3 +	130,680	2,615	6
4 +	172,240	3,450	7
5+		No Restrictions	

L. Temporary Buildings

Temporary buildings for use incidental to commercial construction work may be erected in any of the zone districts herein established, however, such temporary building or buildings shall be removed upon the completion or abandonment of the construction work.

M. Inconsistencies

In the event any of the requirements or regulatory provisions of these regulations are found to be inconsistent one with another, the more restrictive or greater requirements shall be deemed in each case to be applicable.

N. Prohibited Uses

No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Resolution and any additional conditions or requirements prescribed is or may become hazardous, unsanitary, noxious or offensive due to, but not limited to, the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibrations, refuse matters, or water carried waste.

In addition, the following uses are prohibited:

1. Mobile homes and/or immobile mobile homes / house trailers and mobile park/ manufactured home park / house trailer park.
2. Any other vehicle used for residential purposes, as opposed to recreational purposes; Manufactured Homes shall only fit the definition of a single family dwelling unit when permanently affixed to a foundation and meeting the U. S. Department of Housing and Urban Development Manufactured Housing and Safety Standards.
3. Tents or cabins used for residential purposes, as opposed to recreational purposes.
4. Boarding houses.
5. Sanitary landfills.
6. Junk yards
7. Junk and/or junk motor vehicle storage.
8. Entertainment gambling device arcades are prohibited in all zoning districts.

O. Swimming Pools

Public or private in-ground or above-ground swimming, wading, or other pools containing over one and one-half (1 1/2) feet of water depth shall be considered as structures for the purpose of permits, shall not be located in front or side yards, and shall conform to all required yard setback lines.

Every pool defined as a structure shall be completely surrounded by a fence or wall not less than four (4) feet in height; such fence shall be constructed so as to have no openings, holes, or gaps larger than three (3) inches in any dimension, except for doors or gates which shall be equipped with suitable locking devices to prevent unauthorized intrusion. An accessory building may be used in or as part of such enclosure. Pools above-ground having vertical surfaces of at least four (4) feet in height shall be required to have fences and gates only where access may be had to the pool.

P. Business Displays

In all Commercial Districts, all businesses, services, and merchandise displays shall be conducted within a completely enclosed building except as otherwise provided in the Resolution.

Q. Lot Width to Depth Ratio

Lots shall not have a length greater than four and one-half times the width of the lot at the minimum building setback line, except for lots over five (5) acres in size, approved flag shaped lots, lots created in any PUD and as otherwise specified in this Resolution.

R. Erosion Control Guidelines

Whenever the topographic or surface features of a site are being altered, and it is deemed necessary by the Zoning Commission, or Board of Zoning Appeals, a plan showing provisions for control of erosion and sedimentation during the development, construction, extraction, or other use of the site shall be prepared. Such plan shall show proposals for restoration, rehabilitation, and reclamation where necessary and shall be accompanied by documentation indicating the review and recommendation on said plan by the Portage County Soil and Water Conservation District, the Division of Lands and Soil of the Department of Natural Resources, or other competent agency or soils scientist.

Effective erosion and sediment controls shall be planned and applied according to the following principles:

1. The smallest practical area of land should be exposed at any one time during development, construction, extraction, or other use.

2. When land is exposed during development, use extraction, etc., the exposure should be kept to the shortest practical period of time.
3. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development, use, etc.
4. Sediment basins (debris basins, de-silting basins, or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development, use, etc.
5. Provisions shall be made to effectively accommodate the increased run-off caused by changed soil and surface conditions during and after development use, etc.
6. The permanent final vegetation and structures shall be installed as soon as practical in the development, use restoration, rehabilitation, etc.
7. The development, extraction or use plan shall be fitted to the topography and soils so as to create the least erosion potential.
8. Wherever feasible, natural vegetation should be retained and protected.

S. Fences, Walls, Hedges

1. Fences, walls or hedges along side or rear property lines shall not exceed six (6) feet in height above grade except on a corner lot in which case the fence, wall or hedge must meet the corner lot visibility requirement of section 301.2 (J).
2. Fences, walls or hedges along front yard area shall not exceed four (4) feet in height and contain fifty percent (50%) open visibility except on a corner lot in which case the fence, wall or hedge must meet the corner lot visibility requirement of section 301.1 (J). The location of fences, walls and/or hedges must be a minimum of ten (10) feet back from the street right of-way line, also known as the front lot line.
3. Informal plantings must be placed ten (10) feet back from the street right of way line, also known as the front lot line.
4. All fences, walls, hedges and informal plantings shall be constructed and maintained in a neat and safe condition, shall not become hazardous to neighboring uses or obstruct vision of motorists, or bicyclists at intersections.
5. Barbed wire fences and electric fences are prohibited in Suffield Township except for agricultural purposes, business security purposes, and by governing regulations.

6. No Zoning Certificate is required for erection of fences, walls, or hedges but is subject to inspection by the Zoning Inspector for determination of compliance with this subsection.

T. Oil and/or Gas Wells and Operations Necessary for Their Extraction Subject to the Following Health and Safety Provisions:

Newly constructed structures inhabited or frequently utilized by people shall not be built any closer than one hundred (100) feet from any oil or gas wells, storage tank and/or separator units.

U. Satellite Dish Regulation

1. Ground Satellite Dishes:

- a. Permitted Location: Rear yard only
- b. Rear Yard Setback: Fifteen (15) feet.
- c. Maximum Height: Thirty-five (35) feet.
- d. Additional Requirements: Ground satellite dishes must be anchored in the ground.

2. Roof Satellite Dishes for Commercial Purposes in B-1 and I-I Districts:

- a. Permitted Location: Roof of structure only if the dish is made of wire screen mesh material.
- b. Maximum Height: Thirty-five (35) feet when height is added to height of structure it is attached to.

3. All Satellite Dishes:

- a. Maximum Voltage: Thirty-eight (38) volts with proper low voltage wiring.
- b. One (1) satellite dish per dwelling unit.
- c. Maximum Diameter: Twelve (12) feet
- d. Fee: See Section 901.5(8).

V. Garage Sales

Three (3) sales are permitted in a one (1) year period by a single property owner or lessee at a single address. A sale shall not exceed three (3) consecutive days. Safe off road parking must be available to the public.

W. Reduction of Area or Space

No lot, yard, parking area or other space shall be reduced in area or dimension if such reduction has the effect of making the lot, yard, parking area, or other space less than the minimum required by this resolution. Furthermore, any lot, yard, parking area or other space which is less than the required minimum shall not be reduced further. However, nothing in this section shall be interpreted to limit the power of the Board of Zoning Appeals in the granting of a variance under this Resolution.

X. Parking and Storage of Vehicles and Trailers

1. Residential Property:

No commercial vehicles, including commercial tractors, buses, and semi-trailers shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building. No motor vehicles or trailers of any type without current license plates shall be parked or stored on any public street.

2. Nonresidential Property:

Unless a commercial vehicle, including commercial tractors, buses, and semi-trailers are included and accessory to the principal use of that commercial or industrial property, no other commercial vehicle not owned by the property owner, including commercial tractors, buses and semi-trailers may be parked or stored on property in a commercial or industrial district longer than 48 hours.

Y. Storage of Junk Motor Vehicles

The storage of junk motor vehicles is regulated by Resolution 4-6-99A passed by the Suffield Township Trustees on April 6, 1999. The Resolution was made in accordance with Ohio Revised Code Section 505.173. Resolution No. 4-6-99A supersedes all other regulations. Reference Appendix 14; pages 196-197.

Z. Ponds or Lakes

Public or private ponds or lakes containing over one and one-half (1-1/2) feet of water depth shall conform to all required yard and set back lines. A Zoning Certificate shall be required before construction is started. In no case shall a pond or lake be located closer than ten (10) feet from a building. Ponds or lakes shall meet standards and specifications of the Natural Resource Conservation Service.

The applicant shall submit two copies of the proposed pond and/or lake(s) plan to the Portage County Soil and Water Conservation District for the department's

review and approval. When applying for a Zoning Certificate to the Zoning Inspector, the applicant must include one copy of the approved plan and review comments from the Portage County Soil and Water Conservation District Department.

AA. Wheelchair Ramps

Wheelchair accessibility ramps may be necessary for the physically handicapped on a temporary or permanent basis. Some situations may require the installation of a wheelchair ramp on an emergency basis.

The installation of wheelchair ramps is divided into two categories:

1. Temporary or Portable Ramps:

These are temporary and are not in anyway connected to the main building in a permanent fashion. The ramp must be erected in accordance with the guidelines established by the Portage County Building Department. They are permitted in any district and do not require a zoning permit, but require a written approval by the Suffield Zoning Inspector. Temporary ramps must be erected with a minimum distance of; (1) thirty-five (35) feet back from the front lot line; (2) ten (10) feet from the side lot line and, (3) twenty (20) feet from the rear lot line. A temporary permit is good for six (6) months from the issued date. It can be renewed with a written request to the Suffield Zoning Inspector.

2. Permanent Ramps:

These are built as part of the existing main structure and must be erected in accordance with building standards employed by the Portage County Building Department. They are permitted in any district and will require a zoning permit. The ramp must meet the required front set back, side yard and/or rear yard standards of the district in which the ramp is located.

Applicable design standards, which may be used by the Portage County Building Department for its review include standards published by the American National Standards Institute (ANSI). (The current edition is A117.1, 1980.) The Council of American Building Officials has recommended these standards for use in model state and local building codes. The applicant must provide two sets of plans to the department for their review and approval. The approved plans and/or comments must be provided to the Zoning Inspector for his consideration for issuing the permit.

BB. Maximum Lot Coverage

Except as otherwise specified in this Resolution, the maximum lot coverage per parcel to be covered by buildings and impervious surfaces shall not exceed the following percentages of the total lot area. The balance of the lot shall be grassy yards and landscaped, natural meadows.

1. Lots less than 1/2 acre in size: 50% Lot Coverage.
2. Lots of 1/2 acre to 1 acre in size: 40% Lot Coverage.
3. Lots over 1 acre to 1-1/2 acres in size: 30% Lot Coverage.
4. Lot over 1-1/2 acres in size: 20% Lot Coverage.

CC. Home Occupations

Home occupations that are inconspicuous and incidental to the residential use of property are permitted in any residential dwelling without obtaining a Zoning Certificate, subject to the following requirements:

1. Permitted Home Occupations:
 - a. Home Offices.
 - b. Telecommuting.
 - c. Other home occupations which have no customer or client visits, on premise employees, do not involve use of any accessory buildings, nor any commercial vehicle storage.
2. Prohibited Types of Home Occupation Businesses:
 - a. Retail sales of goods not made on the premises.
 - b. Any uses that require client visits, on premise employees, storage of commercial vehicles, use of accessory structures for the business.
3. Operating Standards:
 - a. The use shall be conducted entirely within a residential dwelling unit.
 - b. The home occupation shall not occupy more than 25% of the gross floor area of the residential dwelling unit.
 - c. There shall be no outdoor storage of materials connected with the home occupations.
 - d. The only exterior indication of the home occupations shall be one (1) sign in conformance with Article V.

SEC. 302.00 Demolition**SEC.302.01**

All demolitions over 400 sq. ft. require a permit from the township zoning department; contact the township zoning department for the process and permit.

SEC.302.02 A County Demolition Permit is required after obtaining a township demolition permit.

SEC.302.03 Commercial properties only will require a performance bond of 110% of the total job value.

SEC. 303.00 PLANNED UNIT DEVELOPMENT (PUD) REVIEW PROCEDURES**SEC. 303.1 PURPOSE**

The purpose of this section is to establish the review procedures for Planned Unit Development (PUD), as well as provide general site planning guidelines. This is to ensure that the elements required in this Resolution are in a PUD plan and that the design, location and relationship of all elements to one another, to the site and to abutting parcels, are appropriate to achieve the intent and goals of this Resolution.

SEC. 303.2 AUTHORITY FOR PLANNED UNIT DEVELOPMENT PLAN REVIEW

Planned Unit Developments are reviewed for approval by the Zoning Commission. This authority is derived from Ohio Revised Code Section 519.021.C. The Zoning Commission shall conduct the reviews for all Planned Unit Development plans to come before it, as set forth in this section and all applicable sections of this Zoning Resolution.

SEC. 303.3 PRE-APPLICATION MEETING

The applicant is encouraged to meet with the Zoning Commission prior to submitting an application. The purpose of this meeting is to discuss early and informally the purpose and effect of the PUD requirements and the criteria and standards contained therein; and to familiarize the applicant with any other planning documents, including the Suffield Township Land Use Plan and the Portage County Subdivision Regulations.

SEC. 303.4 PROCEDURES FOR MAKING APPLICATION

A. Applications for a PUD plan review may be obtained from the Suffield Township Zoning Inspector. Three copies shall be completed. The applicant shall keep one

(1) copy, return two (2) copies to Zoning Inspector, one (1) of which will be given to the Zoning Inspector to pass on to the Chairperson of the Zoning Commission.

- B. A fee for a PUD plan review shall accompany the application copy submitted to the Zoning Commission Chairperson and shall be payable to the Suffield Township Trustees (See Section 901.5 Payment of Fees).
- C. The Zoning Commission may cause special studies to be made or seek expert advice including local emergency services such as, but not limited to, fire department, ambulance service, Township's legal counsel, Portage County Engineer, Portage County Regional Planning Commission, and the Portage County Soil and Water Conservation District. The cost of securing expert advice or studies shall be borne by the applicant, and shall generally not exceed the sum of two thousand - dollars (2,000.00), that sum shall be on deposit with and payable to, Suffield Board of Township Trustees, upon request of the Zoning Commission. However, in exceptional situations where, in the judgment of the Zoning Commission the scale or complexity of the PUD proposal warrants additional testing or review, the Zoning Commission may request the Suffield Township Trustees to set the deposit requirement to a greater amount.

SEC. 303.5 DATA REQUIRED WITH APPLICATION

The applicant shall submit the PUD plan application to the Township Zoning Inspector. The application shall include, but is not limited to the following documentation to ensure compliance with the standards and criteria set forth in this Section and all applicable sections of this Resolution to determine compliance with the PUD District requirements. The PUD plan shall be submitted for the entire project and shall indicate any proposed construction phasing, if applicable. As part of the review process, the applicant is encouraged to arrange a walkover of the parcel with the Zoning Commission, at the discretion of the Zoning Commission.

As part of the PUD plan application the following information shall be submitted:

- A. Three (3) sketch plans, legibly drawn at a scale not less than 1" = 100' and containing the following information:
 - 1. Sketch one, identification of existing vicinity characteristics to include:
 - a. The location of the proposed PUD in relation to existing major roadways in the neighboring area.
 - b. The proposed PUD in relation to existing community facilities (schools, fire and police stations, shopping centers, manufacturing establishments, residential developments, and parks and playgrounds) in the neighboring area.
 - c. The location of the nearest sources for central water and sewer.

2. Sketch two, identification of existing site characteristics to include:
 - a. Boundaries of the area proposed for development, dimensions and total acreage.
 - b. Approximate locations of ridges, rock outcropping, steep slopes of 18% or more and other significant topographical features.
 - c. Approximate locations of wetlands and potential wetlands (list source), the floodplain boundary and floodplain elevation (when available) as delineated by the Federal Emergency Management Agency, rivers and streams and their related river or stream bank, ponds, and water courses.
 - d. Approximate locations of all soils on the site classified by the Soil Survey of Portage County, Ohio as being hydric or having hydric inclusions.
 - e. Existing buildings, structures and other significant manmade features on the site and within 200 feet of the project boundary.
 - f. Approximate location of all wooded areas, tree lines, hedgerows, and specimen trees.
 - g. Areas or structures of known or potential historical and cultural significance on the site and within 200 feet of the project boundary.
 - h. Identification of any scenic views and vistas.
 - i. Land in agriculture.
3. Sketch three, identification of proposed development plan and potential impacts to existing site characteristics to include:
 - a. Approximate locations of building lots or areas to be developed and the type of development proposed.
 - b. Approximate locations of the restricted and/or common open space and any proposed recreational facilities.
 - c. The general location of any existing and proposed public street right-of-ways, private roadways, and common easements used for accessibility.
 - d. The location of all natural features to be conserved and any buffer areas.
 - e. The location of all natural features to be altered or impacted by the development and areas where new landscaping will be installed, etc.

f. Applicant is encouraged to arrange a walkover of the parcel to be developed with the Zoning Commission.

B. A site plan professionally drawn at a scale not less than 1" = 100' indicating:

1. Boundaries of the area proposed for development, accurate dimensions and total acreage.
2. The exact location and dimension of private streets, common drives, pedestrian easements, public street rights-of-way, etc.
3. Exact location of building footprints or envelopes where each building unit is to be constructed: if no individual lot lines are proposed, or lot lines with dimensions for each lot for which individual ownership is proposed.
4. Dimensions of each building and/or structure to remain or proposed to be demolished.
5. The extent of proposed environmental conservation and the impacts to environmentally sensitive areas and the exact location of all no cut/no disturb zones.
6. Location(s) of the restricted and/or common open space areas, including dimensions and acreage and a detailed description of any open space improvements.
7. A grading plan drawn at a scale of 1" = 100', showing all information pertaining to surface drainage.
8. A detailed landscaping plan for new landscaping, including entry features and signs.
9. The Declaration, Articles of Incorporation, and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon all the use of land and pertaining to the ownership, use, and maintenance of all common areas, including restricted open space.
10. Conditions imposed by other regulatory agencies.

C. Review For Completeness:

Within ten business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all of the required items. If the application is deemed complete and the application

fee is paid, the Zoning Inspector shall officially accept the application on that date.

SEC. 303.6 ADMINISTRATIVE REVIEW PROCESS

- A. Once a complete PUD application has been properly received and filed the Zoning Commission shall proceed as follows:
1. Contact the applicant and set a date for a hearing within 30 days to review the PUD proposal.
 2. After the initial hearing the Zoning Commission may set a date(s) for a subsequent hearing(s) (such as for a site walkover and/or for further discussions on the PUD application) at the convenience of the Zoning Commission.
 3. Distribute copies of the PUD application to the township's legal advisor, and other appropriate administrative departments or professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled by the Zoning Inspector and transmitted to the Zoning Commission prior to the time of the Commission's review hearing.
 4. Review by the Township's Legal Advisor. The township's legal advisor shall review the Declaration, Articles of Incorporation, and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other covenants and restrictions and maintenance agreements. The Township's legal advisor shall provide a written opinion to the Zoning Commission documenting that the above demonstrates full compliance with the requirements of this Resolution.
 5. All pertinent objectives, uses, requirements, guidelines, and standards shall be considered by the Zoning Commission in determining whether or not to grant approval of the PUD.
- B. The Zoning Commission must act upon the PUD within ninety (90) days from the date of the initial hearing, or the parties may agree in writing to an extended review period. The Zoning Commission shall take action on the submitted PUD by either:
1. Approving the PUD as submitted; or,
 2. Approving the PUD subject to specific requirements being included in the PUD that were not originally submitted, such as, but not limited to, improvements to the general building layout or open space arrangement;
or

3. Deny approval of the PUD.
- C. Upon completion of a PUD that is acceptable and approved by the Zoning Commission, the applicant shall submit three (3) copies of the approved plans. The maps and other related documents shall be signed and dated by the applicant or their designated representative.

The Zoning Commission Chairperson shall then sign and date these maps.

If the PUD plan is approved, the applicant shall be so notified by first class mail. The Zoning Commission Chairperson shall issue a letter of approval as a statement of acceptance and approval by the Township. The signed copies of the approved PUD maps and documents and copies of the letter of approval shall be distributed as follows: one to applicant, one to the Zoning Inspector and one to the Zoning Commission Secretary.

If the PUD plan is disapproved, the applicant shall be notified by first class mail with the reason(s) for disapproval. The plan may not be resubmitted to the Zoning Commission for one (1) year from the official decision, unless revisions are made to address the reasons for disapproval.

- D. The Zoning Inspector shall be responsible for monitoring the compliance of the PUD as approved by the Zoning Commission.

SEC. 303.7 PUD IMPLEMENTATION TIMING

- A. Applicant shall obtain a Zoning Certificate from the Zoning Inspector within twelve (12) months from the date the Certificate of Approval was issued. Failure to obtain the Zoning Certificate shall cause the approved PUD plan to be invalid and the applicant must resubmit the PUD plan and application in conformity with the Resolution in effect at the time of re-application.
- B. All improvements, including Road Construction and all other work described in the Zoning Certificate shall be completed in accordance with section 901.4.
- C. The applicant may request in writing from the Zoning Commission an extension of time. The request for the extension of time shall state the reasons why additional time is required.

SEC. 303.8 NONCOMPLIANCE WITH REGULATIONS

A PUD found to be in violation of the requirements of this Resolution and shall be subject to action as described in Section 902.

SEC. 303.9 SMALL WIND ENERGY SYSTEM

- A. A Small Wind Energy System may be permitted on a minimum of five (5)

acres requiring two hundred (200) feet from the base of the tower or one hundred ten percent (110%) of the height of the Small Wind Energy System to the lot line, or any inhabited building.

- B. The total height of a Small Wind Energy System is measured as the vertical distance from the ground level to the tip of a wind generator blade when the tip is at its highest point, and shall not exceed the maximum height of one hundred twenty (120) feet.

SEC.304.0 Buffer and Transition Between Residential/Commercial and Residential/Industrial Zoned Properties

A. Under those circumstances where the development of either a single-family residential project is proposed to occur adjacent to or abutting property zoned and/or used for the industrial or commercial purposes, or in the case where an industrial or commercial project is proposed to occur adjacent to or abutting property zoned or used for single family residential purposes, the owner or the developer of the project must undertake improvements to provide for the creation of a suitable transition and buffer between the noncompatible uses. The purpose of the buffer is to obscure noncompatible uses and diminish the impact that the industrial or commercial activity may have on the environment found in the single-family residential area. This requirement would only be triggered when new development occurs; it does not apply to conditions existing before the effective date of this Zoning Code.

B. The zoning inspector shall determine the purposes for which screening is required and shall approve the plans submitted to accomplish the buffering, using the following standards. The applicant or an aggrieved party may take an appeal of the inspector's determination to the Board of Zoning Appeals:

1. Screening shall be provided for one or more of the following purposes:
 - a. A visual barrier to partially or completely obstruct the view of structures or activities.
 - b. An acoustic screen to aid in absorbing or deflecting noise.
 - c. A physical barrier to contain debris and litter.
2. Screening may consist of one, or a combination of two or more of the following:
 - a. A solid masonry wall.
 - b. A solidly constructed decorative fence.
 - c. A louvered fence.
 - d. A dense vegetative planting i.e., Landscaped mounding.
3. Height of screening shall be in accordance with the following:

- a. Visual screening walls, fences, plantings, or mounds shall be a minimum of 6 feet high, in order to accomplish the desired screening effect, except in required front and side yards where the maximum height shall not be greater than three and a half (3 ½) feet.
- b. Plantings shall be a minimum of four (4) feet in height at the time of planting.

4. The mutual boundary of an accessory parking area and adjacent land zoned for residential uses shall have a dense vegetative planting or a solidly constructed decorative fence, in compliance with the height specifications listed above.

5. Screening for the purposes of absorbing or deflecting noise shall have a depth of at least fifteen feet of dense planting or a solid masonry wall, in combination with decorative plantings. The height shall be adequate to absorb noise, as determined by the Zoning Inspector in relation to the nature of the use.

6. Whenever required screening is adjacent to parking areas or driveways, such screening shall be protected by bumper blocks, posts, or curbing to avoid damage by vehicles.

7. All screening shall be maintained in good condition and free of advertising or other signage, except for the directional signs and other signs for the efficient flow of vehicles.

8. The installation of the buffer and the transition area must not interfere with the existing storm water drainage flow patterns or utilities which may be located within easement areas, unless suitable measures are undertaken to alleviate problems that might be caused by the installation of the buffer.

9. The buffer must commence on the lot line between the subject properties, unless precluded by insurmountable problems posed by the location of utilities or easements on the property that is subject to development. If insurmountable conditions prohibit the commencement of the buffer and transition area on the property line, the commencement shall occur in an area as close as possible to the common lot line. The Zoning Inspector may permit the installation of the obscuring wall on the opposite side of an alley, street, or right of way when mutually agreeable to the affected property owners.

C. Structures

1. No structure shall be permitted within a required buffer area other than a wall, fence, mound, or earth berm. Driveways may

cross perpendicularly across a buffer area, disturbing the least amount of buffer.

D. Required Buffer Area; buffer areas shall be provided as set forth below:

1. When an industrial development in an Industrial district abuts a residential district, a buffer area with a minimum width of thirty-five (35) feet shall be provided unless the greater setback is required as part of a variance or conditional use.
2. When a use other than single-family, two-family, attached dwellings, or conservation developments are permitted in any residential district, a buffer area with a minimum width of twenty (20) feet shall be provided unless a greater setback is required as part of variance or conditional use.
3. Where the minimum setback for the applicable zoning district differs from the required buffer yard, the more restrictive standard shall apply.

E. Additional screening required whenever a lot with a lower elevation than the abutting residential parcel requires screening and buffering, the height of the required screening shall be sufficient to adequately screen the site from the residential lot. The Zoning Inspector and the Board of Zoning Appeals when applicable, may, in its review of the landscaping plan, require more than the minimum requirements specified in this section in order to accomplish the desired screening effect.

Sec 305.00 Temporary Vendors and Temporary Place of Business

This resolution does NOT apply to catering events or local fundraisers.

Sec 305.01 Temporary uses, such as fairs and other temporary sales and services, where permitted in the Business, Industrial, and Residential Business districts, shall be permitted and a **Temporary Use Permit** will be issued upon compliance with the plan requirements below:

- A. The individual applicant or the event manager agrees to following items:
 1. If located on private property, must have owner's consent.
 2. Shall have agreed upon business hours with the Township and the property owner.
 3. Shall have an agreed upon period of business placement with the Township and the property owner.
 4. Will not cause public or traffic disruptions.
 5. Shall maintain liability insurance to protect the property owner.

6. Shall have a lease or affidavit to operate from the property owner.

Sec 305.02 Temporary Use Permit

- A. A site plans shall be provided to the Zoning Inspector no later than two (2) weeks in advance of activities containing the following:
 1. Location and use of existing buildings.
 2. Intended ingress and egress of traffic, width of driveways and aisles and the location of any barriers.
 3. Dimensions, location and width between any and all temporary buildings, signs, structures or tents on the premises.
 4. Location of all vendors.
 5. Location and identification of permanent and temporary parking facilities.
 6. Signs must be in compliance with Section 501.12 Temporary/special event signs.

- B. The following information shall be provided on the site plan:

Food vendors only must supply the appropriate permit from the Portage County Health Department.

1. The name, address and telephone number of the property owner.
 2. The name, address and telephone number of the individual applicant, or chairman, manager, or operator of the temporary event.
 3. The address and township zoning district of the property upon which the activity is to be held.
-
- C. The following permits shall be obtained prior to the commencement of the activity:
 1. A Zoning Temporary Use Permit shall be required for the activity, structures, building, tents and signs related thereto.

ARTICLE IV

DISTRICT REGULATIONS

- O-C OPEN SPACE-CONSERVATION DISTRICT
- R-R RURAL RESIDENTIAL
- R-1 LOW DENSITY SUBURBAN RESIDENTIAL DISTRICT
WITHOUT CENTRALIZED WATER AND SEWER
- R-2 URBAN RESIDENTIAL DISTRICT WITH CENTRALIZED
SEWER AND WATER
- RB RESIDENTIAL BUSINESS DISTRICT
- B-1 BUSINESS DISTRICT
- I-1 INDUSTRIAL DISTRICT

SEC. 401**O-C OPEN SPACE-CONSERVATION DISTRICT****SEC. 401.1 PURPOSE**

This district is established for the following purpose: (1) to preserve and protect the values of distinctive geologic, topographic, botanic, historic, or scenic areas; (2) to protect the ecological balance of an area; (3) to conserve natural resources, such as river valleys, and tracts of forest land; and (4) to reduce the problems created by intensive development of areas having excessively high water tables, or which are subject to flooding, or which are topographically unsuitable for urban type uses.

SEC. 401.2 USES

Within an O-C Space-Conservation District, no building, structure, or premises shall be used, arranged to be used, or designed to be used except for one or more of the following uses:

A. Permitted Uses:

1. Single-family dwelling.
2. Agriculture.
3. Wildlife refuge and game preserve.
4. Accessory buildings, incidental to the principal use that does not include any activity conducted as a business. Such uses must be situated on the same lot as the principal building.
5. Signs – As regulated by Article V, hereof
6. Type B Child Day Care Home pursuant to ORC 5104.054.

B. Conditionally Permitted Uses:

The Board of Zoning Appeals may grant conditional zoning certificates for the uses listed herein subject to the general requirements of Article VIII and to the specific requirements of the subsections of Article VIII referred to below:

1. Governmental owned and/or operating building or facility subject to the provisions of Article VIII and subsections 801.3.1, 801.3.4, 801.3.9.
2. Governmental or privately owned/or operated picnic areas, playgrounds, private parks, swimming facilities, golf courses, tennis clubs, country

clubs, riding academies, and other similar recreational facilities and/or uses, but excluding such commercial recreational uses as drive-in theaters, miniature golf courses, golf-driving ranges, rifle ranges, skeet-shooting ranges, pistol ranges or other ranges for the use of firearms. Use permitted under this category shall be subject to the provisions of Article VIII and subsections—801.3.2, 801.3.4, 801.3.5, 801.3.6, 801.3.7, 801.3.14, and 801.3.15.

3. Home Based Businesses subject to the provisions of Article VIII and subsection 801.3.16.
4. Wireless Telecommunication(s) Service Facilities proposed by a Public Utility Company and subject to subject to the provisions of Article VIII and subsection 801.5.
5. Outdoor hydronic burners subject to the provisions of Article VIII and Subsection 801.8.

SEC. 401.3 LOT REQUIREMENTS

- A. Minimum Lot Area Per Dwelling Unit Five (5) acres.
- B. Minimum Lot Width and Minimum Lot Frontage at the Road Right-of-Way: Three hundred (300) feet.
- C. Minimum Lot Frontage at the Road Right-of-Way for Cul-De-Sacs only: Sixty (60) feet.

SEC. 401.4 YARD REQUIREMENTS

- A. Minimum Front Yard Depth: One hundred (100) feet.
- B. Minimum Rear Yard Depth: Fifty (50) feet.
- C. Minimum Side Yard Width on Each Side: Twenty-five (25) feet.

SEC. 401.5 MAXIMUM BUILDING HEIGHT

Thirty-five (35) feet.

SEC. 401.6 MINIMUM LIVING FLOOR AREA

- A. Dwelling Units with Basements:

Each single-family dwelling unit with a basement shall have a minimum of thirteen hundred (1300) square feet of living floor area.

B. Dwelling Units Without Basements:

Each single-family dwelling unit without a basement shall have a minimum of fifteen hundred (1500) square feet of living floor area.

SEC. 401.7 OFF STREET PARKING

As regulated by Article VII, Section 701.1 and 702.2 of this Resolution.

SEC. 401.8 MINIMUM ACCESS STRIP

Sixty (60) feet in width for its entire length, which provides access to a public street for only one (1) lot, only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted.

SEC. 402**R-R RURAL RESIDENTIAL****SEC. 402.1 PURPOSE**

This district is established to permit residential development of a rural, non-agricultural nature in areas where the underground water supply or the soil conditions for on-site sewerage disposal are inadequate to accommodate a higher density and which are outside of districts planned for central sanitary sewer and water supply service for the near future as indicated in the Township Comprehensive Plan.

SEC. 402.2 USES

Within R-R Rural Residential District, all building, structures, and premises shall be used, arranged to be used, and designed to be used in accordance with the requirements of Article III and only for one or more of the following uses:

A. Permitted Uses:

1. Single-family dwelling.
2. Two-family dwelling.
3. Agriculture.
4. Roadside stands in accordance with Section 301.2.A.2.
5. Accessory uses provided such uses are incidental to the principal use and do not include any activity conducted as a business. Such uses must be situated on the same lot with the principal building.
6. Signs - As regulated by Article V hereof.

B. Conditionally Permitted Uses:

The Board of Zoning Appeals may grant conditional zoning certificates for uses listed herein subject to general requirements of Article VIII and to the specific requirements of the subsections of Article VIII referred to below.

1. Governmental or privately owned and/or operated picnic areas, playgrounds, private parks, swimming facilities, golf courses other than miniature golf courses and driving ranges, tennis clubs, country clubs, and riding academies. Uses permitted under this category shall be subject to the provisions of Article VIII and subsections 801.3.2, 801.3.4, 801.3.5, 801.3.6, 801.3.7, 801.3.14 and 801.3.15.

2. Governmental or privately owned and/or operated parks, recreational areas, and campgrounds where camping in tents, trailers, and other vehicles, cabins, or lodges is permitted by fee, membership or otherwise, and for overnight or longer periods of time; and day camps, summer camps, health camps, and other types of outdoor and/or recreational oriented uses which involve facilities for group activities and accommodations. Uses permitted under this category shall be subject to the provisions of Article VIII and subsections 801.3.2, 801.3.4, 801.3.6, 801.3.7, and 801.3.13.
3. Cemetery subject to the provisions of Article VIII and subsections 801.3.3, 801.3.4.
4. Churches and other buildings for the purpose of religious worship subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.6, 801.3.8, 801.3.9, 801.3.13, 801.3.14.
5. Governmental owned and/or operated buildings or facility subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.4, 801.3.5, 801.3.6, 801.3.13.
6. Extraction of Natural Resources (coal, sand, gravel, clay, stone, topsoil, and sub-soil) subject to the provisions of Article VIII and subsections 801.3.2, 801.3.3, 801.3.15, 801.3.14, 801.3.17.
7. Home Based Business subject to the provisions of Article VIII and subsections 801.3.16.
8. Public, parochial and private schools subject to the provisions of Article VIII and subsections 801.3.1 through 801.3.15, inclusive.
9. Public utility rights-of-way and pertinent structure subject to the provisions of Article VIII and subsections 801.3.2, 801.3.3, 801.3.13.
10. Wireless Telecommunication(s) Service Facilities proposed by a Public Utility Company and subject to the provisions of Article VIII and subsections 801.5.
11. Outdoor hydronic burners subject to the provisions of Article VIII and Subsection 801.8.

SEC. 402.3 LOT REQUIREMENTS

A. Minimum Lot Area Per Dwelling Unit:

1. Two (2) acres per single-family dwelling.

2. Three (3) acres per two-family dwelling.

B. Minimum Lot Width and Minimum Lot Frontage at the Road Right-of-Way:

1. Single-family dwelling: Two hundred (200) feet.
2. Two-family dwelling: Three hundred (300) feet.

C. Minimum Lot Frontage at the Road Right-of-Way for Cul-De-Sacs only:

1. Single-family dwelling: Sixty (60) feet.
2. Two-family dwelling: One hundred (100) feet.

SEC. 402.4 YARD REQUIREMENTS

- A. Minimum Front Yard Depth: Fifty (50) feet from the edge of the road right-of-way.

- B. Minimum Rear Yard Depth: Fifty (50) feet.

C. Minimum Side Yard Width:

1. Single-family dwelling: Twenty-five (25) feet.
2. Two-family dwelling: Twenty-five (25) feet.

SEC. 402.5 MAXIMUM BUILDING HEIGHT

Thirty-five (35) feet.

SEC. 402.6 MINIMUM LIVING FLOOR AREA

A. Dwelling Units with Basement:

1. Each single-family dwelling unit with a basement shall have a minimum of thirteen hundred (1300) square feet of living floor space.
2. Each two-family dwelling unit with a basement shall have a minimum living floor area of eight hundred (800) square feet of living floor space per dwelling unit.

B. Dwelling Units Without Basements:

1. Each single-family dwelling unit without a basement shall have a minimum of fifteen hundred (1500) square feet of living floor space.

2. Each two-family dwelling unit without a basement shall have a minimum of nine hundred fifty (950) square feet of living floor space per dwelling unit.

SEC. 402.7 OFF-STREET PARKING

Regulated by Article VII, Sections 701.1 and 701.2 of this Resolution.

SEC. 402.8 MINIMUM ACCESS STRIP

Sixty (60) feet in width for its entire length, which provides access to a public street for only one lot, only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted.

SEC. 403**R-1 LOW DENSITY SUBURBAN RESIDENTIAL DISTRICT
WITHOUT CENTRALIZED WATER AND SEWER****SEC. 403.1 PURPOSE**

This district is established to accommodate low-density residential development in the greater portion of the Township where central water and/or sanitary sewer facilities are not available.

SEC. 403.2 USES**A. Permitted Uses:**

1. Single-family residential dwellings.
2. Two-family residential dwellings.
3. Agricultural buildings and uses.
4. Accessory buildings incidental to principal conducted as business.
5. Signs - As regulated by Article V hereof.

B. Conditionally Permissible Uses:

The Board of Zoning Appeals may grant Conditional Zoning Certificates for the uses listed herein subject to the general requirements of Article VIII and to the specific requirements of the subsections of Article VIII referred to below:

1. Churches and other buildings for the purpose of religious worship subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.6, 801.3.8, 801.3.9, 801.3.13, 801.3.14.
2. Institutions for Medical Care - convalescent homes, assisted living facilities, nursing homes, rest homes, and homes for the aged, subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.3, 801.3.6, 801.3.8, 801.3.9, 801.3.14.
3. Commercial parks and government owned or operated recreation uses subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.6, 801.3.8, 801.3.10, 801.3.11.
4. Quasi-public, institutionally or organizational, and meeting facilities, such as those developed and used by the YMCA - YWCA, Boy Scouts or various fraternal or community service groups subject to the provisions of

Article VIII and subsections 801.3.2, 801.3.3, 801.3.4, 801.3.13.

5. Home Based Business subject to the provisions of Article VIII and subsections 801.3.16.
6. Wireless Telecommunication(s) Service Facilities proposed by a Public Utility Company and subject to the provisions of Article VIII and subsections 801.5.
7. Public, parochial and private schools subject to the provisions of Article VIII and subsections 801.3.1 through 801.3.15, inclusive.
8. Outdoor hydronic burners subject to the provisions of Article VIII and Subsection 801.8.

SEC. 403.3 LOT REQUIREMENTS

- A. Minimum Lot Area: One and one-half (1 1/2) acres per single-family dwelling unit and two (2) acres for two-family dwelling unit unless it is deemed necessary by the Portage County General Health District to require a larger area to meet sanitary regulations.
- B. Minimum Lot Width at Building Line and Minimum Lot Frontage at the Road Right-of-Way: One hundred fifty (150) feet for single-family dwelling unit and one hundred seventy-five (175) feet for two-family dwelling unit.
- C. Minimum Lot Frontage at the Road Right-of-Way for Cul-De-Sacs only: Sixty (60) feet.

SEC. 403.4 YARD REQUIREMENTS

- A. Minimum Front Yard Depth: Fifty (50) feet from street right-of-way.
- B. Minimum Rear Yard Depth: Fifty (50) feet.
- C. Minimum Side Yard Width: Fifteen (15) feet.

SEC. 403.5 MAXIMUM BUILDING HEIGHT

Thirty-five (35) feet.

SEC. 403.6 MINIMUM LIVING FLOOR AREA

- A. Dwelling Units with Basements:
 1. Each single-family dwelling unit with a basement shall have a minimum of thirteen hundred (1300) square feet of living floor space.

2. Each two-family dwelling unit with a basement shall have a minimum living floor area of eight hundred (800) square feet of living floor space per dwelling unit.

B. Dwelling Units Without Basements:

1. Each single-family dwelling unit without a basement shall have a minimum of fifteen hundred (1,500) square feet of living floor space.
2. Each two-family dwelling unit without a basement shall have a minimum of nine hundred fifty (950) square feet of living floor space per dwelling unit.

SEC. 403.7 OFF-STREET PARKING

Regulated by Article VII, Sections 701.1 and 701.2 of this Resolution.

SEC. 403.8 MINIMUM ACCESS STRIP

Sixty (60) feet in width for its entire length, which provides access to a public street for only one lot, only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted.

SEC. 404**R-2 URBAN RESIDENTIAL DISTRICT
WITH CENTRALIZED WATER AND SEWER****SEC. 404.1 PURPOSE**

This district is established to accommodate residential development of single-family, two-family and multi-family units at a density not to exceed eight (8) dwelling units per acre only where centralized water and sewer facilities are provided. The regulations of this district are designed to allow the maximum density to be reached only on parcels of sufficient size to accommodate that density and still maintain the basically open character sought to be achieved in this district.

SEC. 404.2 USES

Within an R-2 Residential District, all buildings structures, or premises shall be used, arranged to be used or designed to be used for one or more of the following uses:

A. Permitted Uses:

1. Single-family residential dwellings.
2. Two-family residential dwellings.
3. Multi-family dwellings of the townhouse, garden apartment, or multi-story type.
4. Accessory buildings incidental to principal use, which does not include any activity, conducted as business. Such uses must be situated on the same lot as the principal building.
5. Signs - As regulated by Article V hereof.

B. Conditionally Permitted Uses:

The Board of Zoning Appeals may grant conditional zoning certificates for uses listed herein subject to the general requirements of Article VIII and to the specific requirements of Article VIII referred to below.

1. Public, parochial and private schools subject to the provisions of Article VIII and subsections 801.3.1 through 801.3.15, inclusive.

2. Governmental or quasi-publicly owned and/or operated park, playground, swimming facilities, and other similar recreational facilities and/or uses subject to the provisions of Article VIII and subsections 801.3.2, 801.3.4, 801.3.5, 801.3.6, 801.3.13.
3. Cemetery subject to the provisions of Article VIII and subsections 801.3.3, 801.3.4.
4. Churches and other buildings for the purpose of religious worship subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.6, 801.3.8, 801.3.9, 801.3.13.
5. Governmental owned and/or operated buildings or facility subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.4, 801.3.5, 801.3.6, 801.3.13.
6. Quasi-public, institutionally or organizationally owned and/or operated recreational, instructional, and meeting facilities, such as those developed and used by the YMCA -YWCA, Boy Scouts or various fraternal or community service groups, subject to the provisions of Article VIII and subsections 801.3.2, 801.3.3, 801.3.4, 801.3.13.
7. Institutions for human medical care, hospitals, clinics, sanitariums, nursing homes, child day care centers, homes for the aged, and philanthropic institutions subject to the provisions of Article VIII and subsections 801.3.1, 801.3.2, 801.3.6.
8. Home Based Business subject to the provisions of Article VIII and subsections 801.3.16.
9. Wireless Telecommunication(s) Service Facilities proposed by a Public Utility Company and subject to the provisions of Article VIII and subsections 801.5.

SEC. 404.3 LOT REQUIREMENTS

A. Minimum Lot Area:

1. Single-family dwelling: Ten thousand (10,000) square feet.
2. Two-family dwelling: Seven thousand five hundred (7,500) square feet per dwelling unit.
3. Multi-family dwelling: Twenty thousand (20,000) square feet plus two thousand four hundred (2,400) square feet for each dwelling unit over two (2) units. For each multi-family development of six (6) or more units there shall be provided in excess of the two thousand four hundred (2,400)

square feet per dwelling unit a recreation area of two hundred (200) square feet per dwelling unit shall be established. IN no case shall an individual recreation area be less than twelve thousand (12,000) square feet in total area when sufficient land area is available.

B. Minimum Lot Width and Minimum Lot Frontage at the Road Right-of-Way:

1. Single-family dwelling: Eighty (80) feet.
2. Two-family dwelling: One hundred (100) feet.
3. Multi-family dwelling: One hundred fifty (150) feet.

C. Minimum Lot Frontage at the Road Right-of-Way for Cul-De-Sacs only: Sixty (60) feet.

D. Maximum Lot Depth:

Five times the lot width at the building line.

E. Minimum Usable Open Space:

At least twenty-five (25) percent of the actual lot area shall be devoted to usable open space.

F. Maximum Lot Coverage:

1. Up to two stories: Twenty-five percent (25%).
2. Three to five stories: Twenty percent (20%).
3. Parking buildings, when having no part of the building used for residence purposes, shall be considered as part of the building used for residence purposes, and shall not be considered as part of lot coverage.

SEC. 404.4 YARD REQUIREMENTS

A. Minimum Front Yard Depth: Fifty (50) feet.

B. Minimum Rear Yard Depth: Forty (40) feet.

C. Minimum Side Yard Width:

1. Single-family dwelling: Twelve (12) feet.
2. Two-family dwelling: Fifteen (15) feet.

3. Multi-family dwelling: Twenty-five (25) feet.

SEC. 404.5 MAXIMUM BUILDING HEIGHT

Thirty-five (35) feet.

SEC. 404.6 MINIMUM LIVING FLOOR AREA**A. Dwelling Units with Basements:**

1. Each single-family dwelling unit with a basement shall have a minimum of thirteen hundred (1,300) square feet of living floor space.
2. Each two-family dwelling unit with a basement shall have a minimum living floor area of eight hundred (800) square feet of living floor space per dwelling unit.

B. Dwelling Units Without Basements:

1. Each single-family dwelling unit without a basement shall have a minimum of fifteen hundred (1500) square feet of living floor space.
2. Each two-family dwelling unit without a basement shall have a minimum of nine hundred fifty (950) square feet of living floor space per dwelling unit.

C. Multi-family Dwelling Units:

Shall meet the following minimum square footage for living floor area:

1. Efficiency Unit: Five hundred (500) square feet.
2. One (1) Bedroom Unit: Six hundred fifty (650) square feet.
3. Two (2) Bedroom Unit: Nine hundred (900) square feet.
4. Three (3) Bedroom Unit: One thousand two hundred (1,200) square feet.
5. Four (4) Bedroom Unit: One thousand five hundred (1,500) square feet.

SEC. 404.7 OFF-STREET PARKING AND LOADING

As Regulated by Art. VII.

SEC. 410**RB RESIDENTIAL BUSINESS DISTRICT****Sec. 410.01 PURPOSE**

The Residential Business (RB) District is an Overlay Zoning District. The regulations are established to encourage and accommodate flexible land development practices in order to protect the Township's rural character, open space areas, environmentally sensitive lands, and wildlife habitats. These regulations are also designed to permit the location and operation of specific types of retail and service related establishments within a residential neighborhood. Additionally, the regulations further allow for the permanent preservation of a significant portion of the site from being developed, through the use of innovative land development techniques that are designed to advance the health and safety of Suffield Township.

Sec. 410.02 OBJECTIVES

These regulations are designed to achieve the following objectives:

- A. To allow flexible residential, commercial and office development, especially on sites that have natural features such as wetlands, natural ponds, marshes, steep slopes, rock outcroppings, floodplains and larger wooded areas, which contribute to the character and environmental health of Suffield Township.
- B. To promote economical and efficient use of land and reduce infrastructure costs through unified development.
- C. To allow for mixed-use structures, including but not limited to, those with commercial/ retail uses on the ground floor and residential dwellings and/or offices on the upper floors.
- D. To permit the flexible spacing of lots and buildings in order to encourage separation of pedestrian and vehicular circulation.
- E. To provide for readily accessible open space and recreation areas; and the creation of functional and interesting residential and commercial/office areas.
- F. To ensure that Residential Business developments are compatible with the surrounding land uses and comply with these objectives.
- G. To encourage the preservation of agricultural lands.
- H. To encourage the preservation of scenic views and vistas.

- I. To encourage the preservation of historic structures and sites, such as old buildings, barns and foundations.

Sec. 410.03 ESTABLISHMENT OF THE OVERLAY ZONE

The Residential Business (RB) District is a Planned Unit Development District. It is a floating overlay zone that is to be applicable to all land in the following areas of the Township that meet the requirements of this Section:

1. All properties fronting along Martin Road north of Waterloo Road to the Brimfield Township boundary.

The RB Overlay Zone requirements apply at the option of the property owner and with the approval of the Zoning Commission in accordance with the provisions of Section 303 of this Resolution. Once the RB Overlay Zone is established, the property is subject to all required approvals from local zoning as specified in this Resolution, including but not limited to meeting the requirements as set forth in this Section.

Sec. 410.04 MINIMUM PROJECT AREA

The size of a tract of land proposed for a RB development shall be a minimum of fifteen (15) acres, but shall not include any area within any existing public street rights-of-way, except that parcels under fifteen (15) acres may be deemed appropriate based on individual merits as determined by the Zoning Commission, provided that the proposed development shall meet the RB minimum restricted open space requirements.

The area proposed for a RB development shall be in a single ownership or, if in multiple ownership, the application shall be filed jointly by all of the owners of the properties included in the proposed RB development.

Sec. 410.05 USES

Within a RB development, no building, structure, or premises shall be used, or designed to be used, erected, altered, in whole or in part, for other than the following specified uses:

A. Permitted Uses:

1. Specialized Agricultural Uses:

Farm Market or a Winery may be located on a premises for the purpose of selling primarily agricultural products, in accordance with the following requirements:

- a. There shall only be one (1) farm market or winery principal structure permitted.
 - b. The principal structure shall comply with the side yard and rear yard setback requirements and building separation distance of this district.
 - c. The principal structure shall be located at least thirty (30) feet from the road right-of-way.
 - d. At least fifty percent (50%) of the gross income of the farm market must be derived from produce raised on the farm owned or operated by the market operator.
 - e. At least fifty percent (50%) of the gross sales of the winery must be derived from wine produced at the winery.
 - f. Adequate ingress and egress and parking facilities shall be provided to allow cars to get off of the street and be able to turn around without creating a safety hazard or blocking oncoming traffic.
2. Residential Uses:
- a. Detached single-family dwellings.
 - b. Two and three family dwellings.
 - c. Multi-family dwellings.
 - d. Restricted open space as required by these regulations.
 - e. Common open space as required by these regulations.
 - f. Parks for passive and active recreational facilities, provided that the applicant presents proof of compliance with the following requirements:
 1. Recreational facilities shall be designed in a manner that minimizes their impacts on adjacent properties and environmentally sensitive areas.
 2. Recreational uses and facilities shall be designed in a manner that will promote and protect public safety. This shall include effective security and safety lighting along pedestrian and bicycle routes and within parking lots.
 3. Activities shall be scheduled in a manner that will minimize any potential negative impacts to neighboring residential uses, especially any evening activities.

4. It is desirable that parks and recreation areas be connected to residential neighborhoods and other areas of high usage with a multi-use circulation system (Section 410.14.H).
 5. All active and passive uses must comply with the requirements set forth in Section 410.11 and all other applicable requirements of this Resolution.
 - g. Accessory buildings and uses incidental to primary use.
 - h. Signs as regulated by Section 501.2.
 - i. Type B Child Day Care Home pursuant to ORC 5104.054.
3. Commercial Uses:
- a. Banks and Other Financial Institutions.
 - b. Arts and crafts shows and entertainment events open to the public, in accordance with the following requirements:
 1. A Zoning Certificate is required for each and every show and/or event. The applicant may apply for a Zoning Certificate for each individual show and/or event, or the applicant may submit a schedule of upcoming shows and events proposed or scheduled within the next 12 months.
 2. The applicant must demonstrate that adequate ingress and egress and parking facilities are provided to allow cars to get off of the street and be able to turn around without creating a safety hazard or blocking oncoming traffic.
 3. If an Owner's Association or other entity has the authority to grant approval and/or make recommendations regarding the establishment of any show or event, a copy of such decision shall be included as part of the application materials and shall be included as part of the requirements for approval or rationale for denial by the Zoning Inspector.
 4. Any number of arts and crafts shows is permitted in a one (1) year period.
 5. Any number of entertainment events is permitted in a one (1) year period.
 6. An arts and crafts show, or an entertainment event shall not exceed three (3) consecutive days.

7. An entertainment event shall include plays, band concerts, choruses and other similar activities.
- c. Food and drink preparation and processing for sale on premises including, but not limited to bakeries, cafes, candy stores, delicatessens, grocery stores, meat markets, restaurants (sit down and carry out), pizza shops, and ice cream parlors.
- d. Open-Air Market:
 1. A Zoning Certificate is required for each and every occasion that an open-air market is operating. The applicant may apply for a Zoning Certificate for each individual occasion, or the applicant may submit a schedule of the upcoming occasions when an open-air market is proposed or scheduled to be operating within the next 12 months.
 2. The applicant must demonstrate that adequate ingress and egress and parking facilities are provided to allow cars to get off of the street and be able to turn around without creating a safety hazard or blocking oncoming traffic.
 3. If an Owner's Association or other entity has the authority to grant approval and/or make recommendations regarding the establishment of an open-air market, a copy of such decision shall be included as part of the application materials and shall be included as part of the requirements for approval or rationale for denial by the Zoning Inspector.
 4. Any number of open-air market events is permitted in a one (1) year period.
 5. An open-air market event shall not exceed three (3) consecutive days.
 6. The height of a vendor's structure shall not exceed fifteen (15) feet.
 7. Vendor structure(s) are to be temporarily sited on the property and shall comply with the following requirements:
 - a. Shall be comprised of materials that are durable for year-around use.
 - b. Shall be removed immediately following the close of the open-air market event.

- e. Personal Services Establishments¹ including but not limited to barber shops, beauty salons, health clubs and spas.
 - f. Retail establishments including but not limited to antiques stores, clothing and shoe stores, florists, gift shops, nurseries and green houses, office supply, furniture, hardware, drug stores, electronic stores, art and craft supply stores, jewelry stores.
 - g. Studios such as dance, art, music, photography and interior design.
 - h. Theaters, auditoriums and assembly halls.
 - i. Mixed-use structures containing any combination of permitted uses.
 - j. Accessory buildings and uses incidental to primary use.
 - k. Signs as regulated by Section 501.2, Section 501.4.A.B.and C, Section 501.5 and Section 501.6.
4. Specialized Health Care Facilities:
- a. Congregate Care/Assisted Living Facilities, provided that the applicant presents proof of compliance with the following requirements:
 - 1. The site and structure shall meet the applicable state code requirements, including licensing requirements.
 - 2. The site shall have direct access to a major thoroughfare or collector street that is adequate to serve the size of the facility proposed.
 - 3. Ambulance and delivery areas shall be obscured from the view of all residential property. The landscaping materials used shall provide year-round shielding.
 - b. Day Care Homes provided that the applicant presents proof of compliance with the following requirements:
 - 1. The site and structure shall meet the applicable state code requirements, including licensing requirements.
 - 2. These facilities shall not provide overnight accommodations.

¹ Personal Services are those services frequently needed by residents in the immediate neighborhood and township in general.

3. A drop-off/pick-up location shall be identified that will not impede traffic and shall ensure the safety of the adults and/or children.
 4. Outside areas for activities shall be fenced for the protection of the adults and/or children. Fencing height and design shall be in accordance with Section 301.2.S Fences, Walls, Hedges.
 5. Only Type A Family Day-Care Home facilities may be located in an occupied dwelling unit used for residential purposes, all other types of day care centers shall be located in non-residential buildings.
- c. Institutions for medical care, such as but not limited to hospitals, clinics, medical diagnostic centers and nursing homes provided that the applicant presents proof of compliance with the following requirements:
 1. The site and structure shall meet the applicable state code requirements, including licensing requirements.
 2. The site shall have direct access to a major thoroughfare or collector street that is adequate to serve the size of the facility proposed.
 3. Ambulance and delivery areas shall be obscured from the view of all residential property. The landscaping materials used shall provide year-round shielding.
 4. Ancillary uses, such as a pharmacy, gift shop, cafeteria and similar customarily related uses shall be allowed.
 - d. Mixed-use structures containing any combination of permitted uses.
 - e. Accessory buildings and uses incidental to primary use.
 - f. Signs as regulated by Section 501.2, Section 501.4.A.B.and C Section 501.5 and Section 501.6.
5. Office Uses:
 - a. Executive, administrative and professional offices such as:
 1. Accountants, architects, doctors, dentists, engineers, insurance agents, lawyers, real estate brokers, travel agents and other professionals similar in character and impact to those listed.
 2. Administrative offices for businesses, institutions, industries, and

governmental agencies, utilities, etc.

- b. Facilities for and use by social, fraternal, social services, union and civic organizations.
- c. Mixed-use structures containing any combination of permitted uses.
- d. Accessory buildings and uses incidental to primary use.
- e. Signs as regulated by Section 501.2, Section 501.4.A.B.and C, Section 501.5 and Section 501.6.

6. Specialty Uses:

- a. All non-residential uses that are permitted to conduct business within an RB development and have been legally established within the district may utilize outdoor tables or seating areas as part of its business activities. A Zoning Certificate is not required. Additionally, the business is permitted to display an outdoor sandwich board sign, also not requiring a Zoning Certificate, in compliance with the following requirements:
 1. A maximum of one (1) sandwich board sign is allowed per business.
 2. The sign shall not exceed three (3) feet in height as measured from ground level and two (2) foot in width as measured at ground level.
 3. The sign must be located within five (5) feet of the business activity.
 4. The sign shall only be permitted outdoors while the business is open.

B. Conditionally Permitted Uses:

1. Residential Uses:

- a. Home Based Business subject to Subsection 801.3.16

C. Uses not listed

Uses not listed shall come before the Board of Zoning Appeals for a ruling.

Sec. 410.06 DENSITY**A. Permitted Density:**

1. The total number of residential dwellings permitted within an RB development shall not exceed eight (8) dwelling units per acre only where centralized water and sewer facilities are provided or one (1) dwelling unit per one and one-half acres where on-septic systems are to be provided. The acreage to be utilized for commercial uses and required parking is to be omitted as part of the acreage for calculating permitted density. The following formula shall be used to determine permitted density:

$$\{TA - (PR + OS + C)\} * Z = PD$$

TA = The total acreage of the proposed development area, excluding all acreage in wetlands, floodplains, existing road and other public right-of-ways.

PR = The assumed roadway acres necessary to develop site as a conventional subdivision. This figure will represent 10% of total gross acreage of the proposed development area, excluding any existing road right-of-way.

OS = The acreage required by the Portage County Subdivision Regulations for open space. This figure will represent five percent (5%) of total gross acreage of the proposed development area, excluding acreage calculated for PR. This figure is only used on lots of twenty (20) acres or more in size

C = Acreage to be utilized for commercial/office uses and required parking and shall be in accordance with Section 410.08.

Z = A numerical value is used to establish the base density of the RB development before the density bonus is added. This "Z" value represents the approximate number of dwelling units per acre. The following values shall be used to represent the "Z" value in each of the Zoning Districts.

Z = 8: If the development is to be serviced by centralized water and sewer.

Z = .66: If the development is to utilize on-septic systems for sewage disposal.

PD = The permitted density, before adding a density bonus, for the RB development.

2. In the event an applicant disagrees with the results of the formula, the applicant may present a yield plan. The yield plan shall graphically show the proposed site developed in accordance with the following conventional zoning requirements:
 - a. For developments proposing the use of central water and sewer the applicant would use the R-2 zoning district requirements.
 - b. For developments proposing the use of on-site septic systems the applicant would use the R-1 zoning district requirements.
 - c. Acreage intended for commercial uses would not be utilized for residential uses and shown as improved using the B-1 zoning district requirements.

In addition, the yield plan shall identify all of the critical natural areas of the site in order for the Zoning Commission to determine the appropriate number of buildable lots associated with the site.

B. Density Bonus Provisions:

The density within a RB development may be increased up to a total of ten percent (10%) with the incorporation of the following features:

1. Density Bonus due to site conditions necessitating greater than ten percent (10%) acreage in streets:

Where topographical features and environmental constraints warrant the orientation and amount of street acreage to exceed more than ten percent (10%) of the total acreage of the site. The RB development shall qualify for a ten percent (10%) density bonus.

- C. The permitted number of dwelling units and/or building lots is subject to all other applicable Township zoning, Portage County Health Department and OEPA requirements. The use of septic systems shall be addressed on a preliminary basis by a percolation test of the proposed building sites and septic easement areas (if any). The results of these tests will govern the final number of dwelling units and their location within the proposed RB development, where central sewer is not available.

Sec. 410.07 DENSITY IMPACT

The proposed type and density of use shall not result in an unreasonable increase in the need for or impact to public services, roads, and utilities. Nor shall the proposed type and density of use place an unreasonable impact to the development site and/or surrounding land and/or property owners and the ecosystem. The Zoning Commission may require that the applicant prepare an

impact statement documenting the significance of any environmental, traffic or socio-economic impact resulting from the proposed density increases. An unreasonable impact shall be considered an unmitigatable, significant adverse effect on the quality of the surrounding community and the natural environment. The applicant may be required to prepare a quantitative comparison of the impacts to assist the Zoning Commission in choosing a site development option.

Sec. 410.08 COMMERCIAL/OFFICE SPACE

- A. The area of the site to be utilized for commercial/office uses shall be no greater than thirty (30) percent of the total gross acreage of the tract of land to be developed.
- B. The area(s) of the site to be utilized for commercial/office uses may be located anywhere within the proposed development, excluding the areas designated as restricted open space, but shall be designed to minimize adverse impacts associated with traffic on the residential portions of the RB development.

Sec. 410.09 RESTRICTED OPEN SPACE

- A. The required restricted open space shall be a minimum of thirty-five percent (35%) of the total gross acreage of the project site. The restricted open space shall be reserved in perpetuity for public and/or private open space and recreational facilities.
- B. Restricted open space shall be exclusive of all streets. Significant natural areas and amenities such as tree stands, ponds, ravines and stream banks and channels should be left in their natural state and considered part of the required open space. The design of the restrictive open space area shall be governed by the following standards:
 - 1. Permanent bodies of water, wetlands and floodplains should comprise no more than fifty percent (50%) of total required open space area. The Zoning Commission may increase this amount up to seventy percent (70%) depending on the environmental feature's utility as a recreational or open space asset to the RB development.
 - 2. The Creation of Common Open Space:
 - a. Each development is required to set aside a minimum amount of restricted open space that shall be dedicated for public use or reserved for the common use of all property owners or tenants within the proposed development as common open space.
 - b. At a minimum, the amount of restricted open space area that shall be dedicated as common open space shall be equivalent to the amount of land area required by the Portage County Subdivision Regulations and

shall be suitable for both passive and active recreation and shall not be comprised of wetlands and floodplains.

- c. A greater amount of the restricted open space area may be provided by the applicant as common open space, providing the minimum standards set forth in Section 411.09.B.2.b are complied with.
3. Restricted open space shall include to the extent possible, a combination of the most sensitive and noteworthy natural scenic and cultural features such as:
 - a. Scenic views, with first priority given to scenic views from existing affronting and abutting public roadways.
 - b. Prime farmland.
 - c. Mature woodlands.
 - d. Aquifer recharge areas.
 - e. Highly permeable soils.
 - f. Wildlife habitat areas.
 - g. Historic, archaeological or cultural features.
 4. Preservation of Rural Character and the Natural Environment
 - a. A restricted open space buffer zone shall be created along the frontage of existing roads.

1. Restricted Open Space Buffers Along Existing Roads:

The buffer zone shall have a minimum depth of one-hundred (100) feet to a maximum depth of five-hundred (500) feet from the road right-of-way. Each parcel shall be judged on its own merits. A RB development that includes plans for allowing natural or manmade features, such as trees or hills alongside the roadways to further shield the view of the development from the existing roadway will be allowed a shallower buffer. A RB development that includes plans for unobstructed views from the existing roadway will be required to have a deeper buffer zone in order to minimize the visual impacts of site improvements. The depth of buffer zone shall be established early in the plan review process.

2. Restricted Open Space Buffers Along U.S. Highway 224:

The community recognizes the benefits associated with locating various types of land uses along U.S. Highway 224 for marketing purposes necessitating a restricted open space buffer zone of only fifty (50) feet in depth from the road right-of-way for RB developments utilizing U.S. Highway 224 for ingress and egress. For all other RB developments, the open space buffer along U.S. Highway 224 shall be at least ten (10) feet in depth from the road right-of-way. Additionally, the allowance of this minimal restricted open space buffer zone along this roadway will aid in traffic safety, since the development is more easily seen by approaching vehicles given the allowable roadway speed limits.

- b. Restricted open space buffer zones shall be created to protect the natural environment in accordance with Section 411.16. Individual building lot boundaries shall not infringe into these buffer zones.
- c. A septic easement area of up to one-half (.5) acre in size may be located within the restricted open space area with Portage County Health Department's approval. Any septic easement areas shall not encroach into environmental priority buffer zones.
- d. All restricted open space areas shall have a minimum width of fifty (50) feet, except for required restricted open space areas in compliance with Section 410.09.B.4.b and any areas of land that are used and improved as a multi-use circulation system.

Sec. 410.10 STANDARDS FOR RESTRICTED OPEN SPACE

A. General Standards:

The restricted open space required in Section 410.09 shall comply with the following:

- 1. Restricted open space shall be designed and located to conserve significant natural features and historical and cultural elements located on the site.
- 2. Areas designated for restricted open space purposes may be:
 - a. Preserved in its natural state.
 - b. Designed and intended for the use and/or enjoyment of residents of the proposed development.
 - c. Utilized for farming when authorized in a conservation easement or in the Association's covenants and restrictions.

3. Restricted open space shall be interconnected on the site and with open space areas on abutting parcels wherever feasible.
4. Sewage service, storm water management, and/or water supply facilities may be located partially or entirely within restricted open space areas. Where such facilities are so located, easements satisfactory to the appropriate agency/entity shall be established to require and enable maintenance of such facilities by the appropriate parties.
5. Except as otherwise provided in this Section, in order to encourage the creation of large areas of contiguous open space, areas that shall not be considered restricted open space include:
 - a. Private roads and public road rights of way.
 - b. Parking areas, access-ways, and driveways, other than for approved uses listed in Section 410.11.
 - c. Required setbacks between buildings, structures, parking areas and/or property boundaries.
 - d. Required setbacks between buildings and/or streets.
 - e. Private yards of residential and commercial/office sublots.
 - f. Other small fragmented or isolated open space areas that are not in compliance with the minimum requirements of Section 410.09.B.4.d.
6. Any restricted open space intended to be dedicated as a common open space area for parks and recreational activities shall be of a usable size and shape for the intended purposes and easily accessible.
7. The maximum percentage of the total restricted open space area that may be developed/improved for active recreational activities shall be twenty-five (25) percent.
8. Any area within the restricted open space that is disturbed during construction or otherwise not preserved in its natural state, such as required setback areas, and both sides of new streets shall be landscaped with native species vegetation that is compatible with the natural characteristics of the site.
9. The restricted open space, including any recreational facilities that are proposed to be constructed shall be clearly shown on all development plans.

B. Prohibition of Further Subdivision of Restricted Open Space:

Restricted open space shall be prohibited from further subdivision or development, by deed restriction, conservation easement, or other agreement in a form acceptable to the Township's legal counsel, and duly recorded in the Office of the Recorder of Portage County.

C. Ownership of Restricted Open Space:

Subject to such permanent restriction as set forth above, restricted open space in a RB development may be owned by an association, the township, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership.² Such conveyances shall assure that the use of the restricted open space shall be in accordance with the RB District requirements.

1. Offer of Dedication:

The township may accept dedication in the form of fee simple ownership of the restricted open space.

2. Association:

Restricted open space may be held by the members of a Condominium Association or may be held in common ownership by a Homeowners Association, or similar entity. The Township's legal counsel shall determine that, based on documents submitted with the development plan, the association's bylaws or code of regulations specify the following requirements:

- a. Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium and shall be required to pay dues and assessments to maintain the open space and improvements.
- b. The association shall be authorized under its bylaws to place liens on the property of owners who fall delinquent in payment of such dues or assessments.
- c. The Association shall be responsible for maintenance, control and insurance of any open space in its ownership.
- d. The association shall make provisions in the bylaws for necessary repairs or replacements of septic system leach fields located in the

² Conservation Subdivisions and the open space requirements must also comply with Portage County Subdivision Regulations, governed by the Portage County Regional Planning Commission.

common open space.

3. Transfer of Conservation Easements:

With the permission of the Township, the owner(s) of the restricted open space may, in accordance with the provisions of ORC 5301.67-70, grant a conservation easement to any of the entities listed in ORC 5301.68, provided that:

- a. The entity is acceptable to the Township.
- b. The provisions of the conservation easement are acceptable to the Township.
- c. The conveyance contains appropriate provisions for assignment of the conservation easement to another entity authorized to hold conservation easements under ORC 5301.68 in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.

4. Private Ownership of Restricted Open Space:

The Zoning Commission may allow restricted open space (not including common open space) to be retained by the applicant (i.e. farmland) or other private entity subject to all standards and criteria for restricted open space herein including its' preclusion from being developed.

5. Ownership of the Common Open Space

Common open space shall forever be accessible for use by all the residents and their guests. Any transfer of ownership of the common open space shall be only to the Home Owners Association, Condominium Association or dedicated to the public. Transfer of ownership to anyone other than the Home Owners Association, Condominium Association or other approved public entity shall be approved by the Zoning Commission and must be consistent with the intent of these regulations.

Sec. 410.11 RESTRICTED OPEN SPACE USES

A. Passive Uses:

For the purpose of this Resolution, the following shall be considered passive uses for restricted open space areas:

1. Agricultural.
2. Wildlife and nature preserves.

3. Water wells, septic disposal facilities, and storm water retention and detention areas.
4. Landscaped screens and buffers.
5. Picnic areas.
6. Passive recreation (including but not limited to walking, hiking, biking, horseback riding, sledding and skiing) and other uses similar in character and potential impact.
7. Any buildings, structures, supporting facilities, driveways and parking areas proposed for any permitted passive use.

B. Active Uses:

For the purpose of this Resolution, the following uses shall be considered active uses for restricted open space areas and may be established in accordance with the requirements of Section 410.05 and other applicable requirements of the RB District and this Resolution:

1. Recreational facilities, (including but not limited to playgrounds, playing fields or courts for organized sports, swimming pools).
2. Community centers and entertainment facilities (such as amphitheaters, movie theaters).
3. Entertainment events.
4. Arts and Crafts shows.
5. Farm market.
6. Winery.
7. Open-air market.
8. Outdoor tables or seating areas, in accordance with Section 410.05.A.6.a.
9. Any buildings, structures, supporting facilities, driveways and parking areas proposed for any permitted active use.

Sec. 410.12 MAINTENANCE OF RESTRICTED OPEN SPACE

- A. The owner of the open space shall be responsible for raising all monies required for maintenance of the open space. Failure to adequately maintain

the open space in reasonable order and condition constitutes a violation of these Regulations.

- B. In the event the owner fails to maintain the open space in reasonable order and condition in accordance with the approved open space development plan, the Zoning Inspector may serve written notice upon the owner setting forth the manner in which said owner has failed to maintain the open space in reasonable condition and directing the owner to remedy same within thirty (30) days.
- C. Failure to achieve such remedy within the specified time shall be cause for action by the township in the same manner as other zoning violations.

Sec. 410.13 SEWAGE DISPOSAL

Development shall be served by individual or public sewage disposal systems consistent with State and County requirements. Individual sewage disposal systems shall comply with all applicable regulations of the Ohio Environmental Protection Agency and the Portage County Health Department and may be located within restricted open space areas when approved by the township, the Ohio Environmental Protection Agency and/or the Portage County Health Department.

Sec. 410.14 DEVELOPMENT AND SITE PLANNING STANDARDS

Buildings, structures, pavement, and streets shall be located in compliance with the following development and site planning standards.

A. Ownership:

Any ownership arrangement, including, but not limited to, fee simple lots and condominiums, is permitted in a conservation development. Regardless of the ownership of the land, the arrangement of the dwelling units shall comply with the spacing requirements of this section.

B. Lot Requirements:

1. Buildings are not required to be on lots. However, when lots are included as part of the development, such lots or sublots shall be of sufficient size and shape to accommodate buildings, parking facilities and other improvements in compliance with the spacing requirements of this section.
2. The applicant shall depict on the development plans the maximum parameters, or building envelopes and dimensions, to indicate where buildings and other improvements shall be located, and shall demonstrate that such locations shall be in compliance with the spacing requirements of this section.

C. Open Space Setback Requirements:

The minimum setback from any required restricted open space shall be fifteen (15) feet, unless otherwise specified in these requirements.

D. Perimeter Building/Structure Spacing Requirement:

1. The minimum setback from the property's perimeter boundary line for all buildings shall be fifty (50) feet.
2. Roadways may be located any distance up to the property's perimeter boundary line.
3. The minimum setback from the property's perimeter boundary line for a parking facility shall be ten (10) feet and shall be adequately landscaped in accordance with Section 410.15 to screen it from the adjoining properties.

E. Interior Building/Structure Spacing Requirement:

1. The minimum setback from a proposed local public right-of-way and edge of the pavement of a private street shall be twenty (20) feet.
2. The minimum separation between buildings:
 - a. Residential dwellings:

Minimum separation distance between all types of principal residential dwelling buildings shall be fifteen (15) feet, unless otherwise specified in this Section of the Resolution.

- b. Commercial and recreational buildings:

1. The minimum separation distance between all principal commercial/office and recreational buildings shall be fifteen (15) feet, including mixed-use residential/commercial/office buildings.
 2. The minimum separation distance between any type of principal commercial/office and recreational building and any principal residential dwelling shall be fifty (50) feet.

- c. Accessory buildings:

1. Accessory buildings should be placed to the rear or side of the principal building.
 2. The minimum separation distance for an accessory building to its

principal building (e.g. residential, commercial/office or recreational) shall be 10 feet.

3. Setbacks for RB developments without lot lines:
 - a. The minimum separation distance between a residential accessory building and any type of commercial/office or recreational accessory building shall be twenty (20) feet.
 - b. The minimum separation distance between any type of commercial/office or recreational accessory building from any principal residential building shall be thirty (30) feet.
4. Separation distances for RB developments with lot lines:
 - a. The minimum setback from side and rear lot lines for a residential accessory building abutting a residential, commercial/office or recreational use shall be five (5) feet.
 - b. The minimum setback from side and rear lot lines for a commercial/office or recreational accessory building abutting a property used for commercial/office or recreational use shall be five (5) feet.
 - c. The minimum setback from side and rear lot lines for a commercial/office or recreational accessory building abutting a property used for residential purposes use shall be twenty (20) feet.

F. Maximum Building Height:

1. Principal buildings:
 - a. Residential: Fifty-five (55) feet to midpoint of roof.
 - b. Non-residential: Sixty (60) feet to midpoint of roof.
2. Accessory buildings:
 - a. Residential: Fifteen (15) feet.
 - b. Non-residential: Forty-five (45) feet.

G. General Street Design Criteria:

The RB development may utilize either a public and/or private roadway network designed in accordance with the following specifications, except as

otherwise specified in the Portage County Subdivision Regulations and/or approved by the Portage County Regional Planning Commission:

1. Street alignments shall follow natural contours and be designed to conserve natural features.
2. Locations of streets shall be planned to avoid excessive storm water runoff.
3. The area of the project devoted to streets and related pavement shall be the minimum necessary to provide adequate and safe movement through the development.
4. Single-loaded residential access streets are preferred in order that the maximum number of homes in the open space development may enjoy views of the open space areas. Where foreground meadows are created between existing public roadways and such single loaded residential streets, residences shall be located on the far side of the access streets as seen from the public roadways.
5. The road design shall incorporate as much as possible, commons or ovals rather than cul-de-sacs.
6. All roadways shall have a minimum improved surface of twenty-two (22) feet in width for the safe passage of emergency vehicles and fire apparatus.

H. Multi-Use Circulation Systems:

1. A multi-use circulation system shall be included in the development and shall be designed to enhance safe transportation opportunities within the RB development for pedestrians, cyclists, and motorized cart users, etc. The multi-use circulation system shall provide connections between properties and activities or special features within the open space system and need not always be located along streets.
2. Trails for which public right of passage has been established should be incorporated as part of the multi-use circulation system.

I. Parking and Loading Requirements:

1. Parking:
 - a. Residential uses: As specified by Article 7.
 - b. Multi-family and non-residential uses: Adequate parking facilities, as specified in Article 7 shall be provided outside of the street right-of-

way to meet all parking needs. Parking areas whenever possible shall be located to the side or rear of the building.

2. Loading:

Every building used for non-residential purposes shall provide sufficient area for delivery and pickups entirely outside of the road right-of-way, as specified in Article 7.

J. Minimum Living Floor Area Per Dwelling Unit:

The Minimum living floor area per residential dwelling shall be in accordance with Section 404.6 of this Resolution.

K. Commercial/Office Building Size:

No individual building and/or structure shall exceed 30,000 square feet of gross floor area per story level per individual building and/or structure.

Sec. 410.15 LANDSCAPE BUFFERING

The purpose of these landscaping and buffering regulations shall be to minimize adverse visual impacts, noise, light and air pollution between various uses, which abut one another by altering the areas of transition between the land uses. In addition these regulations increase the desirability of living and working by improving the air quality and enhancing the visual character of the residential neighborhoods and the commercial and office areas by protecting public and private investments, and promoting high-quality development.

A. Landscaping shall be either continuous and/or scattered comprised of healthy vegetation such as ground cover, shrubs and trees that are situated on the property.

1. At a minimum, landscaping shall be located in the following locations on a non-residential site in such a manner as to minimize adverse impacts associated with the proposed use and enhance the aesthetic character of the site:

- a. A minimum distance of five (5) feet deep along the property frontage abutting a public or private roadway.
- b. A minimum distance of five (5) feet deep along each property line that abuts a residential use.

B. Fences:

Fences may be used as an effective method of landscaping and screening in accordance with Section 301.2.S Fences, Walls, Hedges.

C. Berming:

Berming is an earthen mound that is designed to provide visual interest, screen undesirable views, and decrease noise. Berming may be used as an effective component of landscaping and screening in accordance with the following guidelines:

1. The berms shall be located at least twenty-five feet from all perimeter property lines.
2. Berms shall be located a sufficient distance from all buildings and structures to allow for proper drainage of storm water.
3. Applicant shall provide proof that the placement of the berms will not result in any type of flooding.
4. Berms shall generally vary in height, width and length to create a free-form naturalistic effect.
5. The slope of a berm shall not exceed a 2.5:1 ratio.
6. Berms shall be planted with ground cover and other plant materials to prevent erosion.
7. Berms and other plant materials used collectively, shall be viewed as a unified element and must be in compliance with all provisions of this Resolution.
8. Berms cannot obstruct scenic views.

D. General Landscaping Requirements:

1. In cases where quality woodlands exist, preservation of these existing trees should be incorporated as part of the landscaping. Additional plant material should be used if needed to achieve an effective visual buffer.
2. Landscaped screens shall be designed to complement other landscaping occurring naturally on the site, planted previously, or approved additions that are part of a site plan review. Wherever possible, existing vegetation and landform shall be used to create screens.
3. Species and sizes of plant material shall be chosen to best accomplish an adequate screen, e.g., evergreens for visual year-round screening and deciduous trees for seasonal screening. Native and non-invasive plant species should be used to the maximum extent possible.
4. When noise is likely to be a concern, the screen shall be of sufficient

composition to be an effective noise buffer.

5. Natural slope and existing vegetation may be substituted for some or all of the requirements above, provided that these features serve to screen the area from adjoining properties and roadways.
6. All required landscaping and buffering shall be installed within eighteen (18) months following the issuance of a Zoning Certificate.
7. If weather conditions necessitate a delay in the installation of any landscaping or buffering, the applicant shall provide a schedule indicating the completion date for the approved landscaping in writing to the Zoning Commission.

E. Landscape Maintenance and Enforcement:

1. The property owner shall ensure the proper maintenance of all plant material. If any plant material dies, the property owner must replace it.
2. Failure to replace dead, or diseased plants constitutes a zoning violation subject to the penalty provisions of this Resolution.

Sec. 410.16 RESOURCE PROTECTION REGULATIONS

A. Floodplain Protection:

No buildings or structures are permitted to be located within a floodplain, except as stipulated in these requirements. The types of uses permitted in the floodplain are listed below:

1. Agriculture.
2. Public or private parks and outdoor recreational facilities, such as but not limited to picnic areas, playgrounds, playfields, ball fields, trails, and other similar amenities.
3. Fencing that allows the passage of water.
4. Off-street parking areas accessory to the above uses provided that such areas are improved with pervious pavement materials, such as pervious asphalt or pervious concrete or combinations of geotextiles with sand, gravel, and sod.

B. Wetlands Protection:

Wetlands that are required to be retained by the Army Corp of Engineers or the Ohio EPA shall be protected in the following manner:

1. Maintain or create an upland buffer of natural native species vegetation of at least the following depth adjacent to (from the typical high-water mark of) all Category 1, 2 and 3 Wetlands, that the Army Corp of Engineers or the Ohio EPA required to be retained, shall be protected by the following:
 - a. Category 1 - Twenty-five (25) foot buffer required for wetlands that are categorized by low species diversity, no significant habitat, limited potential to achieve beneficial wetland functions, predominance of non-native species, and/or hydrological isolation.
 - b. Category 2- Fifty (50) foot buffer required for wetlands that support moderate habitat or hydrological or recreational function but are generally without the presence of, or habitat for rare, threatened, or endangered species.
 - c. Category 3 - Seventy-five (75) foot of wooded buffer or up to one-hundred (100) foot of non-forested buffer required for wetlands that provided superior habitat and hydrological functions that contain habitat for rare, threatened, or endangered species such as mature forested wetlands, vernal pools, bogs and fens. Category 3 Wetlands should receive the largest amount of buffer.

C. Conservation of Riparian Zones:

1. A riparian buffer shall be provided along the entire length and on both sides of a river or perennial stream channel. The buffer area shall have a width not less than twenty-five (25) feet, measured from the river or stream high water mark. Small streams without clearly defined high water marks can be measured from the centerline. This buffer may be required to be increased based upon the type of stream, slope of the stream banks, surrounding soils, vegetation, land uses, and the function of the stream, but in general shall not exceed three-hundred (300) feet. In making a determination on the appropriate buffer width, the Zoning Commission may consult with technical experts such as the Soil and Water Conservation District staff, Portage Park District staff, County Engineer, Regional Planning Commission, or others qualified to provide a recommendation to the Zoning Commission.
2. A minimum building and pavement setback of 40 feet is required. It shall be measured from the edge of the designated riparian zone.
3. Multi-use circulation facilities may be permitted to be located within riparian buffers when the Zoning Commission determines that such will create minimal impacts within the riparian buffer and the stream.

Sec. 410.17 DEVELOPMENT DESIGN CRITERIA

In addition to the development and site planning standards set forth in this Section, all elements of a RB development, particularly the restricted open space areas, shall be designed in accordance with the following criteria to ensure that the project is appropriate for the site's natural, historical, and cultural features and meets the objectives of this district.

- A. Conservation of Prime Farmland: Farmland that satisfies the USDA definition of "prime" or "locally unique" farmland should be conserved.
- B. Conservation of Existing Scenic Vistas and Visual Quality of the Environment: Buildings should be located to ensure that scenic views and vistas are unblocked or uninterrupted.
- C. Conservation of Woodlands, Vegetation, and other Naturals Area: The design and layout of the development should conserve, maintain, and incorporate existing wooded areas, meadows, and hedgerows and tree lines between fields or meadows, especially those containing significant wildlife habitats.
- D. Conservation of Wildlife Habitats: Wildlife habitat areas of species listed as endangered, threatened, or of special concern by the U.S. Environmental Protection Agency and/or by the Ohio Department of Natural Resources shall be protected.
- E. Conservation of Cultural Resources: Sites of historic, archaeological, or cultural value and their environs shall be protected insofar as needed to safeguard the character of the feature, including stonewalls, spring houses, barn foundations, underground fruit cellars, earth mounds, and burial grounds.
- F. Conservation of Sloping Land: The roadway network, buildings and other improvements should be located to minimize changes to the topography and the need for cutting and filling.

SEC. 411**B-1 BUSINESS DISTRICT****SEC. 411.1 PURPOSE**

The purpose of this district is to accommodate multi-purpose retail and business development free from residential activities. Such uses shall be located and designed to minimize disruption to the traffic flow along the major road, which serves the permitted activities.

SEC. 411.2 USES

Within a B-1 Business District, no building, structure or premises shall be used, arranged to be used, or designed to be used, except for one or more of the following uses:

A. Permitted Uses:

1. Personal services, including dry cleaning and laundry agency (not including plant), barber and beauty shop, shoe repair shop, tailor and dressmaker.
2. Preparation and processing of food and drink to be retailed on premises, including bakery, delicatessen, meat market, confectionery, restaurant, soda fountain, dairy store.
3. Offices, including doctor, dentist, real estate, insurance, engineering, lawyers, architects, and other professions.
4. Food sales, including supermarket.
5. Drug store.
6. Clothing and apparel store, furniture store, interior decorators, appliance store, florist and gift shop, and hardware store.
7. Bank.
8. Hardware and building material sales.
9. Accessory uses clearly incidental to those uses permitted on the premises. Such uses must be situated on the same lot as the principal building.
10. Signs shall be permitted as regulated by Article V hereof.

B. Conditionally Permitted Uses:

The Board of Zoning Appeals may grant conditional zoning certificates for uses listed herein subject to general requirements of Article VIII and to the specific requirements of the subsections of Article VIII referred to below.

1. Amusement and recreational parks subject to the provisions of Article VIII and subsections 801.3.7.
2. Adult bookstore, adult motion picture theater, adult cabaret or tavern, and massage parlor subject to the provisions of Article VIII and subsections 801.4.
3. Wireless Telecommunication(s) Service Facilities subject to the provisions of Article VIII and subsections 801.5.
4. Gasoline filling station subject to the provisions of Article VIII and subsections 801.3.3, 801.3.6, 801.3.8, 801.3.14, 801.3.18, 801.3.19.
5. Drive-in eating establishments.
6. Bars, taverns and night clubs subject to the provisions of Article VIII and subsections 801.3.6 and 801.3.14.
7. Automobile, truck trailer, and farm implement sales, service, and storage, both new and used.
8. Wholesale establishments, excluding coal, coke, including lawn and garden accessories-subject to the provisions of Article VIII and subsection 801.3.14, 801.6.
9. Carpenter, cabinet, upholstering, sheet metal, plumbing, heating, air conditioning, sign painting, painting subject to the provisions of Article VIII and subsection 801.3.6, 801.3.14.
10. Hotels and Motels, subject to the provisions of Article VIII and subsection 801.3.6, 801.3.14.
11. Outdoor hydronic burners subject to the provisions of Article VIII and Subsection 801.8.
12. Type B Child Day Care Home (as described in definitions) provided that the applicant presents proof of compliance with the following requirements:
 1. The site and structure shall meet the applicable state code requirements.
 2. These facilities shall not provide overnight accommodations.

3. A drop-off/pick-up location shall be identified that will not impede traffic and shall ensure the safety of the adults and/or children.
4. Outside areas for activities shall be fenced for the protection of the adults and/or children. Fencing height and design shall be in accordance with SEC. 301.2.S Fences, Walls, Hedges.

SEC. 411.3 AREA, YARD AND HEIGHT REGULATIONS

A. Minimum Lot Area: One and one-half (1-1/2) acres, exclusive of road right-of-way.

B. Minimum Frontage on a Street:

1. Lots with partial or no road frontage on a cul-de-sac circle: One-hundred (100) feet.
2. Lots with total road frontage on a cul-de-sac circle: Sixty (60) feet.

C. Minimum Front Yard Depth

The minimum front yard depth at the minimum building set-back line shall be sixty (60) feet from the road right-of-way. All or part of this area, however, may be used for off-street parking. There shall be no exception, however, to this regulation, in that if a commercial building is built on a parcel of land contiguous to a present commercial building, such new building shall not extend closer to the right-of-way than any adjoining building, or closer than sixty (60) feet, whichever is the greater.

D. Minimum Rear Yard Depth:

There shall be a minimum distance from the rear of the building to the rear lot line of not less than fifty (50) feet. This area must remain open and unoccupied by any building or structure, but may be used for parking, loading, and unloading and shall include a minimum of fifteen (15) feet in width of green space.

E. Minimum Side Yard Width:

There shall be a minimum side yard width of:

1. Forty-five (45) feet when adjacent to a residential district which is applicable only to the side adjacent to the residential district, which includes a minimum of twenty (20) feet of green space.
2. Fifteen (15) feet is required for business to business.

F. Height of Building:

No structure shall exceed thirty-five (35) feet in height.

SEC. 411.4 PARKING AND LOADING REQUIREMENTS

A. Parking:

Adequate parking facilities, as defined in Article VII shall be provided outside the street right-of-way to meet all the parking needs; the nearest edge of such facilities shall be within two hundred (200) feet of the principal permitted use or building.

All parking areas shall be separated from the street right-of-way and from any abutting residential district by a twenty- (20) foot strip of land, landscaped and appropriately maintained.

B. Loading:

Every building used for commercial purposes shall have sufficient provisions for truck loading and unloading as given in Article VII so that such activity may be conducted completely outside the street right-of-way.

SEC. 411.5 SUPPLEMENTARY REGULATIONS

A. Outdoor Storage:

Outdoor storage of materials, equipment, and goods for distribution shall be permitted only if the outdoor storage area is enclosed by a solid fence or wall at least six (6) foot high to a maximum height of eight (8) feet in height and compatible with the principal structure. No materials shall be stored so as to project above the fence or outdoor storage areas shall conform with the yard requirements of Sections 421.3D and 421.3E.

SEC. 421

I-1 INDUSTRIAL DISTRICT

SEC. 421.1 PURPOSE

The purpose of this district is to provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, sales, and distribution, free from the encroachment of residential and institutional uses.

SEC. 421.2 USES

A. Permitted Uses:

1. Light manufacturing and assembling of the following: canvas products, glass and optical products from previously manufactured glass, jewelry, clocks, scientific and other precision instrument, sporting goods, toys and novelties, plastics, electric and electronic equipment, machine shop products.
2. Assembly of the following: metal products, paper products, plastic products, textile products, wood products, rubber products.
3. Services including the following: automobile, truck farm machinery, and trailer repair (including body repair and painting), cabinet and carpenter shops, plumbing repair and service shops, printing and publishing offices.
4. Signs shall be permitted as regulated by Article V hereof.

B. Conditionally Permitted Uses:

The Board of Zoning Appeals may grant conditional zoning certificates for uses listed herein subject to general requirements of Article VIII and to the specific requirements of the subsections of Article VIII referred to below.

1. All uses permitted in the B-1 District. All such uses shall follow those applicable district regulations in the B-1 District (Sec. 411) and not the regulations of the I-1 District (Sec. 421).
2. Extraction of Natural Resources (coal, sand, gravel, clay, stone, topsoil and sub-soil) subject to the provisions of Article VIII and subsections 801.3.2, 801.3.3, 801.3.6, 801.3.12, 801.3.17.
3. Warehouses, including mini-warehouses subject to the provisions of Article VIII and subsections 801.6.
4. Contractors' yards and storage facilities subject to the provisions of Article

VIII and subsection, 801.3.3, 801.3.4, 801.3.6, 801.3.13, 801.3.14.

5. Dry cleaning plants, laboratories (research, experimental and testing), and laundry plants subject to the provisions of Article VIII and subsection, 801.3.3, 801.3.4, 801.3.6, 801.3.13, 801.3.14.
6. Wireless Telecommunication(s) Service Facilities subject to the provisions of Article VIII and subsections 801.5.
7. Outdoor hydronic burners subject to the provisions of Article VIII and Subsection 801.8.

SEC. 421.3 AREA, YARD, AND HEIGHT REGULATIONS

- A. Minimum Lot Area: Three (3) acres, exclusive of road right-of-way.
- B. Minimum Frontage on a Street:
 1. Lots with partial or no road frontage on a cul-de-sac circle: One-hundred fifty (150) feet.
 2. Lots with total road frontage on a cul-de-sac circle: Sixty (60) feet.

C. Minimum Front Yard Depth:

The distance of setback from street right-of-way line shall not be less than eighty (80) feet.

D. Minimum Side Yard Width:

There shall be a side yard on each side of fifteen (15) feet except that where abutting a residential district, the side yard abutting such district shall be not less than Seventy-five (75) feet.

E. Minimum Rear Yard Depth:

There shall be a rear yard not less than one hundred (100) feet deep.

SEC. 421.4 PARKING AND LOADING REQUIREMENTS

A. Parking:

Adequate parking facilities, as defined in Article VII shall be provided outside the street right-of-way to meet all the parking needs, in no event shall the number of parking spaces be less than equal to one and one-half (1 1/2) times the number of employees of the proposed use. All parking areas shall be separated from the street right-of-way and from any abutting residential

district by a twenty (20) foot strip of land, landscaped and appropriately maintained.

B. Loading:

Every building having five thousand (5,000) square feet or over gross floor area shall be provided with at least one (1) truck loading and unloading space not less than twelve (12) feet in width, fifty (50) feet in length, and fifteen (15) foot clearance. Additional loading space as required in Sec. 702.

SEC. 421.5 SUPPLEMENTARY REGULATIONS

A. Outdoor Storage:

Outdoor storage of building materials, construction equipment, and goods for distribution shall be permitted only if the outdoor storage area is at least two hundred (200) feet from the nearest residential district or if the outdoor storage area is separated from the residential district by a six (6) foot high solid fence or wall; outdoor storage areas shall conform with the yard requirements of Sections 421.3B and 421.3C.

SEC. 421.6 MINIMUM ACCESS STRIP

Sixty (60) feet in width for its entire length, which provides access to a public street for only one lot, only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted.

ARTICLE V

SIGN REGULATIONS

SEC. 501.1 PURPOSE

The purpose of this Chapter is to promote and protect the public health and safety by regulating existing and proposed signs of all types. More specifically, the following sign regulations are established in order to achieve the following purposes:

- A. To reduce distractions and obstructions from signs that would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching on public ways.
- B. To preserve and enhance the physical appearance of the Township and its business and industrial districts by requiring new and replacement signage which is:
 - 1. Creative and distinctive.
 - 2. Compatible with the surroundings.
 - 3. Appropriate to the type of activity to which it pertains.
 - 4. Expressive of the identity of individual proprietors, or of the community as a whole.
 - 5. Appropriately sized in its context, so as to be easily readable.
- C. To discourage excessive visual competition in signage and ensure that signs adequately identify uses and activities to the public.
- D. To avoid the appearance of sign clutter, protect property values and prevent nuisances.
- E. To support and compliment land use plan objectives and the specific objectives of this Resolution.

SEC. 501.2 SIGNS NOT REQUIRING A ZONING CERTIFICATE

The following signs do not require a zoning permit:

- A. Political Signs providing such signs shall not be placed on or over any public property or any public right-of-way.

- B. Signs used for safety purposes relative to the repair and maintenance of streets, sidewalks or utilities in a public right-of-way.
- C. Signs and public notices erected or required by governmental bodies, or authorized for a public purpose by any law, statute or ordinance.
- D. Religious or other holiday lights and decorations containing no commercial message when displayed during the appropriate time of year.
- E. Governmental flags. Such flags shall not be flown from a pole that is more than forty (40) feet in height.
- F. Address numbers not to exceed one (1) square foot in area.
- G. Nameplates not to exceed two (2) square feet in area.
- H. Memorial signs, tablets, plaques, building markers or cornerstones not to exceed four (4) square feet in area and that are permanently affixed to the building or premises.
- I. Parking control signs and fire lane signs, intended to prohibit or impose conditions upon parking pursuant to State Law, not to exceed four (4) square feet.
- J. Temporary Signs, subject to the requirements of Subsection 501.12.
- K. Portable or moveable signs.

SEC. 501.3 PROHIBITED SIGNS

The following signs are prohibited in all zoning districts:

- A. Other than electronic signs; signs that revolve, rotate, whirl, spin, are animated, or otherwise use motion to attract attention or have the appearance of moving, including signs that contain pennants, ribbons, streamers, spinners or similar devices.
- B. Other than electronic signs; signs containing flashing, intermittent, moving, or rotating lights or running lights giving the illusion of movement, with the exception of time and temperature devices.
- C. No sign, except for a traffic, regulatory or informational sign, shall use the words “stop”, “go”, “caution”, or “danger” or shall incorporate red, amber, or green lights resembling traffic signals, or shall resemble “stop” or “yield” signs in shape and color.
- D. Inflatable signs and tethered balloons.

SEC. 501.4 NONCONFORMING SIGNS AND STRUCTURES

Signs and structures in existence prior to the effective date of this Resolution, which violate or are otherwise not in conformance with the provisions of this Section shall be deemed nonconforming. All such legal nonconforming signs and structures shall be maintained in accordance with the provisions of this Section. The burden of establishing the legal nonconforming status of any advertising sign or structure shall be upon the owner of the sign or structure.

SEC. 501.5 LOSS OF LEGAL NONCONFORMING STATUS

A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore must be brought into conformance with this Resolution or be removed, if:

- A. The sign is enlarged, relocated, or replaced.
- B. The sign is part of an establishment, which discontinues its operations for a period of two (2) or more continuous years.
- C. The sign is structurally damaged to an extent greater than one half of its estimated replacement value.

SEC .501.6 SIGNS REQUIRING ZONING CERTIFICATE

- A. No person shall locate or maintain any sign unless all provisions of this Resolution have been met. To assure compliance with these regulations, a Zoning Certificate issued pursuant to this Resolution shall be required for each sign unless specifically excluded in this Section.
- B. A sign initially approved for which a Zoning Certificate has been issued shall not be structurally modified, altered or replaced, nor shall design elements of any building or lot upon which such sign is maintained be modified, altered or replace if any such design element constituted a basis for the approval of such sign, unless a new or amended Zoning Certificate is obtained in accordance with these regulations.
- C. The repainting, resurfacing, changing of parts and preventive maintenance of signs shall not be deemed alterations requiring a Zoning Certificate. However a design review by the Zoning Inspector is required.

SEC. 501.7 APPLICATION REQUIREMENTS

- A. Before erecting or altering any sign that requires a Zoning Certificate, an application on Township Zoning Certificate Application Forms shall be submitted to the Zoning Inspector in accordance with the applicable provisions of this Resolution.

1. The application shall include the following items in addition to the applicable application requirements:
 - a. A drawing of the sign with the letter sizes, colors, materials, illumination, support system, dimensions, height and square footage of the sign to determine compliance with the requirements of this Chapter.
 - b. A site plan showing the location of the sign from the right-of-way, on-site buildings and structures, and the property lines.

SEC. 501.8 GENERAL REQUIREMENTS FOR ALL SIGNS

The following regulations shall apply to all signs unless specifically exempted in this Section.

- A. No illuminated sign or lighting device shall be placed or directed so as to permit the beams and illumination to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- B. No sign shall employ any parts or elements, which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention.
- C. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet. In addition, no element of a projecting sign, including any support structure or cables, shall extend above the cornice line of the building to which it is attached.
- D. A wall sign shall project no further than twelve-inches (12") from the wall on which it is mounted and cannot be located above the cornice line or second floor window line, whichever is lower.
- E. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.
- F. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign, except as otherwise specified in this Resolution.
- G. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape.

- H. Should any sign be or become unsafe or in disrepair, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector, proceed at once to put such sign in a safe and secure condition or remove the sign.
- I. No sign shall be placed in any public right-of-way, except publicly owned signs, such as traffic control signs and directional signs.
- J. No advertising signs may be attached to or supported by utility poles, trash receptacles, vending machines, trees or benches.
- K. No sign shall be attached in such manner that it may interfere with any required ventilation openings.
- L. No sign shall be located on a vacant lot, except for the purpose of advertising the lot for sale or lease, or for the notification of present danger or the prohibition of trespassing or for directing and guiding traffic and parking on private property but bearing no advertising matter.
- M. No sign shall be located nearer than eight (8) feet vertically or four (4) feet horizontally from any overhead electrical wires, conductors, or guy wires.
- N. No permanent monument or pole sign shall be located on a sidewalk or closer than five (5) feet from a sidewalk, or if there is no sidewalk, the sign shall be located a minimum distance of ten (10) feet from the road right-of-way.
- O. No sign shall be placed within a side or rear yard setback area.
- P. No vehicle or trailer may be parked on a business premises or a lot for the purpose of advertising a business, product, service, event, object, location, organization, or the like.
- Q. All signs shall be so designed and supported as to carry the weight of the sign, and shall comply with the local building code in effect.
- R. All signs shall be secured in such a manner as to prevent significant movement due to wind.

SEC. 501.9 MEASUREMENT OF SIGN AREAS AND HEIGHT

- A. The sign face shall be computed as including the entire area within a geometric form or combinations of geometric forms comprising all of the display area of the sign and including all advertising matter displayed. Frames and structural members not being used to display advertising matter shall not be included in computation of sign face.

- B. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the total allowable display area, except where the two faces are placed back-to-back and are at no point no more than two (2) feet from each other. In these instances, the total allowable display area shall be taken as the area of one of the sign faces, and if the faces are unequal in area, the larger shall determine the measurable display area.
- C. For a sign consisting of individual letters or symbols attached to or painted on a surface, such as, but not limited to a wall, window, canopy or awning, the sign face shall be considered as the smallest rectangle or other geometric form which encompasses all of the letters and symbols.
- D. The height of a sign shall be computed as the distance from the base of a sign or supportive structure at its point of attachment at normal grade to the top of the highest attached component of the sign. The finished grade may not be altered so as to raise the height of the top of the sign from the finished grade of the site.

SEC. 501.10 CRITERIA FOR THE CONSTRUCTION AND DESIGN OF SIGNS

In addition to ensuring compliance with the numerical standards of these regulations, the Zoning Inspector shall consider the proposed general design, arrangement and placement of the sign according to the following criteria.

A. Construction Standards:

- 1. All signs shall be structurally sound so as to pose no threat to pedestrian or vehicular traffic. Signs shall be fabricated on and of material that is of good quality and durability.
- 2. All signs shall be rigidly secured and no sign shall swing from a bar, crane, awning or other sign. No part of any sign shall be revolving, oscillating or otherwise be designed to move.

B. Illumination of Signs:

- 1. Signs permitted to be illuminated shall be in compliance with the following requirements:

Whenever external illumination is used for a sign, the source of light shall be located, shielded and directed in such a manner that the light does not shine or cause glare onto any surrounding street or private residence.

The lighting of any sign, whether resulting from external or internal illumination, shall not be of such brightness so as to cause glare that is hazardous or a nuisance to pedestrian or vehicular traffic or adjacent premises.

2. Signs shall not be lighted to obstruct traffic control or any public information signs.

SEC. 501.11 REQUIRED MAINTENANCE OF SIGNS

All signs shall be maintained in accordance with the following:

- A. The property owner shall maintain the sign in a condition fit for the intended use and has a continuing obligation to comply with all building code requirements.
- B. Each sign shall contain the name, address and telephone number of a firm or person responsible for maintaining the sign. Such information shall be placed on the frame or other supports and large enough to be easily read by a person standing on the ground adjacent to the sign.
- C. If the sign is deemed by the Zoning Inspector to be in an unsafe condition, the responsible party shall be immediately notified, in writing of the violation. Within seven (7) business days of the mailing of the notice, if corrective action isn't taken to remedy the violation, then the Zoning Inspector may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to cause removal or alteration to comply with this regulation.
- D. Whenever, any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, re-lettering or repainting, the same may be done without a permit or any payment of fees provided that all of the following conditions are met:
 1. There is no alteration or remodeling to the structure or the mounting of the sign itself.
 2. There is no enlargement or increase in any of the dimensions of the sign or its structure.
 3. The sign is accessory to a legally permitted, conditional or nonconforming use.
- E.
 1. There is no alteration or remodeling to the structure or the mounting of the sign itself.
 2. There is no enlargement or increase in any of the dimensions of the sign or its structure.
 3. The sign is accessory to a legally permitted, conditional or nonconforming use.

SEC. 501.12 TEMPORARY/ SPECIAL EVENTS SIGNS

The following types of signs, as listed in Schedule 501.12, may be temporarily installed on property without a Zoning Certificate in accordance with the following requirements:

**Schedule 501.12
Temporary Signs**

Type of Sign	Size of Sign	Additional Requirements
A. Any District		
1. Freestanding announcement signs to include real estate signs, contractor identification signs, or property owner announcement signs.	<ol style="list-style-type: none"> 1. Each sign face shall be no greater than six (6) square feet in area. 2. Overall height of each sign shall be no greater than four (4) feet. 3. The total combined sign faces of all of the signs shall be no greater than twelve (12) square feet. 	<ol style="list-style-type: none"> 1. Limited to two (2) signs per property. 2. The sign may be displayed throughout the sale or construction phase and must be removed within seven days of the sale or completion of the construction. 3. All other announcement signs may only be displayed for a period of seven (7) days.
2. Freestanding construction signs identifying a project/development	<ol style="list-style-type: none"> 1. Sign face shall not exceed twelve (12) square feet. 3. Overall height shall be no greater than six (6) feet. 	<ol style="list-style-type: none"> 1. One sign per premise. 2. Identify project name, architect, engineer, or contractor. 3. The sign may be displayed during the construction phase of project and must be removed within thirty (30) days after completion.
B. Residential Districts		
1. Freestanding temporary commercial event signs to include but not limited to garage, yard and barn sales, auction of personal property, etc.	<ol style="list-style-type: none"> 1. Each sign face shall be no greater than two (2) square feet in area. 2. Overall height of each sign shall be no greater than four (4) feet. 3. The total combined sign faces of all of the signs shall be no greater than six (6) square feet. 	<ol style="list-style-type: none"> 1. One sign per property - where the event is scheduled. 2. Two other signs may be placed off premise for directional purposes. 3. Signs shall not be posted any earlier than 3 days before the event and shall be removed within forty-eight (48) hours after the event.
C. Non-Residential Districts and Mixed Use Residential/Commercial Districts		
1. Freestanding temporary commercial event signs to include but not limited to garage, yard and barn sales, auction of personal property, etc. on property used for residential purposes.	<ol style="list-style-type: none"> 1. Each sign face shall be no greater than two (2) square feet in area. 2. Overall height of each sign shall be no greater than four (4) feet. 3. The total combined sign faces of all of the signs shall be no greater than six (6) square feet. 	<ol style="list-style-type: none"> 1. One sign per property - where the event is scheduled. 2. Two other signs may be placed off premise for directional purposes. 3. Signs shall not be posted any earlier than 3 days before the event and shall be removed within forty-eight (48) hours after the event.
2. Window sale and announcement signs for all non-residential uses.	<ol style="list-style-type: none"> 1. A sign face shall not occupy more than 25% of a single window surface area of the 	<ol style="list-style-type: none"> 1. The sign shall be located on the Street side of the building. 2. The sign shall be placed on the

Type of Sign	Size of Sign	Additional Requirements
	building. 2. Total of temporary and permanent sign face shall not occupy more than 50% of the total window surface area.	interior side of the window. 3. The sign may be displayed throughout the sale and must be removed within twenty-four (24) hours of the sale. 4. All other announcement signs may only be displayed for a period of seven (7) days
3. Special event banner signs for all non-residential uses.	1. Each sign face shall not exceed a maximum size of thirty-two (32) square feet in area. 2. The total combined sign faces of all of the signs shall be no greater than thirty-two (32) square feet in area.	1. One sign per premise, where the event is scheduled. 2. Two other signs may be placed off premises for directional purposes. 3. The sign shall be displayed for no more than thirty (30) days after placement during the first six (6) months of operation.

D. All temporary signs shall not be posted any earlier than 30 days before the event, unless otherwise specified in this Resolution.

E. All temporary signs shall be removed by the owner of the property on which the sign is located within three (3) days after the event, sale of property, completion of construction and/or election etc., unless otherwise specified in this Resolution.

SEC. 501.13 SIGNS REQUIRING A ZONING CERTIFICATE

The following types of signs, as listed in Schedule 501.13, may be installed on a property and require a Zoning Certificate in accordance with the following requirements:

**Schedule 501.13
Types of Signs Requiring Zoning Certificates**

Type of Sign	Size of Sign	Additional Requirements
A. Any District		
1. Freestanding sign to identify real estate auction of land	1. Sign face shall be no greater than thirty-two (32) square feet in area. 2. Overall height of each sign shall be no greater than six (6) feet.	1. One (1) sign per street frontage. 2. Auction signs may be erected as early as thirty (30) days before auction and shall be removed within seven (7) days after scheduled event.
2. Monument signs to identify Agricultural activities and farm market roadside stands.	1. Sign face shall not exceed thirty-two (32) square feet. 2. Overall height shall be no greater than four (4) feet.	1. One (1) sign per premise. 2. Sign may be externally illuminated.

Type of Sign	Size of Sign	Additional Requirements
B. Residential Districts		
1. Freestanding signs to identify a non-residential use (bed and breakfast, home based business, etc.) on a residentially used property.	1. Sign face shall not exceed two (2) square feet. 2. Overall height shall be no greater than four (4) feet.	1. One (1) sign per premise.
2. Monument sign to identify a non-residential use (public, (institutional, recreational, commercial, etc.) establishment.	1. Sign face shall not exceed six (6) square feet. 2. Overall height shall be no greater than four (4) feet.	1. One (1) sign per premise. 2. The sign shall be located on the Street side of the building.
3. Monument signs to identify a subdivision development, condominium or a multi-family housing complex.	1. Sign face shall not exceed thirty-two (32) square feet. 2. Overall height shall be no greater than six (6) feet.	1. One (1) sign per street frontage 2. Placed at entranceways only 3. Signs may be externally illuminated.
C. Non-Residential Districts and Mixed Use Residential/Commercial Districts		
1. Freestanding signs to identify a non-residential use (bed and breakfast, home based business, etc.) on a residentially used property.	1. Sign face shall not exceed two (2) square feet. 2. Maximum height of twenty (20) feet from grade.	1. One (1) sign per premise.
2. Monument sign to identify a non-residential use (public, (institutional, recreational, commercial, industrial etc.) establishment.	1. Sign face shall not exceed thirty-two (32) square feet. 2. Maximum height of twenty (20) feet from grade.	1. One (1) sign per premise. 2. The sign shall be located on the Street side of the building.
3. Monument signs to identify a residential subdivision development, condominium, multi-family housing complex, shopping center, or industrial park.	1. Sign face shall not exceed thirty-two (32) square feet. 2. Maximum height of twenty (20) feet from grade.	1. One (1) sign per street frontage 2. Placed at entranceways only 3. Signs may be externally illuminated.
4. Wall sign for all non-residential uses.	1. The maximum area of all sign faces attached to the building shall not be more than 15% of the square footage of the building's front facade area.	1. Signs may be internally or externally illuminated 2. The signage shall not be located above the cornice line of the building.
5. Directory signs for all non-residential uses.	1. Total sign face shall not exceed thirty-two (32) square feet.	1. Signs may be internally or externally illuminated.

Type of Sign	Size of Sign	Additional Requirements
6. Canopy and awning signs for all non-residential uses.	<ol style="list-style-type: none"> 1. A sign face shall not occupy more than 25% of a single canopy or awning. 2. Total sign face shall not occupy more than 50% of the total canopy or awning area. 	<ol style="list-style-type: none"> 1. May contain logo and name of business. 2. Shall not contain any commercial message. 3. No portion of a canopy or awning sign shall be less than seven and one-half (7 ½) feet above the level of the sidewalk or other public thoroughfare over which it projects. 4. No portion of a canopy or awning may extend more than five (5) feet from the building facade.
7. Permanent window signs for all non-residential uses.	<ol style="list-style-type: none"> 1. A sign face shall not occupy more than 25% of a single window surface area of the building. 2. Total sign face shall not occupy more than 50% of the total window surface area. 	<ol style="list-style-type: none"> 1. Shall be located on the Street side of the building. 2. Shall be placed on the interior side of the window.
8. Auxiliary entry sign (wall sign only) for all non-residential uses.	<ol style="list-style-type: none"> 1. Sign face shall not exceed one and one-half (1-1/2) square feet. 2. Overall height shall not exceed entrance height. 	<ol style="list-style-type: none"> 1. One (1) sign per business entrance.

SEC.501.13.C.9 ELECTRONIC SIGNS

Electronic signs must comply with all the appropriate sign resolutions contained in the sign section of the Suffield Township Zoning Resolution. Because of the unique properties of electronic signs, additional concerns are needed to be addressed.

A. Size – The sign face, per side, shall not exceed thirty-two (32) square feet of illuminated display area.

B. Brightness – The sign must be equipped with operational automatic dimming technology which will adjust the sign's brightness in direct correlation with ambient light conditions. The sign will not exceed 90% of its maximum brightness during the day and 12% at night. The sign will not exceed a brightness of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a distance depending on the sign area. The distance will be calculated as follows: Measuring Distance =

Area of Sign*	Measurement
Sq. ft.	Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100

*For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc.), the measurement distance may be calculated with the following formula: The square root of the product of the sign area and one hundred.

Example using a 12 square foot sign:

$$\text{Measurement Distance} = \sqrt{(12 \text{ Sq. Ft.} \times 100)} = 34.6$$

C. Minimum Message Display Duration – The minimum message display duration will be 8 seconds.

D. Animation – The use of movement or some element there for, to depict action or create a special effect or scene will be permitted.

E. Frame Effect – A visual effect on an electronic sign applied to single frame to transition from message the next, the transition shall be an instantaneous change.

F. Scrolling – The sideways or vertical movement of the message content shall **NOT** be permitted.

G. Flashing – A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign shall **NOT** be permitted.

H. Video and Live Streaming – Use of the sign to display broadcast video or streaming video shall **NOT** be permitted.

I. Message Content – Zoning shall **NOT** regulate the content of the message.

J. Public Service Announcements – Public service announcements shall be allowed to display emergency information such as Amber Alerts, weather alerts, emergency evacuation information and similar emergency situations when asked by safety officials.

SEC. 501.14 SPECIAL SIGN REGULATIONS FOR THE B-1 DISTRICT AT THE TOWNSHIP CENTER (STATE ROUTE 43 & STATE ROUTE 224)

A. Only one (1) of the following types of signs shall be used to identify the occupants of a commercial building or development regardless of the number of occupancies, in accordance with the requirements of Schedule 501.13.C:

1. Directory sign.
2. Monument sign.
3. Wall or projecting sign.

B. Each ground floor occupant of a building may display up to two (2) of the following types of signs per street frontage, in accordance with the requirements of Schedule 501.13.C:

1. Canopy and awning sign.
2. Permanent window sign.
3. Auxiliary entry sign.

C. Each occupant in an upper level of a building may display only one of the following signs per street frontage, in accordance with the requirements of Schedule 501.13.C:

1. Canopy and awning sign.

2. Permanent window sign.
- D. Signs should be placed in locations so they are easily discernable by pedestrians and motor vehicle traffic.
- E. Signs on adjacent storefronts within the same building shall be coordinated in height and proportion, and should be encouraged to use the same signing format.
- F. Materials: The use of wood and metal signs is strongly encouraged.
- G. Size: The size of signs should be restricted to ensure that they do not overpower the facades to which they are affixed.

SEC. 501.15 PRIVATE SIGNAGE AGREEMENTS

Nothing in this Section or elsewhere in this Zoning Resolution shall prevent any building owner or association of merchants from establishing any lease or other form of agreement containing sign regulations, which are more stringent than those set forth in this Zoning Resolution.

SEC.501.16 Off Premise Billboards

Billboard Signs

Billboards are hereby classified as a business use and, in compliance with Section 519.20 of the ORC, are permitted only in B-1 and I-1 districts. Such signs are subject to the following regulations: a Zoning Certificate shall be required.

A. Location

1. Only one (1) billboard with a maximum of two (2) sign faces may be permitted on a single lot.
2. No billboard shall be erected closer than one hundred fifty (150) feet to any intersection with the exception of those signs' incidental to legal process and necessary to the public welfare of those signs attached to a building or structure, unless they are placed so as not to obstruct the view or cause a traffic hazard.
3. No billboard shall be located on, or project into, a public right-of-way.
4. No billboard shall be located within one thousand (1,000) feet of another billboard.
5. Billboards shall be at least 35 feet from the street right of way.
6. Billboards shall be freestanding signs and shall not be located on or attached to a building or other structure not intended or utilized for the sole purpose of supporting said sign.
7. Billboards located along any federal or state route shall comply with all applicable federal and state regulations including Sections 5516.06 and 5516.061 of the ORC.

B. Construction

1. No billboard shall be constructed so as to be a nuisance or be detrimental to the surrounding land use.

2. Maximum size of business signs shall be two hundred (200) square feet per side with a total sign area not to exceed four hundred (400) square feet, exclusive of base, poles, or other type of support.
 3. No freestanding billboard shall have less than six (6) feet of bottom open space along its entire length.
- C. Maintenance and Repair
1. No person owning or controlling a billboard shall fail to keep such sign in a state of good repair at all times with all braces, bolts, clips and supporting frame free from deterioration, termite infestation, rot, rust, and loosening.
- D. Illumination
- All billboard illumination shall be subject to the following limitations:
1. The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding property.
 2. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices. Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public highways, roads, or streets.
 3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated billboards shall be in accordance with the provisions of the National Electric Code and the local electric code in effect.
 4. All billboards shall have a constant illumination if they are lighted at night. No flashing lights shall be permitted.
- E. This Resolution does not supersede state regulations.

SEC.501.17 FEES

A fee is established by the Township Trustees. (See Sec. 901.5.)

ARTICLE VI

NON-CONFORMING USES

SEC. 601 REGULATIONS

The lawful use of any building or land existing at the effective date of this Resolution may be continued within the limitations as hereinafter described although such use does not conform with the provisions of this Resolution.

SEC. 601.1 BUILDINGS AND STRUCTURES UNDER CONSTRUCTION

On the effective date of this Zoning Resolution or any amendment thereto, no changes are required in the plans, construction or designated uses of a building and structures that do not comply with the requirements of the district in which it was located, provided that:

- A. Construction is commenced within ninety (90) days after the issuance of the Zoning Certificate.
- B. The entire building or structure shall be completed within two (2) years after the issuance of the Zoning Certificate.
- C. For the purposes of this Zoning Resolution, such building or structure shall be deemed a nonconforming use.
- D. Where demolition or removal of an existing building has been substantially begun in preparation to rebuilding, such demolition or removal shall be deemed to be actual construction provided that such work shall be completed within two (2) years of issuance of the zoning certificate.

SEC. 601.2 NON-CONFORMING LOTS OF RECORD

On the effective date of this Zoning Resolution or any amendment thereto, a lot of record that does not comply with the lot area or width requirements in which the lot is located may be used as follows:

A. Occupied Lots:

If already occupied by a building, such building shall be maintained and may be repaired, modernized, altered or enlarged provided that the building complies with the front, side and rear yard setbacks, and all other requirements of the district, except those that pertain to the lot area and lot width requirements.

B. Single Nonconforming Lots of Record:

If a non-conforming lot is in separate ownership and not contiguous with other lots in the same ownership, the following provisions shall apply.

1. Any lawfully existing lot recorded prior to the enactment of this Resolution, or amendment thereto, that does not comply with the minimum area requirements, may be developed for a permitted use, provided that:
 - a. The proposed use can be located on the lot in compliance with the front, side and rear yard setbacks.
 - b. The lot meets all other requirements of the district, except those that pertain to the lot area and lot width requirements.
2. The Board of Zoning Appeals shall review and approve uses, buildings and structures proposed for single vacant nonconforming lots that do not meet the criteria set forth in Subsection 1 above.

C. Non-conforming Lots of Record in Combination:

If a vacant non-conforming lot adjoins one or more lots in common ownership on the effective date of this resolution, or amendment thereto, such lots shall be combined to a conforming lot or more conforming lot as a prerequisite to development.

D. Increasing Nonconformity of Lots:

The non-conformity of lots shall not be increased in any manner, nor shall any division of any parcel be made which results in the creation of a lot not in compliance with the requirements of this Resolution.

SEC. 601.3 NON-CONFORMING BUILDING OR STRUCTURES

Where a lawful structure and/or building exists at the effective date of the adoption of this Resolution or amendments thereto, that could not otherwise be built under the terms of this Resolution, such building or structure may continue to be used or occupied by a use permitted in the district so long as it remains otherwise lawful and does not constitute a public nuisance, subject to the following provisions:

A. Maintenance and Repair:

A non-conforming building or structure shall be maintained and repaired provided that the cubic/content area existing when it became nonconforming shall not be increased. Nothing in these Regulations shall prevent the strengthening or restoring to safe condition any building or part thereof

declared to be unsafe by any official charged with protecting the public safety upon order of such official.

B. Additions, Alterations and Reconstruction:

A non-conforming building or structure may be altered, improved, reconstructed, substituted, enlarged or extended one time only, provided that:

1. Any such alteration, improvement reconstruction, enlargement, or extension may not exceed twenty (20) percent of the square footage of the ground floor area of the building or structure as it existed at the effective date of this Resolution.
2. Where the land contains more than one building or structure, the combined square footage shall be considered.
3. No non-conforming building or structure may be enlarged or extended such that the building or structure will further encroach into or upon a minimum setback yard area or distance requirement of the applicable zoning district.

C. Change in Principal Use of Building:

The principal use in a non-conforming building may be changed to any other use permitted in the district so long as the new use complies with all of the requirements of this Zoning Resolution, except the requirements that the building did not conform to prior to the change in use.

D. Restoration of Damaged Building or Structure:

If a non-conforming building or structure is damaged or destroyed by any means, it may be restored or reconstructed to its original footprint and floor area provided that a zoning certificate shall be applied for and issued within two (2) year of destruction/damage.

E. Moving of Structures:

If any non-conforming building/structure is moved, it shall be required to conform to the requirements for the district in which it is to be located.

SEC. 601.4 NON-CONFORMING USES OF LAND

No non-conforming uses of land shall be enlarged or increased more than twenty percent (20%) (one time only). A non-conforming use may continue in the district in which it is located so long as it remains otherwise lawful and does not constitute a public nuisance.

SEC. 601.5 CHANGE OF A NON-CONFORMING USE OF BUILDINGS AND LAND TO ANOTHER NONCONFORMING USE

A non-conforming use of a building, structure or land shall not be changed or substituted to another nonconforming use unless the Board of Zoning Appeals decides that the proposed non-conforming use is in less conflict with the character and use of the applicable zoning district than the existing nonconforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this Resolution.

SEC. 601.6 CHANGE FROM NON-CONFORMING USE

A non-conforming building or use shall cease to be considered as such whenever it first comes into compliance with the regulations of the district in which it is located. Upon such compliance, no previous nonconforming use shall be made, resumed or reinstated.

SEC. 601.7 ABANDONMENT OF A NON-CONFORMING USE OF BUILDINGS AND LAND

A non-conforming use that has been discontinued for a period of two (2) or more continuous years shall be deemed abandoned, except when government action impedes access to the premises, and shall thereafter be used in conformity with the regulations of the district in which it is located.

SEC. 601.8 CERTIFICATE OF A NON-CONFORMING USE

If a use of property/structures was legally created or established and has since become non-conforming because of the establishment of or amendment to this Zoning Resolution, the Zoning Inspector shall issue a "Certificate of Non-conforming Use" to all known owners.

- A. No use of land, buildings or structures shall be made other than that specified on the "Certificate of Non-conforming Use" unless the use shall be in compliance with the requirements of the zoning district in which the property is located.
- B. A copy of each "Certificate of Non-conforming Use" shall be retained by the Zoning Inspector and who shall maintain a record of all such certificates.
- C. The certificate shall specify the reason why the use is a non-conforming use, including a description of the extent and kind of use made of the property in question, the portion of the structure or land used for the non-conforming use, and the extent that dimensional requirements are nonconforming, or other facts that substantiate the non-conformity. The purpose is to protect owners of lands/structures that are or become non-conforming.

SEC.601.9 SEASONAL BUSINESS

Seasonal Business is one that operates for a limited time not to exceed 100 days and conducts nonagricultural activity permitted in the district in which it resides. Examples would be but not limited to oil spray, pumpkin patch, tree sales, haunted houses.

ARTICLE VII

PARKING AND LOADING REQUIREMENTS

SEC. 701 OFF-STREET PARKING

In all districts, in connection with every building or part thereof hereafter created, sufficient parking facilities shall be provided off-street to meet all the parking needs; the nearest edge of such facilities shall be within two hundred (200) feet of the principal permitted use or building.

SEC. 701.1 MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED

Schedule 702.1.A.1

Minimum Number of Required Off Street Parking Spaces

Type of Use	Minimum Number of Spaces Required
A. Residential Uses	
1. Single-Family, Two-Family and Three-Family Dwellings	2 spaces for every dwelling unit
2. Multi-Family (1 Bedroom)	1.5 spaces for every dwelling unit
3. Multi-Family (2 Bedroom)	3 spaces for every dwelling unit
4. Multi-Family (3 Bedroom)	3 spaces for every dwelling unit
5. Multi-Family (4 Bedroom)	4 spaces for every dwelling unit
6. Bed & Breakfast Establishments, Rooming Houses	1 space for every guest room, plus the requirements for a normal residential use
B. Retail Business Uses	
1. Appliance, Furniture, Household Goods Sales and Repair	1 space for the first 1,000 sq.ft. of floor area, plus 1 space for each additional 600 sq.ft. of floor area
2. Convenience Stores	1 space for every 250 sq.ft. of floor area
3. Convenience Stores with gasoline pumps	1 space for every 250 sq.ft. of floor area, plus the parking requirements of Gas Stations
4. Food or Grocery Stores	1 space for every 200 sq.ft. of floor area
5. Gas Stations	2 spaces for each island of pumps, plus 2 spaces for each service stall, plus 1 space for each two employees
6. Restaurants (dine in)	1 space for every 3 seats and 1 space for every 3 employees
7. Restaurants (fast food or carry out)	1 space for every 50 sq.ft. of floor area
8. Shopping Center (Comprised of more than one business use)	
1. Less than 15,000 sq.ft. of floor area	

	5 spaces per 1,000 sq.ft. of floor area
Type of Use	Minimum Number of Spaces Required
2. Between 15,001 and 600,000 sq.ft. of floor area	4 spaces per 1,000 sq.ft. of floor area
3. More than 600,000 sq.ft. of floor area	5 spaces per 1,000 sq.ft. of floor area
9. All uses not listed	1 space for every 200 sq.ft. of floor area
C. Service Uses	
1. Barber and Beauty Shops	1 space for every 150 sq.ft. of floor area
2. Bicycle, Camper, Motor Vehicle, and RV Sales and Service	1 space for every 200 sq. ft of floor area, plus 1 space for each additional 3,000 sq.ft. of gross land area
3. Catering	1 space for every 250 sq.ft. of floor area
4. Financial Institutions	1 space for every 200 sq.ft. of floor area, plus 6 stacking space per drive-in teller service area
5. Hotel/Motel	1 space for each guest room, plus 1 space for each employee
6. Mini-Self Storage Facility	1 space for every 15 storage units, plus 1 space per employee
7. Motor Vehicle Repair Facility	2 spaces for each service stall, plus 1 space for each two employees
8. All uses not listed	1 space for every 250 sq.ft. of floor area
D. Office Uses	
1. Business and Professional	5 spaces for the first 1,000 sq.ft. of floor area, plus 1 space for each additional 300 sq.ft. of floor area
2. Medical and Dental	4 spaces for each doctor on staff, plus 2 spaces for every employee
E. Health Medical and Care Facilities	
1. Children's Day Care and Nursery School Facilities	1 space for every 10 clients based on the facility's maximum capacity
2. Assisted Living Facilities, Convalescent Centers, Nursing Homes and Geriatric Centers	1 space for every 5 beds, plus 2 spaces for each 3 employees and 1 space for each doctor on staff
3. Health Clinics	4 spaces for each doctor on staff, plus 2 spaces for every employee
4. Hospitals and Sanitariums	1 space for every 2 beds, plus 2 spaces for each three employees
F. Public, Education, and Utility Uses	
1. Churches and Places of Worship	1 space for every 5 seats in main auditorium
2. Colleges, Universities, Vocational Schools	1 space for every 5 students based on the maximum number of students the facility is designed to accommodate, plus 2 spaces for each 3 employees
3. Elementary, Junior High School	2 spaces for each classroom

4. High School	1 space for every 8 students
Type of Use	Minimum Number of Spaces Required
5. Libraries, Art Galleries, Museums	1 space for every 800 sq.ft. of floor area
6. All uses not listed	1 space for every 250 sq.ft. of floor area
G. Recreational and Social Facilities	
1. Amusement Parks (Indoor and Outdoor)	3 spaces for every 1,000 sq.f.t of floor area, plus 3 spaces for every 1,000 sq.f.t of gross land area
2. Archery Range	1 space for every 2,000 sq.ft. of gross land area
3. Auditoriums, Gymnasiums, Convention Centers and other Places of Assembly	The number of required spaces shall equal 30% of the seating capacity of the facility
4. Bowling Alleys	5 spaces per lane plus additional spaces required for affiliated uses (e.g. restaurant)
5. Dance Halls, Skating Rinks	10 spaces for every 1,000 sq.ft. of floor area
6. Golf (miniature)	2 spaces per hole
7. Golf (nine holes or more)	8 spaces per green
8. Handball, Racquet, Squash, and Tennis Courts and Clubs	4 spaces per court plus additional spaces required for affiliated uses (e.g. restaurant)
9. Parks and Playgrounds	Parks and playgrounds over one acre: one space for each picnic table or 12 spaces for each acre of formal park area, whichever is greater.
10. Swimming Pools	1 space for every 75 sq.ft. of water area plus 1 space for every 5,000 sq.ft. of gross land area
11. Theaters	1 space for every 5 seats
12. All uses not listed	1 space for every 250 sq.ft. of floor area
H. Uses in Combination	100% of the individual use that requires the greatest number, plus 50% of the spaces required by the other uses
I. Industrial Uses	2 spaces per five (5) employees. The total number being the total number of employees on any two consecutive shifts having the largest number of employees.

J. Off-Street Waiting Spaces for Drive-Thru Facilities:

In addition to the parking space requirements as specified in Section 701.1 A through I, the following waiting spaces are required for those establishments providing drive-thru

facilities.

1. Establishments serving and/or selling food and/or drinks – eight (8) waiting spaces.
2. Car wash facilities utilizing conveyor or similar system to move vehicles – eight (8) waiting spaces.
3. Car wash facilities (self serve/wash) – four (4) waiting spaces/stall.
4. Facilities with service windows or service entrances such as banks, ticket booths, and similar facilities - 8 waiting spaces, and not less than five (5) spaces per window or stall when there are two (2) or more windows.
5. Gasoline Stations – two (2) waiting spaces per accessible side of a gasoline pump island.

SEC. 701.2 GENERAL REGULATIONS

A. Floor Area:

For the purposes of this section "floor area" in offices, merchandising, and service types of uses shall mean the area used for service to the public and excludes areas used principally for non-public purposes such as storage, incidental repair, processing, show windows, rest rooms, and dressing rooms. In measurement for parking space, fractions of required floor area over one-half (1/2) shall require one (1) parking space.

B. Parking Space:

Off-street accessory parking areas shall provide spaces, each of which shall be not less than two hundred (200) square feet in area, and not less than ten (10) feet in width, exclusive of access drives or aisles.

C. Design Standards:

1. Entrances and exits shall be located to minimize traffic congestion and avoid undue interference with pedestrian access at street intersections or corners.
2. There shall not be more than two (2) driveways abutting on any one-(1) street. Such driveways shall be not less than twenty (20) feet in width at the sidewalk line nor more than thirty (30) feet at the curb cut line of street. Residential uses may have driveways of not less than eight (8) feet.
3. Entrances and exits to the parking area shall be clearly marked.
4. All parking areas shall be striped between spaces to facilitate the movement into and out of the parking space.

5. All parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area via a public or private street shall be traveling in a forward motion.
6. Wheel guards or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line, or rolling down slopes.
7. Driveways for parking areas shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the driveway from a public or private street.
8. Driveways for one-way and two-way traffic shall have a minimum width of twenty-five (25) feet at the curb cut.
9. Location of Driveways:
 - a. One direct private driveway shall be permitted per parcel or contiguous parcels under common ownership.
 - b. A driveway shall be located where it will not create an offset intersection opposite an existing street, highway, or major commercial or industrial driveway.
 - c. Additional driveways may be permitted provided the following standards are met:
 1. Would not adversely affect the safety and operation of the roadway system.
 2. Is determined to be necessary for the safe and efficient use of property.
 3. Would not adversely affect access to adjacent properties.
10. Such parking areas shall be of usable shape, improved with bituminous, concrete, or equivalent surfacing, and so graded and drained as to dispose of all surface water accumulation within the area.
11. All lighting used to illuminate such parking areas shall be so arranged as to direct the light away from adjoining premises or streets and no open light sources such as the stringing of light bulbs shall be permitted.

A. Residential-Commercial Districts:

The parking and loading regulations for all districts which permit multiple

uses shall be the same as the regulations for commercial and/or residential uses as they would otherwise apply individually.

B. Yard Restrictions:

Off-street parking facilities shall not occupy any part of any required front or side yard in all O-C and R Districts, but where open space may be included as part of a required open space for a rear yard. In all B and I District areas open off-street parking facilities may be located in the required front yard provided that at least twenty (20) foot wide landscaped strip is located between the parking area and the street right-of-way line. In all B and I District areas open off-street parking facilities may occupy part of the required rear yard.

C. Location of Parking Areas:

The following regulations shall govern the location of off-street parking spaces and areas:

1. Single-Family, Two-Family and/or Three-Family Residences:

- a. All parking areas shall be located on the same lot that the principal use is located.

2. Multi-Family Residences and All Other Non-Residential Uses:

- a. All parking areas shall be located on the side or rear of buildings in compliance with the corresponding district requirements.
- b. No part of any parking area intended for ten (10) vehicles or more shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care whether located on the same lot or an adjoining lot, unless separated by a landscaped buffer screen.
- c. Parking spaces for apartments, dormitories or similar residential uses shall not be located more than three-hundred (300) feet from the principal use.
- d. Parking spaces for commercial, industrial, or institutional uses shall not be located more than seven hundred (700) feet from the principal use.
- e. In no case shall any part of a parking area be closer than twenty (20) feet to any established road right-of-way.

G. Shared Parking Facilities:

Shared parking facilities are encouraged. The purpose of shared parking facilities is to reduce curb cuts onto public roads and reduce impervious surfaces. Any two or more uses may jointly provide and share parking spaces when there are sufficient parking spaces available to accommodate the parking space needs of the parties in accordance with the following requirements:

1. A maximum of fifty (50) percent of the required parking space needs of a particular use may be integrated with the parking space requirements of another use.
2. The required parking spaces for disabled drivers and for bicyclists shall not be reassigned to the shared parking facility.
3. The applicants shall submit a written joint use agreement between all parties to the arrangement with the application for a Zoning Certificate.
4. The parties must demonstrate that the peak hour parking space needs for one use is not during the peak hour parking space needs of another use and that the parking needs of any use will be sufficient for its safe, convenient and efficient operation and will not be hindered by such an arrangement.
5. The shared parking areas shall be interconnected to the buildings of the agreeing parties by sidewalks or other improved pedestrian way.
6. The location of the parking areas shall be in accordance with the specifications of Subsection 600.03 and all other applicable requirements of this Resolution.
7. The applicants also need to submit a written agreement between the parties to the arrangement with the application for a Zoning Certificate.
8. The location of several types of uses or occupancies in the same building or on the same site may constitute a special circumstance warranting the reduction of parking requirements pursuant to this section.

SEC. 701.3 PARKING SPACES FOR HANDICAP ACCESSIBILITY

All multi-family residences and all other non-residential uses shall provide parking spaces for handicap accessibility in accordance with the following

regulations:

- A. Parking spaces for handicap accessibility as required by this subsection shall be marked on the plan for the facility and shall be appropriately identified in the facility and restricted for use by eligible drivers.
- B. The handicap parking spaces shall be located within a reasonable and convenient distance of the buildings they are designed to serve.
- C. The minimum number of handicap parking spaces per parking lot shall be required as set forth in Schedule 701.3.C.

**Schedule 701.3.C
ADA Standards for Accessible Design**

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)	Van Accessible Parking Spaces with Minimum 96" wide access aisle	Accessible parking Spaces with minimum 60" wide access aisle
	Column A		
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of Total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1001 and over	20 plus 1 for each 100 over 1000	1/8 of Column A*	7/8 of Column A**
* 1 out of every 8 accessible parking spaces ** 7 out of every 8 accessible parking spaces			

SEC. 701.4 PARKING SPACES FOR BICYCLES

All multi-family residences and all other non-residential uses shall provide parking spaces for bicycles in accordance with the following regulations:

- A. Bicycle parking spaces as required by this subsection shall be marked on the plan for the facility and shall be appropriately identified in the facility and restricted for use by eligible drivers.
- B. The bicycle parking spaces shall be located within a reasonable walking distance of the buildings they are designed to serve.

- C. The minimum number of bicycle parking spaces per parking lot shall be required as set forth in Schedule 701.4.C.

**Schedule 701.4.C
Bicycle Parking Space Requirements**

Total Motor Vehicle Parking Spaces Required	Minimum Number of Bicycle Parking Spaces Required
1-14	1
15-29	2
30-44	3
45-59	4
60-74	5
75-99	6
100-199	7
200-299	8
300-400	9
400 and greater	10
One (1) additional bicycle parking space for each additional 100 motor vehicle parking spaces or fraction thereof	

SEC. 702.0 LOADING AND UNLOADING SPACE REQUIREMENTS

SEC. 702.1 MINIMUM SPACES REQUIRED

- A. Every building used for nonresidential purposes which customarily receives or distributes goods by motor vehicle shall provide sufficient space on the premises for all loading and service purposes on the basis of the following minimum regulations:

- 1. The minimum number of off-street loading and unloading space for all non-industrial uses shall comply with the requirements as specified in Schedule 702.1.A.1.

**Schedule 702.1.A.1
Minimum Number of Loading Spaces Required for all Non-industrial Buildings**

Gross Floor Area	Minimum Number of Spaces
0 - 20,000 square feet	0
20,001 - 40,000 square feet	1
40,001 - 75,000 square feet	2
75,001 - 150,000 square feet	3
150,001 - 250,000 square feet	4
One (1) additional space for each additional 250,000 square feet of gross floor area or fraction thereof	

2. The minimum number of off-street loading and unloading space for all industrial uses shall comply with the requirements as specified in Schedule 702.1.A.2.

Schedule 702.1.A.2

Minimum Number of Loading Spaces Required for all Industrial Buildings

Gross Floor Area	Minimum Number of Spaces
0 - 10,000 square feet	0
10,001 - 40,000 square feet	1
Gross Floor Area	Minimum Number of Spaces
40,001 - 100,000 square feet	2
100,001 - 160,000 square feet	3
160,001 - 240,000 square feet	4
240,001 - 320,000 square feet	5
320,001 - 400,000 square feet	6
One (1) additional space for each additional 90,000 square feet of gross floor area or fraction thereof	

- B. Access to truck loading and unloading space shall be provided directly from a public street or alley or from any right-of-way that will not interfere with public convenience and that will permit the orderly and safe movement of such trucks.
- C. Loading space as required under this section shall be provided as area additional to off-street parking spaces required under Section 701 and shall not be considered as supplying off-street parking space.

SEC. 703.0 PARKING AND LOADING REQUIREMENTS FOR USES NOT SPECIFIED

Where the off-street parking and loading requirements for a use are not specifically defined herein, the parking and loading facilities for such use shall be developed so as to be sufficient to meet all the parking and loading needs of the proposed use. No parking, loading, or servicing shall be done on the right-of-way of any publicly dedicated thoroughfare.

SEC. 704.0 OUTDOOR STORAGE OF COMMERCIAL VEHICLES IN R-1 AND R-2 RESIDENTIAL DISTRICTS

The outdoor storage or parking from sunset to sunrise of any commercial vehicle with more than two (2) axles is hereby classified as a commercial use and shall be prohibited from any R-1 and R-2 Residential District.

SEC. 705.0 INOPERABLE MOTOR VEHICLES

Refer to RC 505.173 in Appendix.

ARTICLE VIII

CONDITIONAL ZONING CERTIFICATES

SEC. 801 PURPOSE

Since in the past, zoning has often been criticized on the basis of rigidity and its unrealistic requirements in special situations, some provision has been made to cope with this problem. This provision is the inclusion into zoning of Conditional Zoning Certificates which have the primary purpose of permitting certain uses that may require varying degree of restriction depending on adjacent and surrounding areas. These uses may also be unusual in the general sense to the district in which they are permitted. Within the section entitled Conditional Zoning Certificates are listed certain standards and conditions which serve to guide the administering body in determining whether such a certificate should be issued. These standards are set forth with the thought in mind of permitting a certain amount of flexibility to the developers and investors in the community and at the same time protecting surrounding properties as well as the entire community from uses which might be out of character in such districts.

SEC. 801.1 PROCEDURES FOR FILING AN APPLICATION

Any application for a Conditional Zoning Certificate for any use of land or structure, construction, or alteration conditionally permitted under this resolution shall be submitted in accordance with the following procedures:

A. Application

A completed application form shall be submitted to the Suffield Township Zoning Inspector who shall review the application to determine if all required items are submitted and if the application is ready for review by the Board of Zoning Appeals. When the Zoning Inspector has determined that all required items have been submitted with the application, the application, including all required items, shall be transmitted to the chairman of the Board of Zoning Appeals. Each application shall be accompanied by the payment of a fee as specified on the current fee schedule adopted by the Township Trustees. A complete application includes the application form, fee, and the information and plan for review as specified below.

The Board of Zoning Appeals, where appropriate, may refer an applicant to qualified consultants for report if it deems the proposed use, may cause the emission of dangerous or objectionable elements or require special study. The cost of such report shall be at the expense of the applicant and said report shall

be furnished to the Board of Zoning Appeals as soon as it is practicable.

B. Information required with the application:

1. A statement supported by substantiating evidence regarding the requirements enumerated in subsection 801. 2. A.
2. Name and address of the owner(s) of record.
3. A list of property owners adjoining and within 500 feet of all the property lines of the subject property, as they appear on the county auditor's current tax list or treasurer's mailing list.
4. Name and address of person and/or firm that prepared the plan(s) for the application.
5. Proposed density of units (for residential development).
6. A schedule for development of the site and buildings. Where the development is proposed in stages, the last stage must be completed within 5 years of issuance of the Conditional Zoning Certificate. Any development not completed within 5 years shall be subject to resubmission to the conditional permit review process.
7. Any proposed deed restrictions, protective covenants, and other legal instruments or devices to be used to control the use, development and maintenance of the land, and the improvements thereon.
8. One (1) copy of current tax map(s) for the subject development property and surrounding area.
9. Project cost estimate.
10. Any other information required by the Board of Zoning Appeals to determine full compliance with the zoning regulations in this Resolution.

C. Plans required with the application:

1. Four (4) copies of architectural plans for the development, showing exterior elevations and building floor plans.
2. Four (4) copies of the site plan which shall be drawn at a scale of not less than 1" = 100 feet for the development showing the following items:
 - a. General vicinity map at a scale of 1" = 1,000 feet or 1" = 2000 feet and shall show proposed development in relation to existing streets,

- subdivisions, landmarks and community facilities.
- b. Property boundary lines.
 - c. Elevation contours at 2'-foot intervals.
 - d. Traffic and circulation plans.
 - e. Adjacent streets and roads, widths of right of ways.
 - f. Parking and loading plan including dimensions, locations and numbers of all parking and loading spaces.
 - g. Landscaping plan, including parking lot landscaping.
 - h. Grading and erosion control, surface drainage plan.
 - i. Proposed signage locations, height, dimensions and materials, including signs proposed to be painted on structures.
 - j. All existing structures and uses.
 - k. Utilities plan and location of existing utilities and easements.
 - l. Existing wetlands, ponds, streams, springs, lakes, and the location and direction of all watercourses, existing drainage channels and structures.
 - m. Location of all areas subject to flooding or storm water overflow.
 - n. Wooded areas, areas in agriculture, and any other special natural features other than in item 1.
 - o. Location of any fences, screens, walls or other landscaping features and the design and materials to be used. (Also see Sec. 301.1 T, Fences, Walls, & Hedges.)
 - p. Open spaces proposed.
 - q. Location, type, and screening details for all waste disposal containers shall be shown.
 - r. Location of all existing and proposed public and private sidewalks, driveways, and paths.
3. All plans required for a conditionally permitted use Zoning Certificate shall be prepared by a professional engineer, architect, or surveyor, and shall have their seal on the plans.

D. Review by Suffield Board of Zoning Appeals:

The Board of Zoning Appeals shall review the proposed development as presented on the submitted plans and specifications, in terms of standards established in this Resolution. In addition, the Board of Zoning Appeals shall submit each proposed development to Any agency, department, office, public body, commission, consultant or any other entity or person that the Board of Zoning Appeals would benefit from their expertise in conducting their plan review of the proposed development, such as the county engineer, regional planning commission, soil and water conservation, health department, water resources, and/or the Zoning Commission, etc. The comments and recommendations shall be returned in writing to the Board of Zoning Appeals as soon as is practicable, but in no case later than 45 days after the receipt by the Board of Zoning Appeals of the completed site plan. Review by the Board of Zoning Appeals shall be completed and made public within 60 days after the date of receipt of the completed site plan.

E. General plan review standards

1. Development features shall be located and related so as to minimize the possibility of adverse impacts upon surrounding property and development.
2. The Plan shall show that a proper relationship will exist between thoroughfares, driveways, and parking areas to ensure pedestrian and vehicular safety.
3. The architectural design of buildings should be developed with consideration given to the relationship of adjacent development in terms of building height, mass, materials, and overall character.
4. Building location and placement should be developed with consideration given to minimize removal of trees, existing vegetation, and change of topography. The development shall be integrated into the existing landscape through use of design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
5. On site circulation shall be designed to make possible adequate police and fire protection.
6. The plan shall provide for adequate screening of parking and service areas from surrounding properties by landscaping.
7. Adequate provisions shall be made for drainage to minimize adverse

impacts on surrounding properties, streams and streets, and to minimize erosion. When possible increased storm water run-off generated by the development shall be retained on the site. The Board of Zoning Appeals may require such plans for drainage and erosion control to be reviewed by the County Engineer and Portage Soil and Water Conservation District Office.

8. All utilities on the site shall be located underground wherever possible.
9. The development proposed shall be in general conformance with the Comprehensive Plan or land use plan for Suffield Township.
10. Existing and proposed utilities and other infrastructure shall be adequate for the population densities and non-residential uses proposed.
11. Environmentally sensitive areas shall be protected and undisturbed, environmentally sensitive shall include wetlands, steep slopes (greater than 18%), areas of high ground water, areas of high ground water pollution potential, and flood hazard areas.

F. Hearing:

After adequate review and study of any application, The Board of Zoning Appeals shall hold a public hearing or hearings upon every application after at least one (1) publication in a newspaper of general circulation in the Township, at least ten (10) days prior to the date of the hearing. Such notice shall indicate the place, time and subject of the hearing.

G. Issuance of Conditional Zoning Certificates:

Only upon conclusion of hearing procedures relative to a particular application may the Board of Zoning Appeals issue a Conditional Zoning Certificate.

H. Reapplication:

No application for a conditional zoning certificate which had been denied wholly or in part by the Board of Zoning Appeals shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration by the Board of Zoning Appeals.

SEC. 801.2 BASIS OF DETERMINATION

The Township Board of Zoning Appeals shall establish beyond reasonable doubt that the general standards and the specific standards pertinent to each use indicated herein shall be satisfied by the completion and operation of the proposed

development. The Board of Zoning Appeals may also impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this ordinance will be observed.

A. General Standards:

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

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of the Suffield Township Comprehensive Zoning Plan of current adoption;
2. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing of intended character of the general vicinity and that such use will not change the essential character of the same area;
3. Will not be hazardous or disturbing to existing or future neighboring uses;
4. Will not be detrimental to property in the immediate vicinity or to the community as a whole;
5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, structures, refuse disposal, or schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

SEC. 801.3 REGULATIONS PERTAINING TO CONDITIONALLY PERMISSIBLE USES IN ALL DISTRICTS

801.3.1 All structures, roads and utilities shall comply with the Portage County Subdivision Regulations, the Board of Health Standards and the Portage County Building Code, and other applicable health and building regulations.

801.3.2 All structures shall be located at least one hundred (100) feet from all property lines.

801.3.3 Vehicular approaches to the property shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

801.3.4 All points of entrance or exits shall be located no closer than two hundred (200) feet from the intersection of two major streets; no closer than one hundred (100) feet from the intersection of a major street and a minor street or two minor streets.

- 801.3.5** There shall be no more than one directional advertisement oriented to each abutting road identifying the activity.
- 801.3.6** No lighting shall have a visible source (causing glare or impairing visibility) of illumination and shall in no way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties so as to interfere with *a* neighbors use or enjoyment of their property. This requirement includes area and signage lighting.
- 801.3.7** Such structures should be located on a secondary or minor street.
- 801.3.8** Such structures should be located on major thoroughfares or at intersections of major and/or secondary thoroughfares.
- 801.3.9** Such structures should be located adjacent to non-residential uses such as churches, parks, utility stations, industrial or commercial districts.
- 801.3.10** Such as shall not require costly or uneconomic extensions of utility service.
- 801.3.11** Seasonal dwellings: Any cottage for casual rental use must conform to the Portage County Building Code Regulations and have permanent sewage facilities, and be approved by the Township Zoning Commission.
- 801.3.12** Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of the intrusion of the non-residential use in a residential area.
- 801.3.13** Such uses should be properly landscaped to be harmonious with surrounding uses, especially of residential uses.
- 801.3.14** All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual or to the community in general.
- 801.3.15** Only retail uses, which are customarily accessory or incidental to the main recreational use, shall be permitted; and shall include such uses as refreshment stands, souvenir stands and concession stands.

801.3.16 Home Based Business

A. Intent/Purpose:

The Township recognizes the desire and need of some citizens to use their residence for business activities in order to provide the opportunity to be more directly involved in raising children while earning a living, and/or to provide an alternative means to be financially solvent. It further recognizes that home based businesses can serve to nurture the development of new businesses,

reduce vehicle trip generation rates, and serve as a business incubator thereby improving the local economy while also recognizing the need to protect the surrounding areas from adverse impacts generated by these business activities.

B. Permitted Home Based Businesses:

The following is a list of the types of home based businesses permitted under these regulations. It is recognized that this list is not totally inclusive. A determination of substantial similarity by the Board of Zoning Appeals will need to be made if the use or type of use is not listed:

1. Offices for professionals, including but not limited to: architects, brokers, counselors, clergy, dentists, doctors, draftspersons and cartographers, engineers, insurance agents, accountants, editors, publishers, journalists, psychologists, contract management, graphic design, construction contractors, landscape design, surveyors, cleaning services, salespersons and manufacturers' representatives, and travel agents.
2. Personal services, including barbershops, beauty salons, manicure and pedicure services, pet grooming, catering and chauffeuring services.
3. Instructional services, including music, dance, art and craft classes, and tutoring.
4. Studios for artists, sculptors, musicians, photographers and authors.
5. Workrooms for tailors, dressmakers, milliners, and craft persons, including weaving, lapidary, jewelry making, cabinetry and woodworking.
6. Repair services, including but not limited to: watch and clocks, small appliances, computers, electronic devices, lawnmowers, and small engines. (Excluding ATV's, Motorcycles, Boats, Jet Skis and other such motorized vehicles.)
7. Assembly, packaging of goods for sale or distribution that are made on the premises.
8. Retail sales of goods and services.
9. Dare Care Facility pursuant to ORC 5104.054 shall be permitted in all zoning districts in which residential zoning is permitted.

C. Prohibited Home Based Businesses:

The following types of home based businesses are specifically prohibited due to their potential impacts to the residential area. Some of those listed are regulated in other sections:

1. Adult Entertainment Uses.
2. Restaurants, clubs, drinking establishments.
3. Motor vehicle repair shops.
4. Undertaking and funeral parlors, crematoriums.
5. Veterinarian clinics, animal hospitals.
6. Uses stipulated in Section 505.00 Dangerous/Objectionable/Prohibited Uses.

D. Conditions and Operating Standards:

1. The basis of calculation for the total area that may be used for the home based business is twenty-five (25) percent of the gross floor area of the residential dwelling unit.
2. Customer visits should be by an "appointment only" in order to discourage large volumes of clients at the home based business and increased traffic in the neighborhood.
3. There shall be no outdoor storage of materials of any kind connected with the Home Based Business. The storage of all materials related to the Home Based Business shall be stored in an enclosed building(s).
4. Any number of home based businesses per dwelling unit are permitted, provided that all of the conditions provided herein shall be complied with collectively, as if determined for a single use on the site.
5. The total customer visits shall be limited to no more than two (2) vehicles at any one time, providing adequate parking is made available without encroaching into the yard setback areas.
6. The home based business shall have no more than one non-resident employee on the premise. The number of non-resident employees working at locations other than the home based business is not limited.
7. The home based business shall be limited to the parking/storage of one commercial vehicle. The commercial vehicle shall not exceed a maximum gross vehicle weight of ten-thousand (10,000) pounds. Said vehicle shall be stored in a garage. If the commercial vehicle cannot be stored in a garage, it only may be parked in a side or rear yard if it can be screened from view from the road and neighboring properties.

8. There shall be no visible evidence of such use from the street or adjacent property, except for one (1) unlighted sign in accordance with the provisions of Article V.

801.3.17 Extractive Operations

The removal of earth products provides economic and fiscal benefits to the community. As a result, it is important to support the extraction of these materials. However, the community recognizes that the excavation operations that are relative to the excavation of earth products are typically incompatible or disruptive with existing, surrounding and/or anticipated uses.

Therefore, to ensure that an extraction operation will not negatively affect adjacent and surrounding properties and uses, or anticipated uses, an extraction operation may be permitted by the Zoning Board of Appeals and if all applicable requirements and conditions listed below are complied with.

A. Exemptions:

The following activities, to the extent specified herein, are exempt from the requirements of this section:

1. Excavation in conjunction with utility installation, which is to be backfilled.
2. Excavation in conjunction with road construction within the limits of the right-of-way when construction plans have been approved by either, local, county, state, or federal authority.
3. Excavation, which by nature is of limited duration: e.g., graves, septic tanks, swimming pools, etc.
4. Agricultural drainage work incidental to agricultural operations and irrigation/stock watering ponds, if no material is removed from the property.
5. Excavation for structures, parking areas and rights-of-ways, when lines and grade plans have been approved by the Zoning Inspector, providing that:
 - a. Site Plan and Improvement Plan depicts that less than 500 tons of material will be removed from the site. Plans shall include the following information:
 1. Location of area on the property to be removed.
 2. Topography of the removal site on the property before (on Site

Plan) and after (on Improvement Plan).

- b. Excavation for the site improvements will not be more than five (5) feet below the starting grade.
 - c. Excavation of the site will impact less than one (1) acre of land.
 - d. Excavation work will be completed within six (6) months.
6. Landscaping of property for aesthetic purposes that does not affect existing drainage, if no material is removed from the property.
 7. Dredging operations under the jurisdiction of the U.S. Army Corps of Engineers, and/or other governmental authorities.
 8. Excavation in conjunction with the drainage maintenance or improvements approved by local, county, state, and/or federal authorities.

B. Uses and Structures:

1. The following uses and structures are permitted in conjunction with an excavation of earth products operation for material removed at the site, in accordance with these requirements:
 - a. Stockpiling of earth products.
 - b. An office, shop and/or other accessory structures used for the management, maintenance and storage of excavation equipment.
 - c. Sale of products produced from an excavation operation.
2. To ensure that an extractive operation will not adversely affect surrounding areas and/or adjacent properties, the following uses and/or structures are deemed especially dangerous, hazardous, noxious, offensive, harmful, damaging and/or objectionable and shall not be permitted:
 - a. Processing plants, sorting mechanisms, crushers, washers or related facilities.
 - b. Asphalt/concrete mixing or batch plants.
 - c. Blasting.
 - d. Sale or removal of topsoil: excess topsoil may only be sold or removed upon compliance with the requirements of Section E.3.
3. Signs: subject to Article V.

C. Procedures for Making Application:

1. Applications shall be submitted per Section 801.1.
2. Submit copies of the application materials submitted to State for a mining permit for the subject area, if applicable, and a copy of the Surface Mine Permit shall be supplied by the applicant to the Board of Zoning Appeals, including any additional requirements of the Division of Mineral Resources, before the Board will consider approving a Conditional Zoning Certificate. Any additional provisions or regulations not addressed or not adequately addressed by the State may then be determined by the Board of Zoning Appeals and made a requirement before issuance of a conditional certificate. These provisions shall be determined from Article VIII, Conditional Zoning Certificates and all other applicable requirements of this Resolution.

D. Conformance to the issued Conditional Zoning Certificate:

1. An approved Conditional Zoning Certificate may be revoked per Ohio Revised Code, Section 519.14 (D).
2. The Township Zoning Inspector shall be responsible for monitoring compliance with the Conditional Zoning Certificate requirements and the reclamation process of the township.
3. All facilities and structures shall meet all local, county and State of Ohio health, building, electrical, and other applicable codes.
4. A request for extension of this certificate by the certificate holder must be made ninety (90) days before expiration of this certificate. The applicant shall submit all relevant documentation to justify an extension of time being granted.

E. Development, Mitigation, Reclamation and Post Mining Use Plans:

Each application will include: detailed development and operation plans on how the applicant intends to develop the site, how the applicant intends to manage the operation, and, how the applicant intends to reclaim and reuse the site. The following items must be included for review as part of the application:

1. Development Plan:

In addition to the requirements of Section 801.1, the drawings shall include the location of the following physical site features:

- a. Detailed drawings, at a scale of 200' = 1", showing the following physical features of the site:

1. Boundaries of all Zoning Districts.
2. Boundaries of all soil types.
3. Locations of all existing significant natural, geographical and/or unique features, such as, but not limited to the following:
 - a. Mature woodlands.
 - b. Wildlife habitat areas.
 - c. Significant natural amenities such as tree stands, ponds, ravines and stream channels.
 - d. Historical, archaeological or cultural features.
 - e. Aquifer recharge areas.
4. Existing utilities.
5. All areas where earth products are to be removed and the number of acres.
6. All buildings to be used for extractive operations and the buildings used for non-extractive operations. Include the function and height of these buildings.
7. Power lines, underground utilities and easements, water supply lines, storm drainage lines and easements, sanitary sewers, water well and on-site septic system facilities.
8. Roads, parking and loading areas, and entrances and exits to the site, indicating which portion of these are to be surfaced to retard dust and the type of surfacing.
9. Railroad tracks and sidings.
10. Channels to be removed, shifted, and created.
11. Signs and entrance markers, including elevation drawings of identification signs.
12. Fences, berms and landscaping provided for screening along the perimeter of the property.
13. Proposed routes used by trucks hauling material on the public roads.

14. Probable location and expected maximum height of stockpiles of earth products.
15. Location of loading areas, tipples, and waiting areas for trucks and relation to stockpiles of earth products.

2. Mitigation Plan:

The Mitigation Plan includes a site map, a narrative and cross-section profiles that explain and illustrate the extractive operations, procedures, practices, policies and methods.

- a. The site plan will show how the extractive operation is to be carried out over all portions of the tract. The site plan will show the precise contours or elevations estimated when extractive operations are completed before reclamation is started. The applicant will also provide cross-section profiles, which show the anticipated depth of extraction and ground slopes when the excavation is completed but before reclamation is started.

The site map and profiles will show:

1. The drainage from mined areas and stockpiles of materials.
 2. Illustrate how erosion, sedimentation and non-point source pollution, contamination of the water table and nearby water bodies, streams and rivers will be avoided.
 3. Show how turbidity of water bodies and nearby wetlands will be avoided.
 4. Show how the excavation operator will prevent changes in local water table levels.
 5. Show how increases in the rate of storm water runoff will be accommodated on the site.
- b. The narrative description explains:
 1. What actions the operator will employ to reduce noise, dust, litter and vibration.
 2. Where safety fencing and type of fencing will be if required.
 3. Anticipated hours of operation.

4. Which portions of the site are to be reclaimed immediately after mining is completed within a period of one (1) year.
 5. The estimated duration of the operation.
3. Reclamation and Post Excavation Use Plan:

The reclamation plan shows the interim restoration of the site prior to proposed permanent use of the site. A narrative that describes the range of possible post excavation uses of the site in association with ground contours, slopes, vegetation and other features of the site shall be part of the interim restoration plan. A grading plan and landscape plan shall also be provided, which includes:

- a. A grading plan that shall show two (2) foot contours as finished contours.
- b. Location of storm drainage channels, swales, conduits, and the location of easements to be used for storm drainage and public utilities.
- c. Locations of right-of-ways.
- d. Requirements:
 1. Reclamation is required within one (1) year from expiration date of a Conditional Zoning Certificate or the abandonment of the operation.
 2. All other reclamation requirements for the extraction of earth products shall be approved by the Division of Mineral Resource Management.
 3. Applications for revisions submitted to the Division of Mineral Resource Management subsequent to the issuance of a Conditional Zoning Certificate shall be presented to the Board of Zoning Appeals.
 4. The reclamation plan shall ensure that the area will support vegetation capable of self-regeneration and plant succession.
 5. Reclamation shall be progressive to prevent erosion.

- 6. The area of land affected by the extraction operation shall at the termination of said operation and reclamation of said area be cleared of buildings, machinery, appurtenant equipment, unused tipples, etc. No temporary structures shall be continued as permanent structures.
- 7. All land comprising the area of land affected must be restored to a level grade of not more than fifteen percent (15%) and must be adequately drained. No excavation shall have a bordering slope of more than thirty (30) degrees, to begin at the minimum set back line.
 - a. Resoiling shall occur in such a way that a diverse growth of vegetative cover can be raised and maintained. The cover will be capable of self-regeneration and plant succession.
 - b. Topsoil and subsoil will be removed and segregated in sufficient quantities so as to create soil depth and distributions as per the proposed plan for post excavation use.
- 8. Soil amendments such as lime, fertilizer and mulch shall be used to promote seed germination and growth.
- 9. Permanent planting shall be completed upon completion of any required grading or resoiling except when these operations are completed in a season unsuitable for planting. In such a case, permanent planting shall be completed at the earliest possible time.
- 10. All areas affected by this strip mining operation shall be reseeded by one or more of the following:

Tall Fescue		40# per acre
	or	
Red Fescue		20# per acre
	and	
Tall Fescue		20# per acre
	or	
Smooth Bromegrass		40# per acre
	or	
Crownvetch		20# per acre
	or	

may be reforested under specifications of Portage County Soil and Water Conservation District.

F. Development Standards:

1. Project Area:

a. There is no minimum area requirements for a project providing all requirements of this Section are adhered to.

b. Setbacks:

1. The extraction operation shall have at least one-hundred (100) feet of frontage on a road.

2. The extraction area shall meet the following minimum distances from:

a. Each side and rear lot line when lot edge is adjacent to a property located in:

i. Residential district - 200 feet

ii. Business district - 200 feet

iii. Industrial district - 100 feet

iv. or if contiguous to an existing mining operation - 0 feet

b. From road right-of-way when lot edge is adjacent to:

i. Residential district - 250 feet

ii. Business district - 200 feet

iii. Industrial district - 100 feet

iv. or if contiguous to an existing mining operation - 100 feet

c. The required berming and/or screening must be placed within the setback distance. However the berm may start at the setback line.

c. 4" white PVC pipe, filled with cement, shall be used to clearly mark the boundaries of the area to be excavated. The pipe shall be a maximum of 200 feet apart and shall be at least six (6) feet above ground level.

d. Maximum Depth:

The permitted maximum depth of any extraction operation shall not be lower than any bordering or adjoining properties and/or roadways.

e. Excavated earth products shall be located so as to minimize noise emission and visual impact.

2. Height:

- a. The maximum height of any structure shall be thirty-five (35) feet. This restriction will not apply to transmission or communication equipment.
- b. Security lighting may be as high as fifty (50) feet. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any road or highway; no lighting shall shine directly on adjacent properties.

3. Standards for Truck Hauling and Access Ways:

- a. Not more than one entrance/exit, which shall be located so as to avoid routing of vehicles to and from the excavation site over streets that primarily serve an abutting residential development. However, a temporary emergency entrance/exit will be allowed if the primary entrance/exit is unusable due to conditions beyond the control of the mining operation. The use of the temporary emergency entrance/exit shall be immediately discontinued once the primary entrance/exit is usable.
- b. Truck parking areas, maneuvering lanes, and access ways to public roads shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site and shall be built and paved or treated to prevent the creation of dust and drainage problems. All truck movement and other extraction operations in and out of the site shall be conducted in such a way that it will minimize the wear and damage on public streets, roads, ditches, culverts and other properties in the community.

An improved road, comprised of the following materials and constructed to the following specifications shall be provided from the entrance and/or exit of the site to and from the active area(s) of operation in order to minimize the deposit of dirt and gravel from all vehicles.

1. The initial 200 feet of the entrance and/or exit shall be comprised of at least a 2" asphalt covering.
2. The initial 200 feet of the entrance and/or exit of the road network shall be completed prior to the initial mining phase, as well as any internal roads being used for extractive operations.

3. The materials used for the internal roadway network shall be comprised of materials and maintained to meet Ohio EPA standards for airborne particulate control.
- c. Trucks shall be covered.
- d. All tires will be washed before entering public roads.
- e. Any spillage shall be removed immediately from public roads.

G. Performance Standards:

1. Groundwater Contamination Prevention Measures:
 - a. The operation shall be planned and conducted to:
 1. Minimize disturbance to the prevailing hydrologic balance in both the permit and adjacent areas.
 2. Prevent material damage to the hydrologic balance outside the permit area.
 3. Assure protection or replacement of potable water.
 - b. The applicant will provide written proof of compliance with the Division of Mineral Resource Management's groundwater contamination prevention measures. In addition, the applicant shall provide a written description of the controls, which will be utilized to assure compliance with water quality, erosion control, sedimentation control, storm water management, and other applicable hydrologic controls required by the State of Ohio.
 - c. Mineral and aggregate extraction operations, materials storage and use, site access, fueling procedures, drainage, restoration activities and restoration uses shall be controlled so as to minimize to every extent possible the contamination of groundwater.
2. Hydrologic Determination Report Requirements:

The applicant will provide written proof of compliance with the Division of Mineral Resource Management's hydrologic determination requirements. The applicant shall also provide a written report by a certified hydrologist attesting to the probable hydrologic consequences the proposed extraction operation will have on the subject site and the adjacent areas. The report will include, but is not limited to providing the following information:

- a. The consequences of the proposed operation on the contents of dissolved and total suspended solids, total iron, total manganese, and pH.
- b. Whether adverse impacts may occur to the hydrologic balance.
- c. The potential impacts the proposed operation will have on:
 1. Sediment yield from disturbed areas.
 2. Flooding or stream flow alteration.
 3. Ground water and surface water availability.
- d. The extent to which the proposed operations could result in contamination, diminution, or interruption of an underground or surface source of water within the proposed extraction area or adjacent areas, which is used for domestic, agricultural, industrial or other legitimate uses.

If contamination, diminution, or interruption were to occur, provide a description of alternative sources of water that could be developed to replace existing sources. This would include information on the water availability and suitability of alternative water sources for existing pre-extraction uses and approved post-extraction land use.

3. Fencing, and Berm Requirements:

All of the requirements must be in place before the commencement of the extraction operations begins, except that berms may be built from material located on the site.

a. Fencing:

Fencing shall be required to eliminate any safety hazards of the site for adjacent land uses. When fencing is required to eliminate a safety hazard, it shall be of a cyclone type and a minimum of six (6) feet in height. The location of fencing to eliminate a safety hazard, as determined by the applicant and/or property owner, shall be approved by the Board of Zoning Appeals.

b. Berms:

Berms shall be constructed of overburden and topsoil but must be finished with topsoil excavated from the subject site and planted as soon as weather permits with ground cover to prevent erosion.

Vegetative growth must be maintained at all times. The intent is to use the berms as a primary topsoil storage area. In addition, the berms should be design to visually shield the excavation from adjoining properties and roadways (wherever possible) and reduce the spread of noise and dust associated with the excavation.

c. Visual Effects:

The line of sight from residential districts to extraction areas, structures, stockpiles, loading areas, access roads and other facilities shall be interrupted so as to reduce to the maximum extent practicable the visual intrusion of the extraction operation from the surrounding occupied properties, which are not owned or leased by the owner or operator. The plan to be submitted with the application shall include a line of sight and cross section studies demonstrating the manner in which the line of sight from surrounding properties, not owned or leased by the owner/operator, is to be interrupted or visually shielded. The type of visual screening and the sequence in which it is to be done may be customized to suit each phase of the excavation operation.

4. Airborne Particulate and Operational Nuisance:

- a. Adequate operational controls shall be used to minimize the creation of detrimental ground vibrations, sound, pressure, black smoke, noise, odors, or dust. It is recognized that the State of Ohio has expended extensive resources to ascertain acceptable environmental regulatory standards for the controls of the aforementioned.
- b. All equipment shall be properly muffled to reduce excessive noise.

H. Operating Standards:

1. Hours of Operation:

- a. The excavation or removal of earth products from the site shall not be conducted on holidays and weekends, and shall be limited only to the following hours and days of the week:
 1. Monday – Friday: 7:00 A.M. to 5:00 PM.
 2. Saturday: 8:00 A.M. to 1:00 P.M.
- b. The applicant shall provide a schedule of the expected operating hours and days of the week that the excavation of earth products shall take place.

2. Allowable Operations:

- a. The method to excavate earth products from a site shall be done with the use of machinery that assembles and deposits the unprocessed material into dump trucks that shall haul away the earth products from the site.
- b. The machinery used in an excavation operation shall be similar to, but not limited to, track hoes, bulldozers, front-end loaders, and dump trucks.
- c. No processing of the earth products shall be conducted on the site.

3. Allowable Number of Truck Hauls per day:

- a. In order to minimize any negative impacts associated with the use of trucks to haul material from the site, such as, but not limited to the congestion of the roadways, parking on the roadways, noise, dirt and dust, a maximum of 100 truckloads are permitted from the site on a daily basis. This figure is established based on the facts that the average truckload capacity is between 18 to 24 tons.
- b. The applicant shall state the total number of truckloads expected from the site on a daily basis.
- c. In addition, the applicant shall state the average truckload capacity.
- d. The operator of the extraction project is responsible for the scheduling of such trucks to avoid any measurable negative impacts.

4. Duration of the Operation:

- a. The excavation of earth products is limited to the excavation and the removal of the extracted material from the site.
- b. The total length of time that an excavation operation may be in operation may not exceed the time limits, listed on Schedule H.4.b Allowable Duration of the Operation. The duration of the operation shall be based on the total number of truckloads needed to remove the material from the site (see Sections H.3.b & c) and the total amount of material to be removed from the site (see Section H.5.a), in accordance with the stated scheduled hours of operation (see Section H.1.b).

**Schedule H.4.b
Allowable Duration of the Operation**

1. All proposed extractive operations should be scheduled to be completed within three (3) years of the start date.
2. If due to unforeseeable circumstance the applicant is unable to remove the material in the specified time, the applicant can apply to the Board of Zoning Appeals for a one (1) year extension of time. The applicant is permitted to apply for an extension of time a total of three (3) times (see Section H.4).
3. In no case shall an extractive operation be permitted to operate for a period of time exceeding six (6) years.

- 5. Determination of total tonnage of earth products to be removed:
 - a. The applicant shall state the total tonnage of earth products to be removed from the site. In order to verify the amount stated, the applicant shall provide detailed cross-sectional drawings of the area intended for the excavation. The cross sectional drawings shall include dimensions of the overall height, finished grade, width and length of the area to be excavated.
 - b. The total amount of earth products to be removed from the site shall not result in an amount greater than could be transported by the total number of allowable truckloads and within the allowable length of time permitted for an excavation.

6. Formulas:

The following formulas may be used to determine the number of truckloads and/or the total length of time that a property may be used for the excavation of earth products:

- a. The following formula may be used to aid in determining the total number of truckloads to be removed from the site:

$$\mathbf{T.tonnage / A truckload = T.trucks}$$

Where:

T.tonnage = Total tonnage to be removed from the site.

T.truckloads = Average carrying capacity per truck (**typically between 18 to 24 tons**)

T.trucks = Total number of dump trucks needed to remove Total

tonnage

- b. The following formula may be used to determine the total number of days needed to remove all of the material from the site based on: (1) the maximum number of truckloads permitted per day, or (2) the total number of truckloads per day the operator intends to dispatch:

$$\mathbf{T.trucks / T.trucksperday = T.daysneeded}$$

Where:

T.trucks = Total number of trucks needed to remove all of the material from the site

T.trucksperday = Total truckloads of material permitted to be removed from the site per day
or
 Total truckloads the operator intends to remove from the site per day

T.daysneeded = Total number of days needed to remove material from site.

- c. The following formula may be used to determine the total length of time (number of years, or fraction thereof) needed to remove all of the material from the site based on the total number of operating days. The total number of operating days shall not include any weekends or holidays.

$$\mathbf{T.daysneeded / TOD = T.duration}$$

Where:

T.daysneeded = Total number of days needed to remove material from the site.

TOD = Total Operating Days number of days per year the excavation is permitted (e.g. would exclude weekends and holidays)

T.duration = Total length of time (number of years, or fraction thereof) that the extraction process is permitted to be in operation on the site.

801.3.18 All Structures and activity areas shall be located at least one-hundred (100) feet from all property lines.

801.3.19 Gasoline Sales/Auto Servicing

- A. Should be located at the edge of the Commercial District or so located as to not interfere with pedestrian traffic and would not limit the expansion of pedestrian oriented facilities.
- B. Use shall be for servicing motor vehicles under 1-1/2 ton rated capacity and the use shall not engage in any changes to body or chassis or removal of engine from vehicles.
- C. All activities except for fuel and air pump shall be carried on inside of the building.
- D. If the property fronts on two (2) or more streets, driveways, shall be located as far from the street intersection as practical.
- E. All areas for vehicular traffic and parking shall be paved. At least a 6: high safety curb shall be installed on the perimeter of paved areas.

801.4 Specific Regulations Pertaining to Certain Specific Conditionally Permitted Adult Uses including adult bookstores, adult motion picture theaters, adult cabarets and massage parlors:

Such uses shall be permitted under the following conditions:

- A. That the proposed use will not be contrary to the public interest or be injurious to nearby properties.
- B. That the proposed use will not enlarge or encourage the development of a blighting influence.
- C. That the establishment of an additional use in the area will not be contrary to any program of neighborhood conservation.
- D. No adult bookstore, adult motion picture theater, adult cabaret, or massage parlor shall be established within one-thousand 1,000 feet or less of any residential district, any residential use, school, church, park, library, or cemetery.
- E. No adult bookstore, adult motion picture theater, adult cabaret, or massage parlor shall be established within one-thousand 1,000 feet of another adult bookstore, adult motion picture theater, adult cabaret, or tavern.
- F. Any display, device or sign that depicts or describes specified sexual activities or specified anatomical areas shall be out of view of the public way and surrounding property.
- G. No adult bookstore, motion picture theatre, adult cabaret, or massage parlor

shall be established in the same building with another motion picture theatre, adult cabaret, or massage parlor.

- H. Dancers shall not display less than completely and opaquely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola. Human male genitals in a discernibly turgid state shall not be displayed even if completely and opaquely covered.
- I. Dancers shall not display human genitals in the state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.
- J. Massage treatments shall be administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person all of which must be licensed by the state.

801.5 Regulations pertaining to conditionally permitted use for wireless telecommunication(s) service facilities.

Purpose: The purpose of these regulations is to accommodate transmitters, towers and antennas, for use in providing personal wireless services in zoned districts, contingent upon having met specified requirements, conditions, and design criteria. These regulations are intended to minimize the visual impact of the towers and associated facilities through landscape buffering, selective design and construction, setbacks for location and the removal of such facilities when no longer in use. The standards and conditions encourage collocation of installations on common towers wherever feasible, minimizing the need for additional towers. This process is directed at maintaining a balance between the Townships right to preserve its land use policies for health, safety, welfare and aesthetics, while allowing for wireless telecommunications facility operations as required for by law.

A. Public Utility Exemption:

- 1. In the event a wireless telecommunications tower facility is to be owned or principally used by a public utility engaged in the provision of telecommunications services, the regulations of the respective districts do not apply when the proposed location of the tower facility is in an area of the Township, which is not residentially zoned. The proponent of such a tower facility must file a written application with the Zoning Inspector supported in writing by substantial evidence that the tower will be owned or principally used by a public utility engaged in the provision of telecommunications services. The applicant must also demonstrate by substantial evidence that it possesses a sufficient degree of the following attributes associated with being a public utility to be considered a “public utility” for purposes of this exemption:

- a. Whether the applicant devotes an essential good or service to the general public which has a legal right to demand or receive this good or service.
 - b. Whether the applicant provides its good or service to the public indiscriminately and reasonably.
 - c. Whether the applicant has an obligation to provide the good or service which cannot be arbitrarily or unreasonably withdrawn.
 - d. Whether the applicant conducts its operation in such a manner as to be a matter of public concern.
 - e. Whether the good or service offered by the applicant is vital.
 - f. Whether there is a lack of competition in the local marketplace for the good or service.
 - g. Whether there is regulation by a governmental authority and the extent of that regulation; and
 - h. Whether the applicant possesses the power of eminent domain.
2. No single factor set forth above is controlling as to whether the applicant is a “public utility engaged in the provision of telecommunications services”. Each factor should be considered and weighed according to the factual circumstances presented and, in specific circumstances, some factors may be given more weight than others.
 3. If the Zoning Inspector determines to deny the applicant such “public utility” status, the Inspector shall do so in writing, and state the reasons therefore. Such decision of denial by the Zoning Inspector shall not be a final decision by the Township on this issue. Any determination by the Zoning Inspector that the applicant is not a public utility engaged in the provision of telecommunications services shall be appealable to the Board of Zoning Appeals pursuant to the procedures set forth in the Zoning Resolution. The decision of the Board of Zoning Appeals shall be the final decision of the Township on this issue.
 4. In the event a wireless telecommunications tower facility is proposed to be in an area zoned for residential use, and is to be owned or principally used by a public utility engaged in the provision of telecommunications service, the public utility shall be exempt from the requirements of this Zoning Resolution if it meets all of the criteria in a., b. and c. below, as follows:
 - a. All of the requirements of Subsection A.1. through 3. are met.

- b. The public utility provides both of the following by certified mail:
- i. Written notice to each owner of property, as shown on the County Auditor's current tax list, whose land is contiguous to or directly across a street or roadway from the property on which the tower is proposed to be constructed, stating all of the following in clear and concise language:
 - The public utility's intent to construct the tower.
 - A description of the property sufficient to identify the proposed location; and
 - That no later than fifteen (15) days after the date of mailing of the notice, any such property owner may give written notice to the Board of Township Trustees requesting that the provisions of this Zoning Resolution apply to the proposed location of the tower. If the notice to a property owner is returned unclaimed or refused, the person shall mail the notice by regular mail. The failure of delivery of the notice does not invalidate the notice.
 - ii Written notice to the Board of Township Trustees of the information specified in Subsection A.4.b.i of this Section. The notice to the Board of Trustees also shall include verification that the person has complied with Subsection A.4.b.i. and
- c. If the Board of Township Trustees receives notice from a property owner under Subsection A.4.b I of this Section within the time specified in that Subsection, or if a Trustee makes an objection to the proposed location of the telecommunication tower within fifteen (15) days after the date of mailing of the notice sent under Subsection A.4.b.ii of this Section, the Board of Trustees shall request that the Clerk of the Township send the person proposing to construct the tower written notice that the tower is subject to the regulations of this Zoning Resolution. The notice shall be sent no later than (5) days after the earlier of the date the Board of Trustees first receives such a notice from a property owner or the date upon which a Trustee makes an objection. Upon the date of mailing of the notice to the person, the provisions of this Zoning Resolution shall apply to the tower without exception. If the Board of Township Trustees, however, receives no notice under Subsection A.4.b.i. of this Section within the time prescribed by that Subsection or no Trustee has an objection as provided under this Subsection A.4.c. within the time prescribed by this Subsection, the applicant will be exempt form the regulations of this Zoning Resolution.

B. A proposed wireless telecommunication(s) facility application is to include a plot plan at a scale of not less than one inch is equal to 100 feet and shall indicate the locations of all buildings and the uses of all buildings within 300 feet of the proposed facility. The applicant shall also include as part of the application, a landscaping plan that indicates how the wireless telecommunication facility will be screened from adjoining uses. All wireless telecommunication(s) service facilities shall be designed to promote facility and site sharing.

C. Non-functioning facilities/reclamation:

1. The owner/operator of an antenna and/or tower shall, remove a non-functioning facility within six (6) months of ceasing its use. The owner/operator of the antenna and/or tower shall, on no less than an annual basis from the date of issuance of the zoning certificate, file a declaration with the Zoning Inspector as to the continuing operation of every facility installed on the tower.
2. All applications for wireless telecommunications service facilities, as part of the application review process, shall include a plan of reclamation for both the tower facility and tower site. The reclamation plan should include the removal and disposal of all obsolete and/or abandoned equipment, and the reclamation of the area with vegetation to prevent erosion.

D. Bonds:

As part of the plan of reclamation, the owner or operator shall be required, as a condition of issuance of a permit, to post a cash, surety bond, or other financial guarantee. The Trustees will consider the issuance of the bond for an amount no less than \$100.00 per vertical foot from the natural grade of the wireless communication tower. This bond shall insure that an abandoned, obsolete or destroyed wireless communication antenna or tower shall be removed within six (6) months of cessation of use and abandonment and the reclamation of the area with vegetation to prevent erosion. In addition, any co-locator shall be required to provide its own financial guarantee to the township. This financial guarantee shall insure the removal and disposal of all obsolete and/or abandoned equipment, and the reclamation of the tower site, which shall be in place during the period of time that the collocator occupies the tower.

E. The application shall include conclusive technical evidence as to why the wireless telecommunication tower and facility must be located where it is proposed to be located and no alternative choice can be considered, in order to service the applicant's service area.

F. New Structures:

1. All wireless telecommunications towers shall be of a monopole design. All wireless telecommunications towers shall be less than two hundred (200) feet in height above the finished grade. All applicants shall be required to construct or locate a base tower structure foundation that is designed support a tower up to, but not including, 200 feet above the finished grade. Such structure shall be designed to have sufficient structural capacity to allow for at least three (3) providers to be located on the structure when constructed to the maximum height allowable.
2. The Board of Zoning Appeals (BZA) may approve a lattice-type structure when the applicant demonstrates that a lattice-type structure provides greater ability to collocate additional antenna.
3. All transmission and receiving equipment shall be stored inside a building constructed for the purpose. The wireless telecommunication facility shall also be designed to show that the applicant has enough space on its site plan for an equipment building large enough to accommodate at least three (3) users. If an equipment building is initially constructed to accommodate only one (1) user, space shall be reserved on-site for equipment building expansions to accommodate up to at least 3 users. The maximum size of an equipment building shall be 300 square feet for one provider and shall not be larger than 750 square feet in total. No equipment building shall exceed ten feet in height for the building.
4. Prior to approving a new tower, a tower height greater than those prevailing in the area, or a tower in a location not in compliance with these regulations, the applicant shall demonstrate to the Board of Zoning Appeals that such new tower or additional height is needed to meet the reasonable service requirements of the applicant. This assessment shall include consideration of alternative sites and the operational implications of such alternatives with respect, but not limited, to: height, opportunities for collocation, impact on residents, impact of service levels, etc. The Board of Zoning Appeals may retain consultants(s) to review the information with the reasonable costs for such consultation being borne by the applicant(s).

G. Existing Towers:

Existing towers must be utilized as multi-user wireless telecommunication towers, wherever technically feasible, before a new tower may be constructed. The applicant must provide written evidence that all wireless telecommunication service facilities that supply service within the proposed service area have been approached about the feasibility of collocation opportunities at their respective sites. The operators of the existing facilities shall be requested to respond in writing to the inquiry within 30 days. The findings of the applicant shall be presented to the Board of Zoning Appeals to

aid in determining the need for a new wireless telecommunication tower/facility. Facilities that are not proposed to be multi-user sites must demonstrate that a technically suitable location is not reasonably available on an existing tower, building or structure or a technically suitable location is not available in any area such as a recorded electric high-tension easement or water tower.

- H. No tower shall be erected at a distance closer than the height of the tower plus fifty (50) feet from any commercial, residential, or occupied dwelling, road, highway, or property line, excluding any building or road which is necessary to the express use of the tower.
- I. No guy wire anchors shall be erected at a distance closer than fifty (50) feet to an abutting property or public road.
- J. At a minimum, an eight (8) foot high security fence shall be placed around the tower base and include any guy wire anchor systems used to secure the tower.
- K. All towers shall be painted a non-contrasting gray or similar color minimizing its visibility, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA).
- L. No facility lighting shall constitute a nuisance. The lighting shall in no way impair safe movement of traffic on any street or highway. No lighting shall shine directly on adjacent properties. Except as required by law, an antenna or a tower shall not be illuminated and lighting fixtures or signs shall not be attached to the antenna or tower. Dual purpose lighting is required, red flashing lights at night and white strobe lights during the day.
- M. A site location should be preferred that offers natural or man-made barriers that would lessen the impact of the wireless telecommunication service facilities on adjacent areas.
- N. The entire site must be appropriately landscaped to be harmonious with surrounding properties.
 - 1. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
 - 2. Buffer plantings shall be located around the perimeter of security fencing consisting of an evergreen screen, comprised of either a hedge, planted three (3) feet on center maximum, or, a row of evergreen trees planted five (5) feet on center maximum.
- O. All permitted installations/facilities shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or the township in general.

- P. Access roads shall be maintained in a dirt free and dust free condition.
- Q. Loudspeakers that cause a hazard or annoyance shall not be permitted.
- R. Wireless telecommunication service facilities shall not create a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical, interference or other causes.
- S. No advertising shall be permitted on the wireless telecommunication facility.
- T. FCC Compliance

Prior to receiving final inspection by the Zoning Inspector, documented certification shall be submitted to the Zoning Inspector, certifying that the wireless communication facility complies with all current Federal Communications Commission ("FCC") regulations for non-ionizing electromagnetic radiation (NIER).

801.6 Regulations pertaining to Mini-Warehouses and Storage Facilities subject to the following requirements in addition to other applicable regulations:

- A. Additional site development plan requirements in addition to the Site Plan Review requirements of Section 801.1, the following is required on the Site Plan:
 - 1. Number of storage spaces in each building.
 - 2. Dimensions of all outdoor storage spaces.
- B. Development standards:

The following design and improvement standards shall be incorporated into the Development Plan:

- 1. Minimum site size shall be one (1) acre.
- 2. Off street parking:
 - a. One space for each ten (10) storage cubicles, equally distributed throughout the storage area. This parking requirement can be met with the parking lanes as set forth in Section 4 below.
 - b. Two spaces shall be provided for the manager's quarters if there is a live-in manager.
 - c. One space shall be provided for every twenty-five (25) storage

cubicles to be located at the project office.

- d. Outdoor storage/parking spaces for recreational vehicles shall be separate from the buildings and are not permitted to be stored in the parking and loading areas or office space areas. Recreational vehicles stored shall not exceed ten (10) feet in height. Storage areas must be maintained in dust free condition.

3. Buffer/Screening:

A buffer or screen shall be required along all property borders that abut residential districts to screen storage facilities from view of surrounding properties. Such screening shall be at least six (6) feet in height and consist of trees and shrubs or fencing (excluding chain link fence). Screening shall not impair vehicle visibility at ingress or egress points or at street corners.

4. On-site circulation and driveway widths:

- a. All one-way driveways shall provide for one ten (10) foot parking lane and one sixteen (16) foot travel/lane. Traffic direction and parking shall be designated by signage and painting.
- b. All two-way driveways shall provide for one ten (10) foot parking lane and two thirteen (13) foot travel lanes.
- c. Parking lanes may be eliminated when the driveway does not serve storage cubicles.

5. Use of Storage areas:

- a. There shall be no storage of explosives or radioactive materials.
- b. The use of mini-warehouses shall be limited to dead storage use only.

6. Lighting:

The site shall be lighted at night to help ensure security. Lighting shall not be directed onto adjacent residential properties.

801.7 Parks and Recreation Facilities:

- A. Outdoor intensive uses such as swimming pools, ball courts, tennis courts and playground equipment areas shall be screened from view from residential property by landscaping or appropriate fencing materials. Ancillary buildings or structures associated with such facilities shall be subject to the setback and yard requirements specified in the district in which it is located.

- B. Recreational facilities shall be designed in a manner that minimizes their impacts on adjacent properties and environmentally sensitive areas.
- C. Recreational uses and facilities shall be designed in a manner that will promote and protect public safety. This shall include without limitation, effective security and safety lighting along pedestrian and bicycle routes and within parking lots, appropriate clear zones and appropriate surface around and beneath play apparatus, provision of emergency telephone capability, and such other similar things as the Board of Zoning Appeals may deem appropriate or necessary.
- D. Security fencing, where required and/or desirable shall be of a type that is compatible with the overall architecture, scale, mass and character of the recreation facility and the neighborhood which it serves.
- E. Outdoor lighting shall not cast any glare on adjacent properties.
- F. Activities shall be scheduled in a manner that will minimize any potential negative impacts to neighboring residential uses, especially any evening activities.
- G. It is desirable that parks and recreation areas be connected to residential neighborhoods and other areas of high usage by the proper design of the recreational facilities.

Sec. 801.8 Outdoor Hydronic Burners

Any person who installs or operates an Outdoor Hydronic Burner shall comply with the following requirements:

- A. No person shall operate an outdoor hydronic burner in such a manner as to create a public or private nuisance.
- B. All outdoor hydronic burners shall be installed and operated in accordance with the manufacturer's instructions so as to not allow smoke or fumes to enter buildings on surrounding properties.
- C. All burners must be equipped with a spark arrester.
- D. Burner cannot be installed less than ten (10) feet to building to be serviced (four (4) feet for Forced Air Burners).
- E. Siting Requirements
 - 1. The outdoor hydronic burners shall be installed on a lot of three (3) acres or more.

2. The outdoor hydronic burners shall only be located in the side or rear yard areas.
3. The outdoor hydronic burners shall have a permanent stack/chimney in accordance with the furnace manufacturer's specifications.
4. Setback Requirements
 - a. Except for the principal building serviced, a hydronic burner shall be placed at least 250 feet from the nearest building intended for human habitation, place of assembly, education or occupancy by the public.
 - b. The outdoor hydronic burners shall be located at least 25 feet from accessory buildings on the same lot.

F. Prohibited Fuels Materials

No person shall burn any of the following items in an outdoor hydronic burner:

1. Any wood that does not meet the definition of clean wood.
2. Garbage.
3. Tires.
4. Lawn clippings or yard waste.
5. Materials containing plastic.
6. Materials containing rubber.
7. Waste petroleum products.
8. Paints and paint thinners.
9. Chemicals.
10. Coal.
11. Glossy or colored papers.
12. Construction and demolition debris.
13. Plywood.
14. Particleboard.
15. Salt water driftwood.
16. Manure.
17. Animal carcasses.
18. Asphalt products.
19. Railroad ties; and
20. Creosoted wood.

G. Allowable Fuel Materials

No person that operates an outdoor hydronic burner shall use a fuel other than the following:

1. Clean wood.
2. Wood pellets made from clean wood.
3. Home heating oil in compliance with the applicable sulfur content limit or natural gas may be used as starter fuels for dual-fired outdoor hydronic burners; and
4. Other fuels as approved by the Environmental Protection Agency.

ARTICLE IX

ADMINISTRATION AND ENFORCEMENT

SEC. 901 ADMINISTRATION

SEC. 901.1 ZONING INSPECTOR

For the purpose of enforcing the zoning regulations, the Township Trustees shall establish and fill the position of Township Zoning Inspector, together with such assistance as the Trustees deem necessary. The term of employment, rate of compensation, and other such conditions shall be set by the Township Trustees.

SEC. 901.2 BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall have the power to issue Conditional Zoning Certificates as specified and regulated by this Resolution.

SEC. 901.3 ZONING CERTIFICATES REQUIRED

1. No property may be changed in use without a Zoning Certificate issued by the Zoning Inspector. No building or other structure shall be erected, moved, added to, demolished, altered, or established without a Zoning Certificate, issued by the Zoning Inspector. The applications shall include the following information: The Zoning Inspector may issue Zoning Certificates when all applicable provisions of this resolution have been complied with.
2. Upon submittal of an application for a Zoning Certificate, the Zoning Inspector shall determine whether the proposed use/structure or alterations/expansions to uses/structures is permitted or conditionally permitted as defined in the applicable zoning district. If the proposal is for a permitted use/structure, then the zoning inspector shall proceed to conduct the application and plan review as further described in section 901.4 of this resolution to ensure compliance with this zoning resolution. If the proposal is for a conditionally permitted use/structure, then the Board of Zoning Appeals shall conduct the application and plan review as detailed in Article VIII.
3. For the purpose of interpreting the term “change in use” for determination of whether a zoning certificate is required as specified in 901.3, it shall be identified in the following manner:

A. Residential Uses:

The residential use categories are as follows: Single-family, two-family, three-family, multi-family, rooming/boarding house. A change in use status will exist when a residential structure(s) is converted from one use category to another. Such conversion shall be made in conformance with

all applicable sections of this Resolution.

B. Commercial, Industrial and other Non-residential Uses:

A “change in use” status will exist when:

1. The previous use of a structure, building, land or portion thereof has ceased and the new or converted use is not the same as that previous use; or
2. The existing use of a structure, building, land or portion thereof is proposed to be converted to a different use.
3. Such conversions shall be made in conformance with all applicable sections of this Resolution.

SEC. 901.4 APPLICATION AND PLAN REVIEW PROCEDURE

A. The application for permitted uses/structures shall include the following items:

1. A completed application form, along with the application fee as established by the Township Trustees indicated by section 901.5. Incomplete applications and applications submitted without the required fee will not be processed. The application shall include the following:
 - a. Four (4) copies of the plan as described in 901.4 A-2 of this section.
 - b. Proof of compliance with Section 301.1 E.
 - c. Any other pertinent data as may be necessary to determine and provide for the enforcement of this Resolution.
 - d. The proposed number of bedrooms, dwelling units, occupants, employees, and other uses.
 - e. Name, address, and phone number of applicant.
 - f. Location and design of entrance and exit drives.
 - g. Copies of any approvals granted for uses and structures involved that required prior review and approval from the Board of Zoning Appeals.
2. A plan of the lot/parcel drawn to scale showing the exact dimensions and area of the lot/parcel to be built upon or utilized by the proposed structure(s)/land use. The plan shall also include all of the following items at a minimum.
 - a. The location, dimensions height, and bulk of all structures to be

erected/altered, and land area to be utilized.

- b. The intended use all lands and structures.
 - c. The locations of all existing structures and uses on the lot/parcel.
 - d. The yards, open space, and parking spaces with number of parking and loading spaces and dimensions as required by Article VII. All handicapped spaces shall be clearly identified.
 - e. Location, names and existing width of all adjoining streets or highways.
 - f. Any proposed signage with exact dimensions and locations.
 - g. A plan showing how storm water and erosion will be managed as per section 301.1 S.
 - h. Any proposed sign or area lighting with appropriate measures to eliminate glare or impair visibility of neighbors and/or safe movement of traffic on any street or highway.
- B. Within sixty (60) days after the receipt of the completed application, including the required plan and fee, the Zoning Inspector shall issue a Zoning Certificate if the application complies with the requirements of this Resolution. If the application does not comply with the requirements of this Resolution, the Zoning Inspector shall give written notice of denial, stating the reasons for the denial, and citing the sections of this Zoning Resolution that the application does not comply with. In conducting the review of any application, the Zoning Inspector may consult with any department, agency, public body, official, company, and/or individual necessary to determine whether the application complies with the zoning regulations of this Resolution.
- C. The Zoning Certificate shall become void at the expiration of one (1) year after date of issuance unless construction is started. If no construction is started or use changed within one (1) year of date of permit issuance, a new permit is required to be obtained through filing a new application, as required in this section.
- D. If the work described in any Zoning Certificate has not been substantially completed within 2 years of the date of issuance, the certificate shall expire, and a new application must be filed to obtain a new zoning certificate. The Zoning Inspector shall notify the affected person(s) in writing of such expiration and requirements for filing of a new application for a zoning certificate. An extension of time of up to 6 months may be granted for extenuating circumstances provided such circumstances and facts are submitted to the Zoning Inspector in writing. If such extension is granted, the

Zoning Inspector shall notify the affected person(s) in writing of such extension and the time frame for completion of work.

- E. The Zoning Inspector shall return one copy of the approved plans to the applicant after the Zoning Inspector has marked such copy as “approved” or “disapproved” and signed and dated such copy. The Zoning Inspector shall retain one copy of the plans similarly marked. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the subject property, attesting to the fact the activity is in conformance with the provisions of this resolution
- F. In the event that the applicant intends to make any changes to the plans that have previously been approved by the Zoning Inspector and/or the Board of Zoning Appeals pursuant to the Resolution, the applicant must notify the Zoning Inspector of any proposed change to the previously approved plans so that the Zoning Inspector may determine if such changes comply with this Resolution.

SEC. 901.5 PAYMENT OF FEES

The Township Trustees shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for zoning certificates, zoning amendments, appeals, variances, conditional use certificates, and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Township Trustees, Zoning Inspector and in a conspicuous place at the township hall. Such schedule may be altered, or amended only by the board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

SEC. 902 ENFORCEMENT

SEC. 902.1 VIOLATIONS

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 any provisions of this Resolution or supplements or amendments thereto, 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 or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.

SEC. 902.2 PENALTIES

Whosoever shall violate any of the provisions of this Resolution shall be fined one hundred dollars (\$100) per day.

ARTICLE X

BOARD OF ZONING APPEALS

SEC. 1001 PURPOSE

A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by the law and by this Resolution. The Board of Zoning Appeals created by and acting under previous Resolution is hereby continued in office for the respective terms of the members thereof under the provisions of this Resolution.

SEC. 1002 COMPOSITION AND APPOINTMENT

The Board shall consist of five (5) members appointed by the Township Trustees. The members shall be residents of the unincorporated area of Suffield Township. Each member shall serve for five (5) years, except that the terms of the original members shall be of such length, and so arranged that the term of one member will expire each year. Members shall be removable for nonperformance of duty, misconduct in office, or other cause by the Trustees, upon written charges being filed with the Trustees, after public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten (10) days prior to the hearing, either personally, by registered mail or by leaving such copy at his usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term.

SEC. 1003 ORGANIZATION

The Board shall elect a chairman from its membership and shall prescribe rules for the conduct of its proceedings.

SEC. 1004 QUORUM

Three (3) members of the Board shall constitute a quorum at all meetings. A concurring vote of the majority of the quorum shall be necessary to effect an order, take action, make action, make decisions, or act on any authorization.

SEC. 1005 MEETINGS

The Board shall meet at the call of its chairman and at such other times as it may determine. All meetings of the Board shall be open to the public.

SEC. 1006 WITNESSES

The Board Chairman or Acting Chairman may administer oaths and the Board may compel the attendance of witnesses in all matters coming within the purview of the Board.

SEC. 1007 PROCEEDINGS

The Board, its Clerk, or in the absence of the Clerk, by a member designated as Acting Clerk, shall keep a record of its proceedings, showing the vote of each member upon each question, and shall maintain records of its official action, together with applications, and appeal documents separately as to each case. Such case files shall be filed in the office of the Township Trustees and shall be a public record.

SEC. 1008 POWERS AND DUTIES

The Board of Zoning Appeals shall have the following powers:

- A. The Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official of the Township in the enforcement of Sections 519.02-519.25 of the Revised Code, or of any section of this Resolution which is adopted pursuant thereto.
- B. The Board shall have the power to authorize, upon appeal, in specific cases, such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the Resolution would result in unnecessary hardship or practical difficulties, and so the spirit of the Resolution shall be observed and substantial justice done.
- C. The Board shall have the power to grant Conditional Zoning Certificates for the use of land, buildings, or other structures if such certificates for specific uses are provided for in the Zoning Resolution.
- D. To revoke an authorized variance or Conditional Zoning Certificate granted for the extraction of minerals, if any conditions of the variance or certificate is violated.

The Board shall notify the holder of the variance or certificate by Certified Mail of its intent to revoke the variance or certificate under Division (D) of this Section and of his right to a hearing before the Board, within thirty days of the mailing of the notice, if he so requests. If the holder requests a hearing, the Board shall set a time and place for the hearing and notify the holder. At the hearing, the holder may appear in person, be represented by his attorney or other representative, or he may present his position in writing. He may present evidence and examine

witnesses appearing for or against him. If no hearing is requested, the Board may revoke the variance or certificate without a hearing. The authority to revoke a variance or certificate is in addition to any other means of zoning enforcement provided by law.

SEC. 1009 PROCEDURES AND REQUIREMENTS FOR APPEALS AND VARIANCES

Appeals and variances shall conform to the procedures and requirements of sections 1010 to 1013 of this Resolution.

SEC. 1010 APPEALS

- A. Appeals shall be taken within twenty (20) days after the decision by the Zoning Inspector or administrative official, by filing with the Zoning Inspector and the Board of Zoning Appeals a written notice of appeal, on forms prescribed by Township Officials, specifying the grounds on which the appeal is being taken, including any applicable sections of the Zoning Resolution. The Zoning Inspector shall transmit to the Board of Zoning Appeals all of the documents constituting the full record of findings, determinations from the decision from which the appeal is taken.
- B. The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that end has all powers of the officer from whom the appeal is taken.
- C. Any appeal shall stay all proceedings and enforcement actions in furtherance of the action appealed from, unless the Board of Zoning Appeals otherwise orders by Resolution within seven (7) days after the filing of such notice of appeal.

SEC. 1011 VARIANCES

- A. Any person who has applied for a Zoning Certificate, certificate or a certificate of nonconforming use and such application has been denied, may apply to the Board of Zoning Appeals for a use or area variance. The application shall proceed as if on appeal from such denial. The application shall be filed with the Zoning Inspector within twenty (20) days after such denial on the application forms required by the Township for variance applications. Upon receipt of the application, the Zoning Inspector shall transmit it to the Board of Zoning Appeals. An application for a variance may be filed with an appeal.
- B. A variance may be granted in perpetuity or established with time limitations.
- C. Before it may grant a variance, the Board of Zoning Appeals shall find by a

preponderance of reliable, probative evidence submitted at the hearing(s), and only from such evidence, that the applicable standards set forth in this section are or will be satisfied by the proposed development or use. In addition, the Board may impose such additional, written conditions on the proposed development or use, as it deems necessary to insure that the intent or objectives of this Resolution are and will be observed.

1. Use Variance:

On an application for a use variance, the Board of Zoning Appeals shall review the evidence submitted at the hearing in light of the following standards and shall find that:

- a. The variance is necessary due to special conditions.
- b. A literal enforcement of this Resolution will result in unnecessary hardship to the applicant in the reasonable use of their property.
- c. If the use variance is granted, the spirit and intent of this Resolution will be observed and substantial justice done.
- d. A granting of the variance will not have an adverse impact on the immediate neighborhood, community land use, or the community's Comprehensive Plan.
- e. That the hardship is not self created. That the property owner did not purchase the property with the knowledge of the zoning restriction on the use of the property.

No use variance shall be granted where the proposed development or use would be contrary to a use prohibited under 301.2(N) prohibited uses.

2. Area Variance:

On an application for an area, the Board of Zoning Appeals shall review the evidence submitted at the hearing in light of the following standards:

- a. Whether the property will yield a reasonable return or whether there can be a beneficial use of the property without the variance.
- b. Whether the variance is substantial.
- c. Whether the essential character of the neighborhood would be substantially altered or adjoining properties suffer a substantial detriment as a result of the variance.
- d. Whether the variance would adversely affect the delivery of

governmental services.

- e. Whether the property owner purchased the property with the knowledge of the zoning restriction.
- f. Whether the problem can be solved by some manner other than the granting of a variance.
- g. Whether the variance preserves the spirit and intent of the Zoning Resolution and whether substantial justice would be done by the granting of the variance.

SEC. 1012 NOTICE OF HEARINGS

When a notice of appeal has been filed in proper form with the Board of Zoning Appeals, the Secretary shall immediately place the said request for appeal upon the calendar for hearing, and shall cause notices stating the time, place, and object of the hearing to be served personally or by mail addressed to the parties making the request for appeal at least ten (10) days prior to the date of the scheduled hearing. All notices shall be sent to addresses (subject to SEC.801.1 (B) (3)) given in the last assessment roll. Such hearings shall be advertised by one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of such hearing. The Board at its discretion may send out further notices to publicize such hearings. The Board may recess such hearings from time to time, and, if the time and place of the continued hearing be publicly announced at the time of adjournment, no further notice shall be required.

SEC. 1013 DECISIONS

- A. At the Public Hearing or continuation of a Public Hearing on an application or appeal, the Board of Zoning Appeals shall announce its decision. A certified copy of the Board's decision shall be transmitted to the applicant or appellant and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and observed by him and he shall incorporate the terms and conditions of the same in the zoning certificate or conditional zoning certificate to the applicant or appellant, whenever a permit is authorized by the Board. A decision of the Board shall not become final until the expiration of five (5) days from the date such decision is made, unless the Board shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.
- B. Any final decision of the Board of Zoning Appeals may be appealed to the Common Pleas Court of Portage County pursuant to Ohio Revised Code Chapter 2506. Such appeal shall not stay any enforcement action or proceeding on such decision appealed from, unless and until otherwise ordered by the Common Pleas Court.

SEC. 1014 FEES

Any application for a certificate or variance, or any appeal to the Board shall be accompanied by a fee. In the event the Board may find it necessary to call on report or testimony in the fields of planning, law, engineering, architecture, or similar field, the cost deposit required may be increased to an amount sufficient to cover such additional costs.

ARTICLE XI

AMENDMENTS

SEC. 1101 AMENDMENTS TO ZONING RESOLUTION

The Trustees of Suffield Township may, from time to time, amend by Resolution the number, shape, area, or regulations of districts established on the Zoning Districts Map or the regulations set forth in this Resolution.

SEC. 1102 INITIATION OF AMENDMENTS

Amendments to the Zoning Resolution may be initiated by:

- A. Motion of the Township Zoning Commission, or
- B. Passage of a resolution by the Board of Township Trustees and certification to the Township Zoning Commission, or
- C. Filing of an application with the Township Board of Trustees by one (1) or more owners of property within the area proposed to be changed or affected by the proposed amendment to the Township Zoning Commission.

SEC. 1103 CONTENTS OF APPLICATION FOR AMENDMENT TO THE ZONING RESOLUTION

All applications for a zoning amendment shall include:

- A. Evidence that the existing Zoning Resolution is unreasonable with respect to the particular property and it deprives the property owner of his lawful and reasonable use of the land. For the purposes of this Zoning Resolution, a limitation upon the financial gain from the land in questions shall not constitute unreasonable zoning.
- B. A statement giving the names and addresses of the owners of all properties lying within one thousand (1,000) feet of any part of the property, the zoning of which would be changed by the proposed amendment if enacted.
- C. A fee as established by the Township Trustees. This fee shall not be refundable.

SEC. 1104 PUBLIC HEARING BY TOWNSHIP ZONING COMMISSION

Upon the initiation of an amendment to the Township Zoning Resolution, the Township Zoning Commission shall set a date for a public hearing thereon, which shall not be less than twenty (20) days nor more than forty (40) days from the date of the certification of such resolution or the date of adoption of such application.

Notice of such hearing shall be given as follows:

- A. By one (1) publication in one (1) or more newspapers of general circulation in the township at least fifteen (15) days before the date of such hearing, and
- B. If the proposed amendment or supplement intends to rezone or redistrict ten (10) or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least twenty (20) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the County Auditor's current tax lists that may be specified by the Board of County Commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement. A statement shall be published after the conclusion of such hearing stating the matter will be referred for further determination to the Board of Township Trustees.

SEC. 1105 REFERRAL OF PETITION TO COUNTY OR REGIONAL PLANNING COMMISSION

Within five (5) days after the adoption of such motion or the certification of such resolution or the filing of such application the Township Zoning Commission shall transmit a copy thereof together with text and map pertaining thereto to the County or Regional Planning Commission.

The county or Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Township Zoning Commission on such proposed amendment.

SEC. 1106 ACTION OF THE TOWNSHIP ZONING COMMISSION

The Township Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Regional Planning Commission thereon to the Board of Trustees.

SEC. 1107 PUBLIC HEARING BY TOWNSHIP BOARD OF TRUSTEES

The Board of Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty (30) days from the date of the receipt of such

recommendation from the Township Zoning Commission. Notice of such public hearing shall be given by the Board by one (1) publication in one (1) or more newspapers of general circulation in the Township, at least fifteen (15) days before the date of such hearing. The published notice shall set forth the time and place of the public hearing.

SEC. 1108 ACTION OF TOWNSHIP BOARD OF TRUSTEES

Within twenty (20) days after such public hearing the Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board of Trustees denies or modifies the recommendation of the Township Zoning Commission the unanimous vote of the Trustees shall be required.

Such amendment or such supplement adopted by the Trustees shall become effective in thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment or supplement there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part hereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for governor in such area at the last preceding general election at which a Governor was elected, requesting the Board of Township Trustees to submit the amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.

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

SEC. 1109 AMENDMENTS TO DEFINITIONS

Whenever an amendment is made to the Zoning Resolution, the appropriate definitions pertinent to such amendments shall be included in Article II hereof.

SEC. 1110 APPLICATION FEE

Any application for an amendment to the Zoning Resolution shall include a fee to cover the cost of publishing and/or posting, mailing the notices of the hearing and other expenses incident thereto. In the event the expenses amount to less than the fee, any amount so remaining shall be returned to the applicant. In the event the expenses amount to more than the fee, the applicant shall pay the additional amount to the Township. Such fee shall not apply to any amendment initiated by the Trustees of the Township Zoning Commission.

SEC. 1111 NOTATION

Section 1104, 1105, 1106, 1107, and 1108 above are appropriate sections of the Ohio Revised Code relating to amendment procedure and are shown in the Resolution solely for information and convenience. Any pertinent amendments to said Ohio Revised Code shall be deemed to supersede such above sections, and to effect their amendment accordingly.

ARTICLE XII

VALIDITY AND SEPARABILITY

If any section, subsection, or any provision or provisions of this Resolution, or amendments thereto, are held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution or amendments thereto.

ARTICLE XIII

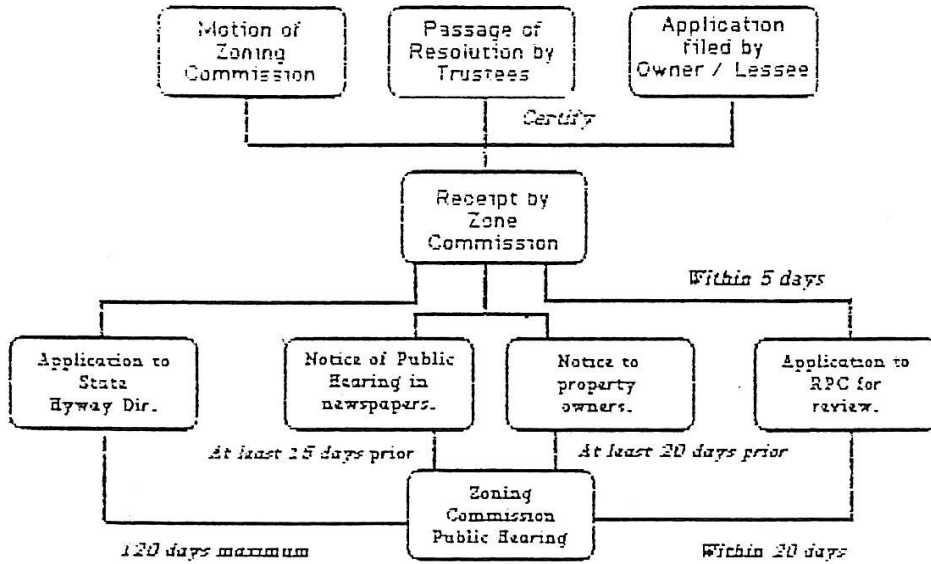
EFFECTIVE DATE

All prior resolutions and portions thereof in conflict with this Zoning Resolution or inconsistent with the provisions of this resolution are hereby repealed to the extent necessary to give this resolution full force and effect. This resolution shall become effective from and after the date of its approval and adoption, as provided by law.

Appendix 1 Schedule of District Regulations

Principal Permitted Use	Conditionally Permitted Use	Minimum Lot Size				Maximum Lot Depth	Maximum Lot Coverage	Minimum Floor Area In Square Feet					Maximum Height Principal Building In Feet	Maximum Each Yard Requirement In Feet						Minimum Lot Frontage (Ft)			Lot Width At Road Right-Of-Way			Minimum Use Open Space	
		SF	TF	MF	BUS			SF Basement	SF No Basement	TF Basement	TF No Basement	MF		Front	Side					Rear	SF	TF	MF	SF	TF		MF
															SF	TF	MF	B	I								
Section 401 O-C Single-Family Agriculture Wildlife Refuge	See Section 401.2.B	5 AC	----	----	----	----	----	1,300	1,500	---	---	---	35	100	25	---	---	---	---	50	60	---	---	300	---	---	Access 60
Section 402 R-R Single-Family Two-Family Agriculture	See Section 402.2.B	2 AC	3 AC	----	----	----	----	1,300	1,500	800	950	---	35	50	25	25	---	---	---	50	60	100	---	200	300	---	Access 60
Section 403 R-1 Single-Family Two-Family Agriculture	See Section 403.2.B	1.5 AC	2 AC	----	----	----	----	1,300	1,500	800	950	---	35	50	15	15	--	---	---	50	60	60	---	150	175	---	Access 60
Section 404 R-2 Single-Family Two-Family Multi-Family Agriculture	See Section 404.2.B	10K sq ft	7.5K sq ft	20K sq ft	----	5 times width at building setback	2 stories less 0.25% 3-5 stories less 20%	1,300	1,500	800	950	Efficiency 500 1 Bedroom 650 2 Bedroom 900 3 Bedroom 1,200 4 Bedroom 1,500	35	60	12	15	25	---	---	60	60	60	60	80	100	150	0.25 of Lot Area
Section 410 RB Single-Family Two-Family Multi-Family Financial Institutions Health Care Facilities Retailing Office Uses Entertainment Agriculture	See Section 410.5.B												55 Residential 60 Non-Residential														35% Of Total Acreage
		Minimum 15 Acres per Development				Refer to Section 410 for Detail								Refer to Section 410 for Detail													
Section 411 B-1 Personal Services Professional Offices Food Sales Banking Retailing Wholesaling Building Trades Motels Gas Stations Mini-Warehouses and Storage Facilities (see special regulations) Agriculture	See Section 411.2.B	----	----	----	1.5 AC	----	----	----	----	----	----	----	35	60	---	---	---	15*	---	50	---	---	---	---	---	---	---
		* Except when adjacent to Residential Districts, then 45 feet																									
Section 421 I-1 Manufacturing Assembly Repair Services Warehousing Research Mini-Warehouses and Storage Facilities (see special regulations) Agriculture	See Section 421.2.B	----	----	----	3 AC	---	---	---	---	---	---	---	---	80	---	---	---	---	15*	100	---	---	---	---	---	---	Access 60
		* Except when adjacent to Residential Districts, then 75 feet																									

Appendix # 2 Zoning Procedural Outline for Townships

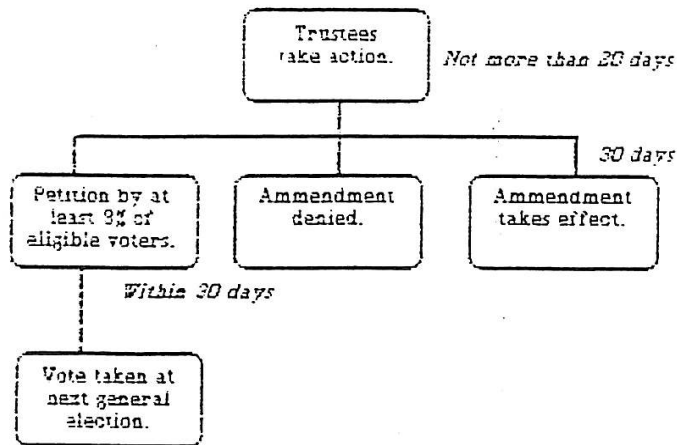


Zone Commission recommendation to Trustees including RPC recommendation. (Within 30 days.)

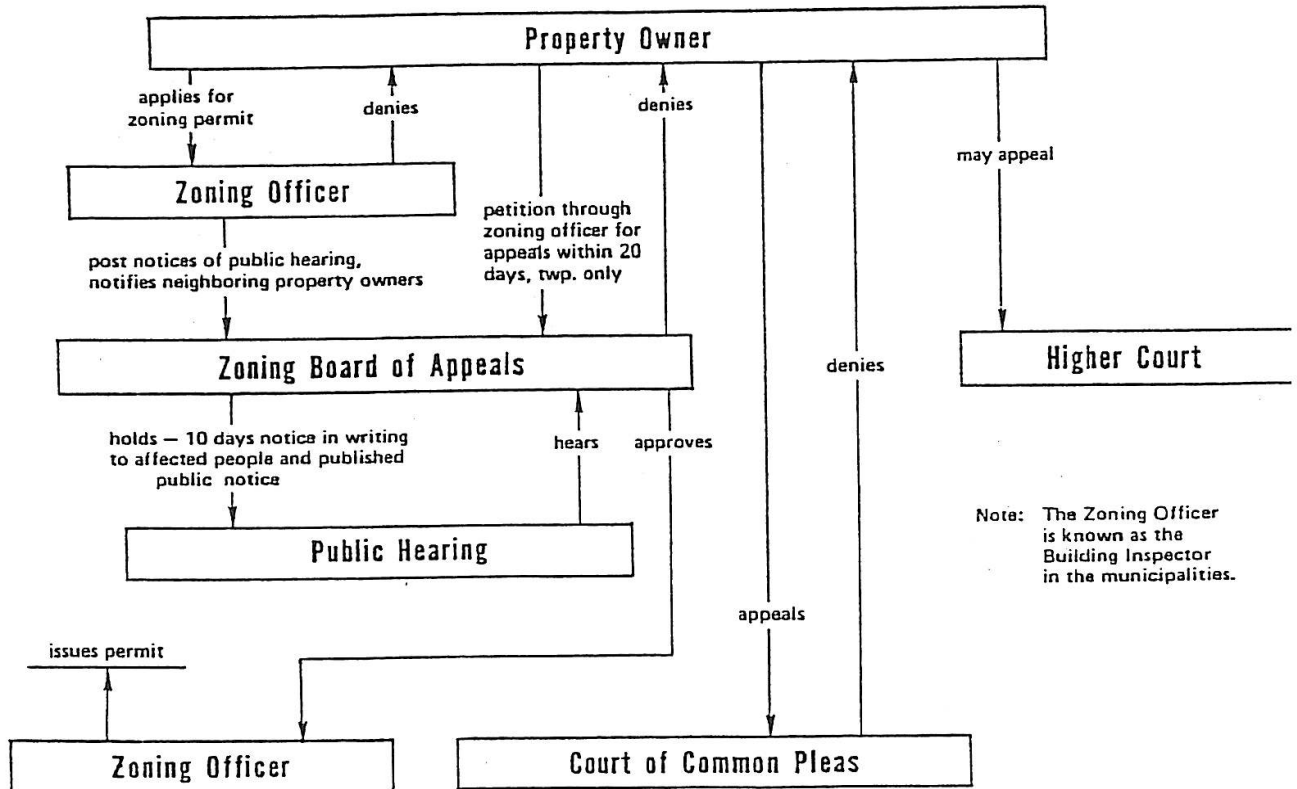
Trustees set date for Public Hearing.

Notice of public hearing in newspapers. (At least 15 days prior.)

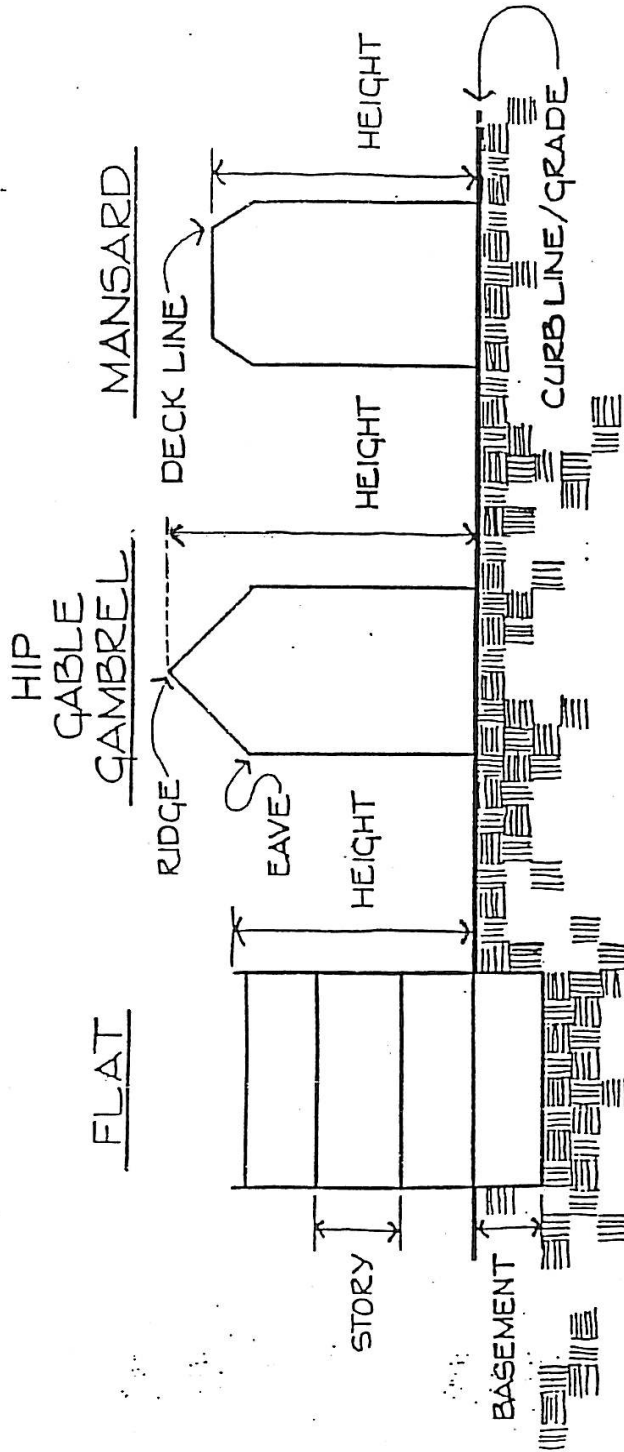
Trustees conduct public hearing.



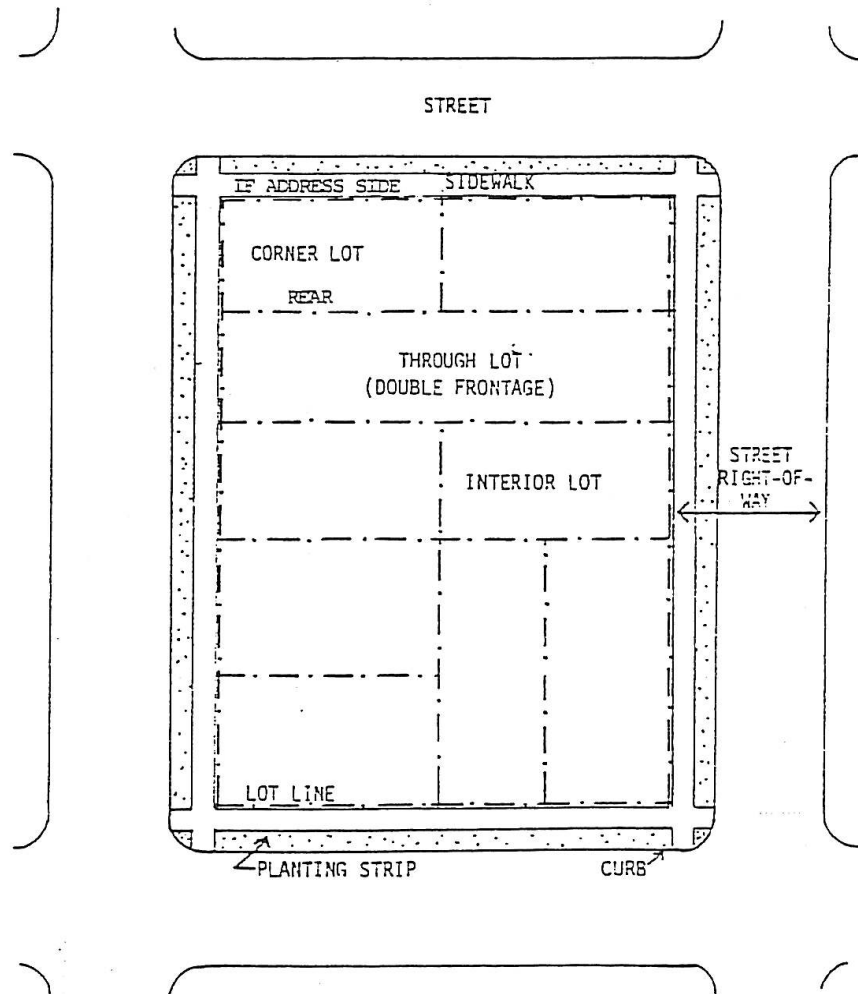
Appendix # 3 Appeal Procedure



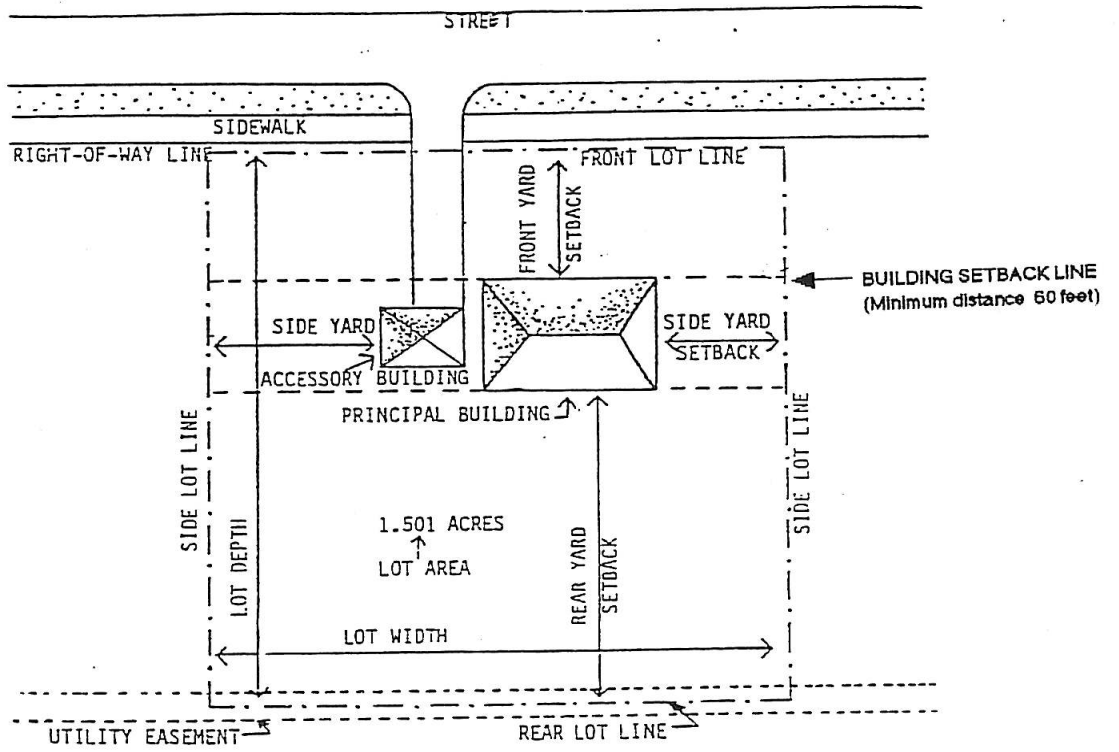
Appendix # 4 Roof Types and Building Height



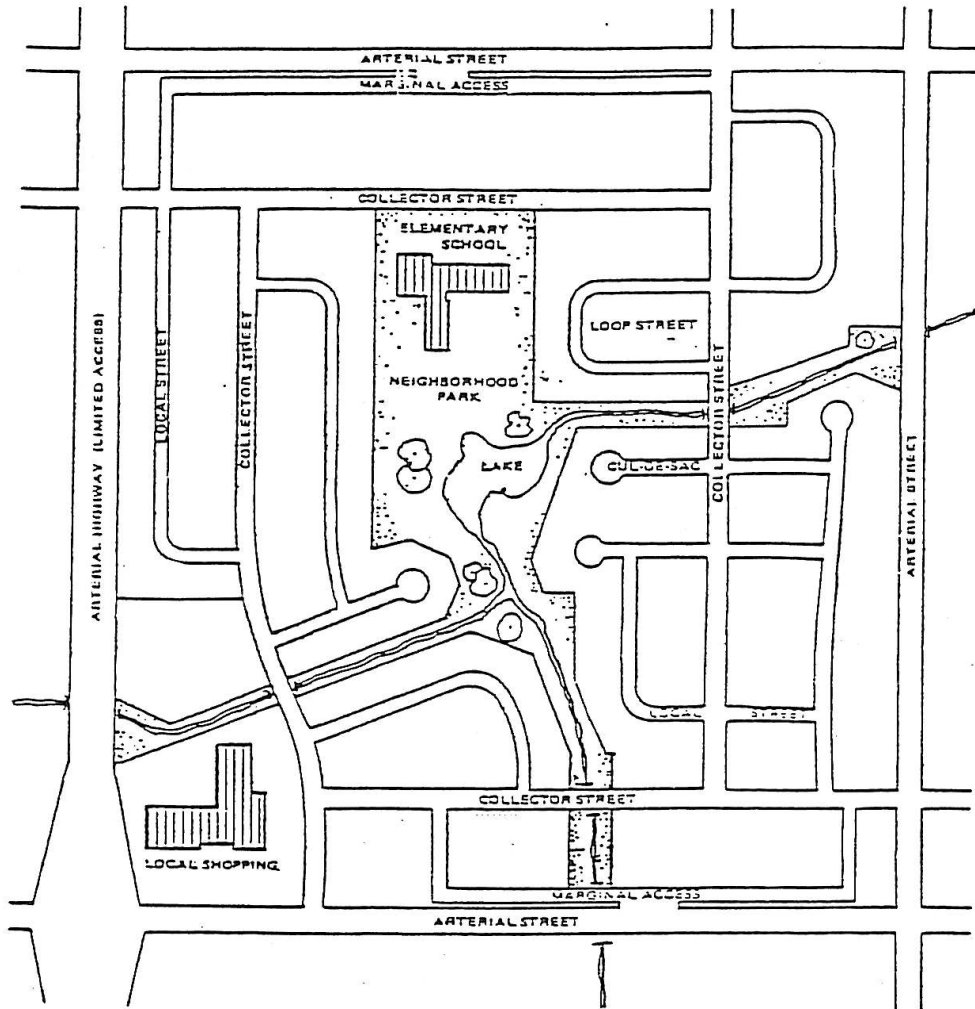
Appendix # 5 Types of Lots



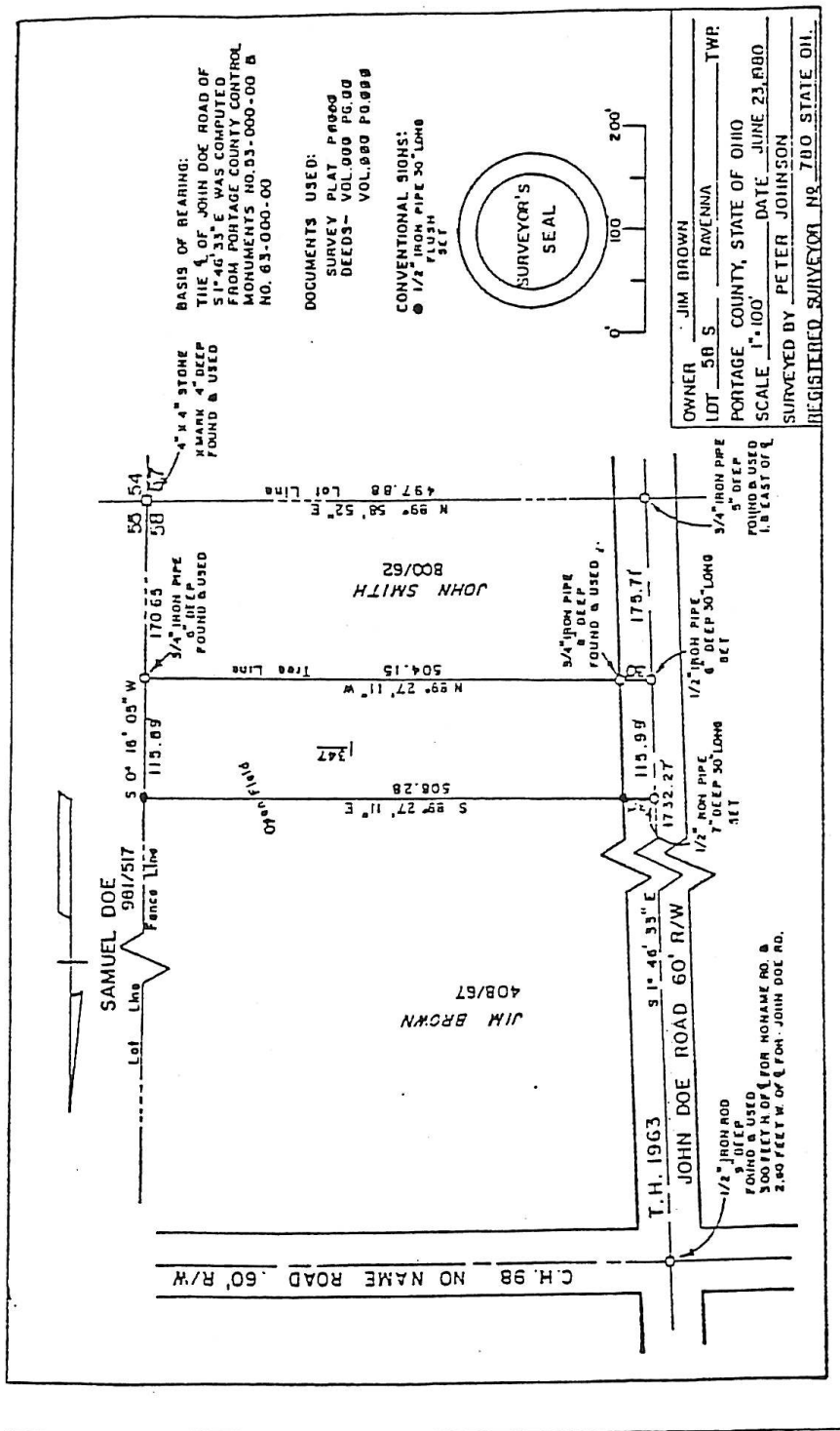
Appendix # 6 Lot Terms



Appendix # 7 Classification of the Thoroughfare System



Appendix # 8 Sample Minor Subdivision

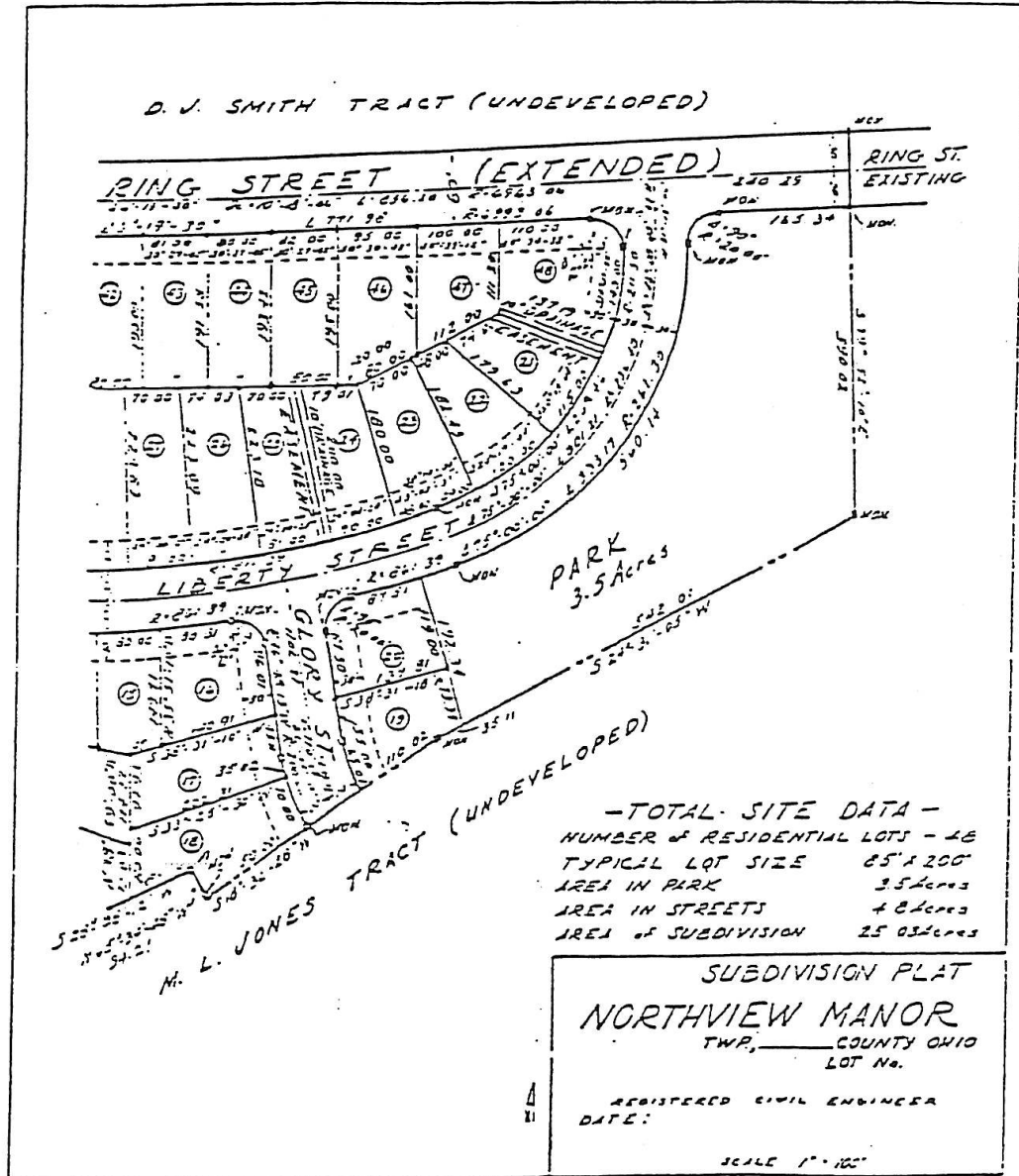


SURVEY INSTRUMENTS FOR A SUBDIVISION EXEMPT FROM PLATTING

Draw on linen or mylar (ink on linen or filmograph, pencil or ink on mylar)
 Size 8-1/2" X 14", 10" X 24", 24" X 30" or 24" X 36"
 Survey must close within error limit of 1/5000
 Show monuments and describe as shown in the example above.
 Drawing of surveyed parcel must be to scale, other lines may be broken.

North arrow and basis of bearing must be shown.
 Names of adjoining owners
 Carry acreage to three decimal places and to .0005 t
 Linear measurements to 1/100 of a foot
 Description to run clockwise from true place of beginning
 When applicable the following curve data must be supplied on the plat:
 Chord bearing, chord distance, radius, arc length, tangent, (Ldr

Appendix # 9 Sample Major Subdivision



Appendix #10 Site Plan Checklist

Acceptable applications must include all items listed in 801.1 B and 801.1 C.
Place a checkmark next to each item that is included with this application.

ARTICLE VIII

CONDITIONAL ZONING CERTIFICATES

SEC. 801 PURPOSE

Since in the past, zoning has often been criticized on the basis of rigidity and its unrealistic requirements in special situations, some provision has been made to cope with this problem. This provision is the inclusion into zoning of Conditional Zoning Certificates which have the primary purpose of permitting certain uses that may require varying degree of restriction depending on adjacent and surrounding areas, these uses may also be unusual in the general sense to the district in which they are permitted. Within the section entitled Conditional Zoning Certificates are listed certain standards and conditions which serve to guide the administering body in determining whether such a certificate should be issued. These standards are set forth with the thought in mind of permitting a certain amount of flexibility to the developers and investors in the community and at the same time protecting surrounding properties as well as the entire community from uses which might be out of character in such districts.

SEC. 801.1 PROCEDURES FOR FILING AN APPLICATION

Any application for a Conditional Zoning Certificate for any USE of land or structure, construction, or alteration conditionally permitted under this resolution shall be submitted in accordance with the following procedures:

A. *Application*

A completed application form shall be submitted to the Suffield Township Zoning Inspector who shall review the application to determine if all required items are submitted and if the application is ready for review by the Zoning Board of Appeals. When the Zoning Inspector has determined that all required items have been submitted with the application, the application, including all required items, shall be transmitted to the chairman of the Board of Zoning Appeals. Each application shall be accompanied by the payment of a fee as specified on the current fee schedule adopted by the Township Trustees. A complete application includes the application form, fee, and the information and plan for review as specified below.

The Board of Appeals, where appropriate, may refer an applicant to qualified consultants for report if it deems the proposed use, may cause the emission of dangerous or objectional elements or require special study. The cost of such report shall be at the expense of the applicant and said report shall be furnished to the Board of Zoning Appeals as soon as it is practicable.

B. Information required with the application:

1. A statement supported by substantiating evidence regarding the requirements

enumerated in subsection 801.2.A.

- ___2. Name and address of the owner(s) of record.
- ___3. A list of property owners adjoining and within 500 feet of the property lines of the subject property, as they appear on the county auditor's current tax list or treasurers mailing list.
- ___4. Name and address of person and/or firm that prepared the plan(s) for the application.
- ___5. Proposed density of units (for residential development).
- ___6. A schedule for development of the site and buildings. Where the development is proposed in stages, the last stage must be completed within 5 years of issuance of the Conditional Zoning Certificate. Any development not completed within 5 years shall be subject to resubmission to the conditional permit review process.
- ___7. Any proposed deed restrictions, protective covenants, and other legal instruments or devices to be used to control the use, development and maintenance of the land, and the improvements thereon.
- ___8. One (1) copy of current tax map(s) for the subject development property and surrounding area.
- ___9. Project cost estimate.
- ___10. Any other information required by the Board of Zoning Appeals to determine full compliance with the zoning regulations in this Resolution.

C. Plans required with the application:

- ___1. Four (4) copies of architectural plans for the development, showing exterior elevations and building floor plans.
- ___2. Four (4) copies of the site plan which shall be drawn at a scale of not less than 1" = 100 feet for the development showing the following items:
 - ___a. General vicinity map at a scale of 1" = 1,000 feet or 1" = 2000 feet and shall show proposed development in relation to existing streets, subdivisions, landmarks and community facilities.
 - ___b. Property boundary lines.
 - ___c. Elevation contours at 2'-foot intervals.
 - ___d. Traffic and circulation plans.

Suffield Township Zoning Resolution

April 15, 1999

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- ___e. Adjacent streets and roads, widths of right of ways.
- ___f. Parking and loading plan including dimensions, locations and numbers of all parking and loading spaces.
- ___g. Landscaping plan, including parking lot landscaping.
- ___h. Grading and erosion control, surface drainage plan.
- ___i. Proposed signage locations, height, dimensions and materials, including signs proposed to be painted on structures.
- ___j. All existing structures and uses.
- ___k. Utilities plan and location of existing utilities and easements.
- ___l. Existing wetlands, ponds, streams, springs, lakes, and the location and direction of all watercourses, existing drainage channels and structures.
- ___m. Location of all areas subject to flooding or storm water overflow.
- ___n. Wooded areas, areas in agriculture, and any other special natural features other than in item 1.
- ___o. Location of any fences, screens, walls or other landscaping features and the design and materials to be used. (Also see sec.301.1T , Fences, Walls, Hedges.)
- ___p. Open spaces proposed.
- ___q. Location, type, and screening details for all waste disposal containers shall be shown.
- ___r. Location of all existing and proposed public and private sidewalks, driveways, and paths.
- ___3. All plans required for a conditionally permitted use Zoning Certificate shall be prepared by a professional engineer, architect, or surveyor, and shall have their respective seal on the plans.

SEC. 801.2 BASIS OF DETERMINATION

The Township Zoning Board of Appeals shall establish beyond reasonable doubt that the general standards and the specific standards pertinent to each use indicated herein shall be satisfied by the completion and operation of the proposed development. The Board of Zoning Appeals may also impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this ordinance will be observed.

A. General Standards

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

1. will be harmonious with and in accordance with the general objectives or with any specific objective of the Suffield Township Comprehensive Zoning Plan of current adoption;
2. will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
3. will not be hazardous or disturbing to existing or future neighboring uses;
4. will not be detrimental to property in the immediate vicinity or to the community as a whole;
5. will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, structures, refuse disposal, or schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

SEC. 801.3 REGULATIONS PERTAINING TO CONDITIONALLY PERMISSIBLE USES IN ALL DISTRICTS

- 801.3.1** All structures, roads and utilities shall comply with the Portage County Subdivision Regulations, the Board of Health Standards and the Portage County Building Code, and other applicable health and building regulations.
- 801.3.2** All structures shall be located at least one hundred (100) feet from all property lines.
- 801.3.3** Vehicular approaches to the property shall be so designed as not to create an interference with traffic on surrounding public streets or roads.
- 801.3.4** All points of entrance or exits shall be located no closer than two hundred (200) feet from the intersection of two major streets; no closer than one hundred (100) feet from

Appendix # 11 Application For Site Plan Review

Suffield Township
APPLICATION FOR
SITE PLAN REVIEW

This form is to be filed with the zoning inspector. Supporting documents must be attached.

Application # _____

Date of Application _____

Name of Applicant _____

Mailing Address _____

Telephone (Home) _____ (Business) _____

Name of Property Owner _____

Address _____

Telephone (Home) _____ (Business) _____

Location of Property

Lot # _____ Zoning District _____

Address _____

Existing Use Of Property _____

Proposed Use Of Property _____

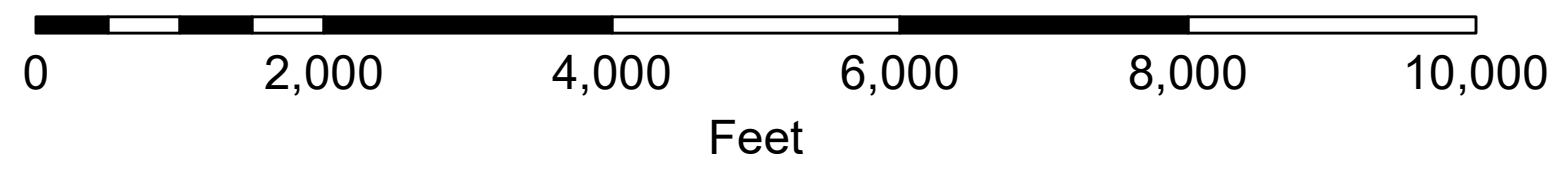
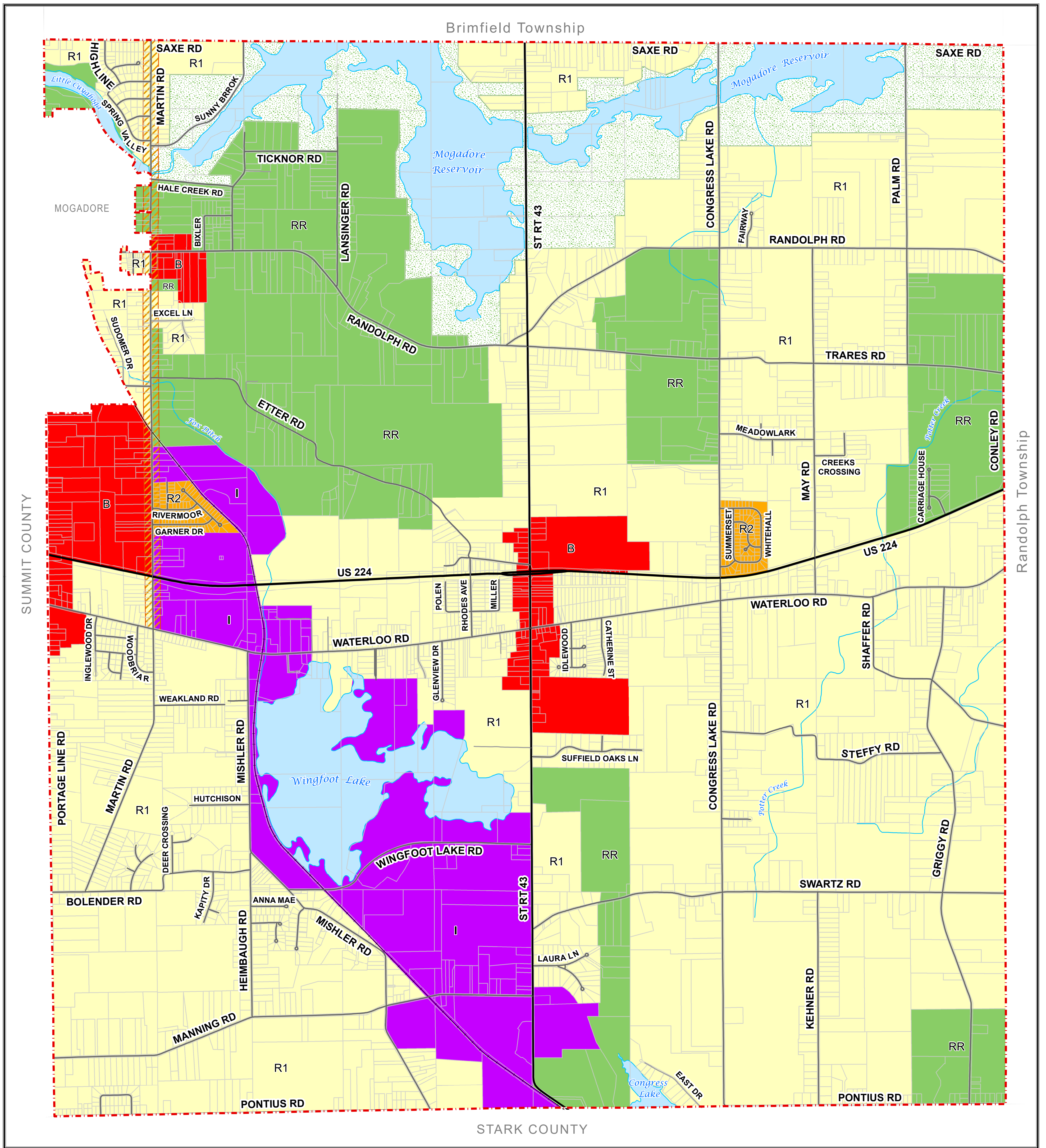
Statement regarding the requirements enumerated in subsection 801.2.A.

Signature Of Applicant _____ Date _____

Date Received By Zone Inspector _____ Signature _____
Zone Inspector

Date Delivered To Zone Commission _____ Signature _____
Zone Inspector

Suffield Township Zoning Districts



Zoning

- | | | |
|-------------------------------|------------------------|--|
| O-C - Open Space Conservation | R2 - Urban Residential | Residential Business Overlay |
| RR - Rural Residential | B - Business | (Overlay district for properties with frontage on this portion of Martin Road) |
| R1 - Low Density Residential | I - Industrial | Parcels (2021) |

Road Type

- US route
- State route
- Township, county, municipal roads
- Private roads



Prepared by Portage County Regional Planning Commission, September 2021.

Source: Parcels, Roads, Portage County GIS, 2021

Adopted: Suffield Township Trustees, Resolution 8-7-07A

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APPENDIX 14

Appendix # 14

STORAGE OF JUNK MOTOR VEHICLES (Reference R.C.505.173)

Resolution No. 4-6-99A

It was moved by Mr. Mishler and seconded by Mr. Polen that,

WHEREAS, Ohio Revised Code Section 505.173 authorizes the Board of Township Trustees to adopt a resolution to regulate the storage of junk motor vehicles on private and public property within the unincorporated area of the township; and

WHEREAS, the Board of Suffield Township Trustees considers it necessary to adopt such a resolution; that it therefore be

RESOLVED, by the Board of Trustees of Suffield Township, Portage County, Ohio, that:

- (1) The Board declares, and be it hereby ordered, that any junk motor vehicle, as defined herein, located, stored, or kept in open view on any private or public property within any unincorporated area of this Township, and not:
 - (A) A collector's vehicle, as defined in Ohio Revised Code Section 4501.01(F), as amended, except a collector's vehicle, whether licensed or unlicensed, that is within the definition of junk motor vehicle, as defined herein;
 - (B) Within the area and operation of a scrap metal processing facility licensed under Ohio Revised Code Sections 4737.05 to 4737.12, as amended;
 - (C) Within the area and operation of a motor vehicle salvage dealer, salvage motor vehicle auction, or salvage motor vehicle pool of a person licensed under Ohio Revised Code Chapter 4738; or
 - (D) Within the area and operation of a towing and recovery service conducted under Ohio Revised Code Sections 4513.60 to 4513.63,

is prohibited and must be removed from the property; and further,

- (2) That the Board declares, and be it hereby ordered, that any unlicensed collector's vehicle that is not a junk motor vehicle, as defined herein, located, stored, or kept in open view on any private or public property within any unincorporated area of this Township must be concealed by means of buildings, fences, vegetation, terrain, or other suitable screening acceptable to the Board or removed from the property; and further,

- (3) That the Board hereby instructs the township zoning inspector, herein designated the JMV Inspector, to inspect all private or public property within the unincorporated area of the Township to determine if any motor vehicle prohibited under this resolution, or any unlicensed collector's vehicle that is not a junk motor vehicle, as defined herein, not concealed as required by this resolution, is located, stored, or kept thereon; and further,
- (4) That the Board hereby instructs the JMV Inspector to notify the owner and lessee, if any, of such property where any motor vehicle prohibited under this resolution, or any unlicensed collector's vehicle that is not a junk motor vehicle, as defined herein, not concealed as required by this resolution, is located, stored, or kept of the violation of this resolution on the form attached hereto and incorporated herein; and further,
- (5) That the Board declares, and be it hereby ordered, that any property owner or lessee that has been notified of a violation of this resolution must cease and abate the violation within thirty (30) days of receipt, and each day that such violation continues thereafter constitutes a separate violation for which a fine may be levied; and further,
- (6) That the Board may institute an action for injunction, mandamus, abatement, or any other appropriate action to enforce a violation of this resolution; and further,
- (7) That the term "junk motor vehicle" shall mean a motor vehicle, as defined in Ohio Revised Code Section 4501.01(B), as amended, that meets all of the following criteria:
- (A) Three (3) model years old, or older; and
 - (B) Apparently inoperable (as determined by the JMV Inspector upon inspection); and
 - (C) Extensively damaged, including, but not limited to, any of the following:
 - Missing Wheels, Tires, Engine, or Transmission;
- and further,
- (8) That the term "openview" shall mean that the motor vehicle is visible to the traveling public from, on, or along any public walk, road or highway; and further
- (9) That this resolution is to replace current Resolution No 11-26-96A approved November 26, 1996; that this Resolution is to become effective, and have the force of law, on April 7, 1999, and is to continue in effect thereafter until amended or rescinded by the Board.

APPENDIX 15

MEDICAL MARIJUANA CULTIVATORS

Mr. Calcei informed us that a state law regarding medical marijuana was passed by the Ohio legislature and signed by the governor on **June 8, 2016**. This becomes effective on **September 8, 2016**. Provisions in this law (HB 523) allow for townships to essentially limit production and distribution of medical marijuana, or to prohibit manufacture and distribution completely. The bill also required the township to conduct all meetings and deliberations on this matter in a transparent public forum, such as the meeting tonight. After some discussion the following resolution was passed:

WHEARAS, on June 8, 2016 Ohio Governor John Kasich signed House Bill 523 into law after it passed the Ohio General Assembly; and

WHEREAS, House Bill 523 provides for the regulation and legalization of medical marijuana within the State of Ohio; and

WHEREAS, Ohio Revised Code Section 3796.29, enacted as part of House Bill 523, provides that a Board of Township Trustees may adopt a resolution to prohibit or limit the number of medical marijuana cultivators, processors, and dispensaries within the limits of the township; and

WHEREAS, the Board of Trustees of Suffield Township takes legislative notice that the use, possession, cultivation, distribution, and sale of marijuana, whether for medical or recreational use, remains illegal under the Controlled Substance Act, codified at 21 U.S.C. Section 841; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Suffield Township that:

Section 1. As a land use matter, medical marijuana cultivators, dispensaries, and processors, as defined by House Bill 523, are hereby prohibited within the Township, to protect the health, safety, and welfare of the residents of Suffield Township.

Section 2. The Board finds and determines that all formal action of the Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board and that the deliberations of the Board and any committees that resulted in those formal actions were in meeting open to the public in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.

Roll Call: Mr. Vartenuk- Yes, Mr. Eldreth - Yes, Mr. Calcei- Yes
From Suffield Township's August 30, 2016 meeting.

Appendix 16

SUFFIELD TOWNSHIP ZONING DEPARTMENT DEMOLITION PERMIT

Date: _____ Permit No. _____

Applicant: _____ Owner: _____

Applicant Telephone: _____ Owner Telephone: _____

Applicant Email: _____ Owner Email: _____

Demolition Address: _____

Parcel No.: _____ Residential _____ Commercial _____

Applicant/Owner Address: _____

Specify what is to be demolished: _____

Site reclamation of a demolished structure/property includes approved clean fill, graded, seeded and strawed.

Remarks: _____

Fee: \$ _____

Zoning Inspector: _____

Site Reclamation Inspection Date: _____

Approved: _____ Disapproved: _____

Site Reclamation Reinspection Date Approved: _____ Disapproved: _____

Zoning Inspector: _____

SUFFIELD TOWNSHIP ZONING DEPARTMENT DEMOLITION PERMIT

Contact the electrical service provider (First Energy), when the building being demolished has electrical service, to terminate service and remove the meter. Gas (natural or propane), cable TV, and land line telephone also need to be removed from the structure.

Contact the Portage County Health Department, when potable water wells and /or septic systems will be abandoned by the demolition process; for instructions on procedures, approvals, permits and required inspections. This documentation is required with the demolition permit application.

Contact the Portage County Water Resources Department, when sanitary sewer, storm sewer, and potable water services will be abandoned by the demolition process; for instructions on procedures, approvals, permits and required inspections. This documentation is required with the demolition permit application.

Verification of asbestos compliance of structures is the responsibility of the

Contractor/owner/applicant. Asbestos report required. Asbestos will be handled and removed prior to any demolition in accordance with the Ohio Administrative Code Ordinance #3745-20, under penalty of law. For more information, contact the Ohio Environmental Protection Agency, Division of Air Pollution Control, (614) 728-3816.

Contact the Ohio EPA/Akron Regional Air Quality Management District located at 146 South High Street, Akron, Ohio 44308 (330-375-2480 or 800589-2480) to obtain information and requirements for determining the presence of asbestos and the potential for asbestos abatement; (reference: Ohio EPA Notification of Demolition and Renovation form). Upon completion of the successful application process, the EPA/Akron Regional Air Quality Management District will forward a copy of the completed and accepted form to the Suffield Township Zoning Inspector, and this must be on file before making formal application for the building demolition permit.

Unless specifically required by the Zoning Inspector, it is suggested that neighboring homeowners, or business owners to the location of the demolition be notified prior to commencing work. By being made aware, they can take any precautions that they deem necessary (e.g., close windows, etc.) whereby airborne debris might be carried by the potential for wind.

All demolition must be complete, including the building footing, foundation and any appendages.

All footers and below grade walls and floors are to be removed. All surface irregularities, wells, basements, cellars, sidewalks, vaults or coal chutes remaining after demolition shall be filled with clean, hard fill and compacted. If appropriate, the top layer of gravel driveways shall be removed

All sewer connections and/or water services must be effectively abandoned and capped at the direction of the Zoning Inspector.

All underground storage tanks shall be removed, and the hole shall be filled with clean, hard fill and compacted.

Any excavation and/or opening is to be filled using granular materials conforming to ODOT Item 304 or 310 as approved by the Zoning Inspector and compacted to 95% proctor. Slag is prohibited.

All debris from any building shall be thoroughly dampened to prevent circulation of dust. All demolition debris must be removed from site and transported to an approved reclamation (dump) site. Proof of discharge via a receipt from said reclamation site should be submitted to the Zoning Inspector as part of the requirement for completing the project under the issuance of the demolition permit.

Burning of the building to be demolished and/or burning of the building materials after demolition is strictly prohibited unless under the control of the Suffield Fire Department.

The contractor shall grade the lot to match surrounding grade elevations, and to result in no apparent low or high areas.

The party securing the demolition permit shall apply sod or grass seed to address soil erosion control. The Zoning Inspector may require that straw or mulch material be placed on the site that is seeded to prevent erosion and enhance the likelihood of successful growth.

The demolition contractor shall call the Zoning Inspector for a final inspection upon completion of the demolition.

Prepared By: Suffield Township Zoning Commission

Effect of Amendments

SEC. 301.2 (A) (3) (b) (a) (1) (c) Agricultural Uses, page 32, effective March 11, 2009, added "iv. One hundred (100) feet from inhabited dwelling."

SEC. 301.2 (K) Accessory Building, page 37, effective March 11, 2009, added "No accessory building shall be constructed on a vacant lot until a principal building is completed."

SEC. 403.6 (B) (1) Minimum Living Floor Area: Dwelling Units Without Basements, page 61, effective March 11, 2009, made the originally approved changes substituting "thirteen hundred (1,300)" for "fifteen (1,500)".

Appendix 1 Schedule of District Regulations, SF No Basement, page 177, substituted "1,500" for "1,300".

SEC. 501.13 Signs Requiring A Zoning Certificate: Schedule 501.13 Types of Signs Requiring Zoning Certificates, page 107, effective April 8, 2009, substituted "Agritourism" for "Agricultural".

SEC. 801.1 (B) (3) Procedures For Filing an Application, page 126, effective April 8, 2009, added "all".

SEC. 1012 Notice of Hearings, page 169, effective April 8, 2009, added "(subject to SEC. 801.1 (B) (3))".

SEC. 301.2 (S) (1) Supplementary Regulations: Fences, Walls, Hedges, page 39, effective May 13, 2009, substituted "301.2 (J)" for "301.1 (K)".

SEC. 301.2 (S) (2) Supplementary Regulations: Fences, Walls, Hedges, page 39, effective May 13, 2009, added "and contain fifty percent (50%) open visibility", substituted "301.2 (J)" for "301.1 (K)".

SEC. 301.2 (S) (3) Supplementary Regulations: Fences, Walls, Hedges, page 40, effective May 13, 2009, substituted "may be higher than (6) feet in height." for "must be placed ten (10) feet back from the street right of way line, also known as the front lot line."

SEC. 301.2 (J) Supplementary Regulations: Visibility at Corner Lots, page 36, effective June 10, 2009, substituted "Figure 301.2.J" for "Figure 302.2.J".

SEC. 402.8 Minimum Access Strip, page 58, effective July 8, 2009, deleted "access to a public street." added "only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted."

SEC. 401.8 Minimum Access Strip, page 54, effective July 8, 2009, deleted "access to a public street." added "only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted."

SEC. 403.8 Minimum Access Strip, page 61, effective July 8, 2009, deleted "access to a public street." added "only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted."

SEC. 421.6 Minimum Access Strip, page 98, effective July 8, 2009, deleted "access to a public street." added "only one (1) sixty (60) foot minimum access strip per parcel of land will be permitted."

Effect of Amendments

SEC. 303.09 Small Wind Energy System, page 50, effective July 8, 2009, added:

- A. A Small Wind Energy System may be permitted on a minimum of five (5) acres requiring two hundred (200) feet from the base of the tower or one hundred ten percent (110%) of the height of the Small Wind Energy System to the lot line, or any inhabited building.
- B. The total height of a Small Wind Energy System is measured as the vertical distance from the ground level to the tip of a wind generator blade when the tip is at its highest point, and shall not exceed the maximum height of one hundred twenty (120) feet.

Article II Definitions, page 22-23, effective July 8, 2009, added "Small Wind Energy System: A wind energy system consists of a wind turbine, a tower, and associated controls or conversion electronics, which has a rated capacity of not more than one hundred (100) kW and which is intended to primarily reduce on-site consumption of utility power. The purpose of a small energy system is to be an accessory use of the property. (I.e. Windmills)".

SEC. 601.4 Continuance Of A Non-Conforming Use Of Buildings And Land, page 113, effective March 10, 2010, substituted "Non-Conforming Uses of Land" for "Continuance Of A Non-Conforming Use of Buildings And Land"; added "No non-conforming uses of land shall be enlarged or increased more than twenty percent (20%) (one time only)."

SEC. 801.4 (D) Specific Regulations Pertaining To Certain Specific Conditionally Permitted Adult Uses Including adult bookstores, adult motion picture theaters, adult cabarets and massage parlors, page 149, effective March 10, 2010, added ", or cemetery."

ARTICLE II Definitions, page 8, effective November 8, 2010, substituted title "Type B Child Day Care Home" for "Day Care Facility".

SEC. 401.2.A USES, page 52, effective November 10, 2010, added "6. Day Care Facility pursuant to ORC 5104.054."

SEC.410.05.A.2 USES, page 69, effective November 10, 2010, added "i. Day Care Facility pursuant to ORC 5104.054."

SEC.410.05.A.4.b USES, page 71, effective November 10, 2010, substituted "Facility" for "Centers", deleted "to include Type A Family Day Care Home and Children and Adult Day Care Center".

SEC.411.2.B USES, pages 94-95, effective November 10, 2010, added "12. Day Care Centers (as described in definitions) provided that the applicant present proof of compliance with the following requirements:

1. The site and structure shall meet the applicable state code requirements.

Effect of Amendments

2. These facilities shall not provide overnight accommodations.
3. A drop-off/pick-up location shall be identified that will not impede traffic and shall ensure the safety of the adults and/or children.
4. Outside areas for activities shall be fenced for the protection of the adults and/or children. Fencing height and design shall be in accordance with SEC. 301.2.S Fences, Walls, Hedges.

SEC. 801.3.16.B Permitted Home Based Business, page 132, effective November 10, 2010, added “9. Day Care Facility pursuant to ORC 5104.054 shall be permitted in all zoning districts in which residential zoning is permitted.”.

SEC.801.8.D Outdoor Hydronic Burners, page 158, effective November 10, 2010, added “(four (4) feet for Forced Air Burners).”.

Article II Definitions, page 19, effective November 10, 2010, substituted title “Outdoor Hydronic Burner” for “Outdoor Hydronic/Forced Air Burner”.

SEC. 801.8.E.3 Outdoor Hydronic Burners, page 159, effective December 8, 2010, added “in accordance with the furnace manufacturer’s specifications.”.

SEC. 402.2.B.7 USES, page 56, effective December 8, 2010, substituted “Home Based Business” for “Home Occupation”.

SEC. 403.2.B.5 USES, page 60, effective December 8, 2010, substituted “Home Based Business” for “Home Occupation”.

SEC. 404.2.B.8 USES, page 63, effective December 8, 2010, substituted “Home Based Business” for “Home Occupation”.

SEC. 410.05.B.1.a USES, page 73, effective December 8, 2010, substituted “Home Based Business” for “Home Occupation”.

SEC. 301.2.K Supplementary Regulations; Accessory Building, page 37, effective June 8, 2011, substituted “Accessory buildings which are not part of the main building shall not be located closer than fourteen (14) feet from the main building, may be built within ten (10) feet of the rear and fourteen (14) feet of the side lot lines, and must conform to the front yard building set back line. An accessory building which is not a part of the main building shall not occupy more than thirty percent (30%) of the required rear yard and shall not be located nearer than sixty (60) feet from any front lot line or side street lot line. Accessory buildings in residential districts shall be limited to eighteen and one-half (18 ½) feet in height unless the Board on appeal authorizes a greater height. No accessory building shall be constructed on a vacant lot until a principal building is completed.” for “1. No accessory building permitted on vacant lots. 2. Must conform to permitted building square footage based on lot acreage (See Figure 301.2.K). 3. Accessory buildings not to exceed 30 percent of the rear yard. 4. Minimum 14 ft. from the principal building. 5. Minimum 10 ft. from the rear lot line. 6. Minimum 14 ft. from the side lot lines. 7. Minimum 60 ft. from the front lot

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lines. 8. Maximum of two (2) accessory buildings which collectively cannot exceed total permitted square footage for the lot size. 9. Maximum accessory building height is 20 ft. in any district. 10. Must conform to all Portage County Health Department guidelines as to where the building can be placed on the lot. 11. Accessory buildings that are removable (without foundation or pole barn structure) are subject to zoning regulations, but no zoning permit or fee is required. Portage County's maximum size of these types of structures is 16 ft. in any direction. 12. Suffield zoning regulations regarding accessory buildings apply to sub-divisions, however some deed restrictions may be stricter. 13. Agricultural use of land is exempt from accessory building regulations.”

SEC. 301.2.K Supplementary Regulations; Accessory Buildings, page 37, effective June 8, 2010, added Figure 301.2.K Accessory Building Size per Lot Acreage.

Article II Definitions, page 8, effective September 21, 2011, returned title to “Type B Child Day Care Home” from “Day Care Facility”.

SEC.401.2.A USES, page 53, effective September 21, 2011, substituted “6. Type B Child Day Care Home” for “Day Care Facility”.

SEC.410.05.A.2 USES, page 70, effective September 21, 2011, substituted “i. Type B Child Day Care Home” for “Day Care Facility”.

SEC.411.2.B USES, pages 94-95, effective September 21, 2011, substituted “12. Type B Child Day Care Home” for “Day Care Facility”.

SEC.301.2.A.2.d Agricultural Uses, page 31, effective July 11, 2012, substituted “twenty (20) feet” for “eighteen and one half (18 ½) feet”.

SEC.301.2.B Permitted Height Exceptions, page 34, effective July 11, 2012, “shall exceed twenty (20) feet” for “may be erected to exceed by more than eighteen and one half (18 ½) feet the height limits of the district in which it is located”.

Article II Definitions, Accessory Structure/Use: page 2, effective October 24, 2012, added “An uninhabited”.

SEC.301.2.K Accessory Building, page 37, effective October 24, 2012, added “If the accessory building is not attached to the principal building the structure shall be uninhabited.”.

SEC.301.2.K Accessory Building, page 37, effective November 14, 2012 removed “If accessory building is not attached to the principal building the structure shall be uninhabited.”.

SEC.301.2.K Accessory Building, page 37, effective November 14, 2012 revised “An accessory building shall not be attached to the principal building, on a lot, and shall not be made structurally a part thereof.”.

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Appendices, effective November 14, 2012, added "17. Township Demolition Application Form"