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VILLAGE OF HASKINS, OHIO
ZONING ORDINANCE
ORDINANCE NO. O-2002-9
PASSED 18 March 2002

PREPARED BY:

THE VILLAGE OF HASKINS, OHIO
PLANNING COMMISSION
2002

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AN ORDINANCE AMENDING THE ZONING AND BUILDING ORDINANCE OF THE VILLAGE OF HASKINS, OHIO, REQUIRING PERMITS FOR THE ERECTION OR ALTERATION OF BUILDINGS AND STRUCTURES AND FOR MODIFICATION OF THE USES OF LAND, BUILDINGS AND STRUCTURES LOCATED THEREON; REGULATING THE LOCATION, HEIGHT, AREA, NUMBER AND SIZE OF BUILDINGS AND OTHER STRUCTURES, PERCENTAGES OF LOT AREAS WHICH MAY BE OCCUPIED AND DENSITY OF POPULATION; PRESCRIBING THE MINIMUM PLAT SIZE, SET BACKS, SIDE AND BACK YARDS; DIVIDING THE VILLAGE INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS ARE DEEMED BEST SUITED TO CARRY OUT SAID PURPOSES; REGULATING THE USES PERMITTED IN SUCH DISTRICTS; PROVIDING A METHOD OF ADMINISTRATION; AND PRESCRIBING PENALTIES AND PROCEEDINGS FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HASKINS, COUNTY OF WOOD AND STATE OF OHIO:

ARTICLE I. GENERAL PROVISIONS

SECTION 100. Enacting Clauses

The Village Council of the Village of Haskins, Wood County, Ohio, in accordance with enabling legislation for municipal zoning as provided in Chapter 713.06 of the Ohio Revised Code hereby provides as follows:

SECTION 101. Purpose

This Ordinance is adopted for the purpose of protecting and promoting public health, safety, morals, comfort and general welfare; preventing overcrowding; conserving and protecting property and facilitating adequate but economical provision of public improvements; avoiding congestion in the public streets and highways; and to amend Ordinance No. 185 of the Village of Haskins, Wood County, Ohio, as amended by Ordinance No. O-2002-9 effective 18 March,

2002, in each and every part thereof that is inconsistent with this amending Ordinance, as of the date of the adoption of this amending Ordinance. All sections of the existing zoning ordinance or portions thereof which are not contained in this amended zoning ordinance are hereby repealed.

SECTION 102. Interpretation and Conflict

102.1 In interpreting and applying the provisions of this Ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any Ordinance rules or regulations previously adopted or issued and not in conflict with any of the provisions of this Ordinance, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this Ordinance; nor is it intended by this Ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other Ordinances or agreements, the provisions of this Ordinance shall control.

SECTION 103. Compliance with Regulations

- 103.1 No building or structure shall be located, erected, constructed, reconstructed, enlarged or structurally altered except in conformity with the area, height and yard regulations of the district in which such building or structure is located.
- 103.2 No building, structure or lot shall be used for any purpose other than that which is permitted in the district in which such building, structure or lot is located.
- 103.3 No yard or other open space existing about any building or structure shall be so reduced in area or dimension as to make it less than the minimum required by this Ordinance.
- 103.4 No lot held under one ownership at the time of the effective date of this Ordinance shall be reduced or subdivided in any manner below the minimum area and yard provision required by this Ordinance.
- 103.5 The minimum yards, parking spaces and other open spaces, including lot area per family, required by this Zoning Code for any building hereafter erected shall not be encroached

upon or considered as parking, yard or open space requirements for any other building, nor shall any lot area be reduced below the district requirements of this Zoning Code.

- 103.6 Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot except as specifically provided hereinafter. Every lot shall have access to a public right-of-way and have a minimum width per the dimensional requirements of Section 500.
- 103.7 No building shall be erected, converted, enlarged, reconstructed or structurally altered for a dwelling use except in conformity with the floor area regulations of the district in which it is located.
- 103.8 No nonconforming structure or use that was erected, converted or structurally altered, or premises used in violation of the zoning ordinance passed 18 March, 2002 or amended thereafter; shall be validated by the adoption of this Zoning Code and such violation or a violation of any of the provisions of this Zoning Code may be ordered removed or corrected by the proper officials at any time.
- 103.9 Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties or unnecessary hardships in carrying out the strict letter of this Ordinance providing such exception is in harmony with the general purpose and intent of the Ordinance and in accordance with the procedures and provisions specified in Article XII. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations.
- 103.10 Application forms for Zoning Permits shall be provided by the Village.

SECTION 104. Uses Exempted from Provisions of Ordinance

The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility owned by the Village of Haskins, or the use of land by any public utility owned by the Village of Haskins for the operation of its business or the use of land for essential services as herein defined shall be permitted in all districts established by this Ordinance and no zoning permit shall be required for any building or structure or for the use of any land essential to the operations of a public utility owned by the Village of Haskins.

SECTION 105. Validity

If any article, section, subsection, paragraph, sentence or phrase of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 106. Effective Date

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

SECTION 107. Ordinance Name

This ordinance shall be known as the Zoning Ordinance of the Village of Haskins, Ohio.

SECTION 108. Ordinance Contents: Text and Map

This ordinance shall consist of the text hereof together with that certain map marked and designated the map of the zoning ordinance of the Village of Haskins, Ohio, dated and identified by the signatures of the Mayor and the Village Clerk-Treasurer. Whenever zone classifications are established or modified, the zoning district map shall be corrected to show such changes and shall be published unless the amending ordinance clearly identifies the zone classification changes without reference to the zoning district map. Either the zoning district map or the text in amending ordinances shall be sufficient to establish zone changes. The latest dated zoning district map shall be the effective one.

SECTION 109. Scope of Regulations

Except as provided by this Ordinance and except after obtaining a written zoning permit from the Zoning Inspector, it shall hereafter be prohibited in Haskins, Ohio:

- 109.1 To erect any new building or structure or to relocate, enlarge, or substantially alter any existing building or structure.
- 109.2 To establish, expand, change or re-establish any nonconforming use of a building, structure or land.

- 109.3 To reduce the open structure or plot area required for a building, structure, parking space or similar facility or to include any part of such open space or plot area as that required for an adjoining building or structure.

SECTION 110. Liberal Construction

In the interpretation and application of this Ordinance, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be construed to be a limitation or repeal of any other power granted by the Ohio Statutes, as may be amended from time to time, or now possessed by the Village.

SECTION 111. General

- 111.1 Administration of the Zoning Ordinance shall include the issuance of zoning permits, enforcement of the zoning code, amendments to the zoning code, zoning appeals and the maintenance of zoning records, ordinances and maps.
- 111.2 Village Council shall act on request of zoning amendments and serve as the final appeal for Village action on matters of zoning.
- 111.3 The Clerk of Council shall maintain record of all resolutions of council concerning zoning, zoning ordinances and appeals to Village Council.
- 111.4 It shall be the duty of the Zoning Inspector to enforce the zoning code, issue zoning permits and to maintain the zoning permit record and maps.
- 111.5 The Planning Commission shall be responsible for review and recommendation of zoning amendments and site plans (as required or requested).
- 111.6 The Board of Zoning Appeals shall conduct hearings and decide on matters of zoning appeal, granting of zoning variances and exceptions to provisions of the zoning code.

ARTICLE II. DEFINITIONS

For the purpose of this Ordinance, certain terms and words are herein defined as follows:

The words “used for” include “designed for,” “intended for” and vice versa; words used in the present tense include the future; words in the masculine gender include the feminine and neuter; words in the singular number include the plural number and vice versa; the word “building” includes the word “structure”; the word “dwelling” includes the word “residence”; the word “lot” includes the words “plot” and “parcel”; and the word “shall” is mandatory and not directory.

Where terms are not defined in this section, they shall have their ordinarily accepted meanings or such meanings as the text may imply.

Abandoned Sign: A sign or sign structure which no longer identifies or advertises a business, lessor, service, owner, product or activity, and/or for which no legal owner can be found. Such sign(s) and sign structures shall be removed within 30 days of notification by the Village Zoning Inspector.

Accessory Building: A detached subordinate building or portion of a main building, the use of which is clearly incidental to that of the main building or the use of this land. Each accessory use requires a zoning permit.

Accessory Use: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building, including home occupations where permitted. Each accessory use requires a zoning permit.

Adult Amusement or Entertainment: An establishment customarily engaged in the presentation of nude exhibitions and performances for commercial or pecuniary gain, which excludes minors by virtue of age. This definition does not apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau or production in any theater, concert hall, museum of fine arts, school, institution of higher learning or similar establishment which is primarily devoted to such exhibitions, presentations, shows or performance as a form of expression of opinion, communication, speech, ideas, information, art or drama as differentiated from commercial or business advertising, promotion, selling or servicing products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern or dance hall.

Adult Book Store: An establishment which has a substantial portion of its stock in trade, books, magazines or other periodicals, from which minors are excluded by virtue of age.

Adult Movie House: An establishment displaying movies, which is customarily not open to the general public by excluding minors by virtue of age.

Adult-Oriented Uses: Businesses which include adult amusement and entertainment, adult bookstores, adult movie houses and adult video stores as defined herein. Additionally, these businesses exclude minors by virtue of age.

Adult Video Store: An establishment which has a substantial portion of its stock in movies, for sale or for rent, from which minors are excluded by virtue of age.

Advertising Message: The copy on a sign describing products or services being offered to the public.

Advertising Sign: A sign which directs attention to a business, commodity or service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises, if at all.

Agriculture: Includes farming, dairying, pasturage, agriculture, horticulture, viticulture, tree farming, animal and poultry husbandry; and only the sale of such products as are raised on the premises; agriculture shall not include kennels. Includes the necessary accessory uses, provided however that:

- (a) The operation of any such accessory uses shall be secondary to that of normal agricultural activities; and
- (b) The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within 100 feet of any residential zoning district. Agriculture does not include the feeding of garbage to animals or the operation or maintenance of a commercial stockyard or feedyard

Agricultural Products: Goods produced or services provided by person(s) engaged in agriculture.

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

Aisle: That portion of the circulation area within a parking lot that provides access to parking spaces or a delivery zone. The minimum width permissible for an aisle to serve adjacent parking spaces shall depend on the angle of parking as stated in Table 600-1 and illustrated in Figures 600-1 and 600-2.

Alley: A public thoroughfare which typically affords a secondary means of access to the back or side of properties abutting another street. It is not more than ten feet wide where required for pedestrian use exclusively and not less than 20 feet wide where required for vehicular use.

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

Animal Care Facilities: Structures, buildings, or enclosures used for medical treatment including care and temporary housing of animals receiving treatment, with temporary housing being limited to 48 hours. Uses include but not limited to veterinary clinics and animal hospitals.

Animal Hospital: Structures, buildings, or enclosures used for medical treatment and care of animals, but does not include housing nor kennels for animals.

Animated Sign: A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical or other means. (See also and note difference from “Changeable sign.”) Animated signs include the following types:

- (a) **Naturally Energized:** Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.
- (b) **Mechanically Energized:** Signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.
- (c) **Electrically Energized:** Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:
 - (1) **Flashing Signs:** Illuminated signs exhibiting a preprogrammed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or

less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to 100 percent (on) during the programmed cycle.

- (2) **Illusionary Movement Signs:** Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

Apartment House: A building or portion thereof used or intended to be used as the home of three or more families or householders living independently of each other.

Applicant: An owner of real property in the Village of Haskins or his/her agent.

Architectural projection: Any projection not intended for occupancy which extends beyond the property line, not including signs, canopies or marquees.

Area Identification Sign: A sign freestanding or affixed to a wall or fence which identifies a neighborhood, a residential subdivision, a multi-family residential complex or a commercial or industrial complex.

Area of a Sign: See “Sign, Area of.”

Assisted Living Facility: A licensed residential care facility that is designed, maintained and operated for persons in need of assistance/medical/rehabilitative care where in addition a limited number of support services such as meals, housekeeping, transportation, and social and recreational activities are provided.

Athletic Field: An area substantially open to the sky that may include, along with the natural environmental features, any other recreational facilities that the Planning Commission deems permissible. Streets, parking areas, structures for habitation, and the like shall not be included.

Auction Market: A building, structure, or site which primary use is for selling of goods, merchandise, land etc. by a bidding process.

Automobile/Automotive Service Station: Any premises used for supplying gasoline, oil, grease, batteries, tires, parts and motor vehicle accessories, at retail direct to the customer, and where in

addition, minor auto repairs and services may be rendered and sales made, but not including body or fender work, painting or major motor repairs. When the aforementioned service is incidental to the conduct of a public garage, the use shall be classified as a public garage. See also “Convenience Gas Station.”

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

Automotive Salvage: The dismantling, wrecking and/or salvage of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Automotive, Travel Trailer, and Farm Implement Sales and Rentals: An open area, other than a street, used for the display or sale of new or used automobiles, motorcycles, recreational vehicles, trailers, travel trailers and farm implements, and where no repair work is done except minor incidental repair of automobiles, motorcycles, recreational vehicles, trailers, travel trailers and farm implements to be displayed and sold on the premises.

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

Awning: A shelter projecting from and supported by the exterior wall of a building constructed of rigid or non-rigid materials on a supporting framework.

Awning Sign: A sign painted on, printed on, or attached flat to an awning covering a doorway, window or face of the building.

Background area: The entire area of a sign on which copy could be placed, as opposed to the copy area, when referred to in connection with fascia or painted wall signs.

Backlit Awning Sign: A sign attached to an awning that is covered with translucent fabric and is internally illuminated.

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

Banner: A temporary sign not exceeding 30 square feet in aggregate, displayed on a flag or a strip of lightweight material made of paper, cloth or fabric, which is attached to a building, another sign (but as not to obstruct the view of traffic) or some other existing structure. One banner sign is allowed for two, 30-day periods per year and requires a Sign Zoning Permit. See also “Flag.”

Banner sign: A temporary sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign caused by movement of the atmosphere.

Basement: A story partly or wholly below grade. For purposes of height measurement, a basement shall be counted as a story where one-half (½) of its height is above average level of the adjoining ground. If, however, a basement is not occupied as living quarters, it shall not be included as a story for the purpose of height measurement.

Bed and Breakfast: Any place of lodging that provides eight or fewer rooms for rent, for more than 10 nights in a 12-month period, is the owner’s personal residence, is occupied by the owner at the time of rental, and at which the only meal served to guest is breakfast. The building is distinguished from a hotel, boarding or rooming house in the above-listed ways.

Billboard or Poster Panels: Any sign or advertising structure used to advertise goods, products, services or facilities which are located off-site from where the sign is installed and maintained. See also “Off-Premise Sign.”

Board: The Board of Zoning Appeals of the Village of Haskins, Ohio

Boarding House: A building or portion thereof, other than a hotel, tourist home, bed and breakfast, or motel, where lodging and meals for three or more persons are provided for compensation.

Boarding of Animals and Livestock: The stabling, housing and feeding of animals or livestock for compensation or for use in a commercial activity, exhibit or for other commercial/recreational purposes.

Boat Storage: The storage of boats, similar water craft and marine equipment.

Boats and Boat Trailers: Shall include boats, floats and rafts, plus the normal equipment to transport same on the highway.

Boundary Wall (Exterior): See Wall, Boundary (Exterior)

Building: A structure having a roof supported by columns or walls designed or intended for the shelter, support, protection or enclosure of persons, animals, property, or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building.

Building Area: The space remaining on a lot after the minimum open-space requirements (coverage, yards, setbacks) have been met.

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

Building Coverage: The amount of land covered or permitted to be covered by a building measured on a horizontal plane at mean grade level and excluding uncovered porches, terraces and steps.

Building Face or Wall: All window and wall area of a building in one plane or elevation.

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

Building Frontage: The linear width of an outside building wall facing a right-of-way or the linear length of the right-of-way facing the building, whichever is smaller.

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

Building Line: A setback line for a main building on a platted lot.

Building, Main: A building in which is conducted the principal use of the lot on which it is situated.

Building, Unit Group: Two or more buildings (other than dwellings) grouped upon a lot and held under one ownership, such as universities, hospitals and institutions.

Building Sign: A sign lettered to give the name of a building itself, as opposed to the name of occupants or services.

Bulletin Board, Institutional: See “Institutional Bulletin Board.”

Bus Shelter: An open structure with a roof used as a protection or shield from wind, rain, snow etc. Usually a place for persons to stay awaiting a bus or passenger vehicle.

Business: The sale, purchase, or exchange of goods or services.

Business Classifications:

- (a) **Business, General:** Retail and service establishments which, in addition to catering to the daily needs of community residents and workers for convenience goods and services, also include establishments offering comparative-type shopping facilities. General business includes, but is not limited to, automobile service station; automotive repair; banks; financial and insurance services; marine sales and service; printing and publishing services; supermarkets; and stores for the sale of drugs, hardware, appliances, furniture, apparel and footwear; business and personal services; professional services; and other similar or related activities which can be grouped by design into a unified shopping center.
- (b) **Business, Highway:** Includes commercial uses requiring locations on major thoroughfares and at their principal intersections. Highway uses include motels, motor vehicle service stations, motor vehicle repair, restaurants, drive-in establishments, automotive and farm implement rental, sales and services, building trades and services, commercial recreation and similar commercial activities, when maintained inside an enclosed building.
- (c) **Business, Neighborhood:** Retail and service establishments which primarily serve a day-to-day need in local market areas and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion, local retail and service uses include only those enterprises which normally employ less than 10 persons. Permitted uses include drug stores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, banks and financial/insurance services with fewer than 10 employees, and hardware and grocery stores if less than 10,000 square feet of floor area. Other small businesses

of an equally restricted and local nature may be permitted, based upon such interpretation of the Zoning Code by the Board of Zoning Appeals.

- (d) **Business, Office-Type:** Quasi-commercial uses which may often be transitional between retail business and/or manufacturing, and residential uses. The term “Office-Type Business” generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic and drafting. Institutional offices of a charitable, philanthropic, or religious or educational nature are also included in this classification. Establishments in this classification are located in the “C-2,” General Commercial and “C-3,” Central Business District zoning districts.
- (e) **Business, Wholesale:** Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, 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. Establishments in this classification are located in the “M-1,” Light Industrial and “M-2,” Heavy Industrial zoning districts.

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

Business Sign: A sign which directs attention to a business or profession conducted on the premises. A “For Sale” sign or a “For Rent” sign relating to the property on which it is displayed shall be deemed a “business sign.”

Campground: Land used or intended to accommodate two or more recreational vehicles, tents, or other individual camping units to be used as temporary housing for recreational purposes.

Canopy Sign: Any sign attached to or constructed on a roof like covering with poles or an overhanging shelter.

Cemetery/Memorial Gardens: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including associated buildings such as chapels, crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Changeable Sign: A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged by manual or electric, electro-mechanical, or electronic means.

Changeable signs include the following types:

- (a) **Manually-Activated:** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.
- (b) **Electrically-Activated:** Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically-illuminated or mechanically-driven changeable segments. Includes the following types:
 - (1) **Fixed Message Electronic Signs:** Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming.
 - (2) **Computer-Controlled Variable Message Electronic Signs:** Signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

Changeable Copy Sign: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by manual or electric, electro-mechanical, or electronic means without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this code. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a “time and temperature” portion of a sign and not a changeable copy sign for purpose of the ordinance.

Child Care Clinic: Is an establishment where patients up to and including the age of 12 are not lodged overnight but are admitted for examination and treatment by a physician or a group of physicians practicing medicine together.

Child Day Care: Administering to the needs of infants, toddlers, pre-school children and school children outside of school hours by persons other than their parents or guardians, custodians or relatives by blood, marriage or adoption for any part of the 24-hour day in a place or residence other than the child’s own home. The following are child day care facilities:

- (a) **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 seven to 12 children at any one time. In counting children for the purposes of this definition, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises shall be counted.
- (b) **Family Day Care Home, Type A:** A permanent residence of the administrator in which child day care is provided for four to 12 children at any one time, if four or more children are under two years of age. In counting children for the purposes of this definition, any children under six 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 “Family Day Care Home, Type A” 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.
- (c) **Office Complex Day Care Facilities:** A place that is an integral part of an office building or office complex where child day care is provided, with or without compensation, typically for the employees of said office building or complex.

Church: A place of worship that typically includes an assembly room, rooms for religious education and administrative offices. A church is considered a semi-public use.

Clearance (of a Sign): The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework and embellishments extending over that grade.

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

Club: A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, literary, political, educational or recreational purpose, primarily for the exclusive use of members and their guests, and not primarily for profit or to render a service which is customarily carried on as a business.

Commercial: A use or activity which includes the purchase, sale, or exchange of goods or services including the display and transportation of commodities.

Commercial Entertainment Facilities: Any activity conducted for gain which is generally related to the entertainment field, such as motion picture theaters, carnivals, night clubs and similar entertainment activities.

Commercial Message: Any sign wording, logo or other representation that directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Commercial Vehicle: Any vehicle with a carrying capacity of over 6,000 pounds and used or designed to be used for business or commercial purposes and that requires a commercial driver's license (CDL) to drive. This definition includes school buses, semi-tractors, dump trucks and hazardous material haulers. Commercial vehicles may not remain overnight in a residential area or on the street adjacent to a residential area unless parked in an enclosed garage.

Commission: Shall mean the Planning Commission of the Village of Haskins, Ohio.

Community Water and Sewerage Facilities or Services: Are the water distribution and/or sewage collection system provided by or authorized or franchised by a public authority.

Condominium (Zero-Lot Line Development): A form of real property ownership in fee simple of a cubic air space including only interior surfaces (the individual dwelling unit), and undivided ownership share, in common with other purchasers, of the common elements of the project including the land and its appurtenances.

Construction Sign: A temporary sign identifying an architect, engineer, financial institution, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.

Convenience Gas Station: Any premises used for supplying gasoline as well as convenience goods, at retail direct to the customer, and wherein auto repairs and services are not rendered.

Copy, Sign: The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic or alphabetic form.

Copy area, Sign: The area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. For fascia signs, the copy area limits refer to the message, not to the illuminated background.

Court: An open unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

- (a) **Inner Court:** A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.
- (b) **Outer Court:** A court which opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.

Covenant: A private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded.

Crawl Space: The shallow portion of a building that is at or below grade.

Cul-de-Sac: A short street having one end open to traffic and being terminated by a vehicle turn-around. See also "Street."

Curb Grade: The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the Village Engineer shall establish such curb grade or its equivalent for the purpose of this Ordinance.

Day Care Facilities: A place other than the permanent residence which administers to the needs of children or adults providing social, rehabilitation, recreational, or educational activities on a daily basis with no provisions for residential care. Uses include, but are not limited to, adult day care, child day care, rehabilitative care and nursery schools.

Dead-End Street: See Street.

Density: A unit of measurement representing the number of dwelling units per acre of land.

- (a) **Gross Density:** the number of dwelling units per acre of total land to be developed including right-of-ways.
- (b) **Net Density:** the number of dwelling units per acre excluding right-of-ways.
- (c) **Gross Acre:** total acreage of a parcel including public rights-of-way and easements.

- (d) **Net Acre:** total acreage of a parcel excluding public rights-of-way and easements.
- (e) **Density Classification:**
 - (1) Low: no greater than 1.5 units per net acre
 - (2) Low-Medium: 1.5 to 2.2 units per net acre
 - (3) Medium: 2.2 to 3.9 units per net acre
 - (4) Medium-high: 3.9 to 5.0 units per net acre
 - (5) High: greater than 5 units per net acre

Detached Sign: Any sign which serves solely to designate the location or direction of any place or area.

Directional Sign: Any sign which serves solely to designate the location or direction of any place or area.

Directional/Information Sign (Private): An on-premise sign giving directions or instructions to facilitate traffic flow, e.g., parking or exit and entrance signs. Such signs may contain the name or logo of an establishment but no advertising copy. On such signs, the logo may not comprise more than 20 percent of the total sign area.

Disabled Vehicle: A vehicle that is inoperable and can not move under its own power. It meets one of the following requirements:

- (a) It does not display a valid license plate and is in either wrecked, partially wrecked, dismantled, partially dismantled, or discarded condition, or is incapable of being driven; or
- (b) It is wrecked, partially wrecked, dismantled, partially dismantled, discarded or is incapable of being driven and has remained in such condition for a continuous period of 14 days.

Dish: Shall mean that part of a signal-receiving antenna characteristically shaped like a saucer or dish.

Dish Antenna (Earth Station) (Ground Station): An accessory structure that shall mean one or a combination of two or more of the following:

- (a) a signal-receiving device (antenna, dish antenna or dish-type antenna), the purpose of which is to receive communication or other signals from satellites in earth orbit and other extraterrestrial sources.
- (b) a low-noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.
- (c) a coaxial cable the purpose of which is to carry or transmit the signals into a receiver which may be located in the interior of the building.

District, Zoning Districts: Administrative tracts designating the uses to which land can legally be utilized. Boundaries of the districts are shown on the zoning district map which is part of this Ordinance. Regulations governing the use of land, buildings and premises, the height of buildings, the size of yards, the requirements for off-street parking and the intensity of use are uniform within said tracts.

Double-Faced Sign: A sign with two faces, essentially back-to-back.

Drive-in Commercial Uses: Any retail commercial use providing considerable off-street parking and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters and similar uses.

Drive-Up: An establishment or facilities where goods or services are provided from windows or in drive through areas to customers in cars or to the cars, and where the cars are temporarily stopped or standing and which commonly does, or could involve a lineup of cars waiting in line for such goods or services. Current examples of drive-up developments include but are not limited to car washes, and drive-up windows at banks and fast food restaurants.

Driveway: A permanent hard-surfaced way that provides access to a garage, carport or unsheltered parking space from a street or place.

Dwelling: A building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple-family dwellings. The term “dwelling” shall include Ohio Basic Building Code (OBBC) approved units, but not include house trailers, e.g. travel trailers, motor homes, truck campers and park trailers, or mobile homes as defined by Ohio Revised Code Chapter 4501.01, recreational vehicles, hotels, and boarding and lodging houses. Residential purposes shall mean use or intention to use for living or sleeping by one or more human occupants.

- (a) **Dwelling Unit:** One or more rooms in a dwelling, or in a commercial building for which a special residential special use has been approved, and designed for occupancy by one family and its household employees for living, dining and sleeping purposes, and having cooking, bathing and toilet facilities and space for storage.
- (b) **One-family dwelling:** A detached building designed exclusively for occupancy by one family and separated from other dwelling units by open space.
- (c) **Two-family dwelling:** A building designed exclusively for occupancy by (2) families living independently of each other, including a duplex [one dwelling unit above the other], or a semi-detached dwelling [one dwelling unit beside the other] and each unit having a separate or combined entrance or entrances.
- (d) **Multiple-family dwelling:** A building or portion thereof, designed for occupancy by three or more families living independently of each other including condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units.
- (e) **Row:** A row of three or more attached, one-family dwellings, not more than two rooms deep.

Easements: Authorization by a property owner for the use by the public, a corporation or persons, and for a specified purpose, of any designated part of his property.

Educational Institution: A college or university giving general academic instruction equivalent to the standards prescribed by the State Board of Education.

Elderly Housing Facility: A building or buildings containing 12 or more dwelling units where occupancy is restricted to elderly persons or households. Such facilities may include emergency first aid care, day care, therapy, personal care, nursing facilities and recreational facilities, and provide for independent or semi-independent living. For the purposes of this definition, "Elderly Housing Facility" shall not include convalescent homes, nursing homes, group residential facilities, or homes for the aged.

Electrical Sign: A sign or sign structure in which electrical wiring, connections, or fixtures are used.

Embellishment: The decorative or ornamental detail on a sign or sign structure.

Erected: Attached, altered, set up, raised built, constructed, reconstructed, enlarged or moved into place, and includes the painting of wall signs, but does not include copy changes on any sign.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Exception: See Special Use (Special Exceptions)

Exempted Signs: Exempted from normal permit requirements.

Extraction Industry: The removal of soil, sand, gravel or minerals from land or water for purposes of resale or use in the commercial operation of a business or the production of a good or service.

Facade: The entire building front including the parapet.

Face of Sign: See “Sign Face.”

Family: An individual or married couple and natural or adopted children thereof, or of either of them, occupying a dwelling for the purposes of habitation, and including other persons related directly to the individual or married couple by blood or marriage, and including not more than two lodgers or boarders.

Family Day Care Home, Type A: See Child Day Care.

Farm Market: A building, structure or site whose primary purpose is the sale of agricultural commodities or products, derived from the premises upon which the market is located or on land owned or leased by the operator of the market.

Fence (Unit Fence): An artificially-constructed structure intended to act as a barrier, to demarcate a boundary, or an enclosure to restrict access to and/or egress from a lot or parcel of land, whether enclosing all or part of said lot or parcel or acting as a barrier to travel. Does not include ornamental structures of less than one foot in height. Fences shall be constructed of

materials compatible with the surroundings of the zoning district and of material that is uniform throughout the line of the fence.

Field, Athletic: See Athletic Field

Flag: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity. See also “Banner.”

Flea Market: A building, structure or site whose primary purpose is the leasing/renting of space, stalls or areas which are used for selling goods or merchandise.

Flood Plain: That land, including the flood fringe and the floodway, subject to inundation by the regional flood.

Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the 100-year recurrence interval flood.

Floodway: That portion of the flood plain, including the channel, required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Floodway Fringe: That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

Floor area: Space enclosed within a dwelling used for basic living purposes, exclusive of garages, storage rooms, porches or breezeways, enclosed or unenclosed. “Floor area” shall be determined by measurement of the exterior walls of the dwelling unit.

Folding Camper: A folding or collapsing structure of low silhouette, mounted on wheels and designed for travel, recreational or vacation uses.

Food Processing: The preparation or processing of food products. Examples of activities included are bakeries and dairies.

Freestanding Sign: See “Sign, Freestanding.”

Frontage: All of the property on one side of a street between two intersecting streets (crossing or terminating), measured at the set-back building line. Or if the street is a dead-end street, then all

of the property abutting on one side between an intersecting street and the dead-end of the street. (For individual lots, see “Lot Frontage” under “Lot.”)

Frontage, Building: See “Building Frontage.”

Frontage, Lot: See “Lot Frontage” under “Lot.”

Funeral Home: See Mortuary.

Future Development Sign: A temporary sign indicating the future construction or development of a building or area but not fitting under the definition of construction sign.

Garage: A structure or portion thereof which is used for the storage of motor vehicles.

- (a) **Garage, Private:** A detached accessory building or portion of a main building for the parking or temporary storage of automobiles of the occupants of the premises, and wherein:
 - (1) storage shall not exceed three motor vehicles;
 - (2) not more than one space is rented for parking to persons not resident on the premises;
 - (3) not more than one commercial vehicle per dwelling unit is parked or stored; and
 - (4) the commercial vehicle permitted does not exceed two ton capacity.
- (b) **Garage, Public:** A building other than a private garage used for the care, repair, or equipment of automobiles, or where such vehicles are parked or stored for remuneration, hire or sale. See also “Automobile Service Station.”
- (c) **Garage, Storage:** A building or portion thereof designed or used exclusively for storage of motor-driven vehicles, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

Gas Station, Gasoline Service Station: See Automobile Service Station.

Golf Course: An extensive recreational facility that typically includes nine or 18 holes of golf plus a driving range and a clubhouse which typically includes a restaurant and a bar.

Government Sign: See “Sign, Government.”

Grade: The curb line grade at the front lot line as established by Council.

Greenhouse: A building or structure enclosed with glass or other glazing and used for the cultivation and production of plants.

Greenspace: An area open to the sky which may be cultivated or maintained in a natural state.

Gross Floor Area: All of the area on each floor, whether or not such area is enclosed by walls, exclusive of interior areas used for off-street parking or loading facilities.

Ground Sign: See “Sign, Ground.”

Grounding Rod: Shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

Guest House: Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of occupants of the premises; such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling.

Half story: see “Story.”

Hard-Surfaced: A layer of bituminous, concrete, brick or other dust material forming a rigid, solid surface.

Hazardous Waste: Any waste or combination of waste in solid liquid, semi-solid or contained gaseous form which falls within the definition of Hazardous Waste under Ohio Revised Code Chapter 3734.01(j).

Health Care Clinics: A health care facility which provides for diagnosis and treatment services on an emergency or outpatient basis with no provisions for residential care.

Height (of a Sign): The vertical distance measured from the highest point of the sign, including decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less. (See also “Clearance [of a Sign].”)

Height of Building: See “Building Height.”

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

Holiday Sign: See “Seasonal Sign.”

Home Occupation: An occupation for gain or support, such as millinery, dressmaking, hairdressing, upholstering or repairing, carried on by the occupant of a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the external character of the dwelling, does not produce a sound that is audible beyond the dwelling, does not involve the employment of any person other than a resident of such dwelling, and that no articles are sold or offered for sale except such as are produced by the residents of the dwelling, and provided that such occupation shall not occupy more than one-third of the area of the residence.

Hospital: A health care facility which provides for diagnostic, medical, surgical or psychiatric treatment and care. It may include but is not limited to related facilities for educational and training facilities for health professionals.

Hotel: Any building or portion thereof which contains guest rooms which are designed or intended to be used, let or hired out for occupancy by, or which are occupied by ten or more individuals for compensation, whether the compensation be paid directly or indirectly.

House Trailer: See Mobile Home.

Identification Sign: A sign whose copy is limited to the name and address of a building, institution or person and/or to the activity or occupation being identified.

Illegal Sign: A sign which does not meet the requirements of this code and which has not received legal nonconforming status.

Illuminated Sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Incidental Sign: A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, e.g. “no parking”, “entrance”, “loading only”, “telephone,” and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

Industrial Park: Any parcel containing more than one industry.

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

Inoperable Vehicle: See “Disabled Vehicle.”

Institution: Building or land occupied by a nonprofit corporation or a nonprofit establishment wholly for the public use.

Institutional Bulletin Board: A sign which primarily displays the name of the organization and/or upcoming events of that organization.

Institutional Health Care Facilities: A public or nonprofit institution which provides for residential health care and maintenance for mental health or developmentally disabled persons.

Interior Property Lines: Property lines other than those fronting on a street, road or highway.

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

Kennel: Any lot or premises on which four or more dogs, more than four months of age, are kept for boarding purposes, medical care, or for other commercial purposes excluding animal husbandry.

Library: A public or semi-public educational institution that, among other activities, catalogues and stores books and other educational media for research and archival purposes, disseminates information, and provides books and other media for recreational reading and learning.

Livestock: Any animal that is domesticated for use, pleasure, or profit.

Living Space or Area: That area in a residence which does not include a garage, breezeway, basement, attic or crawl space.

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

Lot: Land occupied or to be occupied by a building, or unit group of buildings, and accessory buildings, together with such yards and other open spaces and a lot area as are required by this Ordinance to meet minimum zoning requirements for use, coverage, and area, and having its principal frontage upon an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record;
 - (2) A portion of a lot of record; or
 - (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
- (a) **Lot Area:** the total horizontal area within the lot lines of a lot, exclusive of any portion of the right-of-way of any public or private street.
 - (b) **Lot, Corner:** a lot, or portion thereof, not greater than 100 feet in width and situated at the intersection of two or more streets, having an angle of intersection of not more than 135 degrees.
 - (c) **Lot Coverage:** the ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.
 - (d) **Lot Depth:** the horizontal distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
 - (e) **Lot Frontage:** The horizontal length of the property line of any one parcel along a public right-of-way on which it borders. The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under “Yards” in this section.

- (f) **Lot, Interior:** a lot other than a corner lot.
- (g) **Lot of Record:** any lot which individually or as part of a subdivision has been recorded in the Office of the Wood County Recorder; or a parcel of land described by metes and bounds, the description of which has been recorded in the office of the County Recorder.
- (h) **Lot Lines:** the lines bounding a lot as described and defined herein.
- (i) **Lot, Minimum Area of:** See Lot Area.
- (j) **Lot, Reversed Corner:** a corner lot the side street line of which is substantially a continuation of the front lot line of the lot to its rear.
- (k) **Lot, Through:** an interior lot having frontage on two or more streets.
- (l) **Lot Width:** the width of a lot at the building set-back line measured at right angles to its depth. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard.

Lounge: A commercial establishment whose primary business is the sale for on-premise consumption of beverages and prepared food. Primary sales are of beverages. The establishment may also offer entertainment.

Low Profile Sign: A sign mounted directly to the ground with the maximum height not to exceed five feet measured from the ground surface and not to exceed seven feet measured from the center line of the road.

Maintenance (of a Sign): See “Sign Maintenance.”

Maintenance and Storage Facilities: Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.

Major Street: A dedicated street within the Village of Haskins which has been classified as a dual highway, dominant major street, a major street, a secondary major street, or a main street on the Official Village Major Street Plan.

Major Street Plan: The Village of Haskins Major Street Plan which designates roadways as expressways, principal arterial, minor streets, major collectors or local collectors.

Mansard Roof: A sloping roof where the angle of the roof is no more than 30 degrees from perpendicular. Signs on these roofs shall be considered fascia signs.

Manufactured Home: A factory-built, single-family structure that is transportable in one or more sections, is built on a permanent chassis and is used as a place of occupancy which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site and which does not have wheels or axles permanently attached to its body or frame. It is a building unit or assembly of closed construction that is fabricated in an off-site facility, designed for assembly at the building site, and bearing certification that it is built in conformance with the federal manufactured housing construction and safety standards established by the Secretary of the U.S. Department of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Act of 1974." See also "Industrialized Unit" and "Permanently-Sited Manufactured Home."

Manufactured Home Park: Any lot, parcel or tract of land designed exclusively for the occupancy by manufactured homes or mobile homes, used for human habitation, either free of charge or for revenue purposes, which includes any roadway, building, structure, vehicle or enclosure used or intended for use as part of the facilities of such Manufactured Home Park.

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

- (a) **Manufacturing, General:** any manufacturing, industrial production or storage, which by the nature of the materials, equipment and processes utilized, may require large parcels and effective separation from residential areas, is generally conducted within an enclosed building and if outside storage of material is required such storage is conducted within a well-maintained enclosure which shall have an opaqueness of 75 percent or more. General Manufacturing shall include the manufacturing of dairy, canned fruit and vegetable, bakery, soft drink and confectionery products; textile mill products and apparel; glass products; lumber wood products, furniture and fixtures; plastic products and fabrication; pharmaceuticals; perfumes and cosmetics; fabricated products from metal coils and sheets, the rolling and finishing of ferrous and nonferrous metals; screw machine products and bolts, nuts and screws, and washers; tool and die; cutlery, hand tools and general hardware; electrical machinery, equipment and supplies;

appliance production; radio and television sets; electronic components and accessories; and products of a similar nature.

- (b) **Manufacturing, Heavy:** any industrial use which requires buildings and open area for manufacturing, fabricating, processing, heavy repair, dismantling, testing, storage or disposal of raw materials, manufactured products or wastes, which is not injurious to health or safety of humans or animals. Typically, heavy manufacturing requires large sites for isolation and separation from residential and commercial development because of the potential spill over effect on surrounding areas, the use of buildings and open areas of the parcel for processing production, open storage and service areas, extensive services and facilities, and ready access to regional transportation. Normally, such uses generate some nuisances such as smoke, noise vibration, dust, glare, air pollution and water pollution, but not beyond the district boundary.

Heavy manufacturing shall include primary metal industrial operations involving the use of blast furnaces, the rolling and finishing of ferrous and nonferrous metals, iron and steel foundries, primary and secondary smelting and refining facilities, metal plate and sheet fabricating facilities for metal plates and sheets, metal salvage and fabrication, and any other operations which shall be deemed to be of a similar nature. Heavy manufacturing shall also include mineral extraction; motor vehicles and related products, manufactured housing; household appliances manufacturing; gas manufacture; refining; manufacturing and/or processing of animals, or animal parts for food, fertilizer or other purposes including the tanning and production of leather goods and furs; the manufacture of food and meat products; paper and allied products; chemicals and allied products, including plastic materials, synthetic rubber and man-made fibers, soaps and detergents, paints and agricultural chemicals, petroleum refining and related industries, including production of paving and roofing materials, tire products, glass products and any other products of a similar nature.

- (c) **Manufacturing, Light:** Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.
- (d) **Manufacturing, Restricted:** Any industrial use which is conducted entirely within enclosed, substantially constructed buildings; involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading

operations at the rear or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

Marine Sales and Service: The sale and service of water craft and marine equipment.

Marquee: A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building. (See also “Awning.”)

Marquee Sign: Any sign attached to or supported by a marquee structure.

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

Message: The wording or copy on a sign.

Metal Salvaging and Storage: The salvaging of metal in all forms for sale and storage.

Mineral processing: The processing of coal, limestone, clay and other mineral resources except sand and gravel, provided no chemical change in the mineral is involved in the process.

Mobile Home: A transportable factory-built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974 which became effective June 15, 1976. It is to be occupied as a building unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other foundations, and connection to essential public utilities. “Mobile Home” does not qualify as a “Manufactured Home” nor as an “Industrialized Unit” as defined in this zoning code.

Mobile Home Park: See Manufactured Home Park

Modular Home: A factory built building unit or assembly of closed construction, that is substantially self sufficient as a unit or as part of a greater structure designed for assembly at the building site. See “Industrialized Unit” and “Manufactured Home.”

Mortuary: A building or part thereof used for human funeral services. Such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial; b) the performance of autopsies and other surgical procedures; c) the storage of caskets, funeral urns, and other related funeral supplies; and d) the storage of funeral vehicles but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

Motel: A group of attached or detached dwellings containing less than 300 square feet of floor area for each sleeping or living unit and which are provided for transient guests; including auto courts, motels and motor lodges.

Motor Vehicle Sales and Rentals: See Automotive, Travel Trailer, and Farm Implement Sales and Rentals.

Motor Vehicle Salvage: See Automotive Salvage.

Motor Vehicle Salvage Yard: See Automotive Wrecking/Salvage Yard.

Motor Vehicle Service Station: See Automobile Service Station.

Motorized Home: A portable dwelling designed and constructed as an integral part of a self propelled vehicle for travel, recreational or vacation use.

Multiple-Faced Sign: See “Sign, Multiple-Faced.”

Nonconforming Sign: A sign which was constructed legally, but which does not comply with subsequently enacted sign restrictions and regulations. A sign which does not conform to the sign code requirements, but for which a special permit has been issued.

Nonconforming Use: The use of land or a building, or portion thereof, lawfully existing at the time this Ordinance or amendments thereto became effective, which does not conform with the use regulations of the district in which it is situated, and is therefore incompatible.

Nursery, Children’s: See Child Day Care.

Nursery, Plant Materials: Land, buildings, structures, or combination thereof, for the storage, cultivation and/or transplanting of live trees, shrubs, or plants offered for retail or wholesale sale on the premises including products used for gardening or landscaping.

Nursery School: A school designed to provide daytime care for instruction for two or more children, and operated on a regular basis.

Nursing Home: A residential care facility in which persons are housed or lodged and furnished with meals, and as its primary function provides for-hire nursing or convalescent care on a 24-hour basis, and physical and/or social rehabilitation services.

Occupancy: The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

Off-Premise Sign: Any sign structure, advertising an establishment, merchandise, service, or entertainment, situated on private premises used as an outdoor display for the purpose of making anything known on which the written or pictorial information is not directly related to the principal use of the land on which such sign is situated. See also "Billboard."

Off-Site Directional Sign: A sign which provides directional assistance to access an establishment conveniently and safely. Such signs shall be limited by the Zoning Inspector in size, height, and placement as justified.

Office Complex Day Care Facilities: See Child Day Care.

On-Premise Sign: A sign which pertains to the use of the premises and/or property on which it is located.

Open Space: An area substantially open to the sky which may be on the same lot with a building. Along with the natural environmental features, the area may include any other recreational facilities that the Planning Commission deems permissible. Streets, parking areas, structures for habitation, and the like shall not be included.

Overlay District: An additional secondary zoning classification which establishes additional regulations on the use of land, buildings or structures (example, the Flood Plain District).

Owner: A person recorded as such on official records. The owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded

or otherwise brought to the attention of the Zoning Inspector, e.g. a sign leased from a sign company.

Painted Wall Sign: See “Sign, Painted Wall.”

Park: An open space that is set-aside for passive and/or active recreational purposes. The range of development of a park can extend from no development to highly developed. A park may include recreational facilities, a shelter house, rest rooms, and ball fields. Typically, a public parking area is included.

Parkland: Open space that is set-aside for passive and/or active recreational purposes.

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

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

Parking Lot: Any off-street area or structure which meets one of the following conditions:

- (a) Contains one or more parking, vehicular storage, loading or stacking spaces for commercial, institutional, recreational or industrial use, whether free or for compensation; or
- (b) Contains five or more parking spaces for any residential use.

Parking Space, Automobile: A rectangular, or other angular area, within a building or a private or public parking area, designed for the temporary parking of one automobile, accessible from a street, alley or maneuvering area, and exclusive of any driveway or other circulation area. For single-family and two-family dwellings, one required parking space may be positioned behind another.

Parking Space, Off-Street: For the purpose of this Ordinance, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Pennant: Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string usually in series designed to move in the wind.

Performance Bond or Surety Bond: An agreement by a subdivider or developer with the Village for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

Permanent Foundation: Permanent masonry, concrete, or a locally-approved footing or foundation, to which a building or building unit may be affixed.

Permanently-Sited Manufactured Home: A “Manufactured Home” that meets all the following criteria:

- (a) The structure is affixed to a permanent foundation and is connected to appropriate facilities (i.e., water supply, sanitary waste disposal, electrical and heating facilities, etc.);
- (b) The structure, excluding any addition, has a width of at least 22 feet at one point, and a total living area, excluding garages, porches, or attachments, of at least 900 square feet;
- (c) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six inch minimum eave overhang, including appropriate guttering;
- (d) The structure was manufactured after January 1, 1995 and;
- (e) The structure is not located in a Manufactured Home Park as defined in this zoning code.

Person: Any individual, corporation, association, firm, partnership, or similarly defined interest.

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

Pickup Camper: A structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses.

Place: A private thoroughfare other than a street or alley permanently reserved as a lot on a recorded plat as the principal means of access to abutting property approved under applicable

Subdivision Regulations by the Village of Haskins in accordance with Ohio Revised Code Chapter 711 and 713.

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.

Plat: A map or drawing of a tract or parcel of land.

Playground: A park or a portion of a park that typically includes recreational equipment that is youth-oriented in nature, e.g. swings, slides, and play structures.

Point-of-Purchase Display: Advertising of a retail item accompanying its display, e.g. an advertisement on a product dispenser, tire display, etc.

Pole Sign: Any sign supported by upright structures or supports that are anchored in the ground and that are independent from any building or other structure. (See also “Sign, Free Standing.”)

Political Sign: A temporary sign used in connection with a local, state, or national election or referendum.

Pond: A body of water, of which none of the excavated material has been removed from the site for commercial purposes, and is used for the following purposes: to provide water for livestock, fish and wildlife, recreation, fire control, irrigation, or crop and orchard spraying.

Porch: An entrance one story high to a building, projecting out from a main wall, partially or fully enclosed but not heated.

Portable Sign: Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels; signs converted to A-frames or T-frames; menu and sandwich board signs; inflated devices such as balloons and other gas-filled figures; umbrellas used for advertising; and signs attached to or painted on vehicles. Such vehicles are to be located in a designated off-street parking space that is in compliance with Section 600 of this Ordinance, unless said vehicle is used in the normal day-to-day operations of the business.

Premises: A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Private Garage: See Garage, Private.

Professional Activities/Services: The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers, ministers, authors, artists or musicians.

Projecting Sign: A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Property Lines, Interior: See “Interior Property Lines.”

Public Garage: See Garage, Public.

Public Right-of-Way Width: The particular distance across a public street, measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the Village Engineer.

Public Service Facility: The erection, construction, alteration, operation or maintenance of a utility or service building, power plant or substation, water treatment plant, sewage disposal or pumping facility, transmission, distribution, or collection systems, or similar public service structures by a public utility, by a railroad, whether publicly or privately-owned, or by a municipal or other government agency and providers of other uses which meet the definition of public utility under Ohio Revised Code Chapter 4905.03, including the furnishing and maintenance of electrical, gas, rail transport, communication, public water, and sewerage services.

Public Service Information Sign: Any sign intended primarily to promote items of general interest to the community such as time, temperature, atmospheric conditions, news, traffic control and date. Public service information signs permitted in commercial and industrial districts are not included in the total square footage of sign area allowed, and require a Zoning Permit.

Public Uses: Uses which provide or maintain public services including public parks, schools, administrative offices, e.g. village halls and town halls, cultural and service buildings and structures, e.g. fire stations and police stations, and not including public land or buildings devoted solely to the storage and maintenance of equipment and materials.

Real Estate Sign: A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

Receiver: Shall mean a television set or radio receiver.

Recreational Facilities: Public or private facilities, used for social, leisure and recreational activities, that may be classified as either “extensive” or “intensive” depending upon 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 and 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 and bowling alleys.

- (a) **Commercial Recreational Facilities:** Recreational facilities open to the public, established and operated for a profit, such as commercial golf courses, swimming pools, ice skating rinks, riding stables, campgrounds, race tracks, carnivals and similar commercial enterprises.
- (b) **Non-Commercial Recreational Facilities:** Private and semi-public recreational facilities which are not operated for commercial gain including private country clubs, riding clubs, golf courses, game preserves, campgrounds, hunting and trapping, and other private noncommercial recreation areas and facilities or recreation centers including private community swimming pools. Noncommercial recreational facilities may be leased to outside groups and organizations provided the fee for such purposes is limited to incidental maintenance and custodial expenses.
- (c) **Restricted Commercial Recreational Facilities:** Concessions for the sale of food, non-alcoholic beverages and boating and fishing supplies and accessories.

Recreational and Utility Equipment: Travel Trailers, Pickup Campers, Motorized Homes, Folding Campers, Boats, Boat Trailers, Utility Trailers, Snowmobiles and All-Terrain Vehicles.

Recreational Vehicle: Any vehicular portable structure designed and constructed to be used as a temporary dwelling, or, for travel, recreational or vacation purposes. These include, but are not limited to, motor homes, travel trailers, tent campers and truck campers, vehicles used for off-road recreation, competition or show events (i.e., all terrain vehicles, dirt bikes, racing vehicles or other vehicles used in competition or show events and that are not licensed for operating on, or to be driven on a public road). See also Recreational and Utility Equipment.

Research Activities: Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering. All research, testing, and

development shall be carried on within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside of said building.

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

Residential Sign: Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of the Zoning Ordinance.

Restaurant: A commercial establishment whose primary business is the sale for on-premise consumption of prepared food and beverages. Primary sales are of prepared food.

Retail Store: A store serving a limited local area or neighborhood selling commodities, not processed on the premises, direct to the public.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges. (See also “Public Right-of-Way Width.”)

Right-of-Way Line: A dividing line between a lot, tract or parcel of land and a contiguous right-of-way.

Road Side Stands or Structures: A building or structure used for the sale of agricultural produce that is grown on the property. See also Farm Market.

Roofline: The top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

Roof Sign: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and extending vertically above the highest portion of the roof.

Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Rooming House: See Boarding House.

Row House: See Dwelling, Row.

Seasonal Sign or Holiday Sign: Any sign such as a Christmas decoration or those used for a historic or traditional holiday and installed for a limited period of time.

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each 24 lineal inches of benches, pews or space for loose chairs.

Self-Service Storage Facility: Any real property designed and used for the purpose of renting or leasing of storage spaces for storage of personal property.

Semi-Public Uses: Services and facilities which are provided to the public that are privately-owned and controlled. These include, but are not limited to, churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature, and telecommunication facilities.

Setback Line: A line established by zoning, platting or other legal means on a lot, that is a specified distance from and parallel to the lot line defining the limits of a yard in which no building or structure may be located above ground to restrict the encroachment of buildings on the lot line, except as may be provided in this Ordinance. See Yard.

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

School, Elementary and High: An institution which offers instructions in the several branches of learning and study required to be taught in the public schools by the Ohio School Code. High schools include junior and senior.

Shopping Center: A group of retail businesses and services on a single site with common parking facilities and containing a building or buildings with a floor area of 20,000 square feet or greater.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sign: Any visual communication display, object, device, fixture, placard, graphic or structure situated indoors or outdoors on a parcel or lot, or attached to, painted on or displayed from a building or structure in order to direct or attract attention to or to announce, identify, communicate information about, or promote an object, person, service, product, event, activity, location, organization, business or the like or to communicate information of any kind to the public by means of letters, words, designs, colors, symbols, images, forms or illuminations. Architectural design features such as building accent lighting are not considered signs.

Sign, Area of: The area of the largest single face of the sign where the copy is placed, within a rectangle which forms the outside shape including any frame that forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. Embellishments and other architectural features are not included in the square footage of the sign area calculation, and are not to exceed 25 percent of the single face area.

- (a) The area of a freestanding or projecting sign shall have only one side of any double or multiple-faced sign counted in calculating its area. The area of the sign shall be measured as follows if the sign is composed of one or more individual cabinets: A rectangle shall be drawn around and enclosing the perimeter of each cabinet or module. The area shall then be summed and totaled to determine total area. The rectangular measurable area shall include embellishments such as pole covers, framing, decorative roofing, support structures.
- (b) The area of a wall sign shall be computed within a single rectangle composed of any geometric figure which encloses the extreme limits of the advertising message.

Sign Face: The entire area of a sign on which copy could be placed.

Sign, Freestanding: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Sign, Government: Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.

Sign, Ground: A sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour line and which maintains essentially the same contour from grade to top. Height and setbacks are to be the same as for freestanding signs.

Sign Height: See “Height (of a Sign).”

Sign, Illegal: See “Illegal Sign.”

Sign, Illuminated: See “Illuminated Sign.”

Sign, Incidental: See “Incidental Sign.”

Sign, Low Profile: See “Low Profile Sign.”

Sign Maintenance: The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Sign, Multiple-Faced: A sign containing three or more faces, not necessarily in back-to-back configuration.

Sign, Nonconforming: See “Nonconforming Sign.”

Sign, Painted Wall: Any sign which is applied with paint or similar substances on the surface of a wall.

Sign, Pole: See “Pole Sign.”

Sign, Political: See “Political Sign.”

Sign, Projecting: See “Projecting Sign.”

Sign, Real Estate: See “Real Estate Sign.”

Sign, Roof: See “Roof Sign.”

Sign, Roof, Integral: See “Roof Sign, Integral.”

Sign, Seasonal: See “Seasonal Sign.”

Sign Structure: Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

Sign, Temporary: See “Temporary Sign.”

Sign, Wall: See “Wall Sign.”

Sign, Window: See “Window Sign.”

Site Plan: A scaled drawing of a proposed project showing, among others, the location of property lines, building locations, drives, walkways, parking areas, fencing and screening, setbacks, and signs as required by this Ordinance.

Sludge: A solid or near solid by-product of sewage treatment or industrial waste treatment.

Snowmobiles and All-Terrain Vehicles: Self-propelled units designed to travel on land and/or water for recreational uses.

Social Activities: Any building and land used for private or semiprivate club activities, including lodges, fraternities and similar activities.

Solicitor: Village Legal Advisor.

Solid Waste: Refuse materials that are normally disposed of in a sanitary landfill or a lawn and garden rubbish disposal site.

Special Use (Special Exception): A use permitted within a district other than a principally permitted use which is subject to special approval by the Board of Zoning Appeals and requires a special use permit. A use other than a use by (or as of) right. A special use may be granted by the Board only when there is a specific provision for such special exception made in this Ordinance. A special use is not considered to be a nonconforming use.

Special Use 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 a district.

Storage Garage: See Garage, Storage.

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 be no floors above it, then the space between such floor and ceiling next above it.

Story, Half: A basement, the floor of which is more than three feet six inches, but not more than four feet, below grade and the ceiling of which is more than four feet, but not more than four and

one-half (4 ½) feet above grade, or, a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite walls are not more than two feet above the floor of such story, except that any such partial story under a gable, hip or gambrel roof used for residence purposes, other than by a family occupying the floor immediately below it, shall be deemed a full story.

Street: A dedicated public thoroughfare the full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic access to abutting properties. For the purpose of this Ordinance, the word “street” shall include the words “road,” “thoroughfare” and “highway.”

- (a) **Cul-de-Sac:** A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
- (b) **Dead-End Street:** A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
- (c) **Local Street:** A street primarily designed for providing access to residential or other abutting property.

Street line: See Right-of-Way Line.

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

Structural Alterations: Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.

Structural Wall: See Wall, Structural.

Structure: Anything constructed, erected or placed on the land, the use of which requires a more or less permanent location on the land, or attached to something having a permanent location on the land. This includes and is not limited to buildings, walls, fences, flag poles, advertising signs and billboards.

Subdivision: The division of a lot, tract or parcel into two or more lots, tracts or parcels or other divisions of land for sale, development or lease.

Substantially to Alter: Shall mean any exterior alteration or any structural alteration amounting to a minimum dollar amount established through ordinance by Council.

Swimming Pool: An enclosure, e.g. a pool, pond, lake or open tank, temporary or permanent, above or below ground, containing water to be used for bathing, wading or swimming, which shall be able to contain 1.5 feet of water at any point and maintained by the owner or manager.

Telecommunication Tower: Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

- a) It is constructed on or after October 31, 1996;
- b) Is owned or principally used by a public utility engaged in the provision of telecommunication service;
- c) Is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Temporary Sign: Any portable sign, flag, pennant, garage sale sign, or public election and candidate sign that is used temporarily and is not permanently mounted. Includes devices such as banners, pennants, flags (not intended to include flags of any nation), searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas-filled figures.

This Ordinance: Whenever the term “this Ordinance” is used, it shall be deemed to include where the text permits any and all amendments thereto as the same may be hereafter from time to time adopted.

Tourist Home: A building other than a hotel or motel where temporary lodging is provided and offered to the public for compensation for not more than 10 individuals and open to transient guests.

Trailer Park: A facility offering grounds or accommodations or both for house trailers or house cars, whether occupied as dwellings or stored temporarily or permanently.

Travel Trailer: A vehicular, portable structure, not over 32 feet long or eight feet wide designed to be used as a temporary dwelling for travel, recreational and vacation use.

Tree House: An accessory building that is constructed within a tree or a group of trees and which may or may not be supported by one or more posts. Tree houses also include buildings constructed on a post or posts adjacent to a tree. Tree houses may not be used for storage.

Truck Gardening: Farming for the purpose of producing vegetables for market.

Use: The specific purpose for which land, a building, a structure or a sign, is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

Variance, Area: See “Variance, Non-Use.”

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

Variance, Non-Use: A variance that allow an owner, who is engaging in a permitted use, to build improvements that would otherwise violate the zoning ordinance. Examples of a non-use or area variances include but are not limited to: reduction of yard requirements; the placement of structures in a location on a lot otherwise prohibited by the ordinance; a permitted use or activity in a location on a lot otherwise prohibited by the ordinance, or a waiver or reduction of supplemental regulations otherwise required for a permitted use or accessory use.

Variance, Use: A variance which allows a land owner to engage in a use that would otherwise violate the Zoning Ordinance. Examples of use variances include but are not limited to: industrial use in a commercial zone; commercial use in a residential district; a multi-family dwelling in an area zoned for a single-family dwelling; or the extension of a nonconforming use.

Village Council: The Village Council for the Village of Haskins, Wood County, Ohio.

Wall, Boundary (Exterior): A solid structure used as a barrier or to demarcate a boundary. Boundary walls shall meet the same zoning requirements as fences.

Wall, Building: All window and wall area of a building in one plane or elevation.

Wall, Structural: A load-bearing wall.

Wall Sign: A sign attached parallel to or placed against a wall of a building with the face parallel to the building wall and extending not more than one foot therefrom, and which displays only one sign surface, and which advertises the use carried on within such building.

Warehouse: A building or structure used for the storage of goods, materials or equipment.

Warehousing Activities: The receiving, storage, sale and distribution of manufacturing products and equipment, such storage to be within wholly enclosed structures or buildings.

Waste: See Hazardous Waste, Sludge, Solid Waste.

Waste Disposal: Disposition of garbage, combustible and noncombustible waste material.

Window Sign: Any sign, picture, symbol or combination thereof designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the interior window panes or glass and is visible from the exterior of the window.

Yard: A required open space, other than a court, on the same lot with a building or structure or group of buildings and structures. The open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from three feet above the general ground level of the graded lot upward. Accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

- (a) **Yard, Front:** A yard extending across the full width of the lot between side lot lines, the depth of which is the minimum horizontal distance between the front lot line and the front of the principal building or any projections thereof other than the projections or permitted uncovered steps, uncovered balconies, platforms or decks, which are open to the sky.
- (b) **Yard, Rear:** A yard extending across the full width of the lot between side lot lines and from the rear lot line to the rear of the nearest principal building or any projections thereof, other than the projections of uncovered steps, balconies, platforms or decks which are open to the sky. The depth of the required rear yard shall be measured horizontally from the nearest part of the principal building to

the nearest point of the rear lot line. On all lots, the rear yard shall be at the opposite end of the lot from the front yard.

- (c) **Yard, Side:** A yard between the principal building and the side lot line extending from the required front yard, or front lot line, where no front yard is required, to the required rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the principal building or any projection thereof.

Zero-Lot Line Development: See Condominium.

Zoning Certificate: See Zoning Permit.

Zoning Code: The Ordinance, codified herein as the Planning and Zoning Code, and including, where the text permits, any amendment thereto.

Zoning District Map: The Zoning District Map or maps delineating zoning districts of the Village of Haskins, Wood County, Ohio, together with all amendments subsequently adopted.

Zoning Inspector: The agent, appointed by the Mayor and Council, who is responsible for the administration and enforcement of this Ordinance and required inspections for zoning compliance.

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

ARTICLE III. ESTABLISHMENT OF DISTRICTS

SECTION 300. General

For the purposes of classifying and regulating the location of businesses, industries and buildings for specified uses, regulating and limiting the height and bulk of buildings hereafter erected or structurally altered and regulating and determining yards and other open spaces within and adjacent to such buildings, the Village is hereby divided into districts under three general categories which shall be known as: “Residential Districts,” “Commercial Districts” and “Industrial Districts.” The general categories are divided into 12 use districts, which are as follows:

Residential Districts

S-1	Suburban
R-A	Single-Family
R-B	Single-Family
R-1	Single-Family
R-2	Single-Family
R-3	Two-Family
R-4	Multi-Family

Commercial Districts

C-1	Neighborhood
C-2	Village Center
C-3	General

Industrial Districts

M-1	Light Industrial/Office Research
M-2	General Industrial

SECTION 301. Residential Districts

301.1 **“S-1” Suburban Residential:** For low density residential development whether or not public water and public sanitary sewers are available. It is intended also to allow agricultural product uses, essential public facilities and services such as public buildings, schools, railroads, and public utilities. This may include some limited commercial

activities which are an integral part of agricultural, such as road side stands or structures used for the sale of agricultural produce or products and/or nursery and greenhouse sales areas; as well as churches and other related non-profit public service facilities.

- 301.2 **“R-A” Single-Family Residential:** For relatively low density residential development where public water and public sanitary sewers are available. It is intended that uses within this district be exclusively residential contained within a neighborhood setting.
- 301.3 **“R-B” Single-Family Residential:** For low-medium density residential development where public water and public sanitary sewers are available.
- 301.4 **“R-1” Single-Family Residential:** For medium density residential development where public water and public sanitary sewers are available. It is intended that existing “R-1” district boundaries shall not be expanded.
- 301.5 **“R-2” Single-Family Residential:** To accommodate the existing narrow developed lots in and around the Village Center. This district is not intended to be expanded.
- 301.6 **“R-3” Two-Family Residential:** For medium-high density residential development on lots which are served by public water and public sanitary sewers and which are located in proximity to community services, shopping and related personal services. This district may serve as a transition zoning between single-family and multi-family or between single-family and commercial uses.
- 301.7 **“R-4” Multiple-Family Residential:** For high density residential development on lots which are served by public water and public sanitary sewers and located in proximity to community services, shopping and related personal services.

SECTION 302. Commercial Districts

- 302.1 **“C-1” Neighborhood Commercial:** Areas for small local business with convenience-type goods such as are handled in small food markets and drugstores, plus personal services such as barber shops and beauty salons. Uses in these areas must be compatible with surrounding residential uses and not be large generators of traffic. All uses and activities shall be inside buildings unless related to the existing primary use of the property. Work activities and material handling will be confined within buildings or within closures. Materials and products will be stored in enclosed structures or areas screened from view from adjoining property. External areas of structures will be

landscaped and maintained. Undeveloped areas of the parcel will be kept free of debris and weeds, and will be routinely maintained by the cutting of all grassed areas.

- 302.2 **“C-2” Village Center Commercial:** Provides for business, governmental and institutional uses which serve the entire village. Provides convenient access to activities and businesses. All uses and activities shall be inside buildings unless related to the existing primary use of the property. Work activities and material handling will be confined within buildings or within closures. Materials and products will be stored in enclosed structures or areas screened from view from adjoining property. External areas of structures will be landscaped and maintained. Undeveloped areas of the parcel will be kept free of debris and weeds and will be routinely maintained by the cutting of all grassed areas. Residential uses may be allowed within this district. Residential uses shall be permitted when contained within a non-residential building provided that such use shall not be located on the first floor of the building. Entrance and exit to the dwelling unit(s) shall be exclusive and separate from the non-residential part of the building. Off-street parking shall be required in accordance with Section 600.
- 302.3 **“C-3” General Commercial:** Provides for businesses which serve a community level or regional market. Businesses may be grouped into small centers located along a major thoroughfare, or at corners of major intersections on large lots to allow for ingress, egress, internal circulation and adequate parking. Typically these businesses will be high generators of traffic. Examples of these include but are not limited to large market stores (grocery, hardware, etc.), drive-through businesses, motels, restaurants, gas stations, etc. All uses and activities shall be inside buildings unless related to the existing primary use of the property. Work activities and material handling will be confined within buildings or within closures. Materials and products will be stored in enclosed structures or areas screened from view from adjoining property. External areas of structures will be landscaped and maintained. Undeveloped areas of the parcel will be kept free of debris and weeds and will be routinely maintained by the cutting of all grassed areas.

SECTION 303. Industrial Districts

- 303.1 **“M-1” Light Industrial/Office Research:** Areas which, because of their access to transportation and community services, and because of the nature of their light industrial operation, with restricted manufacturing operations, research facilities, warehousing, and offices of a restricted nature, will have little or no detrimental effects on neighboring land uses. Adequate attempts should be made to provide as much isolation from other areas as possible. These uses may include activities such as manufacturing, processing, or assembly of products or the provision of services. No offensive or hazardous conditions

shall be created by an industry and other disruptive activities shall be minimized to maintain tranquility if proximate to commercial or residential areas. This includes the absence of such things as excessive traffic, dust, dirt, noxious gases, smoke, noise, fumes or vibrations. Since certain industrial uses as a part of their operation may have need for sales distribution and sales outlets, it may be permitted only as an accessory use providing that goods and services are produced at the site or are an integral part of a warehousing distribution system. Wherever possible, work activities and material handling will be confined to within buildings or enclosures. When possible, materials and products will be stored in enclosed structures or areas screened from the view of adjoining property. External areas of structures will be landscaped and maintained. Undeveloped areas of the parcel will be kept free of debris and weeds and will be routinely maintained by the cutting of all grassed areas.

- 303.2 **“M-2” General Industrial:** Areas which, because of their access to transportation and community services, and isolation from other land uses, can accommodate industrial uses which might cause detrimental effects in other areas. Provides for industries which by their nature and function require large parcels for development. These uses may be objectionable to adjacent residential or commercial properties and therefore should be grouped together where similar uses are located. Certain industries may need special consideration because of their potential spill-over effect on surrounding areas. These are provided for as a special use. These industries may include such activities as fabricating, processing, smelting and refining, extraction of minerals and stone, foundries, blast furnaces and similar industries which have the potential of creating impacts in the area adjacent to and near the industrial activity. Sales distribution and sales outlets may be permitted as an accessory use providing that goods and services are produced at the site or are an integral part of a warehousing distribution system.

SECTION 304. Yards; Building Height; Off-Street Parking

Minimum yard requirements and maximum height limitations shall conform to Section 500, and off-street parking requirements shall conform to Section 600.

SECTION 305. Zoning District Map

- 305.1 The boundaries of the district are shown upon the map which is made a part of this Ordinance, which map is designated as the “Zoning District Map.” The zoning district map and all of the notations, references and other information shown thereon, are a part of this Ordinance and have the same force and effect as if the zoning district map and all

of the notations, references and other information shown thereon were all fully set forth or described herein, the original of which zoning district map is properly attested and is on file with the Village Clerk and/ or Administrator.

- 305.2 In the event that the Official Zoning District Map becomes damaged, destroyed or lost, the Village Council may by Ordinance adopt a new Official Zoning District Map which shall supersede the prior Official Zoning District Map.

SECTION 306. District Boundaries

- 306.1 The district boundary lines on said zoning district map are intended to follow either centerlines of streets or alleys or lot lines; and where the districts designated on the zoning district map are bounded approximately by such alley or lot line, such alley or lot line shall be construed to be the boundary of the district unless such boundary is otherwise indicated on the zoning district map. In the case of unsubdivided property, wherever a district is indicated as a strip adjacent to or paralleling an adjacent street or highway, the depth of such strip shall be 250 feet measured at right angles from the street or highway line and the length of the frontage shall be the entire tract of land along such street or highway unless otherwise indicated. In the case of the vacation of a street, alley, water course or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the centerline of said vacated street, alley, water course or right-of-way.
- 306.2 Where boundaries appear to approximately follow such aforesaid lines and are not more than 10 feet distant therefrom, such lines shall be construed to be the boundary lines unless specifically shown otherwise.
- 306.3 Where the actual street layout on the ground varies from that shown on the Zoning Map, the designations shown on the Map shall be applied to the street as actually laid out so as to carry out the intent and purpose of the zoning plan for the district.
- 306.4 Where district boundaries are not otherwise indicated and where the property has been or may hereafter be subdivided into blocks and lots, the district boundaries shall be construed to be lot lines.
- 306.5 If a district boundary line cuts a property having a single ownership as of record, at the time of the passage of this Zoning Code, such property may take the least restrictive classification, provided that the property is developed as one unit.

SECTION 307. Zoning of Annexed Land

307.1 All parcels of land which may hereafter be annexed to the Village shall take automatically the "R-1" Residence, "C-1" Commercial, or "M-1" Industrial use classification, depending upon whether they are zoned at the time of annexation in one of the residential, commercial or industrial districts, respectively, of the governing authority formerly having jurisdiction thereover. Within a reasonable time after annexation, a public hearing on the question of the permanent zoning classification shall be held. Recommendations of the Planning Commission shall be reported to Council, in accordance with Article XIII.

ARTICLE IV. USE REGULATIONS

The permitted and special uses for each district are shown in the following tabulations which shall constitute Article IV of the Zoning Ordinance. The interpretation of Uses given in categorical terms shall be as defined in Article II. Uses not specifically listed or interpreted by the Planning Commission and the Village Council to be included categorically under this Article shall not be permitted, except by amendment of this ordinance which shall include action of the Planning Commission and the Village Council.

All permitted uses shall meet applicable supplementary zoning requirements under Section 413.

The following uses are prohibited in all districts:

1. Airports, Fixed Wing Air Facilities
2. Toxic Waste Storage
3. Radioactive Warehouse Storage
4. Parking and Storage of Mobile Homes

SECTION 401. "S-1" SUBURBAN RESIDENTIAL:

401.1 Permitted uses:

- | | |
|---------|--------------------------|
| 401.101 | Accessory uses |
| 401.102 | Agriculture |
| 401.103 | Dwelling, One-Family |
| 401.104 | Home occupation |
| 401.105 | Nursery, Plant Materials |
| 401.106 | Public uses |

401.2 Special uses requiring Council approval:

401.201	Assisted living facility
401.202	Cemeteries/Memorial Gardens
401.203	Elderly housing facility
401.204	Farm markets
401.205	Mortuary
401.206	Nursing homes
401.207	Off-premise signs
401.208	Recreational facilities
401.209	Road side stands
401.210	Semi-public uses

SECTION 402. "R-A" SINGLE-FAMILY RESIDENTIAL:**402.1 Permitted uses:**

402.101	Accessory uses
402.102	Dwelling, One-Family
402.103	Home occupation
402.104	Public uses

402.2 Special uses requiring Council approval:

402.201	Athletic fields
402.202	Bed and breakfast
402.203	Cemeteries
402.204	Churches
402.205	Family day care home, Type A
402.206	Golf courses
402.207	Parks and playgrounds
402.208	Recreational facilities

SECTION 403. “R-B” SINGLE-FAMILY RESIDENTIAL:**403.1 Permitted uses:**

- 403.101 Accessory uses
- 403.102 Dwelling, One-Family
- 403.103 Home occupation
- 403.104 Public uses

403.2 Special uses requiring Council approval:

- 403.201 Athletic fields
- 403.202 Bed and breakfast
- 403.203 Churches
- 403.204 Family day care home, Type A
- 403.205 Golf courses
- 403.206 Parks and playgrounds
- 403.207 Recreational facilities

SECTION 404. “R-1” SINGLE-FAMILY RESIDENTIAL:**404.1 Permitted uses:**

- 404.101 Accessory uses
- 404.102 Dwelling, One-Family
- 404.103 Home occupation
- 404.104 Public uses

404.2 Special uses requiring Council approval:

404.201	Assisted living facility
404.202	Athletic fields
404.203	Bed and breakfast
404.204	Churches
404.205	Dwelling, Two-Family
404.206	Elderly housing facility
404.207	Family day care home, Type A
404.208	Golf courses
404.209	Libraries
404.210	Nursing homes
404.211	Parks and playgrounds
404.212	Recreational facilities
404.213	Semi-public uses
404.214	Schools

SECTION 405. "R-2" SINGLE-FAMILY RESIDENTIAL:**405.1 Permitted uses:**

405.101	Accessory uses
405.102	Dwelling, One-Family
405.103	Home occupation
405.104	Public uses

405.2 Special uses requiring Council approval:

405.201	Assisted living facility
405.202	Bed and breakfast
405.203	Churches
405.204	Dwelling, Two-Family
405.205	Elderly housing facility
405.206	Family day care home, Type A
405.207	Libraries
405.208	Nursing homes
405.209	Parks and playgrounds
405.210	Recreational facilities
405.211	Semi-public uses
405.212	Schools

SECTION 406. "R-3" TWO-FAMILY RESIDENTIAL:**406.1 Permitted uses:**

406.101	Accessory uses
406.102	Dwelling, One-Family
406.103	Dwelling, Two-Family
406.104	Home occupation
406.105	Public uses

406.2 Special uses requiring Council approval:

406.201	Assisted living facility
406.202	Athletic fields
406.203	Bed and breakfast
406.204	Churches
406.205	Elderly housing facility
406.206	Family day care home, Type A
406.207	Golf courses
406.208	Libraries
406.209	Nursing homes
406.210	Parks and playgrounds
406.211	Recreational facilities
406.212	Semi-public uses
406.213	Schools

SECTION 407. "R-4" MULTIPLE-FAMILY RESIDENTIAL:**407.1 Permitted uses:**

407.101	Accessory uses
407.102	Assisted living facility
407.103	Child day care center
407.104	Dwelling, Two-Family
407.105	Dwelling, Multiple-Family
407.106	Elderly housing facility
407.107	Public uses

407.2 Special uses requiring Council approval:

407.201	Assisted living facility
407.202	Clubs
407.203	Elderly housing facility
407.204	Libraries
407.205	Nursing home
407.206	Parks and playgrounds
407.207	Recreational facilities
407.208	Semi-public uses
407.209	Schools

SECTION 408. “C-1” NEIGHBORHOOD COMMERCIAL:**408.1 Permitted uses:**

408.101	Accessory uses
408.102	Boarding house
408.103	Business, neighborhood
408.104	Child day care center
408.105	Health Care Clinics
408.106	Libraries
408.107	Mortuaries
408.108	Nursing homes
408.109	Personal services
408.110	Professional activities
408.111	Public service facility
408.112	Public uses
408.113	Semi-public uses

408.2 Special uses Requiring Council Approval:

408.201	Clubs
408.202	Convenience gas station
408.203	Dwelling, Single-Family
408.204	Dwelling, Two-Family
408.205	Dwelling, Multiple-Family
408.206	Recreational facilities
408.207	Restaurant/coffee shop

SECTION 409. “C-2” VILLAGE CENTER COMMERCIAL:**409.1 Permitted uses:**

409.101	Accessory uses
409.102	Automobile service station
409.103	Business, general
409.104	Business, neighborhood
409.105	Child day care center
409.106	Clinics
409.107	Libraries
409.108	Lounges
409.109	Mortuaries
409.110	Personal services
409.111	Professional activities
409.112	Public service facility
409.113	Public uses
409.114	Recreational facilities
409.115	Restaurants, standard
409.116	Trade or technical schools

409.2 Special uses Requiring Council Approval:

409.201	Clubs
409.202	Dwelling, Single-Family
409.203	Dwelling, Two-Family
409.204	Dwelling, Multiple-Family

Businesses containing drive-thru facilities, except banks, are prohibited in the “C-2” District.

SECTION 410. “C-3” GENERAL COMMERCIAL:**410.1 Permitted uses:**

410.101	Accessory uses
410.102	Agricultural products sales
410.103	Animal care facilities
410.104	Boat storage
410.105	Building materials sales and/or storage
410.106	Business, general
410.107	Business, highway
410.108	Business, neighborhood
410.109	Business, office-type
410.110	Child day care center
410.111	Commercial entertainment facilities
410.112	Convenience gas station
410.113	Hospitals and clinics
410.114	Hotels and motels
410.115	Marine sales and service
410.116	Mortuaries
410.117	Nursing homes
410.118	Personal services
410.119	Professional activities
410.120	Public uses
410.121	Recreational facilities
410.122	Restaurants, standard and fast food
410.123	Self-service storage facilities
410.124	Service laboratories
410.125	Telecommunication tower
410.126	Trade or technical schools
410.127	Warehousing

Commercial establishments on the “C-3” permitted list may contain drive-thru facilities.

410.2 Special Uses Requiring Council Approval:

- 410.201 Auction markets
- 410.202 Clubs
- 410.203 Flea markets
- 410.204 Lounges
- 410.205 Manufactured home sales
- 410.206 Nursing home
- 410.207 Shopping centers

SECTION 411. "M-1" LIGHT INDUSTRIAL/OFFICE RESEARCH:**411.1 Permitted uses:**

- 411.101 Accessory uses
- 411.102 Animal care facilities
- 411.103 Banks and office-type businesses
- 411.104 Building material supplies/storage
- 411.105 Business services
- 411.106 Business, wholesale
- 411.107 Food processing
- 411.108 Manufacturing, light
- 411.109 Metal stamping/machine shop
- 411.110 Printing and publishing services
- 411.111 Professional activities
- 411.112 Public service facility
- 411.113 Research activities
- 411.114 Self-service storage facilities
- 411.115 Service laboratories
- 411.116 Telecommunication tower
- 411.117 Truck transport terminals
- 411.118 Warehousing activities

411.2 Special uses requiring Council approval:

411.201	Business, highway
411.202	Hospitals
411.203	Manufacturing, general
411.204	Office complex daycare facilities
411.205	Recreational facilities

Restaurants and banks shall be permitted in the “M-1” District only when included as an integral part of a permitted “M-1” Light Industrial/Office Research facility.

SECTION 412. “M-2” GENERAL INDUSTRIAL:**412.1 Permitted uses:**

412.101	Accessory uses
412.102	Animal care facilities
412.103	Banks and office-type businesses
412.104	Building material supplies/storage
412.105	Business services
412.106	Business, wholesale
412.107	Commercial grain elevators/storage
412.108	Food processing
412.109	Maintenance and storage facilities
412.110	Manufacturing, general
412.111	Manufacturing, light
412.112	Manufacturing, restricted
412.113	Metal stamping/machine shop
412.114	Printing and publishing services
412.115	Professional activities
412.116	Public service facility
412.117	Research activities
412.118	Self-service storage facilities
412.119	Service laboratories
412.120	Telecommunication tower
412.121	Truck transport terminals
412.122	Warehousing activities

412.2 Special uses requiring Council approval:

412.201	Business, highway
412.202	Extraction industries
412.203	Hospitals
412.204	Manufacturing, heavy
412.205	Recreational facilities

SECTION 413. SPECIAL USES**413.1 Purpose**

- (a) The principal objective of this Zoning Ordinance is to provide for an orderly arrangement of compatible building and land uses, and for the proper location of all types of uses required for the social and economic welfare of the Village. To accomplish this objective, each type and kind of use is classified as permitted in one or more of the various districts established by this Ordinance.
- (b) Special uses require particular consideration as to their proper location in relation to adjacent established or intended uses, or to the planned development of the community.

413.2 General Provision

- (a) Council, all members elected thereto, is hereby vested with the power to permit uses which are listed under Sections 401 through 412 which may be permitted for the respective district, provided that such uses are deemed to be in keeping with authorized uses.
- (b) Such special permits shall be subject to such protective restrictions as may be deemed necessary, including, but not limited to, term limitations, hours of operation, off street parking, lighting restrictions, set back requirements and fencing. Council, all members elected thereto, may terminate any permit for a violation of terms or limitations therein prescribed.
- (c) If recommended by the Planning Commission, Council, all members elected thereto, may authorize the issuance of such a special permit by a majority vote of the members elected thereto. With Commission approval or without Commission

recommendation, such action by Council, all members elected thereto, shall require the concurrence of four members.

413.3 **Expiration of Special Use Permit:** A Special Use Permit, if granted, shall be for only one main use and said permit shall automatically expire if, for any reason, the special use is not initiated within one year of the granting of the permit or if the special use ceases to exist for more than two years.

413.4 **Site Design and Development:** Site plan review and landscaping shall be required for all Special Uses.

413.5 **Extraction Industries**

- (a) **Removal:** The removal of soil, sand and gravel, and or minerals shall not exceed 25 percent of the total surface area of a parcel. All extraction industries in the removal of products shall meet the requirements of Surface Mining and Reclamation per Ohio Revised Code Chapter 1514.10.
- (b) **Refilling:** The refilling of an area which has been excavated for the extraction of soil, sand and gravel shall be considered waste disposal and shall meet the requirements set forth by the Board of Health for solid waste disposal under Ohio Revised Code Chapter 3734.05.

413.6 **Farm Markets**

- (a) **General:** Farm markets shall be permitted only where all of the gross income from the market is derived from the produce raised on the premises.
- (b) **Setback:** To allow for safe ingress and egress of vehicles and temporary parking, no building, structure, produce stand, or vehicle used for produce sale or storage shall be closer than 50 feet to any road right-of-way.
- (c) **Area and Design Requirements:** Farm markets and road side stands shall be a maximum of one story high and shall not contain greater than 200 square feet in floor area.

413.7 **Road Side Stands**

- (a) **General:** Road side stands shall be permitted only for the sale of plant produce grown on the property.

- (b) **Setback:** To allow for safe ingress and egress of vehicles and temporary parking, no building, structure, produce stand, or vehicle used for produce sale or storage shall be closer than 50 feet of any road right-of-way.
- (c) **Area and Design Requirements:** A road side stand shall be a temporary structure only. Road side stands shall be a maximum of one story high and shall not contain greater than 200 square feet in floor area.

413.8 **Shopping Centers:** A Shopping Center shall meet the following requirements:

- (a) Contain a minimum lot area of five acres.
- (b) Be platted in accordance with applicable subdivision rules and regulations.
- (c) Be subject to a traffic survey prepared by qualified experts that indicates the effect of the proposed shopping center on adjacent streets and roadways, and also indicates the anticipated points of origin and direction and the amount of traffic flow to and from the shopping center.

413.9 **Permit Procedure:** The procedure for filing of the application, detailed site plan, filing fees, notices, referral to the Planning Commission and review by Village council shall be the same procedure as an amendment to the Zoning District parcel as set forth in Article XIII of this Zoning Code. All applicants shall use the form provided by the Village to request a special use permit. A Special Use Permit is restricted to the use granted and shall not be changed without approval of Village Council.

ARTICLE V. DIMENSIONAL REQUIREMENTS

SECTION 500. Basic Yard, Area and Height Requirements for Dwellings

500.1 The following Table 500-1 establishes minimum yard and area and maximum lot coverage and height requirements for (1) dwellings and (2) structures accessory to dwellings, by district. Each accessory structure or use requires a zoning permit.

**TABLE 500-1
Basic Yard, Area and Height Requirements for Dwellings**

District	Lot Area (Sq. Ft.)	Lot Width (Ft.)	Front Yard (Ft.)	Rear Yard (Ft.)	Side Yard (Ft.) (3)	Max. Lot Coverage (%) (4)	Stories	Max. Height (Ft.)
S-1	1 Net Acre	150	50	35	20	25	2-1/2	35
R-A	25,000	100	35	35	15	25	2-1/2	35
R-B	16,000	80	35	35	10	25	2-1/2	35
R-1	9,000	60	30	25	10	25	2-1/2	35
R-2	7,000	50	30	25	10	NA	2-1/2	35
R-3 1-Family	9,000	60	30	25	10	40	2-1/2	35
R-3 2-Family	18,000	100	35	25	15	40	2-1/2	35
R-4 1-Family	9,000	60	30	25	10	40	2-1/2	35
R-4 2-Family	12,000	100	35	25	15	40	2-1/2	35
R-4 3-Family	15,000	100	35	25	15	40	2-1/2	35
C-1	----	----	35	15	10	50	2-1/2	35
C-2	----	----	35	15	(2)	NA	2-1/2	35
M-1	----	----	35	15	10	----	2-1/2	40
M-2	----	----	50	15	10	----	2-1/2	40

See notes on following page.

Notes to Table 500-1:

- (1) Per dwelling unit.
- (2) When abutting a residential district, the minimum side yard shall be the same as required in the abutting district; otherwise, no side yard is required.
- (3) Required side yards may be reduced to zero (0) for zero-lot line developments subject to the approval of a site plan or subdivision by the Planning Commission.
- (4) Includes all dwellings and structures accessory to dwellings on property.

NA: Not Applicable

500.2 The maximum height of buildings and number of stories specified under Section 500.1 may be exceeded for public and semi-public buildings, and commercial, industrial and apartment buildings provided the required front, side and rear yards are increased by two feet for each foot of additional building height to a maximum height of 50 feet.

SECTION 501. Minimum Floor Area Requirements for Dwellings

The minimum floor area required for dwellings includes only the floor area used for living space. Garages, carports, porches, and basements are excluded from this requirement. The minimum floor area per dwelling unit erected, relocated, structurally altered or rebuilt on any parcel or lot is as follows:

**TABLE 501-1
Minimum Floor Area Per Dwelling Unit (Square Feet)**

District	Minimum Floor Area (Sq. Ft.)
“S-1” Suburban Residential	1,000
“R-A”, “R-B”, “R-1”, “R-2” Single Family Residential	1,000
“R-3” Two-Family Residential	900
“R-4” Multi-Family Residential	600

FIGURE 500-1
LOT TERMS

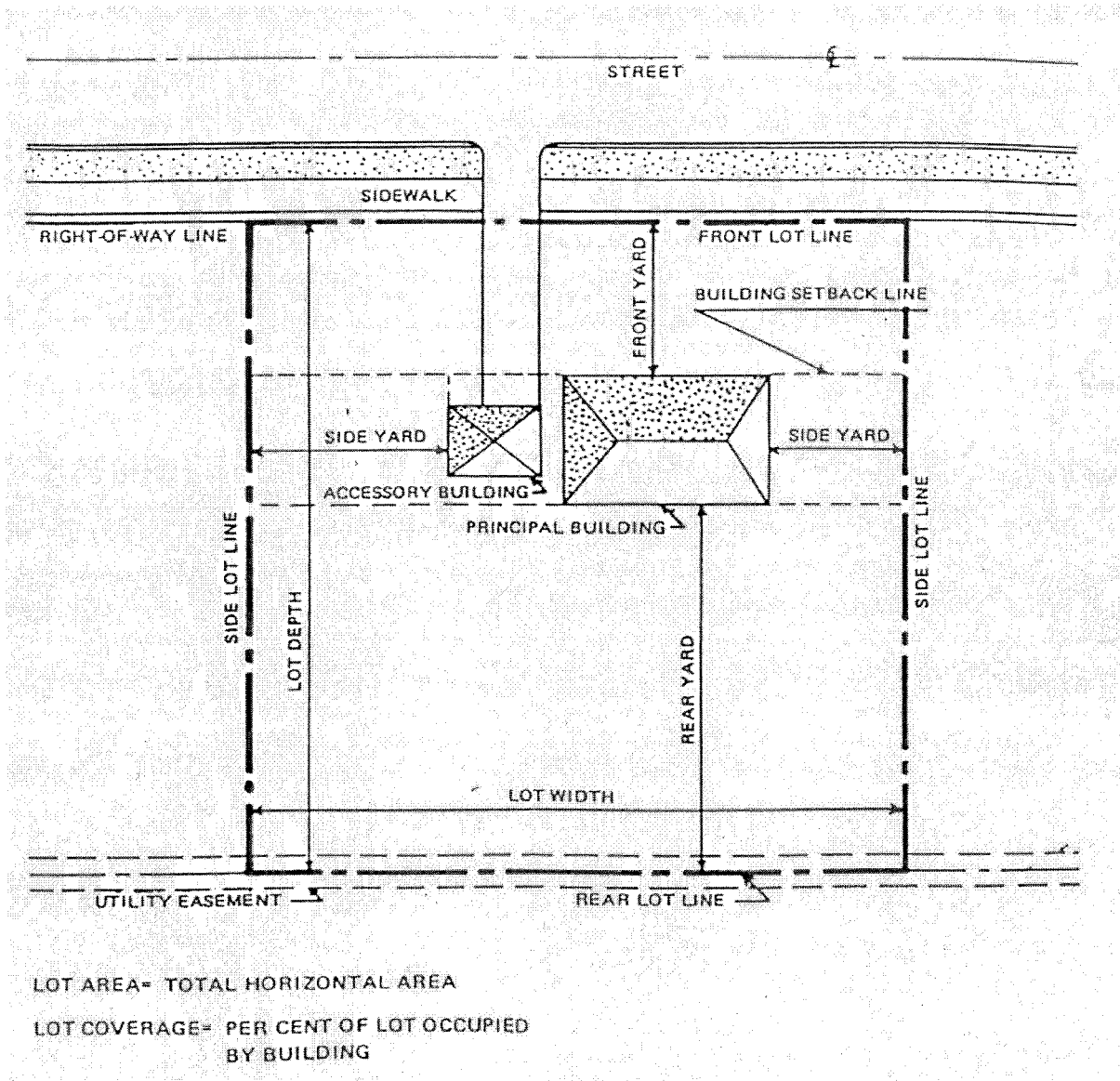


FIGURE 500-2
BASEMENT AND STORY

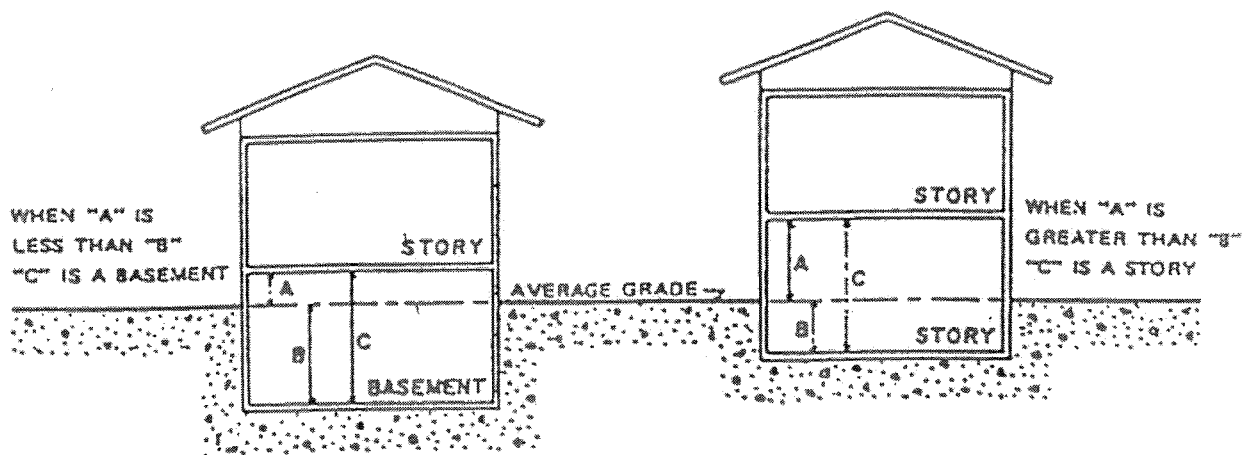
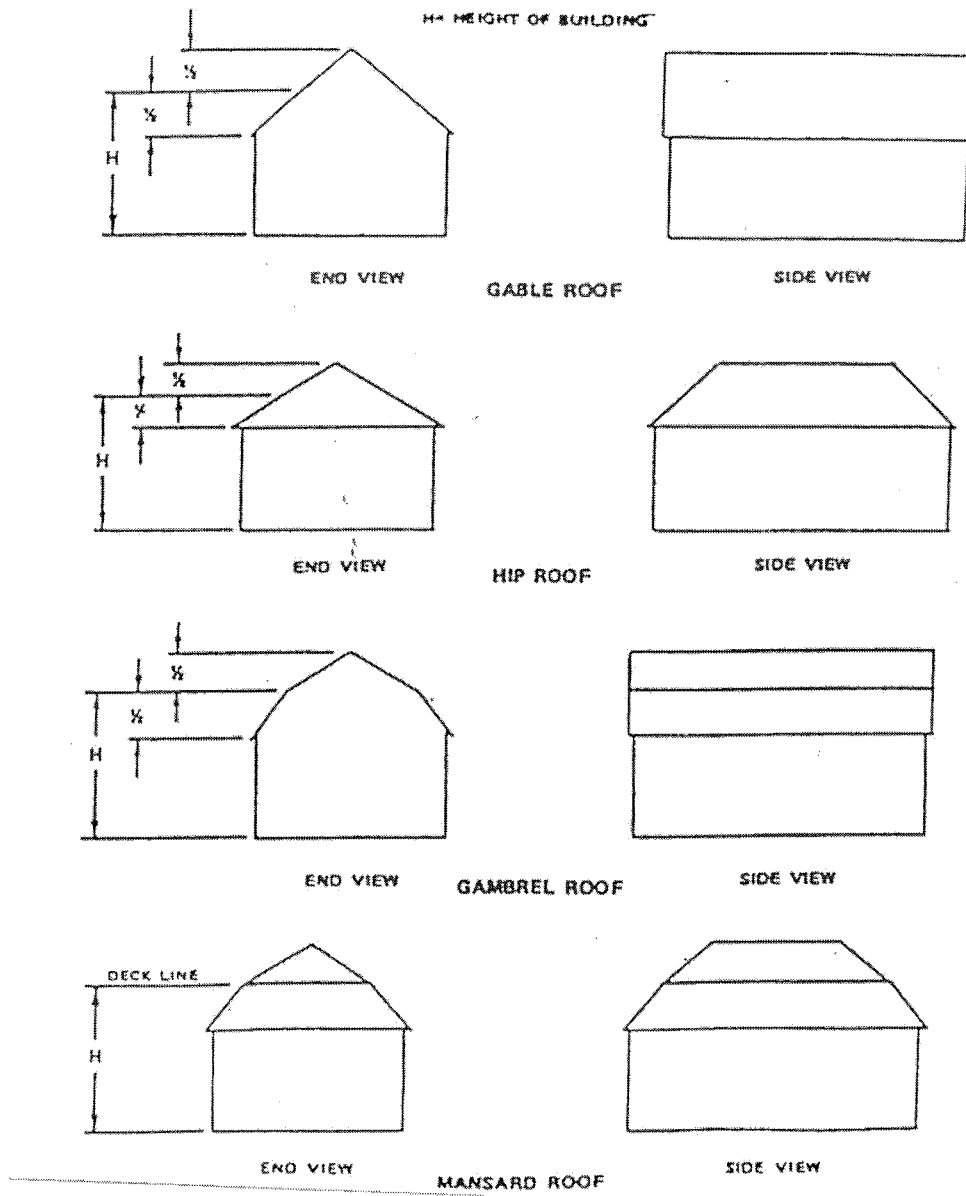


FIGURE 500-3
ROOF TYPES AND BUILDING HEIGHT



SECTION 502. Basic Yard, Area and Height Requirements for All Buildings, Other Than Dwellings and Structures Accessory to Dwellings

502.1 The following Table 502-1 establishes the yard, area, and height requirements for all buildings, other than dwellings and structures accessory to dwellings, by district.

**TABLE 502-1
Basic Yard, Area and Height Requirements for All Buildings,
Other Than Dwellings and Structures Accessory to Dwellings**

District	Lot Area (Sq. Ft.)	Lot Width (Ft.)	Front Yard (Ft.)	Rear Yard (Ft.)	Side Yard (Ft.)	Stories	Max. Height (Ft.)
S-1	3 Net Acres	250	60	60	50	3	45
R-A	1 acre	150	60	60	50	2	40
R-B	1 acre	150	60	60	50	2	40
R-1	1 acre	150	60	60	50	2	40
R-2	1 acre	150	60	60	50	2	40
R-3	1 acre	150	60	60	50	2	40
R-4	1 acre	150	60	60	50	2	40
C-1	25,000	60	50	20	20	2	35
C-2	----	50	----	10	none	2	35
C-3	25,000	100	50	20	20	2	35
M-1	1 net acre	150	50	40	30	2-1/2	40
M-2	1 net acre	250	50	40	40	2-1/2	40

502.2 The maximum height of buildings and number of stories specified under Section 502.1 may be exceeded for public and semi-public buildings, and commercial, industrial and apartment buildings provided the required front, side and rear yards are increased by two feet for each foot of additional building height to a maximum height of 50 feet.

SECTION 503. Nonresidential Uses Abutting or Opposite an “S-1” or “R” District

When the boundary line of two zoning districts divides a lot held in single ownership, the yard requirements listed in Table 503-1 following shall apply and extend from the zoning district line:

**TABLE 503-1
Nonresidential Uses Abutting or Opposite an “S-1” or “R” District**

Uses	Minimum Yard (feet)		
	Front	Side	Rear
Public/Semi-Public	100	50	100
Commercial	100	50	100
Industrial	100	100	100

SECTION 504. Height Regulations for Institutional, Office, Industrial and Apartment Buildings and Structures

The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, silos and similar structures, elevator bulkheads, smokestacks, conveyors and flag poles, except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

SECTION 505. Existing Lots of Record

Where two adjacent lots of record with less than the required area and width are held by one owner, the Board may require that the lot be combined and used for one main building. In either case, the prevailing setback shall be met. Where three or more contiguous unimproved lots of record with less than the required area and width are held by one owner, the Board may restrict the use to fewer lots to permit compliance with minimum yard requirements.

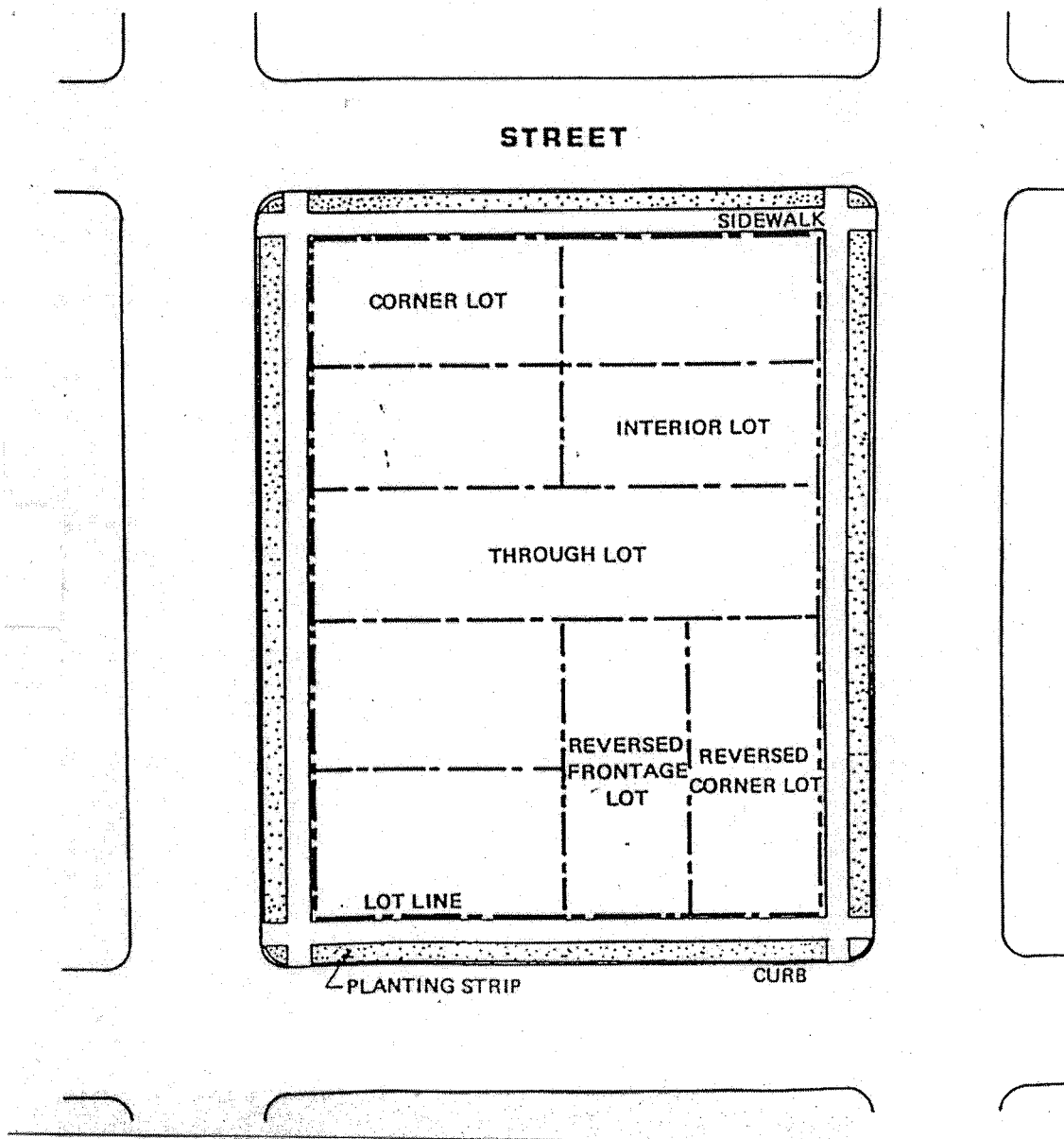
SECTION 506. Architectural Projections

- 506.1 Open structures such as porches, canopies, balconies, platforms, carports, and covered patios, and similar architectural projections, shall be considered a part of the building to which attached and shall not project into the required minimum front, side, or rear yard.
- 506.2 Every part of a required yard shall be open to the sky except where accessory buildings are permitted in a rear yard and except for the ordinary projections of sills, belt courses, cornices, and ornamental features projecting not more than 18 inches and eaves projecting not more than two feet.
- 506.3 Open or lattice-enclosed fire escapes, fire-proof outside stairways, balconies opening upon fire towers, and ordinary projections of chimneys and flues into the rear yard may be permitted for a distance of not more than five feet, but only where the same are so placed as not to obstruct light and ventilation.
- 506.4 Wood decks and tree houses are considered accessory buildings and structures. As such, a permit is required prior to the construction or erection of the same and should be in accordance with Section 905.

SECTION 507. Special Yard Requirements

- 507.1 Lots having frontage on more than one street shall provide the required front yard along all streets.
- 507.2 No accessory buildings shall be located in any front or side yard except under unusual circumstances where such activity shall not conflict with the intent and purpose of this Ordinance; or, where enforcement shall result in extreme hardship. Either exception shall require approval of the Board. Accessory buildings such as garages may be located in the rear yard provided such buildings are set back from the side lot lines and from the rear lot lines according to the dimensional requirements listed in Section 905.
- 507.3 No accessory uses or structures, except off-street parking incident to the principal use, nor material or equipment storage shall be located in any required front yard without approval of the Board.
- 507.4 All corner residential lots shall have extra width sufficient for maintenance of building lines on both streets. The minimum width shall be 100 feet.

FIGURE 507-1
TYPE OF LOTS



SECTION 508. Traffic Visibility Across Corner Lots

In any district on any corner lot, no fence, structure or planting shall be erected or maintained within 30 feet of the “corner” at a height greater than two and one-half (2-1/2) feet above curb or street grade, or so as to interfere with traffic visibility across the corner. The “corner” shall be the point of intersection of the two right-of-way lines.

SECTION 509. Middleton Pike (SR 582) and Findlay Road (SR 64) Overlay District**509.1 Purpose and Intent**

- (a) In addition to the underlying zoning district and the permitted and special uses and applicable development requirements, the following overlay district will apply to all uses and development within the designated boundaries of the district. Development within this overlay district shall meet the overlay district requirements as well as the underlying zoning district requirements.
- (b) The purpose of this district is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering Middleton Pike (SR 582) and Findlay Road (SR 64). These are major roads serving the Village of Haskins. They link the Village with the Village of Waterville, the City of Bowling Green and Interstate 75. As state routes, SR 582 and SR 64 are regionally significant roadways that will likely serve as major commercial corridors, as the Village and surrounding township continue to grow and urbanize. For these reasons, it is the purpose of this overlay district to:
 - (1) Preserve and enhance the aesthetic and environmental qualities of the Corridor;
 - (2) Provide a means to manage access to property in a manner that will help maintain traffic safety and roadway capacity;
 - (3) Provide standards and requirements that encourage innovative site design and efficient land use.

509.2 **Middleton Pike (SR 582) and Findlay Road (SR 64) Overlay District Boundaries**

The boundaries of the District are hereby established as shown on the Zoning District Map. The District includes those parcels with frontage along Middleton Pike (SR 582) and Findlay Road (SR 64) to a depth of 600 feet from the centerline of the right-of-way along both sides, extending from the east municipal boundary of the Village of Haskins Corporation, along a line extending to the west municipal boundary of the Village of Haskins Corporation.

509.3 **Review and Approval Procedures**

Site plan review and approval shall be necessary for all new development and for any structure that is enlarged by 50 percent or more, or when the enlargement contains 5,000 square feet or more in floor area. The site plan review shall be as specified in Section 903. In addition, the Ohio Department of Transportation (ODOT) requires a driveway access permit application for any new or modified access, as well as for a change in use for existing driveways. ODOT may require a performance bond for this permit.

509.4 **Permitted and Special Uses**

All uses which are permitted or special uses in the underlying zoning district(s).

509.5 **Accessory Buildings and Uses**

All accessory buildings and uses which are permitted in the underlying zoning district(s) are permitted within the district, except that any detached accessory building on any lot shall have on all sides the same architectural features or shall be architecturally compatible with the principal building(s) with which it is associated. Each use shall require a zoning permit.

509.6 **Development Standards**

- (a) **Minimum Front Yard Setback:** The minimum front yard setback shall be the greater of 50 feet from the right-of-way line or 150 feet from the centerline of Middleton Pike (SR 582) and Findlay Road (SR 64). Parcels with frontage on more than one street shall have a minimum front yard setback from the right-of-way line of the minor street as specified by yard requirements of the underlying zoning district.
- (b) **Minimum Side Yard Setback:** As specified in the underlying zoning district.

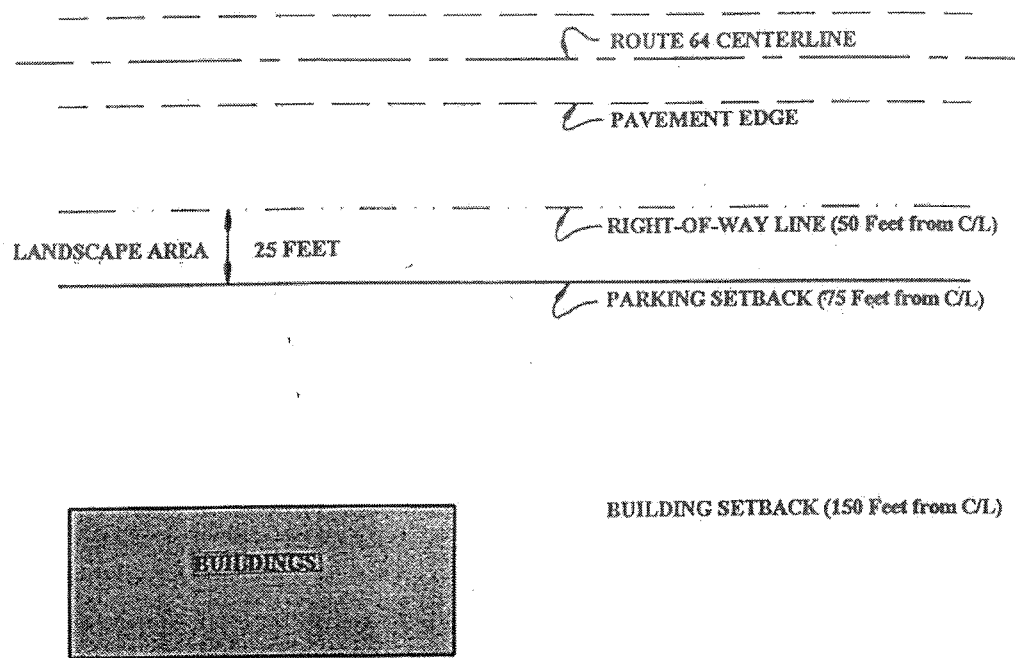
- (c) **Minimum Rear Yard Setback:** As specified in the underlying zoning district. In addition, a 25 foot rear yard landscape area shall be provided where the rear yard abuts an “S-1” or “R” zoning district. No building or pavement shall be located within the rear yard landscape area.
- (d) **Maximum Building Height:** As specified in the underlying zoning district.
- (e) **Minimum Front Yard Landscape Area:** 25 feet along Middleton Pike (SR 582) and Findlay Road (SR 64) and 10 feet along all side streets. The landscape area shall be located within the front yard setback area(s) and no off-street parking shall be located within the landscape area. In those instances where a parallel service road is provided within the required front yard the minimum landscape area width shall be 10 feet.
- (f) **Lot Frontage:** No existing lot that has frontage on Findlay Road (SR 64) may be subdivided in such a manner so as to reduce such frontage on Middleton Pike (SR 582) and Findlay Road (SR 64) to less than 200 feet, unless a traffic impact study is reviewed and approved by the Wood County Engineer and the Ohio Department of Transportation.
- (g) **Parking Requirements:** Parking is prohibited in the front yard landscape area and in the rear yard setback when abutting or opposite a residential district. Efforts to break up large expanses of pavement are to be encouraged by the interspersing of appropriate planting areas wherever possible. The number of parking spaces required are as established in Article VI of this Zoning Ordinance depending upon the zoning and the intended land use. There shall be an appropriate number of parking spaces, accessible to the building(s) and identified as reserved for use by disabled individuals in accordance with the provisions of the Americans With Disabilities Act.
- (h) **Architectural Review Requirements:** Site plan review shall include review of architectural design elements. The architectural design of buildings within the Middleton Pike (SR 582) and Findlay Road (SR 64) Overlay District shall include consideration of the following elements:
 - (1) Scale and proportion;
 - (2) Suitability of building materials;
 - (3) Design in relation to surrounding buildings;
 - (4) Design in relation to proposed landscaping; and
 - (5) Aesthetics of the proposed building.

- (i) **Access to Individual Parcels:** Access along Middleton Pike (SR 582) and Findlay Road (SR 64) shall be reviewed relative to the distance from other drive approaches and from roadway intersections. Access shall be reviewed by the Wood County Engineer and the Ohio Department of Transportation prior to approval. The developer may be required to prepare a traffic impact study when deemed appropriate by the Village of Haskins, Wood County Engineer, and/or the Ohio Department of Transportation.
- (1) **Access Permits:** All access permits shall be reviewed and approved by the Wood County Engineer and the Ohio Department of Transportation. Design and location of access driveways onto state-maintained portions of Findlay Road (SR 64) must be in compliance with applicable ODOT guidelines and regulations.
- (2) **Access Options:** The preferred method of providing access to parcels is to reduce or eliminate driveways and curb cuts by using front access drives (frontage roads), rear access drives, cross access easements and shared drive approaches. When parcels abut more than one roadway, the preferred access option is to locate access points on less-traveled roadways.
- (j) **Traffic Impact Study:** If required, the traffic impact study shall be prepared by a qualified professional engineer at the developer's expense. The study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc. to protect the safety and welfare of the traveling public. The traffic impact study shall include the following elements:
- (1) A description of the site and study area.
- (2) Anticipated development of adjacent parcels.
- (3) Trip generation and distribution.
- (4) Traffic assignment resulting from the development
- (5) Projected future traffic volumes.
- (6) An assessment of the impact resulting from driveway alternatives
- (7) Recommendations for site access and transportation improvements needed to maintain traffic flow at an acceptable and safe level of service
- (8) An evaluation of the effects the proposed development will have on the level of service and roadway capacity.

(k) **Other Requirements**

- (1) **Outside Storage or Refuse:** All outdoor storage and refuse containment units shall be suitably screened from public view.
- (2) **Semi-truck Loading Areas:** Semi-truck loading berths or bays for merchandise and materials which face Middleton Pike (SR 582) and Findlay Road (SR 64) shall be suitably screened by landscaping or fencing.
- (3) **Utilities:** Utilities shall be located underground.

FIGURE 509-1
DEVELOPMENT STANDARDS ILLUSTRATED



ARTICLE VI. OFF-STREET PARKING

SECTION 600. Off-Street Parking Requirements

It is the purpose of this section to regulate land use by providing adequate space for off-street parking, loading and maneuvering for all principal and accessory uses. The following provisions are intended to provide safe ingress and egress to all lots, minimize traffic congestion, limit on-street parking and reduce noise and visual impact of vehicular movement and loading activities.

600.1 **General Requirements:** In all districts, in connection with every industrial, commercial, institutional, recreational, residential, or other use, there shall be provided, at any time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the following requirements:

- (a) When there is a new use of an existing building or structure, which does not require enlargements or additions, it shall comply with the requirements of this section.
- (b) Any person who initiates substantial modifications, rebuilds or structurally alters to the extent of more than 50 percent in the floor area, dwelling units or seating capacity, on any lot, shall provide off-street parking, loading and maneuvering spaces in compliance with this chapter.
- (c) Each off-street parking space shall have a width of not less than ten feet and a minimum length of 18 feet exclusive of access drives or aisles, and shall be of usable shape and condition.
- (d) There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does abut on a public or private alley or easement of access, there shall be provided an access drive not less than eight feet in width in the case of a dwelling, and not less than 20 feet in width in all other cases, leading to the parking or storage or loading or unloading spaces required hereunder for multiple dwellings and nonresidential uses.
- (e) Drive-way widths may be extended to a maximum of 35 feet with approval by the Planning Commission.
- (f) All off-street parking and loading spaces, as required by this section, shall be located on the same parcel as the building or use requiring the spaces, except as otherwise provided for in this chapter.

- (g) Off-street parking and loading spaces required for any use not specifically listed herein shall be the same as that required for a similar use.
- (h) All off-street parking facilities and landscaping plans shall be submitted to the Zoning Inspector for review and approval. The Zoning Inspector may seek review and recommendation from the Planning Commission.

600.2 Space Requirements: Dimensions and Design:

- (a) Parking lot loading spaces shall meet the following dimensional requirements and design as listed in Table 600-1 and illustrated in Figures 600-1 and 600-2.

FIGURE 600-1
Parking Lot Loading Spaces
(Alternate 1)

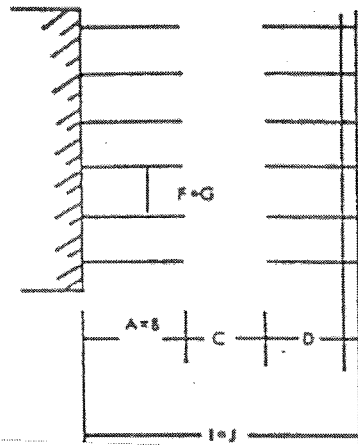


FIGURE 600-2
Parking Lot Loading Spaces
(Alternate 2)

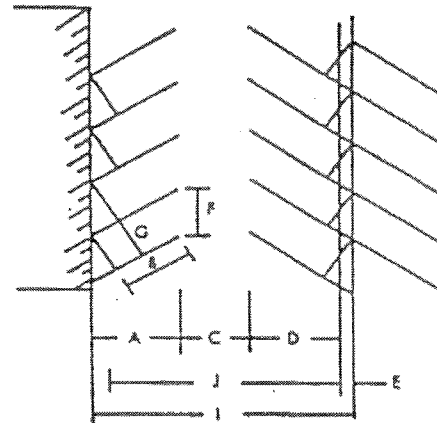


TABLE 600 - 1
Dimensional Requirements for Parking Lots

DIMENSION	ANGLE			
	<u>45</u>	<u>60</u>	<u>75</u>	<u>90</u>
<u>(In Feet)</u>				
A. Stall depth to wall	17	18.5	19	18
B. Stall depth parallel to vehicle	18	18	18	18
C. Aisle width	12	16	22	25
D. Stall depth to interlock	15	17	18	18
E. Stall depth reduction due to interlock	2	1.5	1	0
F. Stall width (parallel to aisle)	12.7	10.4	9.3	9
G. Stall width perpendicular to vehicle	9	9	9	9
H. Module width, wall to wall	46	54	60	61
I. Module width interlock to interlock	42	51	58	61

- (b) **Loading Spaces:** All loading spaces shall have minimum dimensions of 12 feet in width and 50 feet in length, exclusive of any driveway, aisle, or other circulation docking area, and have a clearance height of not less than 15 feet.
- (c) **Handicapped Parking:** Dimensions and design shall comply with requirements of Section 601.12.
- (d) **Bumper Overhang:** For bumper overhang, deduct one-half (½) foot from stall depth to wall or three feet from wall to wall for 45 degree and 60 degree parking. The equivalent dimensions for 75 degree and 90 degree parking are two feet and four feet respectively.
- (e) **Modification of parking space:** Modification of dimensions or design is subject to review by the Village Fire Chief and Planning Commission. Attention to emergency vehicle access shall be considered and incorporated into the design.

600.3 **Number of Spaces Required:** The number of off-street parking spaces to be provided shall not be less than the following:

TABLE 600-2
Number of Off-Street Parking Spaces Required by Use

Use	Parking Spaces Required
One-Family Units	Two for each dwelling
Two-Family & multiple dwellings	Two for each dwelling unit
Rooming or boarding house, or dormitory	One for each sleeping room or tenant, whichever is greater
Hotel or Motel	One for every room
Assisted Living Facility	One for every four beds
Sanitarium, convalescent home, home for the aged or similar institutions	One for each two beds
Adult Day Care	One for every 300 square feet of gross floor area
Child Day Care or Nursery School	Six or two for each classroom, whichever is greater
Hospital	One for each bed
Elementary School, High School, College or Technical School	Two for each classroom and office plus one for each five seats in auditorium or main assembly room
Church or Temple	One for each four seats in main auditorium
Mortuary or Funeral Home	One for each 50 square feet of floor space in slumber rooms, parlors or individual funeral service rooms
Theater or auditorium (except school auditorium), sports arena, stadium, gymnasium, conference center or similar venue	One for each five seats or each ten lineal feet of bench seating spaces, or one for every 30 square feet of gross floor area, whichever is greater

Use	Parking Spaces Required
Community Center, Church Social Center, Library, Museum or Art Gallery or similar establishment	Ten plus one additional for each 300 square feet of floor area in excess of 2,000 square feet
Private club, golf club or lodge or similar establishment	One for each five members
Health Spa	One for every 300 square feet of floor area
Commercial Golf Course	40 for each nine holes plus one for each employee
Skating Rink	One for every 100 square feet of gross floor area
Swimming Pool	One for every 50 square feet of water surface area and one for every 30 square feet of gross floor area of spectator seating
Tennis Courts/Racquet Clubs	Two for each court
Bowling Alley	Five for each lane; plus one additional space for each 200 square feet of area used for eating, drinking or other recreation
Campground	1.5 spaces for each site
Banquet/Recreational Hall	One for every 200 square feet of gross floor area
Restaurants, Night Clubs, Cafes, Bars, Taverns or similar recreation or amusement establishments, Dance Halls, Assembly or Exhibition Halls, without fixed seats, barber shops, beauty parlors and health salons	One for each 75 square feet of floor area
Bank or Financial Institution	Four parking spaces, plus one additional space for each 400 square feet of floor area in excess of 1,000 square feet
Medical and Dental Offices and Clinics	One for each 125 square feet of floor area with a minimum of four spaces required

Use	Parking Spaces Required
Personal services other than barber shops, beauty parlors, and health salons and professional activities other than medical and dental offices and clinics	One for each 150 square feet of floor area with a minimum of four spaces required
Retail business, carry-out, shopping center or business service establishment except as otherwise specified herein	One for each 150 square feet of gross floor area plus one for each 2 employees on the maximum work shift
Printing or plumbing shop or similar service establishment	One for each person employed therein plus one for each 150 square feet of floor area with a minimum of four spaces required plus space to accommodate all trucks and other vehicles used in connection therewith
Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service or similar establishment	Two plus one additional for each 200 square feet of floor area over 1,000 square feet with a minimum of four spaces required plus space to accommodate all trucks and other vehicles used in connection therewith
Offices	Four parking spaces, plus one additional space for each 400 square feet of floor area in excess of 1,000 square feet
Animal Care Facilities, Kennels, Boarding of livestock and domestic pets	One for every 200 square feet of gross floor area
Auction/Market, Flea Market	One for every 200 square feet of gross floor area or outdoor sales area
Motor Vehicle, Agricultural Implement, Recreational Vehicle, or Manufactured Home Sales	One for every 5,000 square feet of lot area and one for every 300 feet of gross floor area
Motor Vehicle Service/Repair	Two for each service bay or one for every two pumps, whichever is greater
Self-Service Storage Facility	Two for on-site manager or office employees

Use	Parking Spaces Required
Warehousing	One per motor vehicle used in the business and based, for operational purposes, upon the premises; plus, for the first 20,000 square feet of gross floor area, one for each 1,000 square feet of gross floor area; plus for any amount over 20,000 square feet of gross floor area, but less than 120,000 square feet, one for each additional 5,000 square feet of gross floor area; plus for any amount over 120,000 square feet of gross floor area, one for each additional 10,000 square feet of gross floor area.
Manufacturing or industrial establishment, research or testing laboratory, dairy processing, bakery, bottling plant, or similar establishment	Space to accommodate all trucks and other vehicles used in connection therewith; plus for the first 20,000 square feet of gross floor area, one for each 750 square feet of gross floor area; plus for any amount over 20,000 square feet of gross floor area, but less than 120,000 square feet, one for each additional 1,500 square feet of gross floor area; plus for any amount over 120,000 square feet of gross floor area, one for each additional 3,000 square feet of gross floor area.

600.4 **Interpretation:** The following rules shall govern the determination of spaces required:

- (a) “Floor area” shall mean the gross floor area of the specified use. The outside wall dimensions shall be used in determining the area of a structure.
- (b) Fractional numbers shall be increased to the next whole number.
- (c) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
- (d) Whenever a building or use constructed or established after the effective date of this Ordinance is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of

10 percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this Ordinance is enlarged to the extent of 50 percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.

- (e) One additional space of proper size and construction over and above the parking space requirements of this section shall be provided for each additional operational motor vehicle owned and/or continuously stored on a residential property by the resident or owner.

600.5 **Loading Spaces:** Loading space shall be required for each building use or occupancy as follows in Table 600-3.

- (a) Each loading space shall not be less than 12 feet in width, 50 feet in length and have a height clearance of 14 feet.
- (b) No such space shall be located closer than 50 feet to any other lot in a “S” or “R” District.

SECTION 601. Special Parking Provisions

Every parcel of land hereafter used as a public, commercial, or private parking lot shall be developed and maintained in accordance with the following requirements:

**TABLE 600-3
Loading Space Requirements By Use**

<u>USE</u>	<u>LOADING SPACE REQUIRED</u>
- Commercial or institutional use:	1) Less than 10,000 square feet - none required 2) 10,000 to 100,000 square feet - one 3) Plus one for each additional 100,000 square feet
- Each manufacturing or industrial use:	1) Under 5,000 square feet - none required 2) 5,000 to 10,000 square feet - one 3) 10,000 to 30,000 square feet - two 4) Plus one for each additional 50,000 square feet

601.1 Screening and Landscaping

- (a) Off-street parking areas for more than 10 vehicles shall be effectively screened on each side which adjoins or faces premises situated in any “S” or “R” District, or institutional premises, by a fence of acceptable design. Such fence shall be not less than four feet or more than six feet in height and shall be maintained in good condition without any advertising thereon. The space between such wall or fence and the lot line of the adjoining premises in any “S” or “R” District shall be landscaped with grass, hardy shrubs, or evergreen ground cover and maintained in good condition. In lieu of such wall, or fence, a strip of land not less than 10 feet in width, and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four feet in height or more than six feet in height, may be substituted.

- (b) All off-street parking and loading facilities shall be accompanied by a detailed landscaping plan to be reviewed and approved by the Zoning Inspector. The Zoning Inspector may seek review and recommendation from the Planning Commission. The purpose of requiring landscaping is to help reduce glare and heat buildup, to promote interior islands and walkways for pedestrian safety and traffic separation, to visually break up large expanses of pavement, and to buffer adjacent uses from parking lots.
- (c) Landscaping shall be required along all road frontage.
- (d) Depth of the landscaping strip shall be a minimum of 15 feet or 50 percent of the required minimum yard depth, whichever is greater, as applicable under Section 500.
- (e) Landscaping shall consist of natural materials such as plantings, mounding, stone, walls or fences of wood, decorative stone or masonry.
- (f) Landscaping shall not obstruct visibility and shall be maintained at a height not to exceed 42 inches within five feet of any street or road right-of-way.

601.2 **Minimum Distance and Setbacks:** No part of any parking area for more than 10 vehicles shall be closer than 20 feet to any dwelling, school, hospital or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. In no case shall any part of a parking area be closer than five feet to any established street or alley right-of-way. For residential uses, access drives shall have a minimum side yard of three feet from the boundary lines of adjoining properties. For non-residential uses, access drives shall have a minimum side yard requirement of 25 feet and a minimum rear yard requirement of 40 feet. The wall or hedge required in Section 601.1 hereof shall be set back from each street, the same as if it were a building wall, so as to observe the front yard requirements of this Ordinance.

601.3 **Joint Use:** Two or more nonresidential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement, approved by the Solicitor and accepted by the Board of Zoning Appeals shall be filed with the application for a Zoning Permit.

601.4 **Other Locations:** Parking spaces may be located within 300 feet on a lot other than that containing the principal use with the approval of the Board of Zoning Appeals, provided a written agreement, approved by the Village Solicitor and accepted by the Board of Zoning Appeals, shall be filed with the application for a Zoning Permit.

- 601.5 **Surfacing:** Any off-street parking area shall be graded for proper drainage and surfaced so as to provide a durable surface constructed of one of the following materials: asphalt, concrete, or tar and chip. All off-street parking and loading areas and driveways for multi-family and non-residential uses shall be graded to drain all surface water towards the interior of the parking lot. An internal storm drainage system shall be provided and connected to the nearest outlet subject to regulations and approval of the Village Engineer. Concrete curbs may also be required as part of the overall drainage design for all or part of the parking lot or driveway perimeter.
- 601.6 **Lighting:** Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining residential premises or public right-of-way.
- 601.7 All vehicles parked off-street shall be parked in an approved parking area constructed according to the requirements of Section 601.5. No vehicle shall be parked in front, side or rear yards except in approved parking areas.
- 601.8 **Disabled Vehicles:** The parking of a disabled and/or unlicensed vehicle within an “S” or “R” residential district for a period of more than two weeks shall be prohibited, except that such vehicle may be stored in an enclosed garage or other accessory building provided that no business shall be conducted in connection therewith while such vehicle is parked or stored.
- 601.9 **Parking and Storage of Vehicles and Trailers**
- (a) No commercial vehicles, as herein defined, or other vehicle which infringes on the residential character, shall be stored or parked in an “S” or “R” district, excluding vehicles which are stored in an enclosed building or vehicles used in agriculture which are an integral part of an on-site agricultural business. Infrequent, short term parking, during the day, of a commercial vehicle for conveying tools and materials to the premises, for use on the premises, or the delivery or moving of goods to or from a dwelling unit is exempt from this section.
 - (b) Recreational vehicles, that is, vehicles utilized for recreational purposes, including all-terrain vehicles, racing vehicles, campers, boats, boat trailers and utility trailers, shall not be parked or stored in the minimum front yard of any “S” or “R” district, except when loading or unloading for a temporary period not to exceed 24 hours. The aforementioned may be stored in the rear or side yard, but shall be a minimum of ten feet from the lot line.
 - (c) Truck tractors and/or truck trailers shall not be parked, except for making deliveries, in any “S”, “R” or “C” districts.

- (d) No inoperable vehicle shall be parked within an “S” or “R” District for a period of more than 30 days, but may be stored in an enclosed building providing no business is conducted in connection therewith while such vehicle is parked or stored.
- (e) Recreational and utility equipment parked or stored shall be owned by the occupant of the residence, shall not have fixed connections to electricity, water, gas or sanitary sewer facilities, and at no time shall this equipment be used for living or housekeeping purposes.
- (f) On one lot there shall be no more than two pieces of equipment parked or stored outside. A mounted piece of equipment is construed as one piece; disassembled as two pieces.

601.10 Wheel Stop Device

Whenever a parking lot extends to a property line, sidewalk, planting strip or building, a wheel stop device, consisting of concrete stops, a permanent concrete curb, an expanded sidewalk, or other suitable restraint, shall be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian circulation way or sidewalk, or damaging any structure or landscaping. Minimum height shall be five inches and the minimum length six feet. A wheel stop device shall not be required where a guardrail or other suitable barrier is provided to prevent intrusion into a protected area.

601.11 Striping and Marking

Parking spaces and aisles shall be clearly designated and marked in paint to assure approved utilization of space, direction of traffic flow and general safety. Parking spaces for the handicapped shall be reserved and designated with a standing sign (not painted on the pavement), displaying the symbol of accessibility.

601.12 Handicapped Parking

- (a) Parking spaces shall be provided for the disabled and handicapped for all public, semi-public, commercial and industrial buildings. The number of spaces which shall be reserved are one accessible space for each 25 total lot parking spaces for the first 100 spaces and one additional space for each 50 spaces thereafter.
- (b) Parking spaces and loading zones shall be located on the shortest possible circulation route to an accessible entrance. In stand-alone parking structures, or

lots that do not serve a particular building, parking spaces shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

- (c) Parking spaces shall be at least 96 inches wide and shall have an adjacent access aisle 48 inches wide minimum. Parking access aisles shall be part of the accessible route to the building or facility entrance and shall comply with applicable sections of the Ohio Basic Building Code. Two accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clearance of an accessible circulation route.
- (d) Curb ramps shall be required for handicapped access. Minimum width shall be 36 inches with a maximum ramp slope of 1:10.

601.13 Drive-up Stacking Area: Any use having a drive-up window shall provide a stacking area on site to minimize off-site traffic congestion while waiting for service. A detailed site plan shall be supplied to the Planning Commission for its review and approval.

601.14 Trash Receptacle Area

- (a) A trash receptacle area, when provided, shall be in a designated location that does not interfere with any aisle, driveway, parking space, loading space or other circulation area.
- (b) The location of this area, if provided, shall be shown on the site plan with proper loading and maneuvering space and for the purpose of location, shall be treated as an accessory structure. A trash receptacle area shall be screened from view on three sides. Except in "C-2," Village Center Commercial District, such areas shall not be located in any required yard or set back. All trash receptacle shall be maintained according to requirements of the Board of Health.

601.15 Maintenance: The owner or operator of property used for parking and loading shall maintain such area in good condition so that it is safe, clean, dust-free, attractive and free of any hazard, nuisance or other unsafe condition. Striping for parking spaces shall be maintained in good condition.

601.16 Maneuvering: Every parking and loading space shall have sufficient access and maneuvering area. The maneuvering area for a parking space may occur anywhere on a parcel except within the required minimum front, side and rear setback area. It may include an aisle or circulation area. For one-family and two-family residences, it may include a driveway, street or parking space.

601.17 Loading Spaces: No loading spaces shall be located in a front yard.

601.18 Access Drives: Access drives shall be designed to provide no more than general egress and ingress to the parking lot. The number and location of access drives shall be subject to review and approval by the Planning Commission for the purpose of eliminating traffic congestion on the public streets, and for the purpose of promoting proper internal circulation within the off-street parking area.

601.19 Driveways

- (a) **Side Setbacks:** Driveways shall have at least 3-foot maintenance setback from all side property lines, except where driveways are shared between two or more property owners.
- (b) **Public Street Intersection Setbacks:** Driveway curb cuts shall be setback at least 30 feet from the nearest intersection of a public street or alley.
- (c) **Surface:** Driveways shall be constructed with a durable, hard surface such as concrete, asphalt, or comparable material.
- (d) **Size:** Driveways shall be at least eight feet wide. Driveways shall be at least 18 feet in length.
- (e) **Time of Construction:** Driveways shall be constructed not later than two years following occupancy.
- (f) **Circular Driveway:** A minimum lot width of 150 feet shall be required for lots which contain circular or U-shaped (horse shoe) driveways.
- (g) **Driveway Aprons:** All driveway aprons shall be paved to a depth of six inches.

601.20 Parking Lot Requirements

- (a) **Location and Paving:**
 - (1) Single-family and two-family residence parking shall be on the driveway, garage apron, or similar all-weather paved surface, directly adjacent to the driveway, and not on the front lawn nor other front yard landscaped open space, not designed for parking.

- (2) All other use parking shall be on all-weather paved parking lots, which lots are set back from property lines, except where they are interconnected across property lines, to allow space for landscaped areas and screening made up of fences, landscaping, or combinations thereof.
- (3) Paving shall normally consist of concrete, asphalt, or paver brick, which surfaces shall be maintained to keep them from deterioration which affects drainage flow or generates dust.
- (4) Landscaped areas around parking lots and along residential drives measured to the property line shall be no less in width than the smallest side or rear yard space required by the zoning district for accessory structures, but in no case less than five feet. For the purposes of this regulation, perimeter driveways, and queuing or service lanes shall be considered parking lots and subject to providing a landscaped area, and screening as set forth in (b) following.

(b) **Screening**

- (1) Within the landscape area defined by Section 601.20(a)(4) preceding, for all uses other than single-family and two-family residence drives, but including such residences in the yard where a boat or recreational vehicle is legally parked, there shall be provided continuous screening to a height of no less than three feet, which screening shall consist primarily of landscaping such as hedges, shrubs, mounded flower beds, and trees, but may also include fences in combination with landscaping.
 - (2) **Outdoor Product Display:** Uses which utilize outdoor display of products sold on the premises such as auto sales shall not be exempt from this requirement, but the Planning Commission may permit grouping of the screening, along the street property line, to allow for corridors of less obstructed view of the product.
- (c) **Control of Lighting:** Lighting established for the purpose of illuminating off-street parking and loading lots and areas shall utilize lighting fixtures whose hood, lens or combination thereof allow no direct beams of light from the fixture to be seen from off the property.

601.21 Private Residential Parking

- (a) **Occupant and Guest Parking:** Open parking of cars accessory to a residence use shall be limited to those actually used by the residents, or for the temporary parking of vehicles of house guests.
- (b) Inoperable or unlicensed motor vehicles may not be kept on a residential lot unless parked in a garage.
- (c) No more than one private detached garage structure accessory to a residence shall be permitted on a lot in addition to one attached garage.

601.22 Exceptions: Upon appeal to and approval by the Board of Zoning Appeals, off-street parking may be permitted in an “S” or “R” district to service an industrial or commercial use. Such request shall be filed as an Exception in accordance with the provisions under Article XII.

ARTICLE VII.
SPECIAL PROVISIONS FOR RESIDENTIAL USES AND STRUCTURES

SECTION 700. General

700.1 To assure compliance with the conditions and regulations of this article, each use and structure specified in each subsection shall require a zoning permit.

SECTION 701. Parking and Storing of Boats, Recreational Vehicles, Utility Equipment and Mobile Homes

701.1 **Parking or Storing of Mobile Homes:** Parking or storing of a mobile home on any residential property shall be prohibited in all districts.

701.2 **Parking or Storing of Recreational and Utility Equipment:** See Section 601.9, "Parking and Storage of Vehicles and Trailers."

SECTION 702. Home Occupations-General Requirements

702.1 For all Residential Districts, a home occupation may include the use of one accessory building as a place for operation of the home occupation or for purposes of storage of equipment. The accessory building shall not exceed ten percent of the lot area or 500 square feet in area maximum, and shall be the only accessory building on the lot.

702.2 Only members of the family residing on the premises plus no more than one additional person shall be engaged in such occupation.

702.3 The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

702.4 There shall be no change in the outside appearance of the building or premises, no outside storage of materials incidental to the home occupation, nor other visible evidence of the conduct of such home occupation. No detached signage for 'Home Occupations' is allowed in any "R-A," "R-B," "R-1," or "R-2" districts.

702.5 No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated

by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Ordinance, and shall not be located in a required front yard.

702.6 No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

SECTION 703. Conversion of Dwellings

In an “R-3” District a residence may be converted to accommodate an increased number of dwelling units provided:

- (a) If the building is to be altered on the outside, the yards shall not be reduced to less than the yard dimensions required by the zoning regulations for new structures in that district.
- (b) The lot area per family is equal to the lot area requirements for new multifamily structures in that district.
- (c) The number of square feet of living area per family unit is not less than that which is required for new construction in that district.

SECTION 704. Family Day Care Facilities

Only in “R-3,” “R-4,” “C-1” and “C-2” districts may a permanent residence be used to provide day care services. All day care operations shall conform to applicable local and state licensing provisions.

SECTION 705. Signs

705.1 **General:** No signs, which contain a commercial message shall be permitted in an “S” or “R” District, except as otherwise provided in this Ordinance.

705.2 Size:

- (a) One low-profile, freestanding ground mounted/blade sign or one wall sign shall be allowed for each lot which contains a main building other than a dwelling. Low-profile signs in “S” and “R” Districts, for a non-residential use, where approved as a Special Use, shall not exceed four feet in height measured from the ground surface and shall be no higher than six feet measured from the center line of the road and have a maximum 24 square feet per face in area.
- (b) Signs for home occupations shall not exceed eight square feet in area and shall be wall mounted and flush against the wall.
- (c) Signs for churches, schools or other public or semi-public buildings shall not exceed 32 square feet per face in area.
- (d) At any entrance to a residential subdivision or multi-family development there may be not more than two signs identifying such subdivision or development and said signs shall be setback from the right-of-way line a minimum distance of ten feet. The total sign area of a single sign located at a single entrance shall not exceed 32 square feet, shall not exceed 42 inches in height and shall contain only the name of the subdivision or development. Any subdivision entrance/ identification sign proposed to be located within the center of a boulevard entrance shall be located in a manner so as not to create a traffic hazard from the standpoint of adequate sight distances.

705.3 Location: Where permitted, signs shall maintain a minimum setback of 25 feet from the right-of-way line and from any adjacent lot line, except for identification signs for residential subdivisions or multi-family developments. If ground-mounted, the top of the sign shall not be over four feet above the ground surface and shall be no higher than six feet measured from the center line of the road. If building-mounted, permitted signs shall be flush-mounted, shall not be mounted on any roof of the building and shall not project above the roof line.

705.4 Content: A sign permitted for a multiple dwelling shall be an identification sign only, indicating the name and/or address of the multiple family development. Maximum sign area for a multiple dwelling(s) shall be 12 square feet.

705.5 Illumination: Illumination, if used, shall be what is known as white and not colored light and shall not be blinking, fluctuating or moving. Light rays shall shine only upon the sign or upon the property within the premises and shall not spill over the property lines, in any direction, except by indirect reflection.

SECTION 706. Garages

All lots, upon which a new dwelling is erected, located, or relocated shall contain either an attached or unattached garage which has a minimum width of 20 feet and a minimum length of 20 feet, and be affixed to the land on a permanent foundation, and contain a cement or masonry floor. Dwellings with a living area of 900 square feet or greater shall have a two-car attached garage. All unattached garages shall require a zoning permit.

ARTICLE VIII.
SPECIAL PROVISIONS FOR COMMERCIAL AND INDUSTRIAL USES

SECTION 800. General

800.1 To assure compliance with the conditions and regulations of this article, each use and structure specified in each subsection shall require a zoning permit.

SECTION 801. Signs and Outdoor Advertising Structures

801.1 Purpose; Applicability; Effect

- (a) The purpose of these sign regulations is to provide standards for the placement, display and use of signs. These standards are designed to enhance the aesthetic environment of the Village; promoting business development through flexible regulation while encouraging innovation and creativity in sign design and usage; improve pedestrian and traffic safety; and minimize possible adverse effects of signs on nearby public and private property. It is the intent of the Village to encourage low-profile signs.
- (b) A sign may be erected, placed, established, painted, created, or maintained in the Village only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.
- (c) The effect of these regulations as more specifically set forth herein, is:
 - (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this section;
 - (2) To prohibit all signs not expressly permitted under this section;
 - (3) To provide for the enforcement of the provisions of these regulations;
 - (4) To regulate the use of signs according to zone and the placement and scale of signs primarily by type, length of street frontage, and lot size.

801.2 General Provisions

(a) **Permits and Fees:**

- (1) Unless otherwise provided by this Ordinance all new signs shall require a permit. Application for sign permits shall be made to the Zoning Inspector.
- (2) Payment of fees to the Village shall be in accordance with the Permit Fee Schedule.
- (3) A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of the permit.
- (4) No permit is required for the maintenance of a sign, e.g. painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure, or for a change of advertising copy or message on approved painted, printed or changeable copy signs, including theater marquees and similar approved signs which are specifically designed for the use of replaceable copy, so long as the sign area or structure is not modified in any way for the existing owner and/or tenant.

(b) Each application for a Zoning Permit shall include a drawing of the proposed sign showing the following information:

- (1) Name and address of the owner of the sign.
- (2) Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
- (3) The type of sign or sign structure as defined in this Ordinance.
- (4) A site plan with dimensions showing the proposed location of the sign with the measurements from all property lines along with the location of all existing signs and buildings on the same premises and adjacent roadways.
- (5) A drawing of the proposed sign showing the following specifications: dimensions, height, design, copy, illumination and construction details (materials, structural supports and electrical components of the proposed sign).

- (6) Computations showing total number and area of existing and proposed signs on the lot.
- (c) No sign shall be installed in any manner which may endanger the safety of any pedestrian or motor vehicle. No sign shall project into any public right-of-way or obstruct traffic visibility at street or highway intersections.
- (d) If a sign is installed, constructed or maintained in violation of any of the terms of this Ordinance, the Zoning Inspector shall notify the owner or lessee thereof to alter such sign so as to comply with this Ordinance. Any owner, lessee or sign contractor who installs a new sign without a permit is subject to three times the normal fee schedule.
- (e) All nonconforming signs, sign structures and off-premise signs will be permitted to remain in place on the same premises of such use. When the existing use is no longer in business all nonconforming signs shall be removed. All new signs on the premises shall conform to the provisions of this Ordinance.
- (f) All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged so as to reflect away from the adjoining premises and provided that such illumination shall not be placed as to cause a hazard to traffic or conflict with traffic control signs or lights.
- (g) One temporary sign not exceeding an aggregate of 50 square feet, announcing the opening of a business in a Commercial or Industrial District is permitted for one, 30-day period.
- (h) A temporary sign (construction sign) not exceeding an aggregate of 50 square feet advertising the construction of a building including the contractor, architect, engineer, financial institution, etc. is permitted in a Commercial or Industrial District during the construction period. Within residential districts, a temporary sign (construction sign) not exceeding an aggregate of 32 square feet is permitted during the construction period.
- (i) Directional signs shall be permitted for off-street parking areas, provided:
 - (1) Height not to exceed 42 inches from grade level.
 - (2) Each sign shall not exceed five square feet per display area.

- (j) Signs for which a permit is required may be inspected periodically by the Zoning Inspector for compliance with this and other codes of the municipality.
- (k) All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.
- (l) The Zoning Inspector may order the removal of any sign erected or maintained in violation of this code. The Zoning Inspector shall give 15 days notice in writing to the owner of such sign, or of the building, structure, or premises on which such sign is located, to remove the sign or to bring it into compliance. The Zoning Inspector may remove a sign immediately and without notice if, in his opinion, the condition of the sign is such as to present an immediate threat to the safety of the public.
- (m) A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove it, the Zoning Inspector shall give the owner 15 days written notice to remove it. Upon failure to comply with this notice, the Zoning Inspector or his duly authorized representative may remove the sign at cost to the owner.

801.3 Prohibited Signs

The following types of signs are prohibited in all districts:

- (a) Abandoned Signs
- (b) Animated Signs: No sign shall be permitted which is animated by means of flashing, blinking or traveling lights or any other means not providing constant illumination. Public service information signs and changeable copy signs are not considered animated signs.
- (c) Search lights, rotating signs, sandwich board signs, moving figures, balloons or other gas-filled figures.
- (d) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.
- (e) Any sign or other object attracting attention to a business which interferes with the safety of the traveling public.

- (f) Roof Signs
- (g) Pole signs in “S” and “R” districts.
- (h) Any sign which contains statements, words or pictures of an obscene, indecent or immoral character, such as will offend public morals or decency.
- (i) Any sign which contains or is an imitation of an official traffic sign or signal or contains the words: “stop,” “go slow,” “caution,” “danger,” “warning” or similar phrases.
- (j) Signs which are of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal.
- (k) Other than those signs and outdoor advertising displays specifically permitted, all other outdoor advertising displays intended to advertise or call attention to a product being sold on the premises are prohibited.

801.4 Exemptions

The following types of signs are exempt from sign permit requirements:

- (a) Any public notice or warning required by a valid and applicable federal, state, local law or regulation.
- (b) **Public Signs:** Signs of a non-commercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest and the like.
- (c) **Institutional:** Signs setting forth the name of any single announcement for any public, charitable, educational or religious institution, located entirely within the premises of that institution, up to an area of 24 square feet. Such signs may be illuminated in accordance with the regulations contained hereinafter. If building mounted, these signs shall be flat wall signs and shall not project above the roof line. If ground mounted, the top shall be no more than four feet above ground level.
- (d) **Integral:** Names of buildings, date of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar

material or made of bronze, aluminum or other permanent-type construction and made an integral part of the structure, provided that such signs do not exceed two square feet in area.

- (e) **Private Traffic Direction:** Signs directing traffic movement onto a premises or within a premises, not exceeding three square feet in area for each sign. Traffic directional signs on private property shall contain no commercial message. Illumination of these signs shall be permitted in accordance with the section hereinafter included on illumination. Horizontal directional signs on and flush with paved areas are exempt from these standards.
- (f) **Small Signs:** Signs not exceeding two square feet in area, attached flat against the building, stationary and not illuminated, announcing only the name and occupation of building tenant.
- (g) **Temporary Land Development Project Signs:** Signs pertaining to the sale, lease, rent or development of a subdivision, planned shopping center, industrial park or similar undeveloped acreage. Signs shall be non-illuminated and not exceed 32 square feet per face in sign area.
- (h) **Rentals:** Signs on the premises announcing rooms for rent, apartment or house for rent and not exceeding four square feet.
- (i) **Vehicles:** Signs on vehicles of any kind, provided the sign is painted or attached directly to the body of the original vehicle and does not project or extend beyond the original manufactured body proper of the vehicle, provided that the primary use of the vehicle is not for advertising purposes. If a vehicle is parked at such location in such a manner and for such a purpose as to constitute a use primarily intended for sign advertising purposes, then the regulations as to signs in the zoning district in which it is located shall be applied to include the sign on the vehicle.
- (j) **Farms:** Names of occupants and other identification painted or otherwise made a part of the surface or roof of a barn or other accessory building pertaining to and identifying the owner and/or activity of the farm unit provided said identification is not for advertising purposes.
- (k) Any sign inside a building.
- (l) Works of art that do not include a commercial message.

- (m) Holiday lights and decorations with no commercial message.
- (n) Any traditional display in connection with the celebration of a national holiday, a religious holiday, or a community celebration, and the display of the American flag, or flag of other government entity respectfully displayed are hereby permitted.
- (o) Non-illuminated real estate signs not exceeding six square feet in sign area in “S” and “R” districts and 32 square feet in sign area in “C” and “M” districts that advertise the sale, rental or lease of the premises upon which such sign is located.
- (p) **The following temporary signs:** These signs shall be removed no later than five days after completion of the event or transaction.
 - (1) Garage/yard sale signs.
 - (2) Public election and candidates signs.

801.5 Signs in Commercial and Industrial Districts

- (a) Except as indicated, only one of each sign type listed below in Table 801-1 shall be permitted per lot in Commercial and Industrial Districts.
- (b) **Pole Signs and Low Profile Signs on Double Frontage Lots:** If a development is located on a lot that is bordered by two streets that do not intersect at the lot’s boundaries (double front lot), then the development may [subject to total sign area limitations in Section 801.6(a)] have a pole or low profile sign on each street.
- (c) **Location and Height of Pole Signs:** All pole signs shall be located at least ten feet from the right-of-way line, not less than ten feet from any adjacent lot line and may not exceed a height of 30 feet.
- (d) Low-profile signs shall be setback from the right-of-way line a minimum distance of 15 feet and not less than ten feet from any adjacent lot line.

**TABLE 801-1
Sign Limits by District**

District	Type of Sign Permitted	Max. Size of Pole Sign (Sq. Ft.)	Max. Size of Wall Sign (1) (2)	Max. Size of Low Profile Sign (Sq. Ft.) (3)	Max. Size of Projecting Sign (Sq. Ft.) (4)
C-1	Wall, low profile	40 per face	1.5 sq. ft. per lineal ft. of building width	40 per face	40
C-2	Wall, low profile	100 per face	1.5 sq. ft. per lineal ft. of building width	100 per face	40
C-3	Wall, low profile	60 per face	1.5 sq. ft. per lineal ft. of building width	60 per face	40
M-1	Wall, low profile, pole	100 per face	1.5 sq. ft. per lineal ft. of building width	50	NA
M-2	Wall, low profile, pole	100 per face	1.5 sq. ft. per lineal ft. of building width	50	NA

- Notes: (1) Lineal building width facing the rights-of-way; multiple wall signs are permitted provided the combined square footage is within the wall sign size limit indicated.
- (2) Awning, backlit awning and canopy signs are treated as wall signs for the purposes of this table. The sign area for awning, backlit awning and canopy signs is the copy area.
- (3) No low profile sign is permitted when a pole sign is used.
- (4) No projecting sign is permitted when a pole sign is used.
- (5) Projecting and pole signs may be permitted with permission of the Planning Commission and Village Council.

- (e) Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties or hardships in carrying out the strict letter of this section of the Ordinance providing each exception is in harmony with the general purpose and intent of the Ordinance and in accordance with the procedures and provisions specified in Article XII. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations.

801.6 Common Signage Plans for Multiple Uses

- (a) In lieu of the requirements elsewhere in this section, in Commercial and Industrial Districts, when a structure contains more than one business establishment, or when the owners of two or more contiguous lots voluntarily agree to develop common signage, a common signage plan may be submitted to the Zoning Inspector.
- (b) A common signage plan shall specify standards for consistency among all signs affected by the plan in regard to (1) color scheme, (2) lettering, (3) lighting, (4) location of signs, (5) material and (6) sign proportion
- (c) Common signage plans may not exceed the following limitations:
 - (1) **Maximum Sign Area:** The total maximum aggregate area of all signs (pole, wall, low profile or projecting) shall not exceed either three square feet of sign per lineal foot of street frontage, or five percent of the ground floor of the principal building, or 1,000 square feet, whichever is less.
 - (2) **Maximum Number of Pole or Low Profile Signs:** Pole or low profile signs, are limited to one, for each 500 feet of lot frontage.

801.7 Off Premise Sign

Off premise signs are permitted in the M-1 and M-2 districts, subject to the following:

- (a) Off-premise signs shall not exceed 32 square feet per sign face.
- (b) Height of off-premise signs shall not exceed eight feet above grade.

801.8 Illumination

- (a) 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 areas.
- (b) No sign shall have blinding, flashing or fluttering lights or other illuminating devices such as a changing light intensity, brightness or color. No sign shall utilize moving patterns of light so as to convey an illusion of motion or animation. Electronic message boards, being changeable copy signs in which the copy consists of an array of lights, are permitted, provided the frequency of message change is not less than 20 seconds, that is all lights in a display shall activate simultaneously, remain activated for not less than 20 seconds and deactivate simultaneously, no moving patterns of light are displayed and such sign complies with all other provisions of this chapter. No electronic message board shall be located on a parcel on which there exists a nonconforming, currently existing sign. Signs which electronically display only the time and temperature are exempt from the above provided the frequency of message change is not less than five seconds. Beacon lights and search lights are not permitted.
- (c) 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.
- (d) Neither the direct, nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
- (e) No exposed reflective type bulbs and no strobe light or incandescent lamp which exceeds 15 watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.

801.9 Temporary Signs: The following signs shall be permitted anywhere within the Village and shall conform with all yard requirements therein, and all signs ground mounted shall not exceed a height of eight (8') feet above ground level, and all freestanding signs shall not exceed a height of eight (8') feet above ground level, and permitted signs shall conform to the following cited requirements:

- (a) Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with the construction, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of 16 square feet for each firm. The signs

shall be confined to the site of the construction and shall be removed upon the occupancy of the intended use of the project.

- (b) Real estate signs advertising the sale, rental, or lease of the premises on which the signs are displayed, up to a total area of 12 square feet. Such signs shall be removed within 14 days of the sale, rental, or lease. Real Estate signs are not allowed in the right-of-way.
- (c) Political campaign signs announcing the candidates seeking public political office and other data pertinent thereto, up to an area of 32 square feet for each premise. These signs shall be confined within private property and removed within 14 days after the election for which they were made.
- (d) Street banners advertising a public entertainment or event, if specially approved by the local legislative board and only for locations designated by the legislative body during and for 30 days before and seven days after the event.
- (e) Show window signs in a window display of merchandise when incorporated with such a display. They need not be related in context with the display.
- (f) Temporary portable advertising signs not to exceed a total area of 64 square feet, provided that the other requirements of this zoning code are complied with and provided a permit not to exceed 30 days in any one year period is obtained.
- (g) No sign shall be placed on any traffic signal or other traffic control signs.
- (h) The Zoning Inspector may remove or order the removal of any sign erected or maintained in violation of this code.

SECTION 802. Adult-Oriented Uses

802.1 Adult-oriented uses shall not be located within 500 feet of any residentially or agriculturally zoned district, school, church, park, playground or other use established specifically for the activities of minors, measured by a radius from the closest boundary of the parcel that contains the adult use.

802.2 Adult-oriented uses shall not be located within a 1,000-foot radius of two other such uses.

802.3 Off-street parking shall be provided in accordance with Article VI. "Off-Street Parking and Loading."

802.4 The Village shall reserve the right to review facilities established under this section after it has been in operation for a period of one year upon the recommendation of the Planning Commission and/or initiation by Village Council.

SECTION 803. Open Storage and Display of Material and Equipment

803.1 The open storage and display of material and equipment incident to permitted or special uses in "C" or "M" Districts shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties in any "S" or "R" District by means of walls, fences or plantings. In no case shall this storage be maintained beyond the front building line except for items displayed for sale or rental. Walls or fences shall be a minimum of four feet in height without advertising thereon. In lieu of such a wall or fence, a strip of land, not less than 10 feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four feet in height at the time of planting, may be substituted.

803.2 The temporary open storage of contractor's equipment and material shall be permitted on the site upon which buildings or structures are being erected or installed for the duration of the construction period. Storage of such equipment and material beyond the date of completion of the project shall be subject to a special permit authorized by the Board of Zoning Appeals.

SECTION 804. Day Care Facilities

Office Complex Day Care Facilities operated as an accessory use to serve employees of a principal use, located on-site and less than 5,000 square feet, shall not be subject to any commercial site plan review beyond that required for the principal use.

SECTION 805. Animal Care Facilities

- (a) Animal Care Facilities located in a "C-3," "M-1" or "M-2" District shall be contained within a building(s) and shall not have holding pens or enclosures for housing animals external to any building.
- (b) Accessory buildings, pens or enclosures used for housing or containing animals shall be a minimum of 50 feet from all property lines and/or any dwelling unit.

- (c) Suitable fencing or landscaping shall be installed around pens and/or enclosures used for housing or containing animals.

SECTION 806. Self-Service Storage Facilities

(a) General Requirements

- (1) Self storage facilities shall be limited to rental of storage units, pickup and deposit of dead storage.
- (2) Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units. A copy of the lease agreement shall be filed with zoning administrator as a condition of the permit.

(b) Specific Requirements

- (1) **Lot area:** Minimum lot area shall be two acres.
- (2) **Lot coverage:** Maximum lot coverage of units and storage areas shall be 50 percent of gross lot area.
- (3) **Setbacks:** The following minimum setbacks shall apply except as required under Section 500.2.
 - a. **Front yard:** 50 feet
 - b. **Side or Rear Yard:** 25 feet when abutting or opposite an “S” District or “R” District and 15 feet when opposite or abutting a “C” or “M” District
- (4) **Height:** Height of structures shall be in conformance with structures or equal to the average height of structures on properties abutting or opposite to self storage facilities. Where no adjacent structures exist, the maximum height shall be 15 feet to the highest point of the building (see Figure 500-3).
- (5) **Lighting:** Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and should be so

arranged to reflect light away from adjoining residential property or any public way.

- (6) **Site Plan:** A site plan shall be required and subject to approval by the Planning Commission.
- (7) **Signs:** Shall conform to requirements under Section 801.
- (8) **Pavement:** All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement.
- (9) No door openings for any storage unit shall be constructed facing any residentially-zoned property.
- (10) Fencing, walls, or landscaping/plant screening shall be required around the perimeter of the facility. Where deemed appropriate under the site plan review, setbacks may be waived and a unit wall approved in lieu of a fence or landscaping.
- (11) **Special Requirements:** Where within 500 feet of a residence:
 - a. Fencing or walls shall consist of decorative wood or stone, decorative concrete block or similar materials compatible with surrounding residential dwellings.
 - b. Hours of operation shall be no earlier than 7:00 A.M. nor later than 8:00 P.M. daily.
- (12) **Parking and external storage of vehicles:** A minimum of one parking or external storage space shall be provided for each 1,000 square feet of enclosed storage space. Storage or parking spaces for vehicles shall not extend forward of the rear building line nor be within any required yard.

SECTION 807. Performance Requirements

807.1 **Requirements:** No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises provided that any use permitted by this Ordinance may be undertaken and maintained if

acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the following performance requirements:

- (a) **Fire Hazards:** Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire suppression equipment and by such safety devices that are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.
- (b) **Radioactivity or Electrical Disturbance:** No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- (c) **Noise:** Noise which is objectionable as determined by the Board because of intermittence, beat, frequency or shrillness, shall be muffled or otherwise controlled. Noises may equal but shall not exceed average street traffic noise during such periods that traffic noise exceeds the following decibel readings as measured at the boundary or boundaries of the district or at any point in any adjacent "S," "C" or "R" District:
 - (1) "M-1": 75 Decibels
 - (2) "M-2": 85 Decibels
- (d) **Vibration:** No continuous vibration shall be permitted which will have the effect of destroying adjoining property and is found to be detrimental to the legal use of any adjoining lot or property.
- (e) **Smoke:** Smoke shall not be emitted with a density greater than No. 2 on the Ringlemann chart as issued by the U.S. Bureau of Mines. Smoke of a density of No. 4 on the Ringlemann chart shall be permitted for a period of up to eight minutes in each hour, provided the following conditions exist:
 - (1) Breakdown of equipment
 - (2) Starting new fires
 - (3) Clean-up time

- (f) **Odors:** No malodorous gas or matter shall be permitted which produces a public nuisance or hazard on any adjoining lot or property.
- (g) **Air Pollution:** No pollution of air by fly ash, dust, vapor or other substances shall be permitted which can cause damage to health, animals, vegetation or other property, or which can cause damaging soiling.
- (h) **Glare:** No direct or reflected glare shall be permitted which is visible from any property outside an “M” District or from any public street, road or highway.
- (i) **Erosion:** No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
- (j) **Water Pollution:** Pollution of water shall be subject to the requirements and regulations established by the Ohio EPA.

807.2 **Enforcement Provisions:** The Zoning Inspector or Board of Zoning Appeals, prior to the issuance of a Zoning Permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

807.3 **Measurement Procedures:** Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York, N.Y.; the Manufacturing Chemists Association, Inc., Washington, D.C.; and the United States Bureau of Mines.

ARTICLE IX.
SPECIAL PROVISIONS FOR RESIDENTIAL, COMMERCIAL
AND INDUSTRIAL USES

SECTION 900. General

900.1 To assure compliance with the conditions and regulations of this article, each use and structure specified in each subsection shall require a zoning permit.

SECTION 901. Dish Antennae-General

- (a) In accordance with the Telecommunications Act of 1996, satellite dish antennas with a diameter of one meter (39.97 inches) or less when located in an “S” or “R” District are exempt from the provisions of this Ordinance.
- (b) The Zoning Inspector shall issue such permit, provided the applicant submits a written application upon forms provided and approved by the Planning Commission, along with a plot plan of the lot, premises or land parcel attached, showing the exact location and dimensions of the proposed dish antenna; a description of the kind of dish antenna proposed; and the exact location and dimensions of all buildings or structures. Each application shall specify, among other things, the name and address of the owner of the real estate; the applicant; and the person to be permitted to construct the proposed dish.
- (c) The applicant shall submit with each application a sum in accordance with scheduled fees established by Council which represents the permit fee. The permit fee shall cover the costs of reviewing the construction plans, inspecting the final construction and processing the application.

901.1 “Dish-Type Satellite Signal-Receiving Antennas,” also referred to as “earth stations” or “ground stations” shall mean one, or a combination of two or more of the following:

- (a) A signal-receiving device (antenna, dish antenna, or dish-type antenna), the purpose of which is to receive communication or other signals from satellites in earth orbit and other extraterrestrial sources.
- (b) A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and the purpose of which is to magnify, store, transfer and/or transmit electronic or light signals.

- (c) A coaxial cable the purpose of which is to carry or transmit said signals to a receiver.
- (d) A receiver, defined as a television set or radio receiver.
- (e) A dish, defined as that part of a satellite signal receiving antenna characteristically shaped like a saucer or dish.
- (f) A grounding rod, defined as a metal pole permanently positioned in the earth to serve as an electrical conductor through which electrical current may safely pass and dissipate.

901.2 Location of Ground-Mounted Earth Stations:

- (a) Due to the desire of the Village to maintain a high degree of neighborhood aesthetic conformity and to promote the utmost safety of installation and operation, an earth station shall not be constructed in any front or side yard, but shall be constructed to the rear of the residence or main structure.
- (b) An earth station, including its concrete base slab or other substructure, shall not be constructed less than ten feet from any main building; shall have rear and side property line setbacks equal to or greater than the height of the proposed structure, but in no case shall the rear and side yard setbacks be less than ten feet from any property line or easement; and, in the case of a corner lot, shall not project beyond the front yard required or existing on the adjacent lot. In any "C" or "M" District, a dish antennae shall not be located closer than 20 feet to any public street.
- (c) An earth station shall not be constructed without appropriate landscaping to reasonably conceal said earth station from view, and the planting shall be completed before final approval by the Zoning Inspector.
- (d) An earth station shall not be linked, physically or electronically, to a receiver which is not located on the same lot, premises or parcel of land as is the earth station.
- (e) A ground-mounted earth station shall not exceed a grade height of 15 feet.
- (f) A ground-mounted earth station shall not exceed ten feet in diameter.
- (g) Wiring between a ground-mounted dish and a receiver shall be placed at least four inches beneath the surface of the ground within rigid conduit.

901.3 Location of Roof-Mounted Earth Stations:

- (a) Roof-mounted earth stations shall be mounted directly upon the roof of a primary or accessory structure, as defined in the Building Code, and shall not be mounted upon appurtenances such as chimneys, towers, trees, poles or spires.
- (b) A roof-mounted earth station shall not exceed a height of more than three feet above the roof upon which it is mounted.
- (c) A roof-mounted earth station “dish” shall not exceed three feet in diameter.

901.4 Earth Stations-Additional Requirements

- (a) No earth station shall have written upon it any advertising whatsoever, or any written lettering larger than one inch in height.
- (b) A dish shall be designed to withstand a wind force of eighty-five (85) miles per hour without the use of supporting guy wires.
- (c) Any driving motor shall be limited to 110v maximum power design and be encased in protective guards.
- (d) A dish must be bonded to a grounding rod.

SECTION 902. Ponds**902.1 General Requirements**

- (a) All ponds shall require a minimum parcel area of five acres, except ponds shall be permitted on parcels of three acres or greater in any “S” District.
- (b) All ponds shall require a permit and meet requirements of Section 1103, “Application and Issuance of Zoning Permits,” which includes written application for a zoning permit accompanied with a site plan, including an elevation view of the pond. All residential uses on lots of five acres or less and all nonresidential uses shall meet the additional requirements of Section 903 which includes site plan review by the Planning Commission.
- (c) Ponds shall conform to the U.S. Soil Conservation Service specifications and recommendations.

- (d) Ponds which abut more than one lot and or serve as an accessory use for more than one lot, and all of the respective lots associated with the pond, shall be platted in accordance with applicable subdivision regulations.
- (e) Lots containing ponds used for drainage retention shall be platted in accordance with applicable subdivision regulations.
- (f) If a pond is deemed to pose a safety hazard because of the density of development in the vicinity of the parcel, the Village may require fencing be installed as specified under Section 908, "Swimming Pools," subject to the review of the Board of Zoning Appeals.

902.2 Area and Design Requirements

- (a) Minimum pond surface area shall be one-fourth (1/4) acre. Maximum surface area shall not exceed 25 percent of the net acreage of the parcel.
- (b) The side slope of a pond shall be horizontal-to-vertical at a ratio of three-to-one (3:1) except where a beach is desired. The ratio shall be maintained to a minimum depth of 17 feet.
- (c) Beach areas may be sloped no less than at a horizontal-to-vertical ratio of ten-to-one (10:1) and shall not exceed 25 percent of the pond surface area.
- (d) Ponds shall be graded not to exceed four feet in height so as not to obstruct an adjoining property owner's view. Excess dirt may be redistributed on the parcel, but may not be removed from the site unless determined in the site plan approval that it is deemed necessary for landscaping or to provide adequate drainage of the site.
- (e) To prevent adverse effects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from pond development, then diverted to a suitable outlet or drainage ditch.

902.3 Setback

- (a) A pond shall have 100 feet minimum setback from any roadway right-of-way centerline.
- (b) Ponds, except in an “S” District, shall have a side and rear yard setback of not less than 10 percent of the width of the parcel, with a minimum setback of 50 feet. Ponds on parcels of five acres or less in an “S” District shall have a side and rear yard setback of not less than 10 percent of the width of the parcel, with a minimum setback of 25 feet.
- (c) A pond shall be located no closer than 100 feet to any sanitary or storm water facility, including septic tanks and leach fields.

902.4 **Refilling:** The refilling of an area which has been excavated for the development of a pond shall be considered waste disposal and shall meet the requirements as set forth by the Wood County Board of Health for solid waste disposal under Ohio Revised Code Chapter 3734.05.

902.5 **Requirement for Issuance of Permit:** Provide a written description of location and sketch showing location on site (plan view and elevation view).

SECTION 903. Site Design and Development

903.1 General

Site plan review and landscaping shall be required under the following conditions:

- (a) For all new uses.
- (b) A change in use.
- (c) When a building or structure is erected, changed, or enlarged by 50 percent or more or 5,000 square feet or greater in floor area.
- (d) When 10 or more parking spaces are added or a parking lot is expanded by 4,000 square feet or greater.

903.2 Site Plan Review

The following standards shall apply and shall be consistent with all provisions in the Zoning Code:

(a) General Requirements

- (1) A formal letter of submittal shall accompany the site plan. The letter should give reference to a case file number if one has been assigned for the property and shall provide the name, address and phone number of any parties who should be informed of the progress of the request. Parties to be notified should include the land owner, developer, attorney, architect, engineer, landscape architect or other appropriate consultant.
- (2) All site plans shall have a title indicating the type of request being made, e.g., a request for a zone change, special use permit, etc.
- (3) The site plan shall be accompanied by a complete legal description of the subject property and a general location sketch showing nearby section lines and/or residential and major roadways.
- (4) The site plan shall indicate the scale of the drawing and shall use an engineer's scale.
- (5) The site plan shall have the north arrow pointing either toward the top of the drawing or to the left side of the drawing. The location map and site plan orientation should be identical.
- (6) The following submissions are required:
 - a. Twelve blue-line or black-line prints of the site plan on paper no larger than 24 inches by 36 inches. Detailed drawings other than the site plan need not be submitted at this time for the site plan review process.
 - b. A good quality black and white reproducible, PMT or velox reduction of the original print shall be submitted at a size ranging from 8-1/2 inches by 11 inches to 11 inches by 17 inches.

(b) **Specific Requirements**

- (1) The site plan shall show the zoning classification(s) and existing uses of the subject property and all abutting property. It shall also show the approximate location of buildings and driveway locations opposite to and adjacent to the subject property.
- (2) The site plan shall indicate the dimensions of the property and shall show the dimensions of existing and proposed buildings to be constructed. The site plan shall indicate any building removals or other alterations to occur on the property.
- (3) The site plan shall indicate the distance of existing and proposed structure(s) to the right-of-way line and the distances of the structure(s) to the side and rear property lines.
- (4) The site plan shall indicate a landscaping and screening plan in accordance with Sections 601.1 and 904 and the Village Street Tree Ordinance.
- (5) The site plan shall indicate by name all adjacent roadways. The site plan shall show both right-of-way and pavement widths measured from the centerline of the roadway.
- (6) The site plan shall indicate the locations, size (height), and material of all existing and proposed fencing and/or walls on the subject property.
- (7) The site plan shall show the location, height and dimensions of existing or proposed signs on the property.
- (8) The site plan shall indicate the width(s) and location(s) of existing or proposed sidewalks if any and drive approach aprons. The drive approach width(s) shall be dimensioned where the apron meets the roadway pavement and shall be dimensioned at the throat.
- (9) Site plans shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, the two-foot (2') contours and the 100-year high water elevation shall be shown on the site plan. Information on this requirement may be obtained from the Wood County Engineer's Office.

- (10) The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.
- (11) The site plan shall show existing and proposed sanitary and storm sewers, watermains and the location(s) of fire hydrants if present. In the event these improvements are not available, the site plan shall indicate the location of proposed or existing wells and/or on-lot sewage systems both on-site and on abutting parcels.
- (12) The site plan shall indicate the location of existing or proposed off-street parking spaces and drive aisles with complete dimensions. The drawing shall include the number and size of the proposed parking stalls including handicap spaces. The type of pavement composition of the parking area, i.e., treated gravel, asphalt or concrete shall be indicated. If the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any, between the two areas, shall be shown.
- (13) A site plan with a proposed drive-thru window operation shall indicate where the vehicles will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and/or drive-up window.

903.3 Landscaping

- (a) Landscaping shall be required along all road frontage.
- (b) Depth of the landscaping strip shall be a minimum of 15 feet or 50 percent of the required minimum yard depth whichever is greater as applicable under Section 500.
- (c) Landscaping shall be a minimum of four feet in height and a sufficient height to shield the view of parking areas from adjacent roadways.
- (d) Where uses are within, abut or opposite an “S” or “R” District, landscaping shall be required for those yards which are adjacent to the “S” or “R” District. Landscaping shall be a minimum of six feet in height to effectively shield the view from these respective adjacent parcels.
- (e) Landscaping shall consist of natural materials such as plantings, mounding, stone, walls or fences of wood, decorative stone or masonry.

- (f) Landscaping shall not obstruct visibility and shall be maintained at a height not to exceed 36 inches within five feet of any street or road right-of-way. Traffic visibility across corner lots shall be governed by Section 506, "Traffic Visibility Across Corner Lots," of this Ordinance.

903.4 Application Procedure

- (a) Site plans shall be filed with the Village of Haskins Zoning Inspector.
- (b) The Zoning Inspector shall transmit the completed site plan including all Specific Requirements of this Section to the Planning Commission for review and recommendation, and shall request professional review, if deemed necessary.
- (c) The date the Planning Commission accepts the site plan shall constitute the official filing date.
- (d) No permit shall be issued for any use or change in use prior to the review and recommendation of the site/development plan by the Planning Commission. Conditions and/or modifications may be attached to these plans.
- (e) The review time for site plans, generally shall be in keeping with the time requirements established for zoning changes.
- (f) Any change in the site plan, once approved, shall require a review by the Planning Commission and the approval of the Zoning Inspector.

SECTION 904. Fences and Planting Screens

Fences, plant materials and similar screening devices are permitted in any "S" or "R" district to a maximum height of 42 inches in any front yard and to a maximum height of six feet in any side or rear yard. Chain link fences are prohibited in any front yard. All fences, plant materials and similar screening devices must be maintained in good condition and without any advertising thereon. Fences shall be constructed of materials compatible with surrounding residential dwellings and of material that is uniform throughout the line of the fence. Fences, plant materials and similar screening devices are measured from adjacent grade. In all "S" and "R" districts no barbed wire or electrified fences are permitted. All non-residential uses shall require a permit for fences and planting screens and shall be subject to site plan approval in accordance with Section 903. Traffic visibility across corner lots is governed by Section 508, "Traffic Visibility Across Corner Lots," of this Ordinance. The screening of open storage and display of material and equipment shall be governed by Section 803 of this Ordinance.

SECTION 905. Accessory Buildings or Uses**(a) General**

- (1) No accessory use, building, structure or pond shall be permitted on any lot which does not contain a dwelling or a main building.
 - (2) Accessory buildings shall be constructed in accordance with the Village building codes. Each accessory building shall require a zoning permit.
 - (3) Wood decks and tree houses are considered accessory buildings and structures and shall require a permit prior to their construction or erection of the same except as provided herein. No permit shall be required for a tree house except when constructed upon a post or posts in or upon the ground. A permit will be issued only upon approval of site plans, drawings and diagrams for the construction of wood decks and tree houses by the Zoning Inspector. Tree houses may not be used for storage purposes.
- (b) **Setback:** If smaller than 12 feet by 12 feet, accessory buildings and structures shall have a minimum setback of five feet from each lot line. If 12 feet by 12 feet or larger, such buildings and structures shall have a minimum setback of ten feet from each lot line. Agricultural buildings shall have a minimum setback of 20 feet from each lot line.
- (c) **Yard Requirement:** Accessory buildings shall not be located in any front yard nor in the side yard of a corner lot when that yard faces a street or road.
- (d) **Size Requirement:** An accessory building shall not exceed 20 feet in height and may not occupy more than 30 percent of a required rear yard.

SECTION 906. Agriculture/Truck Gardening

Livestock used in agriculture or raised for agricultural purposes shall not be maintained within 150 feet of a non-farm building.

SECTION 907. Private Tennis Courts

Private tennis courts shall require a zoning permit. Private tennis courts are permitted in any “S” or “R” District with the following requirements:

- 907.1 A site plan shall be submitted showing dimensions, and location of the court in relation to property lines, utility easements, sanitary facilities where applicable, and setbacks from property lines. The site plan shall be subject to review and approval by the Planning Commission.
- 907.2 Courts shall not be placed over any sanitary or storm water facility or within any public right-of-way.
- 907.3 Maximum court dimensions shall be 120 by 60 feet or 7,200 square feet in area.
- 907.4 The site plan shall indicate drainage flow and where appropriate, a drainage system shall be installed with suitable outlet, to prevent adverse effects of drainage onto adjoining properties.
- 907.5 Courts shall be fenced when court surface is within 20 feet of a property line. The fence shall not exceed ten feet in height and be separated from the property line with landscaping and/or plant screening.
- 907.6 Lighting where provided shall be so arranged as to reflect away from adjoining residential properties or public way.
- 907.7 A written description and a sketch showing location on the site (plan view and elevation view) shall accompany the permit application.

SECTION 908. Swimming Pools

A private swimming pool shall be any pool, lake or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one half (1-1/2) feet.

- 908.1 Each swimming pool requires a zoning permit. A written description of the location and a sketch showing location on the site (plan view and elevation view) shall accompany the permit application.

- 908.2 A swimming pool shall not be located closer than ten feet to any property line of the property on which it is located.
- 908.3 Swimming pools, including above-ground pools that are fitted with cross bars, shall be so walled or fenced so as to prevent uncontrolled access by children. Said fence or wall shall be not less than four feet in height and shall be maintained in good condition with a gate and an adequate key-type lock, with a latch on any gate on the inside thereof, out of the reach of small children.
- 908.4 As an alternative to installing a separate fence or wall around an above-ground pool free of cross bars, the wall of the pool and, if necessary, a railing built around the top of the pool wall to a height not less than four feet above grade, may be considered the enclosure for the pool. All access ladders, stairs, or similar apparatus for this type of pool shall be removed and placed where small children cannot access these climbing devices when the pool is not in use or is left unattended.
- 908.5 No such swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or with an area of less than 100 square feet, shall be allowed in any "S" or "R" District except as an accessory use and unless it complies with the following conditions and requirements:
- (a) The pool is no greater than 1,200 square feet in surface area of water and no more than 12 feet in depth.
 - (b) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
 - (c) The pool, including any walks or paved areas or accessory structures adjacent thereto, shall not be constructed so as to extend into the required front or side yards.

SECTION 909. Telecommunication Towers

Pursuant to the Telecommunications Act of 1996, this section sets forth standards for the location of telecommunication towers within a residential-zoned district as a special use request. Each telecommunication tower requires a zoning permit. These minimum standards include:

- 909.1 The applicant must provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and

governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation).

- 909.2 The applicant shall provide proof of notification to adjacent property owners as required by Ohio Revised Code Chapter 519.211.
- 909.3 The applicant must demonstrate at the time of application that no technically suitable and feasible site is available in a nonresidential district and that the site is located in the least restrictive district that includes a technically suitable and feasible site.
- 909.4 The structure containing the telecommunication tower shall be located on its own lot, which meets the square footage requirements of the district.
- 909.5 The structure shall be located on the lot in conformance with all setback requirements of the district and shall not exceed 100 feet in height.
- 909.6 Structures must be screened with fencing, masonry, shrubbery or other screening materials.
- 909.7 The applicant shall notify the Zoning Inspector within 30 days of ceasing operations at the site and shall remove the structure(s) within 60 days of ceasing operation.
- 909.8 No advertising or illumination other than that required by law may be located on the structure.
- 909.9 The applicant must demonstrate that “co-location” of the telecommunication tower with other telecommunication towers or facilities in the vicinity was considered. Co-location shall be encouraged wherever feasible.

SECTION 910. Restriction on Causes of Blighting or Blighting Factors

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. No person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any premises in the Village of Haskins owned, leased, rented or occupied by such person, firm or corporation.

- 910.1 The storage upon any premises of any inoperable vehicle for a period of more than 30 days, except in a completely enclosed building.

- 910.2 The outdoor storage upon any premises of building materials unless a zoning permit has been issued by the Village and a building permit issued by the Wood County Department of Building Inspection not more than one year previously for construction upon said premises, and said materials are intended for use in connection with such construction. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure. Provided, that outdoor storage of building materials which is not in violation of applicable zoning or safety regulations is permitted if said materials are kept out of view of the public and abutting premises. Provided further, that all construction debris shall be removed from any premises within 30 days after occupancy thereof.
- 910.3 The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 30 days. The term “junk” shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal or any other materials or other castoff materials of any kind whether or not same could be put to any reasonable use.
- 910.4 The existence of any vacant dwelling, garage, or other out-building unless the same is kept securely locked; windows kept glassed or neatly boarded up, and otherwise protected to prevent entrance thereto by vandals.
- 910.5 In any area the existence of any structure or part of structure which because of fire, wind or other natural disaster, or physical deterioration is no longer usable for its intended purpose.
- 910.6 In any area the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting zoning permit issued by the Village and a building permit issued by the Wood County Department of Building Inspection and unless exterior construction is completed within one year after issuance thereof.

SECTION 911. Temporary Buildings and Uses

- 911.1 Temporary buildings, structures or uses and/or temporary open storage of equipment shall be permitted subject to approval and conditions by the Board of Zoning Appeals under Article XII. Each temporary buildings, structure or use and/or temporary open storage of equipment shall require a zoning permit.

911.2 Temporary buildings and construction trailers used in conjunction with construction work only may be permitted in any “C” or “M” district during the period construction work is in progress, but such temporary buildings shall be removed upon substantial completion of the construction work.

ARTICLE X. NONCONFORMING

SECTION 1000. Intent Of Ordinance Concerning Nonconformities

1000.1 Within the districts established by this Ordinance or amendments that may later be adopted, there exist lots, uses of land, structures, and uses of structures and land in combination, which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

1000.2 It is not the intention herein to classify as nonconforming a use or building allowed in a district as a special use under the regulations of this Ordinance.

SECTION 1001. Avoidance Of Undue Hardship

1001.1 Permits issued and or construction in progress

- (a) To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which a valid building permit was issued, or actual construction was lawfully begun, prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.
- (b) Any nonconforming structure that is ready for or under construction at the time of adoption or amendment of this Ordinance may be completed and occupied in accordance with the requirements of a valid building permit and zoning permit issued prior to such adoption or amendment data.

1001.2 **Continuation of existing nonconformities:** The lawful use of a building or land existing at the time of adoption of this Ordinance may be continued, even though such use does not conform to the regulations established by this Zoning Code for the use district in

which it is maintained. An existing nonconforming use of a building may be continued so long as no structural alterations, except such as may be required by law or ordinance, are made therein. An existing nonconforming use of a building or premises may, by special permit, be changed to another nonconforming use of a higher classification, but no building or premises in which a nonconforming use has been so changed shall again be devoted to a less restricted use.

SECTION 1002. Single Nonconforming Lots Of Record

- (a) In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record existing at the effective date of adoption or amendment of this Ordinance, notwithstanding limitations imposed by other provisions of this Ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area and/or width that are generally applicable in the district. Yard dimensions and requirements, other than those applying to area and/or width, shall conform to the regulations for the district in which such lot is located.
- (b) Variances for district requirements, other than lot area or lot width, shall be obtained only through action of the Board of Zoning Appeals.

SECTION 1003. Nonconforming Lots Of Record In Combination

- (a) If two or more nonconforming lots, or portions thereof, with continuous frontage are in single ownership, the Board of Zoning Appeals may, upon appeal of the Zoning Inspector's decision to deny a zoning permit for failure to meet the requirements of this Ordinance, determine that these lots are or are not to be an undivided parcel for the purpose of this Ordinance. If considered an undivided parcel, no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of said parcel be made which creates a lot with a width or area below the requirements stated in this Ordinance.
- (b) If each said parcel is developed separately, a finding shall be made by the Board of Zoning Appeals that such development and density will not be a detriment to the surrounding area.

SECTION 1004. Nonconforming Uses Of Land

Where, at the time of adoption of this Ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this Ordinance, the uses may be continued so long as they remain otherwise lawful, provided:

- (a) No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Ordinance;
- (b) No such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Ordinance;
- (c) Additional structures, which do not conform to the requirements of this Ordinance, shall not be erected in connection with such nonconforming use of land;
- (d) If any such nonconforming uses of land are discontinued or abandoned for more than one year (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located. A nonconforming use shall be considered voluntarily discontinued or abandoned:
 - (1) When the intent of the owner to discontinue the use is apparent, or,
 - (2) When the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the 2 year period, or,
 - (3) When it has been replaced by a conforming use, or,
 - (4) When it has been changed to another nonconforming use by first obtaining a permit from the Board of Zoning Appeals.

SECTION 1005. Nonconforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the

structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (a) No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
- (b) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

SECTION 1006. Nonconforming Uses Of Structures Or of Structures And Land In Combination

If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Ordinance that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (a) No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
- (b) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building;
- (c) If no structural alterations are made, any nonconforming use of a structure or structure and land, may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. The appeal procedure requires that the request for substitution be made first to the Zoning Inspector, who must deny the zoning permit. The appeal is then taken to the Board for the final determination. In permitting such change, the Board may require appropriate conditions and safeguards in accord with other provisions of this Ordinance;

- (d) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed;
- (e) Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

SECTION 1007. Discontinuance and Re-establishment Of Use Or Structure

When a nonconforming use of a structure, and/or structure and land in combination is discontinued or abandoned for more than one year (except when government action impedes access to the premises), the structure or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located. A nonconforming use shall be considered voluntarily discontinued or abandoned:

- (a) When the intent of the owner to discontinue the use is apparent, or,
- (b) When the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the one year period, or,
- (c) When it has been replaced by a conforming use, or,
- (d) When it has been changed to another nonconforming use by first obtaining a permit from the Board of Zoning Appeals.

SECTION 1008. Repair Of Damaged Structures Or Uses

A nonconforming building or structure which has been damaged by fire, explosion, flood, act of God, the public enemy, or other such calamity to the extent of 50 percent or more of its reproduction value at the time of damage shall not be restored except in conformity with the regulations of the district in which it is located. When damaged by less than 50 percent of its reproduction value, a nonconforming use may be repaired or reconstructed, and used as before the time of damage, provided such repairs or reconstruction are started within one year of the date of such damage.

SECTION 1009. Expansion, Repair, And Maintenance

- 1009.1 A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.
- 1009.2 On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided that the cubic content (floor area) existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

ARTICLE XI. ENFORCEMENT

SECTION 1100. Zoning Inspector

1100.1 Office of Zoning Inspector

- (a) The Office of Zoning Inspector is hereby created for the purpose of enforcement of the zoning code. It shall be the duty of the Village Zoning Inspector, who shall be appointed by the Mayor, subject to confirmation by Village Council, to enforce this Ordinance. The Zoning Inspector shall report to the Mayor.
- (b) It shall be the duty of the Zoning Inspector to enforce the zoning code, issue zoning permits and to maintain the zoning permit record and maps.
- (c) The Zoning Inspector will have the primary duty of enforcing the zoning code. It shall also be the duty of all officials and employees of the Village, especially members of the Police and Fire Departments, to assist the Zoning Inspector by reporting to said inspector upon new construction, reconstruction, or land uses or upon apparent violations.

1100.2 The Zoning Inspector shall be responsible for zoning administration. This shall include:

- (a) Zoning enforcement (Zoning Permit requirements, violations of zoning code).
- (b) Administration of Zoning Permits (filing, review and issuance of zoning permits).
- (c) Maintenance of records, including maps, for Zoning Permits, zoning violations and non-conformities.

1100.3 Appeal from the decision of the Zoning Inspector may be made to the Board of Zoning Appeals, as provided in Article XII.

SECTION 1101. Zoning Permits

1101.1 It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a Zoning Permit shall have been issued by the Zoning Inspector. It shall be the duty of the Zoning Inspector to issue a permit, provided said inspector is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Ordinance. No permit for excavation, construction or reconstruction

shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Ordinance.

1101.2 Building Permit: Before proceeding with the erection, relocation or alteration of any building or part thereof in the Village, a permit for such erection, relocation or alteration shall be first obtained from the Building Inspector or his or her deputy by the owner or his or her agent, which permit, in such form as may be prescribed by Council, shall, in substance, certify that such proposed erection, shall not proceed with the erection, relocation or alteration of any building unless such permit has first been obtained.

1101.3 Upon written request from the owner or tenant, the Zoning Inspector shall issue a Zoning Permit for any building or premises existing at the time of enactment of this Ordinance certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this Ordinance. No charge shall be made for issuing a Zoning Permit in accordance with this paragraph.

SECTION 1102. Conditions under which Permits are Required

A Zoning Permit shall be required for any of the following, except as herein provided:

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

SECTION 1103. Application and Issuance of Zoning Permits

1103.1 Written application shall be made for a zoning permit to the Zoning Inspector, for the construction of a new building, the alteration of an existing building, use of vacant land, change in the use of land or building, or for a change in a nonconforming use as herein

provided. Information regarding the general procedure is contained in the Appendix. If the proposed use or construction is in conformity with the provisions of applicable Village Ordinances, the Zoning Inspector shall issue the zoning permit.

1103.2 Application Form: General

- (a) Each permit application shall include plans and specifications of the building which the applicant intends to erect, relocate or alter. All dimensions shown on filed plans shall be based on an actual survey.
- (b) Each permit application shall include a plot plan in duplicate, and such other plans as may be necessary to show the location and type of buildings to be erected or alterations to be made. Said plot plan shall contain a complete and accurate legal description of the subject property and a general location sketch showing nearby section lines and/or residential and major roadways. The legal description shall be given by metes and bounds or by lot number and subdivision name.
- (c) Where complete and accurate information is not readily available from existing records, the Zoning Inspector may require the applicant to furnish a survey of the lot by a registered engineer or surveyor.
- (d) A registered survey and/or a stake out survey for all buildings and structures shall be supplied by the applicant before construction is started, if deemed necessary by the Zoning Inspector.
- (e) No erection, removal or alteration of any building shall be made other than in conformity with such plans after approval by the Zoning Inspector.
- (f) Such plans shall be sufficient to enable the Zoning Inspector to obtain full and complete information as to the extent and character of the work to be done.
- (g) The application form shall be provided by the Village.
- (h) Every application for a Zoning Permit shall be accompanied by the permit fee hereafter provided for.

1103.3 The Plot Plan shall show:

- (a) The scale of the drawing (Engineer's scale) and a north arrow pointing to the top of the drawing and placed on the right hand side of the drawing.

- (b) The street providing access to the lot and the exact location of the lot in relation to the nearest cross street.
- (c) The name of the concerned lot plan, if any, and the lot numbers of the concerned and abutting properties.
- (d) The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.
- (e) The location and size of the proposed structure and/or the proposed enlargement of the existing structure.
- (f) Plans of the new construction showing material to be used.
- (g) Any other information which in the judgement of the Zoning Inspector may be necessary to provide for the enforcement of this Ordinance.

1103.4 Each plan shall bear statements declaring:

- (a) That no part of the land involved in the application has previously been used to provide required yard space or lot area for another structure.
- (b) Which abutting land was formerly that of the owner of the land involved in the application, and, if any, the approximate date of title transfer.

1103.5 Each property owner or authorized agent shall be required to attest to the correctness of the statements and data furnished with the application.

1103.6 A file of such applications and plans shall be kept in the office of the Zoning Inspector.

1103.7 Site plans, when required, shall accompany the application for a zoning permit and shall be subject to review and approval by the Zoning Inspector. The Zoning Inspector may seek review and recommendation from the Planning Commission. The Zoning Inspector shall not issue a zoning permit for any application requiring site plan review specifically required under Sections 413.4 and 1402 of this Ordinance, prior to recommendation by the Planning Commission.

1103.8 Once satisfied that all relevant requirements set forth in this Code have been met, the Zoning Inspector shall issue to the zoning permit applicant a Zoning Permit. Petitions will be on forms provided by the Village.

1103.9 Where construction or physical improvement of the land is involved, work must begin within one year of the date of the issuance of the zoning permit and be completed within two years of the issuance of the zoning permit.

SECTION 1104. Fee for Zoning Permit

1104.1 A fee, in accordance with the Village of Haskins Zoning Permit Fee Schedule, as set forth by ordinance of Village Council, shall accompany each application for a Zoning Permit.

1104.2 The Zoning Inspector shall forthwith deposit all permit fees with the Village Clerk, who shall credit such fees to the credit of the Zoning and Building Fund of the Village of Haskins and shall be used for administration of this Ordinance.

1104.3 Every Zoning Permit shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all Zoning Permits shall be kept on file in the Office of the Zoning Inspector or his agent. Copies shall be furnished upon request within two working days to any person having proprietary or tenancy interest in the building or land affected after due notice to the Zoning Inspector.

1104.4 Applications for variance permits heretofore provided for in this Ordinance shall also be submitted to the Zoning Inspector or his agent. Such applications shall be accompanied by the variance permit fee hereafter provided for, together with information required for a regular zoning permit and such additional information as the Zoning Inspector shall require.

1104.5 Applications for temporary permits shall be submitted to the Zoning Inspector or his agent together with the temporary permit fee and such information as the Zoning Inspector shall require.

1104.6 The granting of a permit under this Ordinance allows the construction or alteration of buildings or structures and the modification of use as applied for in the permit and according to the plans, plats and specifications submitted with the application. Construction, alteration of buildings or structures and modifications of use contrary to such plans, plats or specifications or contrary to Article V, "Dimensional Requirements," of this Ordinance unless authorized by the Commission shall constitute violation of this Ordinance.

1104.7 The Village Council, shall by Ordinance, establish a schedule of fees, charges, and expenses and a collection procedure for appeals, permits for exceptions or variances, and other matters pertaining to the administration and enforcement of this Ordinance

requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Village Council. At the time that an application for change of zoning districts is filed with the Commission, as provided herein, if not contrary to the Ohio Revised Code enabling statutes for municipal zoning, a fee shall be deposited with the Village Clerk, in accordance with scheduled fees established by Council. A written receipt shall be issued to the person making such payment, and records thereof shall be kept in the manner as prescribed by law. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

SECTION 1105. Violations

1105.1 If any building or structure is erected, constructed, reconstructed, relocated, altered, repaired, converted or maintained in violation of this Zoning Code, or if any building, structure or land is used, in violation of this Zoning Code, the Village, in addition to any other remedies provided for herein, may institute an action or proceeding to correct such construction, reconstruction, relocation, alteration, repair, conversion, maintenance or use, to correct or abate such violation or to prevent the occupancy of such building, structure or land.

1105.2 If the Zoning Inspector considers that the work under such permit is not proceeding according to the plans and specifications upon which the permit was issued, but is proceeding in violation of any of the provisions of this Zoning Code, the Zoning Inspector shall notify the owner or his or her agent, in writing, that the work is being constructed in violation of the permit and this Zoning Code and that the same shall be immediately rectified to conform to such permit and this Zoning Code. If the owner neglects to comply with such notice or to make such correction within ten days, the Zoning Inspector shall revoke such permit, and notice thereof shall be immediately served upon the owner, agent, superintendent or contractor in charge of the work and posted on the premises referred to in such permit. Such notice shall be in writing and shall be signed by the Zoning Inspector. After such revocation, no contractor or worker shall perform any work in or about such building or premises.

SECTION 1106. Penalty

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of any regulation in or any provision of this Ordinance or any amendment or supplement thereto adopted by the Village Council. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the

enforcement of any of the provisions of this Ordinance or amendment thereto, shall be deemed guilty of a misdemeanor and shall be fined in any sum not more than \$500.00 or imprisoned not more than 30 days, or both, for each offense. Each and every day, during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues, may be deemed a separate offense. The owner of any building or premises or part thereof where anything in violation of this Zoning Code is placed or exists, and any architect, builder, contractor, agent, corporation or other person employed in connection therewith who or which may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction shall be subject to the penalties herein provided.

SECTION 1107. Remedies

1107.1 Any permit issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Zoning Inspector, the permit shall be revoked by notice in writing to be delivered to the holder of the void permit upon the premises concerned, or, if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new permit in accordance with this Ordinance shall be deemed guilty of a violation thereof.

1107.2 In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used in violation of this Ordinance or any amendment or supplement thereto, or any land is or is proposed to be used in violation of this Ordinance or any amendment or supplement thereto, the Zoning Inspector, Village Solicitor, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings, to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

SECTION 1108. Appeal

1108.1 Any person aggrieved by the enforcement of this Zoning Code shall have the right to appeal to the Board of Zoning Appeals. The appeal shall be made in writing within 20 days of notice of adverse decision. The procedure for filing of the appeal shall be in accordance with Section 1205 of this Ordinance.

1108.2 The application for the appeal shall include:

- (a) A statement citing applicable Sections of this Ordinance which are being appealed from.
- (b) The particular grounds thereof upon which the applicant is seeking minimum relief from the provision of the Ordinance. The applicant must show with particularity the basis of the hardship or practical difficulty that the Ordinance is imposing upon the applicant.

1108.3 The appeal and all applicable documentation shall be filed with the Zoning Inspector.

1108.4 The Zoning Inspector shall forward all documentation to the Board of Zoning Appeals for determination in accordance with provisions under Chapter 1205.

SECTION 1109. Grantees Prior to Enactment

Nothing in this Zoning Code shall require any change in the plans, construction, size or designated use of a building or structure or part thereof for which a building permit has been granted or for which a complete application with necessary plans and specifications has been filed with the Zoning Inspector before the enactment or amendment of this Zoning Code and the construction of which building or structure, according to such permit or plans and specifications, has been started within 90 days of the enactment of this Zoning Code or amendment. If any of the requirements set forth in this subsection has not been fulfilled within the time stated, or if any building operations are discontinued for 90 days, any further construction shall be in conformity with the Zoning Code.

ARTICLE XII. BOARD OF ZONING APPEALS

SECTION 1200. Creation, Composition and Term

- 1200.1 The Board of Zoning Appeals, hereinafter designated as “The Board,” is established by Ordinance of the Council of the Village of Haskins approving this Zoning Code for the purpose to hear and decide on appeals of a lawfully executed order by any administrative official and in the enforcement of this ordinance. The Board shall consider and make a determination on requests for variances from the terms and conditions of this Ordinance and consider appeals for exception for the use of land, buildings or other structures as applicable under the requirements and conditions of this Ordinance. The Board is an administrative agency which shall at all times comply with Ohio Revised Code Chapter 2506.
- 1200.2 The Board, shall consist of five electors of the Municipality not holding other municipal office or appointment. The members of the board shall be appointed by the Mayor, subject to the confirmation by the majority of the members of Council, for a term of four years from the date of appointment or until their successors are appointed and qualified, except that of the first five appointed, one shall serve for a term of one year, one for a term of two years, one for a term of three years, and two a term of four years.
- 1200.3 If a regular member of the Board of Zoning Appeals is unable to serve because of absence in the Village, illness or is disqualified to serve by reason of having an interest in property affected by a matter before the Board of Zoning Appeals or otherwise disqualified by reason of conflict of interest, an alternate member shall serve instead. Selection of an alternate member or members to serve in each particular instance where a regular member is unable to serve, shall be determined by lot. If sufficient alternate members are unable to serve for any of the reasons that a regular member would be unable to serve, the Mayor may select and Council may confirm sufficient additional alternate members to serve in a particular instance.

SECTION 1201. Organization, Meetings and Rules

- 1201.1 The Mayor shall establish the date, time and place for the first meeting each year, at which the Board shall organize under a chairman and secretary elected from among its members for a term of one year.
- 1201.2 The Chairman shall call a meeting of the Board at least once a year or as otherwise required by provisions of the Ohio Revised Code and at such times as its members may determine.

1201.3 The Board shall adopt its own rules and procedures which shall be in accordance and consistent with the Ohio Revised Code. There shall be a fixed place of the meeting. All meetings shall be open to the public and the meeting time and place shall be posted in accordance with the provisions of the Ohio Revised Code.

1201.4 The presence of the majority of Board Members shall be necessary to constitute a quorum.

1201.5 The Board shall consult with and request recommendations from the Planning Commission on all matters of concern to the comprehensive plan of the Village.

1201.6 The Board shall keep a record of its proceedings showing the action of the Board and showing the vote of each member on each question considered.

1201.7 The Board shall establish procedures for appeal to Council of any action by the Board.

1201.8 The Board may call upon the various officials and employees of the Village for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

SECTION 1202. Powers and Jurisdiction

1202.1 The Board of Zoning Appeals shall have the following powers:

- (a) **Appeals:** To conduct hearings to consider and decide on matters of zoning appeal where it is alleged there is an error of law in any order, requirement, decision or determination by the Zoning Inspector or other administrative official of the Village in the enforcement of this ordinance.
- (b) **Variances:** To authorize upon appeal where, by reason of exceptional narrowness, shallowness or shape or exceptional topographic conditions or other extraordinary situation or condition of a lot, the strict application of the terms of this Zoning Ordinance would result in peculiar and exceptional practical difficulties or undue hardship upon the owner thereof, a variance from such strict application to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent of the Zoning Ordinance, and provided further that no variance shall be granted unless the Board specifically finds that all of the following conditions exist:

- (1) The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.
- (2) The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
- (3) The condition from which relief or a variance is sought did not result from action by the applicant.
- (4) The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, convenience or general welfare of the inhabitants of the Village.
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

(c) **Exceptions**

Upon appeal, to permit the following exceptions:

- (1) **Interpretation:** Interpret provisions of this Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Ordinance where the street layout actually on the ground varies from the street layout as shown on such map.
- (2) **Replacement of Nonconforming Buildings:** Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than 50 percent of its fair market value where the Board finds some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.
- (3) **Modification of Parking and Loading Space Requirements:** Permit the modification of the automobile parking space or loading space

requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements; or permit (a) the waiver of the requirement that automobile parking space be provided on the same lot with a dwelling, if other suitable and convenient parking space is available within or without a building; or (b) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

- (4) **Public Parking Areas Location:** Permit in the “S-1” or R” Districts, public parking areas or storage garages adjacent to any existing or proposed use in the multiple dwelling, commercial or industrial districts with a length not to exceed 150 feet. Such parking areas shall not cross streets or alleys.
- (5) **Use Impact Determinations:** Determine whether an industry should be permitted within an “M” Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.
- (6) **Substitution of Nonconforming Uses:** The substitution of a nonconforming use existing at the time of enactment of this Ordinance for another nonconforming use, if no structural alterations except those required by law or ordinance are made; provided, however that in any “S-1 or R” District, no change shall be authorized by the Board to any use which is not a permitted or special use in any “S-1” or R” District, and in a “C” District no change shall be authorized to any use which is not a permitted or special use in any “C” District.
- (7) **Temporary Structures and Uses:** Permit the temporary use of a structure or premises for purpose of Commercial or Industrial development activity and the use of manufactured homes/construction trailers, or industrialized units (modulars) as temporary sales offices, storage facilities etc., in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this Ordinance for the district in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A zoning permit for such use shall be granted in the form of a temporary and revocable permit, for not more than a six month period, subject to such conditions as will safeguard the public health, safety, convenience and general welfare. The

above shall be considered temporary buildings for purpose of this section and shall not be used as a residence, during such development nor for the purpose of construction or reconstruction of a single family dwelling on a lot. The Board may renew this permit once for the above time period respectively. Additional information regarding the granting of temporary permits is included in this article.

(8) **Extension of Off Street Parking Area into Residential District:** Permit an off-street parking area, serving a commercial or industrial use, within any residence district, after the request has been referred to the Village Planning Commission for study, which study shall include consideration of the following criteria:

- a. The use will not impair an adequate supply of light and air to adjacent property, or
- b. Increase the congestion in public streets, or
- c. Increase the danger of fire, or
- d. Imperil the public safety, or
- e. Diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, convenience or general welfare of the inhabitants of the Village,

and provided the following conditions are met:

- f. The parking area adjoins a commercial or industrial district provided such area does not extend more than 150 feet from such commercial or industrial district. The parking area shall not be across a street from the commercial or industrial district, but may be across an alley, in which case the 150 feet shall be measured from the centerline of the alley.
- g. Ingress and egress to such parking area shall be subject to approval by the Board of Zoning Appeals.
- h. No business involving the repair or service to a vehicle, or sale, or display thereof, shall be conducted from or upon such parking area.

- i. No structure shall be erected or remain on any portion of the parking area.
- j. No signs shall be erected on the parking area prior to review by the Planning Commission. No signs shall project beyond the property lines of the premises.
- k. Parking areas shall be used for the parking of patrons' private passenger vehicles only and no charge shall be made for parking within such premises.
- l. Yard requirements and improvements shall be in accordance with Article VI.

(d) **Testimony and Fact Finding**

- (1) To subpoena witnesses, administer oaths and require necessary production and presentation of documents.
- (2) To solicit expert testimony and advice on matters presented to the Board for consideration and/or appeal.

(e) **Interpretation of Ordinance:** To interpret provisions of the Zoning Ordinance in such a way as to carry out the purpose and intent of the Ordinance.

(f) **Amendment:** To formulate and submit to the Council, changes in and amendments to the building and zoning code which the Board determines as desirable for the proper regulation of buildings and structures and the equipment thereof which pertains to the Municipality.

SECTION 1203. Form and Scope of Decisions

1203.1 In exercising the powers conferred upon it, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as should be made, and to that end shall have all the powers of the Zoning Inspector charged by this Zoning Ordinance with enforcement. The concurring affirmative vote of the majority of the Board Members appointed shall be necessary to reverse any order, requirement, decision or determination of the Zoning Inspector or to decide in favor of the applicant in any matter of which it has jurisdiction. The Board may, upon the affirmative vote of the

majority of the Board Members appointed, reconsider any decision made and, upon such consideration render a decision by formal resolution. Every decision of the Board shall be based upon a finding of fact based on sworn testimony which finding of fact shall be reduced to writing and preserved among its records.

1203.2 In granting a permit under the powers conferred herein, the Board may stipulate the manner in which the variance or exception shall be carried out, or may require other improvements and safeguards for the protection of the health, safety and welfare of owners and occupants of surrounding lots or the public. Specifically, the Board in such cases may attach conditions dealing with:

- (a) Paving, shrubbery, ornamental or screening fence or wall;
- (b) Control or elimination of smoke, dust, radiation, vibration, gas, noise or odor;
- (c) Hours of operation;
- (d) Location of exits or show windows;
- (e) Cleaning and painting;
- (f) Nonconforming uses of land or buildings.
- (g) Direction and intensity of outdoor illumination;
- (h) Amount and location of off-street parking, loading and signs;
- (i) A period of time after which the permitted variation or exception shall expire.

SECTION 1204. Conditions

1204.1 **Requirements for an Appealable Action:** The following facts and information shall be included in the application as a condition for filing of an appeal.

- (a) There shall be an action or order of an official (citation of zoning violation, zoning permit denied, zoning permit revoked).
- (b) Code, regulation or action being appealed; referencing specific chapter(s) and section(s) of the Zoning Code. This shall be specific as to the use of the land or

buildings or the location or height buildings or structures on the parcel (dimensions, setback, height).

(c) **Facts and information showing the basis of the appeal:**

- (1) factors or characteristics unique to that parcel or applicants use of the parcel.
- (2) circumstances not caused by applicant or previous owner or occupant.
- (3) detriment/harm to applicant in relation to the use of the property or inability to derive use or value of the property.
- (4) factors preventing strict compliance to zoning code requirement.
- (5) Remedy proposed:
 - a. must be measurable in relation to zoning code (i.e., location of building, use of land, etc.);
 - b. must show any adverse effects to contiguous parcels or property and any effects contrary to the public interest.

1204.2 **Granting of Variances**

- (a) Use variances are prohibited and shall not be granted by the Board.
- (b) Non-use or area variances may be granted by the Board.

1204.3 **Implementation of non-use or area variance:** If the variance is not implemented within six months of its approval, the variance is null and void.

SECTION 1205. Procedures

An application, in cases in which the Board has jurisdiction under the provisions of this Ordinance, may be taken by any person aggrieved, including a tenant, or by a Village official, or its representative, department, board, or commission.

1205.1 Application

- (a) All applications shall be in writing using forms provided by the Village, signed by the owner of the property involved or his duly authorized agent or attorney, specifying the request and grounds thereof, and filed in the office of the Zoning Inspector.
- (b) An appeal from any action, refusal or ruling of the Zoning Inspector shall be filed within 30 days after such action or refusal or the announcement of such ruling. The Zoning Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action or ruling appealed from was taken.
- (c) If the Secretary of the Board receives from the Zoning Inspector the documentation associated with an appeal seven or more days before the next regularly scheduled meeting of the Board, the Secretary shall place the appeal on the agenda for the next scheduled meeting of the Board. If the documentation is received with less than seven days remaining before the next regularly scheduled meeting of the Board, the Secretary shall place the appeal on the agenda for the meeting of the Board scheduled after the next regularly scheduled meeting of the Board.

1205.2 Public Hearing and Notice

The Board shall fix a reasonable time for the hearing of the appeal, give due notice to the parties in interest., stating the time and place thereof. The Board shall make its findings and determination in writing within 60 days from the date of the filing of the appeal or in the case of an application for an exception within 60 days after receipt of the review or information requested from the Zoning Inspector. At the hearing any party may appear in person by agent or by attorney and shall be given the opportunity to be heard and request waiver of time limitations. A copy of such findings and determination shall be transmitted to the applicant within 14 days thereafter.

1205.3 Hearing of the Appeal

- (a) The Board of Zoning Appeals hearing any appeal shall proceed pursuant to the following:
 - (1) Shall require a complete application as required under Section 1205.1. The application shall be accompanied by the necessary legal description of the parcel, site drawings, and graphics to explain the nature of the appeal;

- (2) Publish notice of public hearing;
 - (3) Upon its decision to seek information may solicit; seek a review, comment and recommendation from administrative officials, village solicitor, and other experts, and subpoena witnesses;
 - (4) Require that the Secretary of the Board make an audible record of the hearing which may be transcribed upon request.
 - (5) Provide the appellant, appellant's agent or his/her attorney the opportunity to appear and present their position, argument and contentions to the order, action or rule/regulation;
 - (6) Require all testimony to be sworn under oath;
 - (7) Provide for the examination of witnesses and presentation of evidence;
 - (8) Allow cross-examination of witnesses;
 - (9) Require placement into the record any such evidence denied by person or body appealed from;
 - (10) Present conclusions of fact supporting the final order, adjudication or decision appealed from;
 - (11) Upon the day for hearing any application or appeal, the Board may adjourn the hearing in order to permit the obtaining of additional information or to cause such further notice as it deems proper to be served upon such other property owners as it decides may be substantially interested in said application or appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the Board so decides.
- (b) The appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector shall certify to the Board after the notice of appeal shall have been filed with it, that by reason of facts stated in the permit, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.

1205.4 Appeal to Village Council

- (a) Appeals from any ruling of the Board of Zoning Appeals pertaining to the granting or denial of a permit or any other ruling, may be appealed to Village Council. The appellant resident or administrative officer, within 10 days from the ruling of the Board, may file a written appeal to the Clerk of Council and the Secretary of the Board requesting a hearing, stating the reasons for such appeal.
- (b) Prior to the hearing, the Secretary of the Board will transmit to Council all papers and documents constituting the records which prompted the appeal to be filed. Council will review the documentation and may receive further evidence as deemed relevant.
- (c) In all appeals to Council, the Council shall follow the same procedures for hearing an appeal as those required of the Board of Zoning Appeals for hearing appeals.
- (d) An affirmative vote of five members of Council is required to overturn a final decision from the Board of Zoning Appeals

SECTION 1206. Schedule of Fees, Charges, and Expenses

1206.1 The Village Council shall, by ordinance, establish a schedule of fees, charges, and expenses and a collection procedure for appeals, variances, or consideration of appeal for exception and other matters pertaining to the administration and enforcement of this Ordinance requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Village Council. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

1206.2 A public record of all appeals, variances, and appeal for exception and their disposition shall be kept on file in the office of the Zoning Inspector.

SECTION 1207. Granting of Temporary Permits

The Board of Zoning Appeals shall have the power to grant temporary permits for the following purposes and subject to the following conditions:

- 1207.1 A temporary permit may be granted for the use of a house trailer as a residence in connection with the granting of a zoning permit for the construction of a dwelling. The permit shall allow such use on the premises on which the dwelling is to be constructed and shall expire on completion or occupancy of the dwelling, and in any event, within one year of the date granted. Such trailer must be equipped with adequate sanitary facilities which shall include a connection to the Village sanitary sewer system.
- 1207.2 A temporary permit may be granted in conjunction with the remodeling of a home for the use of a house trailer as a residence on a lot or tract of land which has a dwelling thereon. Such permit shall expire in 30 days. No more than one permit shall be issued each year per property without the approval of the Planning Commission.
- 1207.3 A temporary permit may be granted for the erection and use of construction buildings in connection with the granting of any zoning permit. Such permit must expire within 30 days of completion of the construction.
- 1207.4 A temporary permit may be granted for the use of lands in an "S," "R-A," "R-3," "C" or "M" district as a fair or circus grounds. Such permit shall expire within two weeks of issue.
- 1207.5 In the granting of such permits, the Board of Zoning Appeals shall determine that the site for which the permit is requested is of sufficient size and so located that adequate parking facilities are available.

ARTICLE XIII. DISTRICT CHANGES AND ORDINANCE AMENDMENTS

SECTION 1300. General; Authority of Council

Whenever the public necessity, convenience, general welfare or good zoning practices require, the Village Council may by Ordinance (after receipt of recommendations thereof from the Planning Commission, and subject to the procedures provided by law) amend, supplement or change the regulations, district boundaries or classification of property, now or hereafter established by this Ordinance or amendments thereof. It shall be the duty of the Planning Commission to submit its recommendations regarding all applications or proposals for amendments or supplements to the Village Council. This Zoning Code may also be amended as provided in Section 1301.

SECTION 1301. Initiation of Amendments

Council, on its own motion or on a petition by an owner/applicant or his/her agent, after reference to and report by the Planning Commission, and after public notice and hearing as provided in this section, may amend, supplement or change district boundaries or zoning regulations herein or subsequently established. This Zoning Code may also be amended as provided in Section 1300.

SECTION 1302. Procedure for Change in Zoning Districts

1302.1 Applications for any change of district boundaries or classifications of property as shown on the Zoning District Map, shall be submitted to the Commission, at its public office, upon such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Commission, so as to assure the fullest practical presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all the facts and information presented with the applications. Applications for amendments initiated by the Commission shall be accompanied by its motion pertaining to such proposed amendment.

1302.2 Any person or persons desiring a change in the zoning classification of property shall file with the application for such change, a statement giving the names and addresses of the owners of all properties within and contiguous to and directly across the street from any part of the property the zoning classification of which is proposed to be changed.

SECTION 1303. Referral to Planning Commission

- 1303.1 No such amendment or change shall become effective unless the proposed amendment or change is first considered for its approval, disapproval or recommendation by the Planning Commission. The Commission shall be allowed a reasonable time, to be not less than 30 days after referral or submittal, for consideration and report.
- 1303.2 The Planning Commission shall prepare and recommend to the Council legislation on amendments to the Zoning Code.
- 1303.3 Upon the direction of Council and the adoption of the resolution to amend, supplement, or change existing boundaries or zoning regulations, the Clerk of Council shall certify the resolution to the Planning Commission for report and recommendation within 30 days after such certification.
- 1303.4 Failure of the Commission to report within 60 days after receipt of such resolution shall be construed as no action of the proposed amendment, supplement or change. Council may proceed to take final action on the proposed change or amendment submitted.

SECTION 1304. Public Hearing and Notice by Planning Commission

- 1304.1 A public hearing shall be held by the Planning Commission on all proposed amendments to or changes in the District Map or the text of the Zoning Regulations.
- 1304.2 Notice of the time and place of such hearing shall be published in the paper of general circulation in the Village of Haskins at least 30 days in advance of such hearing. During such 30 days, the text, or a copy of the text, of the proposed ordinance or measure amending, supplementing or changing the boundaries or regulations herein established, together with the maps or plans, or copies thereof, forming part of or referred to in such ordinance or measure, and the maps, plans and reports submitted by the Commission with reference thereto, shall be on file for public examination in the office of the Clerk of Council.
- 1304.3 If the proposed ordinance or measure is intended for rezoning or redistricting 10 or fewer parcels of land as listed on the tax duplicate, written notice of such hearing shall be mailed by the Planning Commission, by certified mail, at least 10 days before the date of such public hearing, to the owners of property within 150 feet of such parcels to the addresses of such owners appearing on the current tax list of the County Auditor or on the mailing list of the County Treasurer. The failure of delivery of such notice shall not invalidate any such ordinance or measure.

SECTION 1305. Action of Planning Commission/Recommendation to Council

- 1305.1 Commission may recommend that the application be granted as requested, or it may recommend a modification of the Zoning Amendment requested in the application, or it may recommend that the application not be granted. These recommendations shall be certified to Council.
- 1305.2 No ordinance or measure which differs or departs from the plan or report submitted by the Planning Commission shall be adopted unless passed or approved by the affirmative vote of four members of the Council.

SECTION 1306. Public Hearing and Notice by Council

- 1306.1 After receiving from the Commission the certification of said recommendations on the proposed amendment, and before adoption of such amendment, the Council shall hold a public hearing thereon. Notice of the time and place of such hearing shall be published in the paper of general circulation in the Village of Haskins at least 30 days in advance of such hearing. The notice shall state the place or places and times at which the proposed amendment to the Ordinance, including text and maps, may be examined and other notices as required by state statutes.
- 1306.2 If the proposed ordinance or measure is intended for rezoning or redistricting ten or fewer parcels of land as listed on the tax duplicate, written notice of such hearing shall be mailed by the Clerk of Council, by certified mail at least 10 days before the date of such public hearing, to the owners of property within 150 feet of such parcels to the addresses of such owners appearing on the current tax list of the County Auditor or on the mailing list of the County Treasurer. The failure of delivery of such notice shall not invalidate any such ordinance or measure; it being the intention of this section to provide, so far as may be possible, due notice to persons substantially interested in the proposed change that a proposed amendment is pending before the Village Council proposing to make a change in the Zoning Map or the regulations set forth in this Ordinance.

SECTION 1307. Action of Council

After holding the above public hearing, the Council shall consider such recommendations and vote on the passage of the proposed amendment to the text of the Zoning Ordinance or the Zoning Map. The Council may overrule a negative or modify the recommendation of the

Planning Commission by the affirmative vote of four members of Council. On other actions by the Commission, a majority vote by Council shall decide.

SECTION 1308. Application/Time Limitation

If a proposed amendment or supplement initiated by application for any change of zoning or a special use on a parcel of record is disapproved by the Village Council, another application for amendment or supplement affecting the property included in the disapproved application shall not be submitted within 12 months from the date of disapproval, except with a statement by the Planning Commission or a resolution by the Village Council, indicating that the changed or changing conditions affecting the land are sufficient to warrant reconsideration.

ARTICLE XIV. PLANNED UNIT DEVELOPMENT

SECTION 1400. General

For the purpose of conserving land through more efficient allocation of private lots, multi-family dwelling units, common grounds and other non-residential uses, promoting efficiency in providing public utility services and receiving the benefits of new techniques of community development and renewal, the process of planned unit development shall be established for all districts. Planned Unit Development is discretionary and may be initiated by the applicant.

SECTION 1401. Description

Planned Unit Developments may be residential, commercial, or industrial developments, or they may be combinations of uses, such as residential and commercial, commercial and industrial or a combination of uses in a business park. The minimum site area for a residential development shall be five net acres; for a commercial development, five net acres; for an industrial development, 25 net acres; and for a business park, 25 net acres. If a combination of uses is proposed, a residential-commercial development shall have a minimum of 25 net acres and a commercial-industrial development, a minimum of 30 net acres. Net acres is defined as total acreage of a parcel less public rights-of-way and easements. In combination developments, the amount of land devoted to commercial usage shall not exceed 12.5 percent of the total land area of the development. All Planned Units must be arranged progressively in relation to the zoning of the area abutting. The Planning Commission may recommend and the Village Council may approve reduction in the area of a Planned Unit Development for those sites which are isolated by natural or man-made barriers or by existing development so that additional land is not available for inclusion in the new development. All planned developments shall be platted in accordance with applicable subdivision rules and regulations.

SECTION 1402. Procedure

1402.1 **Application:** The development plan shall be submitted and processed in accordance with Article XIII and shall meet requirements of Section 903 for site plan review.

1402.2 Amendments (changes)

- (a) After the final development plan has been approved by Village Council, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents. Minor changes as defined herein, are allowed, provided such requests conform to the standards established by the final

development plan and this Ordinance. A major change as defined herein, shall require review and recommendation by the Planning Commission and approval by Village Council.

- (b) A major change is any change which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended. A major change is any change that does not meet the criteria under a minor change, as herein described.
- (c) Minor changes or revisions may be approved by the Village Administrator but shall be limited to the following:
 - (1) Adjustments to the size and location of buildings, swimming pools, and other on-site structures so long as:
 - a. they do not result in an increase in the number of units over and above those that the plan covers;
 - b. they do not encroach materially into the established setback areas;
 - c. they do not encroach into the designated parking areas to the extent that would necessitate an alteration in the layout of the access drives or provisions for additional parking spaces; and
 - d. they do not create a larger building mass either through an increase in their height or length that would magnify their effect on the adjoining areas.
 - (2) Alterations to the proposed drives and/or parking areas so long as they do not encroach into building areas or specified recreation areas.
 - (3) Adjustments in the size and location of development identification signs.

SECTION 1403. “S” or “R” Districts, Planned Unit Development

1403.1 **General:** In an “S” or “R” District Planned Unit Developments may be permitted as follows:

- (a) No more than 45 percent of gross parcel acreage shall be devoted to coverage by buildings, street pavement, motor vehicle driveway pavement, and parking area pavement.
- (b) No less than 10,000 sq. ft. or 10 percent of the net parcel acreage whichever is greater, none of which shall be a part of any yard, shall be allocated to consolidated parkland and/or recreation areas. Such open space land or recreational facilities shall be held in corporate ownership by the owners of the project area building sites, and the developer shall incorporate into the protective covenants and/or deed restrictions, a clause giving an interest in such land to each owner who buys property within the development.
- (c) A yard setback of 35 feet shall be maintained on all perimeter parcels of the Planned Unit Development.
- (d) The maximum number of dwelling units permitted in the Planned Unit Development shall be calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown for the underlying zoned district. For purposes of this calculation, net residential acreage equals 80 percent of the gross parcel acreage, and gross parcel acreage is the total parcel area excluding public rights-of-way and flood plain. The minimum number of Development Units as calculated above may be modified subject to approval by the Village Planning Commission and the Village Council.
- (e) Street lighting of the type specified by Village Officials, shall be installed in the adjacent street right-of-way between curb and sidewalk at spacings determined to be sufficient for adequate lighting of the street area. In no case shall a lamp post be closer than 10 feet to any driveway.
- (f) Easements for underground utilities, i.e. electric, gas, water, sanitary, storm sewers, telephone, CATV, etc., shall have a minimum width of 10 feet and shall be free of structures or other obstructions that would inhibit access for the purpose of repair or maintenance of said systems. Location of above easements are subject to approval of related utilities and shall show on all final plat drawings and legal descriptions of property.

1403.2 Zero Lot Line Development

(a) **Minimum Dimensions**

To provide maximum flexibility for the development of residential lots within zero lot line developments, the dimensional requirements under Article V may be reduced to no less than the following dimensions:

**TABLE 1403-1
Minimum Dimensions for Zero Lot Line Developments**

<u>Dwelling</u>	<u>Minimum Lot Width¹</u>	<u>Minimum Lot Area¹</u>	<u>Minimum Yard (in feet)</u>	
	<u>Per Family</u>	<u>Per Family</u>	<u>Front</u>	<u>Rear</u>
Single or Two Family	45 feet	5,000 sq. ft.	35	0
Multi Family	24 feet	2,400 sq. ft.	35	0

<u>Dwelling</u>	<u>Minimum Yard Width (in feet)</u>	<u>Sum of Side Yards</u>	<u>Maximum Height Of Buildings</u>	
	<u>Either Side</u>		<u>Stories</u>	<u>Feet</u>
Single or Two Family	0 to 10	10	2	35
Multi Family	0 to 10*	10*	2	35

Foot note: ¹ Reductions below minimum requirements of Village of Haskins Subdivision Regulations shall require approval by the Village Planning Commission and Village Council

* Applies to each end unit

(b) **Minimum Requirements**

- (1) Maximum lot coverage of structures (as defined in 1403.1[a]) shall not exceed 45 percent of net acreage.
- (2) Minimum Yard area, exclusive of structures, is 600 square feet.
- (3) The opposite side yard set back of greater than 10 feet shall contain no permanent structures.
- (4) Walls of structures along the zero lot line setback must not contain any windows, doors, or openings of any kind.
- (5) The provisions of the following shall govern as to the rights and obligations of occupants of lots respecting side yard easements. For purposes of definition, the “subservient tenement” is defined as the property providing a side yard easement. The “dominant tenement” is defined as the property adjoining benefitting from the easement.
 - a. A five foot maintenance easement shall exist along all zero lot lines exclusive of lots which share a common zero lot line wall.
 - b. Lots subject to this easement will be set forth as an appropriate reservation grant in the deed to the dominant tenement.
 - c. The easement shall be maintained by the owners or occupants of the subservient tenement as open space, landscaping or as a garden and shall be retained in a manner not to restrict its use by the owners or occupants of the dominant tenement.
 - d. The owners or occupants of the dominant tenement shall have a limited, nonexclusive right to use and occupy the side yard easement for purposes of maintenance, repair or replacement of the structure. Ingress and egress will be provided without limitation for these purposes. Owners and occupants of the dominant tenement shall be responsible for all damage to the subservient tenement which may restrict the use and enjoyment of the side yard. This responsibility extends to maintenance of the exterior walls of the structure which shall be maintained and retained in a manner compatible with the subservient tenement.

- e. The owners and occupants of the subservient tenement shall be limited to the use of the easement for purposes described in this section. The owner or occupant of the subservient tenement shall be responsible for any damage to the structure of the dominant tenement which is caused by the negligence of the owner or occupant of the subservient tenement or by persons entering on the subservient tenement with consent of the owner or occupant.

SECTION 1404. "C" District Planned Unit Development

1404.1 **General:** In "C" Districts, a planned unit development may be permitted in accordance with the provisions of the Village Zoning Code and is subject to all limitations as set forth therein.

- (a) Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of buildings or establishments, no yard space will be required between uses within the groups; however, the yard requirements must be observed at the edge of the complete development. Planting screens or fences as provided elsewhere in this ordinance shall be required.
- (b) Off-street parking and loading requirements shall be observed as required; however, group parking is recommended so long as the number of spaces provided is equal to the required number of spaces required for each use to be developed.
- (c) The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the developer as well as from the stand-point of the adjoining and surrounding existing or potential developments.
- (d) The ground area occupied by all the buildings shall not exceed in the aggregate 24 percent of the total area of the lot or tract.

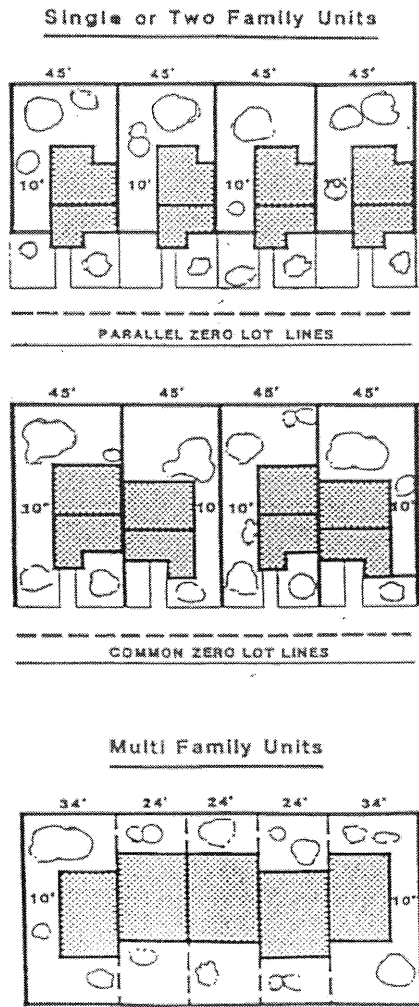
SECTION 1405. “M” District Planned Unit Development

1405.1 **General:** In “M” Districts, a planned unit development may be permitted as follows:

- (a) Industrial uses and parcels shall be developed in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping or groupings in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order that those thoroughfares which are constructed may be built to the highest possible standards.
- (b) Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool, or other business service type uses, repair services, or clinics that form a small commercial center to serve the needs of the industries or their personnel, may be permitted in a planned industrial area.
- (c) Off-street parking and loading areas shall conform to the provisions of this Ordinance and all screening requirements shall be observed.
- (d) No building shall be less than 75 feet distant from any boundary of the tract on which the office, research, or industrial development is located. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

FIGURE 1400-1

EXAMPLES OF ZERO LOT LINE DEVELOPMENT



APPENDIX

VILLAGE OF HASKINS ZONING PERMIT APPLICATION PROCESS

A. Zoning Permit – When is a permit required ?

1. Construction or structural alteration of any building, including accessory buildings.
2. Change in use of an existing building or accessory building to a use of a different classification.
3. Occupancy and use of vacant land.
4. Change in the use of land to a use of a different classification.
5. Any change in the use of a nonconforming use.
6. A zoning certificate shall be required for all lawful non-conforming uses of land or buildings created by adoption of this Ordinance or any amendments thereto.

B. Zoning Permit Application - What is required?

1. All zoning permit applications shall be filed in the office of the Village Zoning Inspector. Applications shall include information deemed necessary by the Zoning Inspector for adequate review and consideration of the zoning application, subject to the following minimum requirements. Failure to provide complete and accurate information, maps or drawings as required shall be a basis for refusal to accept the application, denial of the zoning permit or revocation of a permit.
2. A formal letter of submittal shall accompany all zoning applications. The letter shall provide the name, address and phone number of any parties who should be informed of progress on the request, e.g. land owner, attorney, architect, engineer, etc.
3. The application form shall be completed as applicable for the requested use or change in use.
4. A complete and accurate legal description and a copy of the deed or lease agreement shall accompany the application.

5. A site plan (drawing to scale) shall include, at minimum, dimensions and location of:
 - a) Lot, including street numbers;
 - b) Driveways on-site and streets and roadways abutting, property or nearest to property; and
 - c) Yards and setbacks of all existing and proposed buildings and structures.
6. Zoning classification of site and abutting properties.
7. Name and address list of property owners fronting and abutting site.
8. Such other information as may be necessary to provide for the enforcement of these regulations (e.g. Site Plan Review, Environmental Standards).
9. A certified check or cash for applicable fee for a Zoning Certificate.

PROCEDURE FOR FILING A REQUEST FOR A ZONING PERMIT WHEN NO ZONE CHANGE IS REQUIRED

A. Permitted Use – No Site Plan Review required. (i.e. single family residential uses)

STEPS

1. Owner or lessee

- Files application with Zoning Inspector

2. Zoning Inspector

- Verifies use as a permitted use under the specified zoning district and reviews for completeness and compliance with Zoning Ordinance.

ACTION

- Disapproves: documenting reasons from Zoning Ordinance with instructions to applicant on rights of appeal including requirements for filing of the appeal.
- Approves: issues certificate with conditions (if applicable) visits site to assure compliance with zoning regulations.

**B. Permitted Use - Site Plan Review Required
(Non-Residential or Multi - Family Uses)**

STEPS

1. Owner or Lessee

- Files application with Zoning Inspector

2. Zoning Inspector

- Verifies use as a permitted use under the specified zoning district and reviews application for completeness and compliance with zoning ordinance. Action shall be taken within 30 days.

ACTION

- Disapproves: Documents reasons from Zoning Ordinance (i.e. application is incomplete or does not contain information or maps, drawings as required under Zoning Ordinance). Instructs applicant on rights of appeal and requirements for filing appeal.
- Accepts application: Forwards request for review from other Village Departments, and/or Township, County or State agencies such as Village Engineer, Village Planning Commission, Township Fire Chief, Wood County Engineer, Wood County Health Department, Ohio Department of Transportation or Ohio Environmental Protection Agency.

3. Planning Commission

ACTION

- Shall review and forward comments and recommendation to Zoning Inspector.

4. Zoning Inspector

ACTION

- Considers comments and recommendations from Village Engineer, Planning Commission and other agencies.
- Issues permit with applicable conditions.
- Visits site to assure compliance with Zoning Ordinance or required conditions.

REQUEST FOR A ZONE CHANGE, A PLANNED UNIT DEVELOPMENT, OR A SPECIAL USE PERMIT

A request for a change to the zone map or amendment to the zoning code may be initiated by The owner or lessee of a lot or parcel, Village Council, or the Village Planning Commission. A request for approval of a planned unit development or a request for a special use permit may be initiated by The owner or lessee of a lot or parcel. Procedure for all the above is as follows:

A. Zoning Map Change or Amendment to Zoning Code

STEPS

1. Owner or Lessee
 - Files application and with zoning inspector.
2. Zoning Inspector
 - Forwards application to Village Clerk.
2. Village Clerk
 - Forwards application and proposed resolution to Village Council for action.
3. Village Council

ACTION

- Adopts resolution to change the zoning map or amend the zoning code.

4. Village Clerk

ACTION

- Forwards resolution to the Planning Commission for action.

5. **Planning Commission**

ACTION

- Holds public hearing on proposed amendment, supplement, or change, no sooner than 20 days from receipt of resolution.
- Reviews comments and recommendations from public hearing and other agencies.
- Forwards recommendation to Village Council within 15 days after holding public hearing.

6. **Village Council**

ACTION

- Holds public hearing within 40 days of receipt of recommendations from Planning Commission.
- Approves with modification or disapproves application, within 30 days after public hearing.

7. **Village Clerk**

ACTION

- Records ordinance and publishes amendment to zoning code.

8. **Zoning Inspector**

ACTION

- Issues zoning permits as required on effective date of ordinance.
- Verifies compliance with conditions of ordinance.

D. Planned Unit Development

- See Zoning Map change or Amendment of Zoning Code and Platting Processes.

E. Special Use Permit

- See Zoning Map Change or Amendment of Zoning Code.

VILLAGE OF HASKINS ZONING APPEAL APPLICATION PROCEDURE

A. Appeals

A resident, owner or lessee of property may appeal a zoning order or action by any administrative official. This action may include issuance of a zoning violation, a denial of a zoning permit, or interpretation of a regulation or requirement of the zoning ordinance. The Board of Zoning Appeals reviews and make determinations on all zoning appeals.

Appeals may include:

- An appeal of an action or ruling.
- A request to obtain an exception to a rule or action.
- To seek a variance from a rule or action.
- To consider requests concerning non-conforming uses extensions and permit.

STEPS

1. Owner or lessee

- Files appeal with zoning inspector within 20 days after action or ruling.

2. Zoning Inspector

- Compiles information and record of action being appealed.
- Forwards appeal to Board of Zoning Appeals for action.

3. **Board of Zoning Appeals**

ACTION

- Holds public hearing within 20 days of receipt of appeal.
- Reviews action or ruling in light of zoning ordinance, rules, regulations, policies or other applicable ordinances.
- May seek review of Village Engineer, Planning Commission and Township Fire Chief or other expert testimony.
- May subpoena witnesses, administer oaths and require necessary production and presentation of documents.
- Make findings and determination in writing within 60 days from date of the filing of the appeal.
- Transmit copy of findings and determination in writing to appellant within 14 days thereafter.