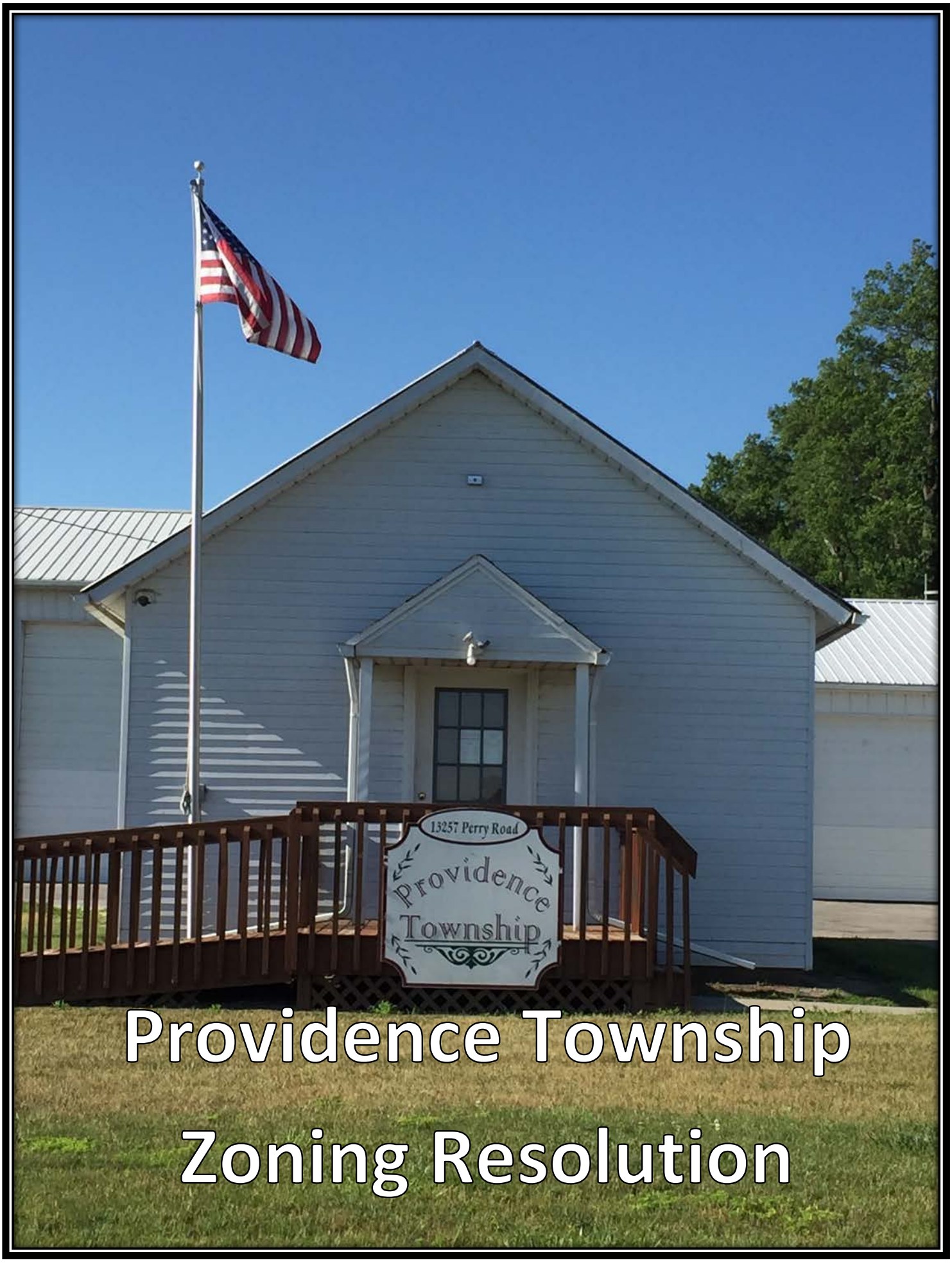

Providence Township Zoning Resolution

ZONING RESOLUTION

PROVIDENCE TOWNSHIP

LUCAS COUNTY, OHIO

2021

BOARD OF TRUSTEES

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Alternates: Patty Rupert (Interim)
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Alternates: Vacancy (2)

ZONING INSPECTOR

Jim Fischer

Assisted by Toledo-Lucas County Plan Commissions
And Lucas County Board of Commissioners

PROVIDENCE TOWNSHIP

ZONING RESOLUTION

ADOPTED NOVEMBER 7, 1989 FOR SOUTHEAST PROVIDENCE TOWNSHIP

TEXT AMENDMENTS

Z25-C3	**NORTHEAST PROVIDENCE TOWNSHIP ZONING ADOPTED June 2, 1992 (adopted)**
Z25-C4	**WESTERN AND SOUTHERN PROVIDENCE TOWNSHIP June 2, 1992 (not adopted)**
Z25-C5	**NORTHWEST PROVIDENCE TOWNSHIP November 2, 1993 (not adopted)**
Z25-C6	**NORTHEAST AND SOUTHEAST PROVIDENCE TOWNSHIP ZONING RESOLUTION COMBINED November 7, 1995 (adopted)**
Z25-C8	**October 15, 1997**
Z25-C9	**May 20, 1998**
Z25-C10	**April 5, 2000**
Z25-C12	**August 7, 2002**
Z25-C13	**April 22, 2006**
Z25-C14	**January 2, 2008**
Z25-C15	**April 2, 2009**
Z25-C19	**April 8, 2010**
Z25-C21	**June 2, 2010**
Z25-C22	**December 1, 2010**
Z25-C23	**October 12, 2011**
Z25-C24	**FULL REPRINT. UPDATES TO DEFINITIONS, SUPPLEMENTAL REGULATIONS, ENFORCEMENT, ENHANCED SOLAR PANEL LANGUAGE, AS WELL AS OTHER SMALLER MODIFICATIONS, REVISIONS & DELETIONS January 6, 2021 (adopted)**

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PROVIDENCE TOWNSHIP - LUCAS COUNTY, OHIO

A ZONING RESOLUTION FOR THE AREA DESIGNATED AS THAT PART OF PROVIDENCE TOWNSHIP and described as all of Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32, 33, 34, north and south Manor Tracts, and that part of Section 6 east of the centerline of Toledo-Napoleon Road (U.S. 24) in Town 9, Range 6 East in Providence Township, Lucas County, Ohio, by regulating, in accordance with a comprehensive plan, the location, height, area, number and size of buildings and other structures, percentages of lot area which may be occupied, size of yards, courts and other open spaces, density of population, uses of buildings and other structures and the uses of land; and for such purposes dividing the area of the Township into districts and zones of such number, shape and area as are deemed best suited to carry out said purposes, providing a method of administration, and prescribing penalties and proceedings for the administration and enforcement of this Resolution.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF PROVIDENCE TOWNSHIP, LUCAS COUNTY, STATE OF OHIO:

SECTION 1 GENERAL PROVISIONS

SECTION 1.1	Authority
SECTION 1.2	Purpose
SECTION 1.3	Interpretation and Conflict
SECTION 1.4	Compliance with Regulations
SECTION 1.5	Uses Exempted from Provisions of Resolution
SECTION 1.6	Validity

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 7.12	Farm Markets
SECTION 9	Non-Conforming Lots, Structures and Uses
SECTION 11	Enforcement (Permits, Violations and Penalties)
SECTION 12	Board of Zoning Appeals
SECTION 13	Amendments

1.1 Authority

The Board of Township Trustees of Providence Township, Lucas County, Ohio, in accordance with enabling legislation for township zoning as provided in Chapter 519 of the Ohio Revised Code hereby provides as follows:

1.2 Purpose

This Resolution is adopted effective at the General Election November 7, 1995, for the purpose of protecting and promoting public health, safety, morals, comfort and general welfare; conserving and protecting property and facilitating adequate but economical provision of public improvements.

1.3 Interpretation and Conflict

In interpreting and applying the provisions of this Resolution, 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 Resolution to interfere with or abrogate or annul any resolution rules or regulations previously adopted or issued and not in conflict with any of the provisions of this Resolution; nor is it intended by this Resolution to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this Resolution imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this Resolution shall control.

1.4 Compliance with Regulations

1.4.1 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.

1.4.2 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.

1.4.3 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 Resolution.

1.4.4 No lot held under one (1) ownership at the time of the effective date of this Resolution shall be reduced or subdivided in any manner below the minimum area and yard provision required by this Resolution.

1.4.5 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 (1) main building on one (1) lot except as specifically provided in Section 12.3.2. In no instance shall there be more than one (1) primary dwelling unit per parcel except for in the R-3 District.

1.4 Compliance with Regulations (cont'd)

1.4.6 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 Resolution, providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Section 12. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations.

1.5 Uses Exempted from Provisions of Resolution

1.5.1 The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture, shall be permitted in all districts established by this Resolution, and no zoning certificate shall be required for any such building or structure, except where regulated within platted areas on lots of less than five (5) acres, or for farm markets.

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

1.5.3 The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted.

1.5.4 The use of any land owned or leased by an industrial firm shall not be prohibited for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm is used for the operation of its plants.

1.6 Validity

If any article, section, subsection, paragraph, sentence or phrase of this Resolution 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 Resolution.

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

SECTION 2 DEFINITIONS

SECTION 2.1 Interpretation of Terms or Words

CROSS REFERENCES

SECTION 3 Establishment of Districts - Described
SECTION 7.10 Signs and Outdoor Advertising Structures - Definitions

2.1 Interpretation of Terms or Words

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

The words "used for" include "designed for" and vice versa; words used in the present tense include the future; 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 word "plot"; and the word "shall" is mandatory and not directory.

Accessory Building: A detached subordinate building, the use of which is clearly incidental to that of the main building or the use of this land.

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.

Adult Amusement or Entertainment: An establishment customarily engaged in the presentation of nude and seminude 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. (Revised 5-20-98, Z25-C9)

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. (Revised 5-20-98, Z25-C9)

Adult Movie House: An establishment displaying movies that are rated, X, XX or XXX which is customarily not open to the general public by excluding minors by virtue of age. (Revised 5-20-98, Z25-C98)

Adult Oriented Uses: Adult oriented uses means businesses which include adult amusement and entertainment, adult bookstores, adult movie houses and adult video stores as defined herein. (Revised 4-5-2000, Z25-C10)

2.1 Interpretation of Terms or Words (cont'd)

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. (Revised 5-20-98, Z25-C9)

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

Agricultural Implement Sales and Rental: The sale or rental of new or used agricultural implements and equipment to be displayed for sale on the premises.

Agricultural Product Sales: The sale of 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 taxi-ways, aircraft storage, and tie down areas, hangars, and other necessary buildings and open spaces.

Alley: A public thoroughfare less than 30 feet wide.

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, care and temporary housing of animals, receiving treatment, with temporary housing being limited to 48 hours. Uses include, but are not limited to, veterinary clinics and animal hospitals.

Animal Unit: An animal or animals equal to 1,000 pounds of live weight or less. (Revised 8-7-02, Z25-C12)

Applicant: The land owner or his authorized representative, who requests a zoning permit as authorized by this Resolution.

Application: Written request for a change in zoning classification or use authorization as provided for under this Resolution.

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

Auto Wrecking/Salvage Yard: See **Motor Vehicle Salvage Yard**

Automotive Service Station: See **Motor Vehicle Service Station**

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

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.

Board: Shall mean Board of Zoning Appeals.

2.1 Interpretation of Terms or Words (cont'd)

Board of Township Trustees: The Board of Township Trustees for Providence Township, Lucas County, Ohio.

Boarding House: A building or portion thereof, other than a hotel, where meals or lodging and meals for three (3) or more persons are provided for compensation.

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

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

Borrow Pits: A borrow pit is a term used in construction and civil engineering. It describes an area where material (usually soil, gravel or sand) has been dug for use at another location. The term is literal - meaning a pit from where material was borrowed, although without an implication of someday returning the material. (Revised 4/2/09, Z25-C15)

Building: A structure having a roof supported by columns or walls for the shelter, support 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 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 contained the principal use of the lot.

Business: Business means an office, salesroom, store, site, or shop engaged in the supply/distribution or sales of commodities, products, or services. (Revised 4-5-00, Z25-C10)

Business, General: Retail and service establishments which, in addition to catering to the community residents' and workers' daily needs for convenience goods and services, also include establishments offering comparative type shopping facilities. General business includes, but is not limited to, supermarkets and stores and for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar or related activities which can be grouped by design into a unified shopping center.

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, building trades and services, commercial recreation and similar commercial activities, when maintained inside an enclosed building.

Business, Neighborhood: Retail and service establishments which primarily serve 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, 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 on the discretion of the Board of Zoning Appeals.

2.1 Interpretation of Terms or Words (cont'd)

Campground: Land used or intended to accommodate two (2) or more recreational vehicles, tents, or other individual camping units to be used as temporary housing for recreational purposes.

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

Club: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

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

Commercial Vehicle: Any vehicle with a carrying capacity of over 6000 pounds and used or designed to be used for business or commercial purposes.

Commission: Shall mean the Zoning Commission of Providence Township.

Computerized Sweepstakes Device: Any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which provides the user with a changes to win anything of value. Machines designated for use by the State Lottery Commission are not Computerized Sweepstakes Devices for purposes of this Resolution.

Conditional Use (Special Exception): A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a specific provision for such special exception made in this Resolution. A conditional use is not considered to be a nonconforming use.

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

Cul-de-sac: A short street having one (1) end open to traffic and being terminated by a vehicle turn-around.

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 County Engineer shall establish such curb grade or its equivalent for the purpose of this Resolution.

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.

2.1 Interpretation of Terms or Words (cont'd)

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

Disposal: the discharge, deposit, injection, dumping, spilling, leaking, emitting, or placing of any waste into or on any land or ground or surface water or into the air.

District: An area or section of the Township within which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the requirements for off-street parking and the intensity of use are uniform.

Drive-Up: 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, drive-up windows at banks and at fast food restaurants.

Dwelling: Any building or portion thereof which is designed for or used exclusively for residential purposes containing one (1) or more dwelling units.

a) Single Family Dwelling - a detached building containing one (1) dwelling unit and designed for or occupied by one (1) family.

b) Two Family Dwelling - a detached or semi-detached building containing two (2) dwelling units and designed or occupied by two (2) families living independently of each other.

c) Multiple Dwelling - a building or portion thereof containing three (3) or more dwelling units and designed for or occupied by three (3) or more families living independently of each other.

Dwelling Unit: A group of rooms located within a building and forming a single habitable unit with facilities which are used, or intended to be used, for living, sleeping, and eating purposes.

Easement: A grant by the property owner of the use of a part of the property by the public, a corporation or persons for specific purposes.

Electricity: Energy made available by the flow of electric charge through a conductor. (Revised 4-2-08, Z25-C14)

Electric power: The product of voltage and current. (Revised 4-2-08, Z25-C14)

Electrical generator: A device that produces electrical energy from a mechanical energy source. (Revised 4-2-08, Z25-C14)

Exception: See **Conditional Use (Special Exceptions)**

2.1 Interpretation of Terms or Words (cont'd)

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.

Fall zone: The area, defined as the furthest distance from the tower base, in which a tower will collapse in the event of a structural failure. This area is more than the total height of the structure. (Revised 4-2-08, Z25-C14)

Family: One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel herein defined.

Feeder line: Any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind tow. (Revised 4-2-08, Z25-C14)

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

Frontage: All of the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured at the set back building line - or if the street is dead ended, then all of the property abutting on one (1) side between an intersecting street and the dead-end of the street.

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

a) Private Garage - a detached accessory building or portion of a main building used for the storage of not more than four (4) motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle, which shall not exceed a one (1) ton capacity.

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

c) Storage Garage - 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.

Geothermal Systems: energy systems where power is extracted from heat stored in the earth and designed to deliver a heating and cooling resource to any structure.

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

Hazardous Waste: Any waste or combination of wastes in solid, liquid, semi-solid or contained gaseous form which falls within the definition of Hazardous Waste under 3734.01(j) O.R.C..

2.1 Interpretation of Terms or Words (cont'd)

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.

Home Occupation: An occupation carried on exclusively by the occupant(s) of a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the external character of the dwelling. (Revised 8-7-02, Z25-C12)

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

Hotel: A building in which lodging, or boarding and lodging, are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office normally supervised by a person in charge at all hours. As such, it is open to the public as distinguished from a boarding house, a lodging house, or an apartment which are herein defined.

Industrialized Unit: "Industrialized Unit" means 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 or mobile homes as defined in this zoning resolution. (Revised 4-5-2000, Z25-C10)

Inoperable Vehicle: Inoperable vehicle means any motor vehicles which 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.

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

Kennel: See **Boarding of Livestock and Domesticated Animals**

Land Use Plan: Shall mean the "Providence Township Land Use Plan", as adopted by the Lucas County Planning Commission and Lucas County Commissioners.

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

Loading Berth or Space: A space within the main building or on the same lot, exclusive of off-street parking space and which provides for the standing, delivery/pickup, loading or unloading of packages or materials.

Lodging House: See **Boarding House**

2.1 Interpretation of Terms or Words (cont'd)

Lot: A parcel of land occupied or intended for occupancy by a use permitted in this Zoning Resolution, including one (1) main building together with its accessory buildings, yard areas, and parking spaces required by this Resolution and having its principal frontage upon a public street or place.

a) Lot Area - the total horizontal area within the boundaries of a lot exclusive of all rights-of-way of any access easement, alley, public or private street.

b) Lot, Corner - a lot abutting upon two (2) or more streets at their intersection.

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 front and rear lot lines, measured along the median between the two (2) side lot lines.

e) Lot Frontage - the horizontal distance of the boundary line of a lot abutting a street or road right-of-way. On corner or through lots, the street or building address shall be considered frontage. For purposes of minimum lot width and frontage requirements, the required lot width and frontage shall be continuous. (Revised 4-5-00, Z25-C10)

f) Lot Interior -a lot other than a corner lot.

g) Lot of Record - a lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Lucas County, Ohio; 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 Width - the horizontal distance between the side lot lines, measured at right angles to the lot depth at the legally established building setback line. For purposes of minimum lot width and frontage requirements, the required lot width and frontage shall be continuous. (Revised 4-5-00, Z25-C10)

Major Street: A dedicated street within Lucas County which has been classified as a dual highway, dominant major street, a major street, a secondary major street, or a main county road on the Official County Highway Plan.

Major Street Plan: Toledo-Lucas County Major Street Plan which designates roadways as expressways, principal arterial, minor streets, major collectors or local collectors.

Manufactured Home: "Manufactured Home" means a building unit or assembly of closed construction fabricated in an off-site facility, designed for assembly at the building site, 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 and Construction Safety Act of 1974". (Revised 4-5-00, Z25-C10)

2.1 Interpretation of Terms or Words (cont'd)

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

Manufacturing: A process which combines raw materials or components into a product or which changes their physical or chemical characteristics.

a) General Manufacturing - manufacturing, which by its nature and function may require large parcels, effective separation from residential and most commercial areas, confinement within enclosed buildings and screened enclosures having an opaqueness of 75 percent or greater, where outside storage of materials are necessary. General Manufacturing shall include, but not be limited to, processing of vegetables and fruit, dairy and bakery products, soft drinks and confections, textiles, glass, wood and plastic production, and fabrication, pharmaceuticals, metal fabrication, machining, tool and die, hardware and appliance production.

b) Heavy Manufacturing - manufacturing which requires large acreage parcels for isolation and separation from residential and commercial development, special consideration because of the potential spill over effect on surrounding areas and the use of buildings and open areas of the parcel for processing production and storage of materials. Heavy manufacturing shall include, but not be limited to, smelting and primary metal processing, mineral extraction, metal salvage and fabrication, motor vehicles and related products, manufactured housing, household appliances manufacturing, chemical and 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.

c) Restricted Manufacturing - any industrial use which is conducted entirely within enclosed substantially constructed buildings; involving the use of only light machinery and equipment; should 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. Where it is necessary to store materials or equipment external to buildings, sufficient distance separation from neighboring properties and/or fencing or natural screening shall be required as specified under Section 8.2. Restricted manufacturing may 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 watercraft and marine equipment.

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, 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. (Revised 4-5-00, Z25-C10)

2.1 Interpretation of Terms or Words (cont'd)

Mobile Home: "Mobile Home" means a factory built building unit which contains a mobile component as an integral part of the unit, designed for transportation, after fabrication, to the site at which 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 essential public utilities. "Mobile Home" does not qualify as a "Manufactured Home" or as an "Industrialized" Unit as defined in this zoning resolution (Revised 4-5-00, Z25-C10)

Mobile Home Park: See **Manufactured Home Park**

Modular Home: "Modular Home" means 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" or "Manufactured Home". (Revised 4-5-00, Z25-C10)

Motel: A building or group of buildings which provide rental or temporary sleeping accommodations for automobile transients.

Motor Vehicle Service Station: Any premises used for supplying gasoline and oil, at retail direct to the customer, including accessories, parts and minor services or repair for motor vehicles, 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.

Motor Vehicle Sales and Rental: The sale or rental of new and used motor vehicles, motorcycles, recreational vehicles, trailers, or travel trailers, to be displayed and sold on the premises and accessory services.

Motor Vehicle 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.

Motor Vehicle Salvage Yard: Any place where two (2) 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 condition.

Nonconforming Use: Any building or land lawfully occupied by a use at the effective date of this Resolution, or amendment thereof, which does not conform after the passage of this Resolution, or amendment thereof, with the use requirements of the district in which it is situated.

Nursery School: A school designed to provide daytime care for instruction for two (2) or more children from two (2) to five (5) years of age, inclusive, and operated on a regular basis.

Nursing Home: A residential care facility in which greater than 16 persons reside and as its primary function provides nursing care on a 24 hour basis, physical and/or social rehabilitation services and room and board.

2.1 Interpretation of Terms or Words (cont'd)

Parking Lot: Any off-street area or structure which meets one (1) of the following conditions.

a) Contains one (1) 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 (5) or more parking spaces for any residential use.

Parking Space: An area exclusive of any driveway or other circulation area, accessible from a street, alley or maneuvering area and designed for temporary parking of a motor vehicle.

Permanent Foundation: A permanent masonry, concrete, or locally approved footing or foundation, to which a manufactured or mobile home may be affixed. (Revised 4-5-00, Z25-C10)

Permanently Site Manufactured Home: A manufactured home that meets all of the following criteria: (Revised 4-5-00, Z25-C12)

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities;

2. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments (structure must also conform to minimum floor area requirements for all dwellings contained in Section 4.4.1);

3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;

4. The structure was manufactured after January 1, 1995;

5. The structure is not located in a manufactured home park, as defined in this resolution.

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.

Place: A private thoroughfare other than a street or alley permanently reserved as a lot on a record plat as the principal means of access to abutting property approved under applicable Subdivision Regulations by the Toledo-Lucas County Plan Commissions in accordance with Chapter 711 and Chapter 713 O.R.C.

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.

2.1 Interpretation of Terms or Words (cont'd)

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

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 or crop and orchard spraying.

Private Garage: See **Garage**

Professional Services: The use of offices and related spaces for such services which are provided by doctors, dentists, lawyers, architects and engineers.

Public Garage: See **Garage**

Public Service Facilities: Structures, buildings, and/or transmission, distribution, or collection systems, which are used to provide and maintain public utilities. Uses include, but are not limited to railroad, electric, gas, water and sewer, and telephone systems and other uses which meet the definition of public utility under ORC 4905.03.

Public Uses: Uses which provide or maintain public services. These include, but are not limited to, government buildings, schools, public parks, highway maintenance, and storage facilities.

Recreation Facilities: Buildings, structures, lands or water areas used for social, leisure and recreational activities.

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). (Revised 5-20-98, Z25-C9)

Rotor diameter: The diameter of the circle described by the moving rotor blades. (Revised 4-2-08, Z25-C14)

Self Service Storage Facility: Any real property designed and used for the purpose of renting or leasing individual storage spaces for the 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, parochial schools, hospitals, and other educational, religious or philanthropic organizations. (Revised 10/15/97 - Z25-C8)

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, to restrict the encroachment of buildings on the lot line.

Shopping Center: A group of retail businesses and services on a single site with common parking facilities and containing building(s) containing a collective floor area of 10,000 square feet or greater.

2.1 Interpretation of Terms or Words (cont'd)

Sign: A name, identification, description, display, or illustration which is affixed to, painted or represented, directly or indirectly upon a building, structure, parcel or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

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 Resolution.

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

Small wind turbine: Is defined as 15kw capacity or less. (Revised 4-2-08, Z25-C14)

Solar Panel: a (single cell or) group of solar cells arranged into a panel that can be installed onto a flat surface that become the main element in a solar electricity system.

Solid Waste: Unwanted residual solid or semi-solid material which results from industrial, commercial or municipal operations. These include, but are not limited to, garbage, combustible or non-combustible street dirt or debris and falls within the definition of solid waste under 3734.01(e) O.R.C.

Special Use (Exception): A use other than a use by (or as of) right.

Storage Garage: See **Garage**

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 floor above it, then the space between such floor and ceiling next above it.

a) **Half-Story** - A basement, the floor of which is more than three (3) feet six (6) inches, but not more than four (4) feet, below grade and the ceiling of which is more than four (4) feet, but not more than four and one-half (4 1/2) feet above grade, or, a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite walls are not more than three (3) 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 which provides vehicular and pedestrian access to abutting properties and approved as part of a record plat under applicable subdivision regulations by the Toledo-Lucas County Plan Commissions in accordance with Chapter 711 and Chapter 713 O.R.C. For the purpose of this Resolution, the word "street" shall include the words "road" and "highway".

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, but is not limited to, buildings, walls, fences, advertising signs and billboards.

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.

Sweepstakes/Internet Cafe: Any premises upon which any "Computerized Sweepstakes Device" is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever.

2.1 Interpretation of Terms or Words (cont'd)

Swimming Pool: An enclosure, temporary or permanent, above or below ground, containing water to be used for bathing, wading or swimming, which shall be able to contain 24 inches minimum depth of water and exceeds 12 feet in diameter or length whichever applies to the appropriate shape.

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. (Revised 10-15-97, Z25-C8)

Total height: The highest point, above ground level, reached by a rotor tip. (Revised 4-2-08, Z25-C14)

Tourist Home: A building in which board or rooming, or both, are offered to the traveling public for compensation, and open to transient guests, and distinguished from a hotel, motel or boarding house herein defined.

Tower: Towers include vertical structures that support electrical generator, rotor blades, or meteorological equipment. (Revised 4-2-08, Z25-C14)

Tower height: The total height of the tower exclusive of the rotor blades. (Revised 4-2-08, Z25-C14)

Turbine: Rotary engine in which the kinetic energy of a moving fluid is converted into mechanical energy by causing a bladed rotor to rotate. (Revised 4-2-08, Z25-C14)

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

Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

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

2.1 Interpretation of Terms or Words (cont'd)

Waste: includes but is not limited to: animal waste, bulking agents, commingled yard waste, compost, foreign matter, hazardous waste, household hazardous waste, industrial solid waste, infectious waste, leachate, lime sludge, municipal solid waste, radioactive waste, residual solid waste, scrap tires, sludge, solid waste, source-separated yard waste, yard waste, liquid waste, toxic chemicals, construction debris, demolition debris and any other substance or material with a potential or capacity to be injurious to human health or the environment without proper disposal.

Waste Disposal Facility: any site, location, tract of land, installation, or building used for incineration, composting, sanitary land filling or any other method of handling, disposing, treating, processing, transferring or storing of waste.

Wind: Air moving (sometimes with considerable force) from an area of high pressure to an area of low pressure. (Revised 4-2-08, Z25-C14)

Wind turbine: A wind turbine is any electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind. (Revised 4-2-08, Z25-C14)

Yard: An open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. 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) Front Yard - A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections or permitted uncovered steps, uncovered balconies or unenclosed porches. On a corner lot, the owner may elect either street frontage as the front yard.

b) Rear Yard - A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots, the rear yard shall be at the opposite end of the lot from the front yard.

Zoning Inspector: The agent, appointed by the Township Trustees, who is responsible for the administration of the Township Zoning Regulations and required inspections for zoning compliance.

Zoning Certificate (Permit): The document issued by the Zoning Inspector authorizing the use of land or buildings.

Zoning District Map: Map or maps of the Township and amendments delineating zoning districts.

SECTION 3 ESTABLISHMENT OF DISTRICTS

SECTION 3.1	Agricultural/Residential District
SECTION 3.2	Commercial Districts
SECTION 3.3	Industrial Districts/Office Research
SECTION 3.4	District Map
SECTION 3.5	District Boundaries

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulation
SECTION 6	Special Uses

The Township is hereby divided into districts under general categories which shall be known as: "Agricultural/Residential Districts", "Commercial Districts", and "Industrial Districts/ Office Research".

3.1 Agricultural/Residential District

3.1.1 "A" Agricultural

The Agricultural District is to provide for agricultural and agriculturally related uses, rural residences, essential public facilities and services such as public buildings, schools, railroads, public utilities. This may include some commercial activities which are an integral part of agriculture, such as roadside stands or structures used for the sale of agricultural produce or products and/or nursery and greenhouse sales areas, home occupations, churches and other related nonprofit public service facilities. Intense residential development is discouraged. However, where both public water and public sanitary sewers become available, the district may allow low density residential development on large lots, in a neighborhood setting, with minimal intrusion of nonresidential uses.

3.1.2 "R-1" Single Family

The Single Family Residential District is to provide for medium density residential development where public water and public sanitary sewers are available. It is intended that uses within this district be contained with a neighborhood setting, and non-residential uses be directly related to needs of the neighborhood.

3.2 Commercial Districts

3.2.1 "C-1" Restricted Commercial

The Restricted Commercial District provides for small businesses which primarily serve nearby residential areas with convenience goods and services. Business should be of the type which are low generators of traffic and compatible with surrounding residential areas. All uses and activities should be inside buildings. Where it is necessary to use external areas of buildings for storage of equipment or business activities, sufficient distance separation from neighboring properties and/or fencing or natural screening shall be required as specified under Section 8.2.

3.2.2 "C-2" General Commercial

The General Commercial District provides for businesses which serve a regional market. Businesses may be grouped into small shopping 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, shopping centers, malls, drive-through businesses, motels, restaurants, gas stations, etc. All uses and activities should be inside buildings. Where it is necessary to use external areas of buildings for storage of equipment or business activities, sufficient distance separation from neighboring properties and/or fencing or natural screening shall be required as specified under Section 8.2.

3.2.3 "C-3" Village Center Commercial

Village Center Commercial provides for business, governmental and institutional uses which serve the entire village. To provide convenient access to activities and businesses, residential uses are allowed within this district.

3.3 Industrial Districts/Office Research

3.3.1 "M-1" Light Industrial/Office Research

The Light Industrial/Office Research District is to provide for light industrial, research laboratories, warehousing types of businesses which may be conducted in areas proximate to residential and commercial areas with attempts to provide as much isolation as possible. These uses may include activities of 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 near commercial or residential areas. This would include 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 buildings or enclosures. When possible, materials and products will be stored in enclosed structures or areas screened from view of adjoining property. External areas of structures will be landscaped and maintained. Undeveloped areas will be kept free of debris, weeds and routinely maintained by cutting grassed areas.

3.3 Industrial Districts/Office Research (cont'd)

3.3.2 "M-2" General Industrial

The "M-2" General Industrial District provides for industries which by their nature and function require large parcels for development, and access to utilities and major transportation networks. 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 either as a conditional use or 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.

3.4 District Map

3.4.1 Description: The location and boundaries of districts established shall be shown on the map entitled "Providence Township Zoning Plan, 1995". A certified copy of this map is on file in the office of the Board of Providence Township Trustees. Said map and all notations, dimensions and designations shown thereon are hereby declared to be part of this Resolution.

3.4.2 Replacement: In the event that the Official District Map becomes damaged, destroyed or lost, the Township Board of Trustees may by Resolution adopt a new Official District Map which shall supercede the prior Official District Map.

3.5 District Boundaries

3.5.1 Description: The district boundary lines on said map are intended to follow either centerlines of streets or alleys or lot lines; and where the districts designated on the map are bounded approximately by such street, alley or lot lines, the street or alley or lot line shall be construed to be the boundary of the district unless such boundary is otherwise indicated on the map. In the case of unsubdivided property, the district boundary line shall be determined by the use of the scale appearing on the Zoning District Map or by dimensions. In the case of the vacation of a street, alley, water course or other right-of-way, the abut-ting zoning classification on each side thereof shall automatically be extended to the centerline of said vacated street, alley, water course or right-of-way.

3.5.2 Exceptions: District boundaries following shore lines shall be construed as moving with any shoreline changes. 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.

SECTION 4 USE REGULATIONS

SECTION 4.1	Permitted Uses
SECTION 4.2	District Use Restrictions
SECTION 4.3	Special Uses
SECTION 4.4	Basic Yard, Area and Height Requirement for Dwellings
SECTION 4.5	Basic Yard, Area, Height Requirement for All Buildings Other than Dwellings
SECTION 4.6	Exceptions

CROSS REFERENCES

SECTION 2	Definitions
SECTION 3	Establishment of Districts and Zoning Map
SECTION 5	Off Street Parking and Loading
SECTION 6	Special Uses
SECTION 7	Supplementary District Uses and Structures (Signs, Site Plan Review etc.). Specific supplemental regulations applicable to a permitted use are referenced following that use
SECTION 8	Design and Development Standards for Multi-Family, Non-Residential, Commercial and Industrial Uses
SECTION 10	Planned Unit Development
SECTION 11.2	Zoning Certificate
SECTION 11.3	Conditions Under Which Zoning Certificates are Required
SECTION 11.4	Application and Issuance of a Zoning Certificate
SECTION 11.5	Fees
SECTION 12.3.2	Exceptions
SECTION 13	Amendments

The permitted and special uses for each district are shown in the following tabulations which shall constitute Section 4 of the Zoning Resolution. The interpretation of uses given in categorical terms shall be as defined in Section 2. Uses not specifically listed or interpreted by the Board of Zoning Appeals to be included categorically under this Section and Section 2 shall not be permitted, except by action of the Zoning Commission and the Board of Trustees.

4.1 Permitted Uses

"A" Agricultural

Accessory Uses
Agriculture
Agricultural Product Sales
Dwelling, Single Family
Dwelling, Two Family
Grain Elevators/Storage
Home Occupation
Oil & Gas Drilling/Wells
Permanently Sited Manufactured Home (Revised 4-5-00, Z25-C10)
Public Service Facilities

"R-1" Residential, Single Family

Accessory Uses
Dwelling, Single Family
Home Occupation
Permanently Sited Manufactured Home (Revised 4-5-00, Z25-C10)
Public Service Facilities

"C-1" Restricted Commercial

Accessory Uses
Banks
Day Care Facilities
Financial/Insurance Services
Health Care Clinics
Neighborhood Retail Business
Nursing Homes
Personal Services
Professional Services
Public Service Facilities
Public Uses
Self Service Storage Facility
Semi-Public Uses
Telecommunication Tower (Revised 10-15-97, Z25-C8)

"C-2" General Commercial

All Uses Permitted in "C-1" Restricted Commercial
Agricultural Implement Sales and Service
Banquet Halls
Boat Storage
Building Materials Supply and Storage
Businesses, General
Businesses, Highway
Clubs
Community/Public-Swimming Pools
Golf Courses
Institutional Health Care
Marine Sales and Service
Mortuary
Motor Vehicle Body Shop
Motor Vehicle Sales and Rental
Motor Vehicle Service Station
Offices
Printing and Publishing
Restaurant/Lounge
Service Laboratories
Sports Field, Indoor/outdoor Courts

"C-3" Village Center Commercial

All uses in the "C-2" General Commercial District except the following uses:

a. Drive-In Restaurants
b. Animal Care Facilities

Residential uses provided that any structure containing non-residential uses provide a separate passageway from the building entrance and parking areas to dwelling units.

4.1 Permitted Uses (cont'd)

"M-1" Industrial/Office Research

Accessory Uses
Building Materials Supply and Storage
Day Care Facilities
Grain Elevators/Storage
Manufactured Home Sales
Manufacturing, Restricted
Metal Stamping/Machine Shop
Offices
Printing and Publishing
Professional Services
Public Service Facilities
Research Laboratories
Restaurant
Service Laboratories
Telecommunication Towers (Revised 10-15-97, Z25-C8)
Truck Transport Terminals
Warehousing

"M-2" General Industrial

All uses permitted in the "M-1" Industrial/Office Research District (Revised 5-20-98, Z25-C9)
Manufacturing, General
Oil and Gas Drilling

4.2 District Use Restrictions

4.2.1 Restaurants and banks located in an "M-1" Industrial/Office Research District shall be permitted only when included as part of a structure which is used as an office building.

4.2.2 Day Care facilities which are accessory uses in "C" or "M" Districts are exempt from provisions of this section.

4.3 Special Uses

As provided for under Section 6.

4.4 Basic Yard, Area and Height Requirements for Dwellings

The following schedule establishes minimum yard, area and height requirements for dwellings by district:

TABLE 4 - 1

Dimensional Requirements

	MINIMUM LOT		MINIMUM YARD (FEET)[1]				MAXIMUM HEIGHT[2]	
District	**Area**	**Width (ft.)**	**Front***	**Rear**	**Each Side**	**Sum of Both**	**Stories**	**Feet**
"A" Agricultural								
Single-family	1 acre	150	50	35	20	40	2 ½	35
"R-1" Residential Single Family								
Single-family	7,500 sq.ft.	50	30	35	5	10	2 ½	35

Footnote: see
1. Section 4.6.4 Corner Lots
1. Section 4.6.5 Setback of Buildings on Main County Roads
2. Section 4.6.2 Height

Single-Family Dwellings deleted (Revised 5-20-98, Z25-C9)

4.4.1 Minimum Floor Area Requirements for Dwellings

The minimum floor area per family unit in square feet for dwellings erected on any lot shall not be less than that established by the following table. In determining floor area, only the area used for living quarters shall be counted. Garages, carports, porches, and basements are to be excluded.

DISTRICT	MINIMUM FLOOR AREA (FEET ^{2})
"A" Agricultural	1,200
"R-1" Single-Family Residential	1,200
"C-3" Village Center Commercial	600

4.5 Basic Yard, Area, Height Requirement for All Buildings Other than Dwellings [1]

The following table establishes the yard, area, lot coverage and height requirements for all buildings except dwellings and structures accessory to dwelling by district:

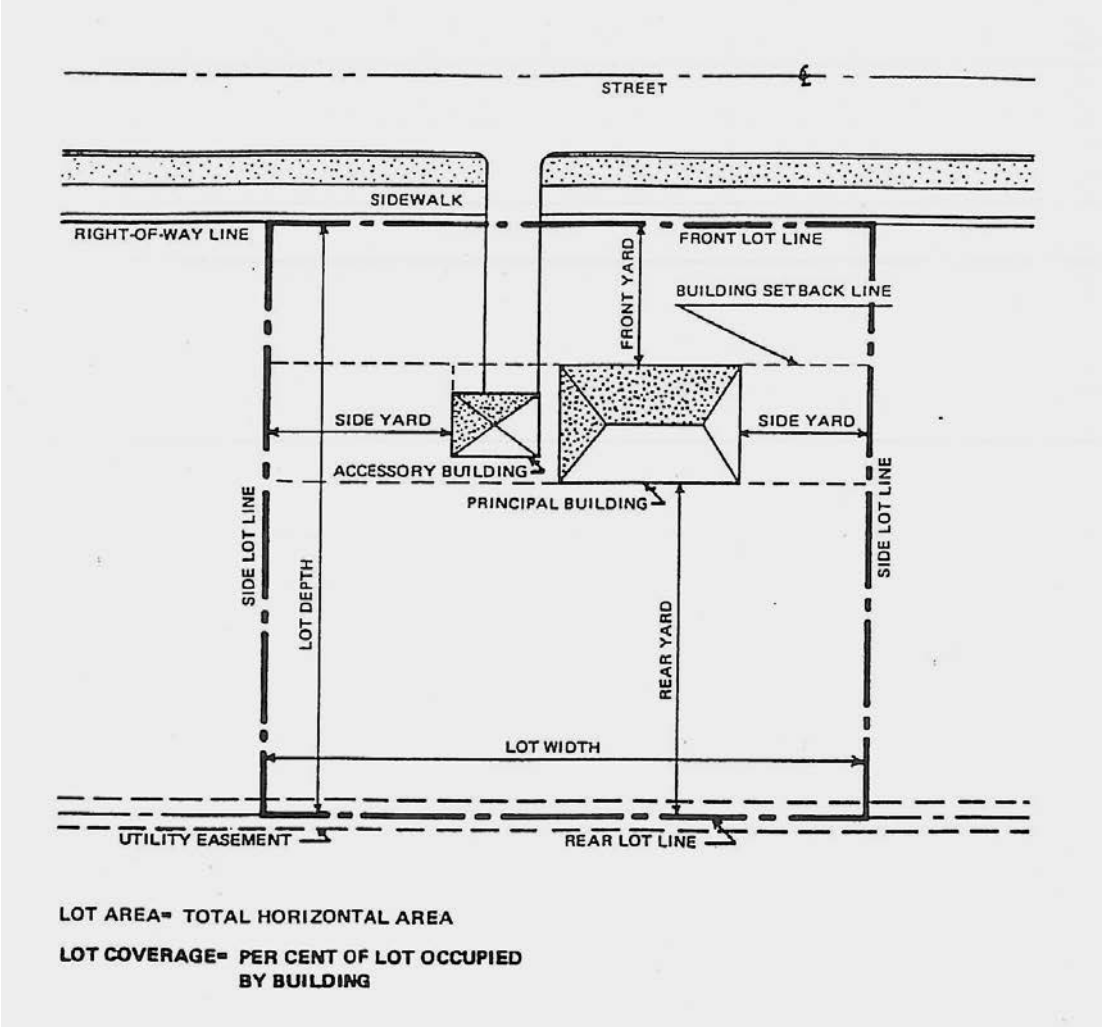
TABLE 4 - 2

	Minimum Lot		Minimum Yard (feet)[2]			Maximum Height[3]	
Districts	Area	Width	Front	Rear	Each Side	Stories	Feet
"A" Agricultural	3 acres	250	60	60	50	3	45
"R-1" Residential Single Family	1 acre	100	50	50	40	2	35
"C-1" Restricted	2 acres	60	30	10	none	2	35
"C-2" General Commercial	2 acres	80	40	10	none	2	35
"C-3" Village Center Commercial	25,000 sq. ft.	50	none	20	none	2	35
"M-1" Industrial/Office Research	5 acres	175	50	40	30	3	45
"M-2" General Industrial	25 acres	175	50	40	30	4	60

Footnote: see

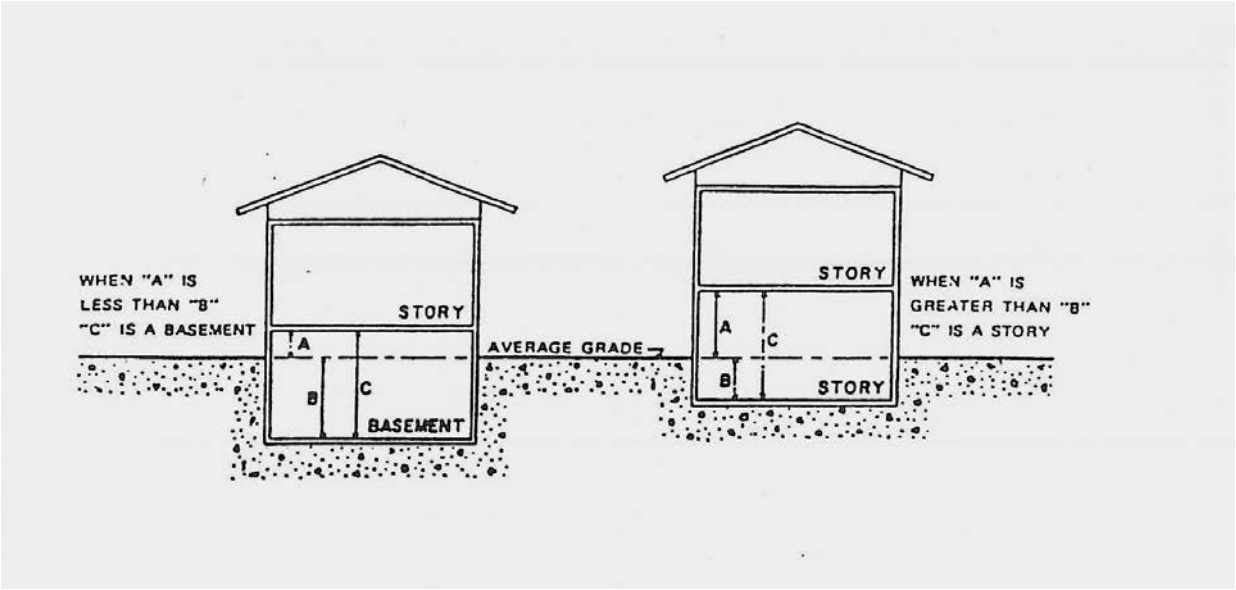
1. It includes public buildings, semi-public (churches, schools etc.), commercial or industrial buildings. It does not include any agricultural nor rural residential buildings nor related accessory buildings.
2. Section 4.6.1 Non-Residential Uses Within An Abutting or Opposite An "A" Agricultural District or "R" Residential District
   Section 4.6.4 Corner Lots
   Section 4.6.5 Setbacks of Buildings On Main County Roads
3. Section 4.6.2 Height

FIGURE 4 – 1



LOT TERMS

FIGURE 4 - 2



BASEMENT AND STORY

4.6 Exceptions

4.6.1 Nonresidential Uses Within Abutting or Opposite an "A" or "R" District

TABLE 4 - 3

Minimum Yards

Uses	Minimum Yard (feet) Front	Side	Rear
Public/Semi-Public	100	50	100
Commercial	50	30	30
Industrial	100	50	100

4.6.2 Height

a) Buildings

The height of building specified as maximum height under Sections 4.4 and 4.5 may be exceeded for public and semi-public buildings, office industrial and apartment buildings provided the required front, side and rear yards are increased by one (1) foot for each foot of additional building height to a maximum height of six (6) feet.

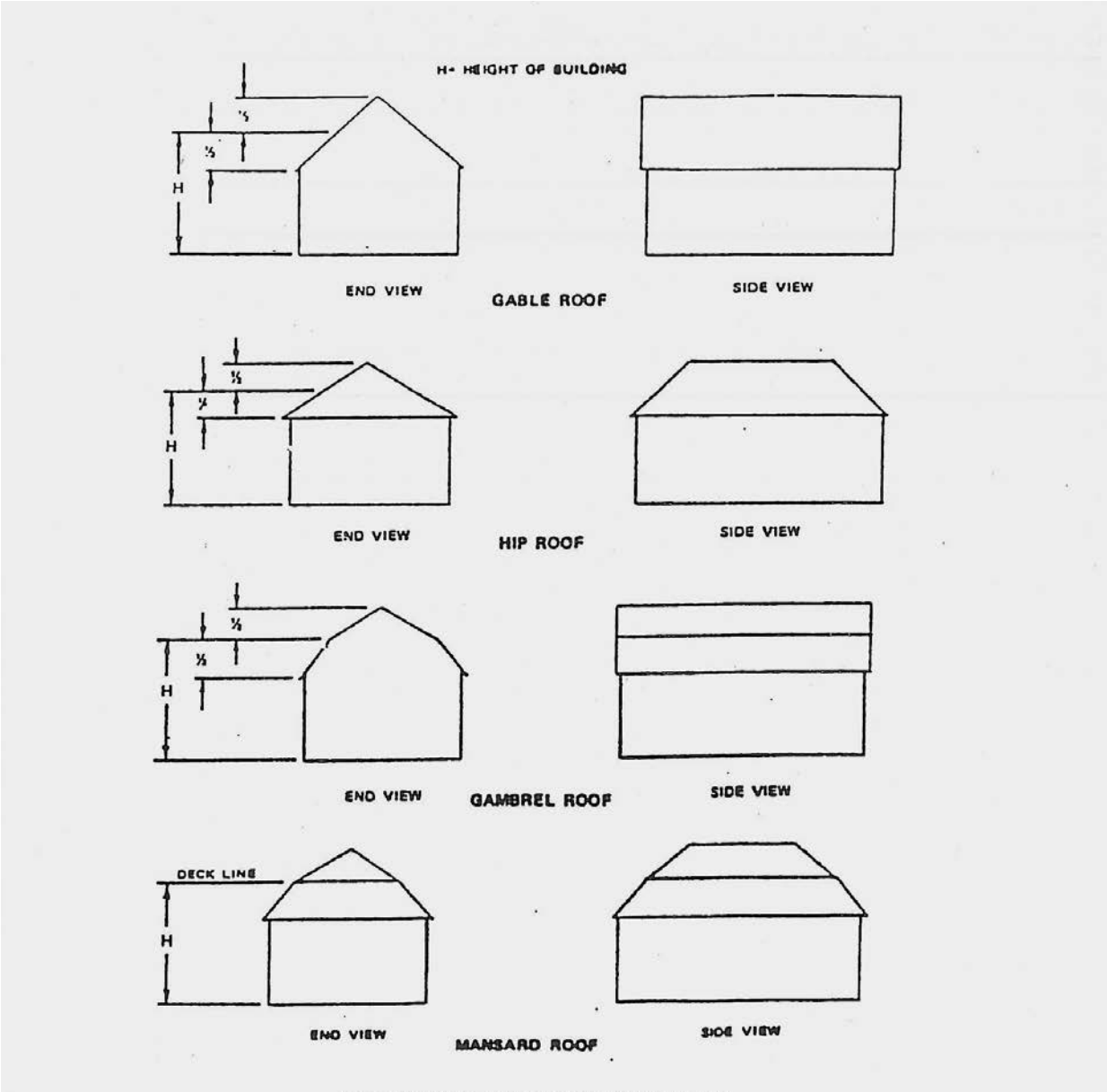
b) Structures

Height regulations of buildings shall not apply to telecommunication towers, monuments, church spires/bell towers, water or fire towers, chimneys or cooling towers, silos, and flagpoles except where the height of such structure will present a hazard to the safe landing and takeoff of aircraft at an established airport.

4.6.3 Architectural Projections

Open structures such as porches, canopies, balconies, plat-forms, 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.

FIGURE 4 - 3



ROOF TYPES AND BUILDING HEIGHT

4.6 Exceptions (cont'd)

4.6.4 Corner Lots

Corner lots and lots having frontage on more than one (1) street shall provide the minimum front yard requirements on each street.

4.6.5 Setbacks of Buildings on Main County Roads

On lots and lands abutting the following principal arterial roads, no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than 125 feet:

Berkey-Southern (S.R. 295)
Toledo-Napoleon (S. River Rd./County Rd. 53)

On lots and lands abutting the following major collector roads, no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than 95 feet:

Archbold-Whitehouse	Hertzfeld
Box	Neapolis-Waterville
Heller	Neowash

On lots and lands abutting the following county and township roads, no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than 80 feet:

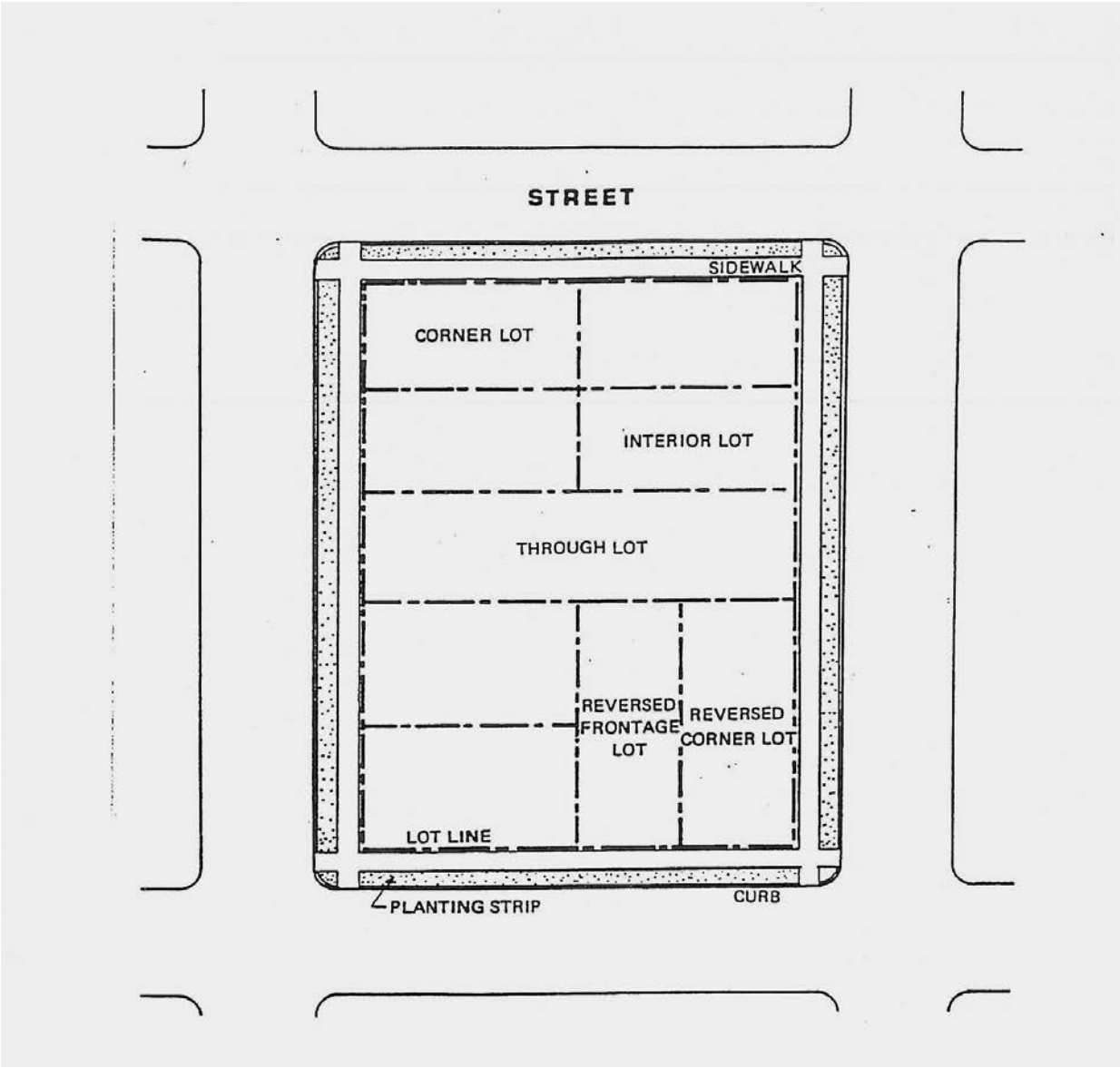
Bailey	Hartman	Schadel
Berridge	Perry	Vollmar
Doran	Pollock	Yawberg

4.6.6 Existing Lots of Record

Any lot of record 50 feet or wider existing at the effective date of this Resolution in any "A" or "R" District may be used for the erection of a single-family dwelling even though its area and width are less than the minimum requirements set forth herein, provided the dwelling and lot meets the minimum requirements for water and septic as approved by Lucas County Board of Health. Each side yard shall be a minimum of five (5) feet. Where two (2) or more adjacent lots of record with less than the required area and width are held by one owner, the Board of Zoning Appeals may require that the lots be combined and used for one (1) main building.

A minimum lot area of 20,000 square feet shall be required when group water and on-site sewage treatment systems are proposed for a new dwelling on an existing lot of record.

FIGURE 4 - 4



TYPES OF LOTS

SECTION 5 PARKING AND LOADING REQUIREMENTS

SECTION 5.1	Purpose
SECTION 5.2	Off-Street Parking and Loading Requirements
SECTION 5.3	Space Requirements

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 7	Supplementary District Uses
SECTION 8	Design and Development Standards for Multi-Family, Non Residential, Commercial and Industrial Uses

5.1 Purpose

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.

5.2 Off-Street Parking and Loading Requirements

5.2.1 General

a) When a building or structure is erected, changed or enlarged by 50% or more in floor area, or increases by 50%, the number of employees, customers/users, dwelling units, or seating capacity it shall comply with the requirements of this section.

b) 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.

c) Where a lot abuts a public or private alley or easement of access there shall be provided an access drive not less than eight (8) feet in width for a single dwelling and not less than 20 feet in width for an access drive leading to parking, loading, or storage spaces herein required for multiple dwellings and nonresidential uses.

d) Total number of spaces required shall equal the sum of all the requirements for each separate primary and accessory use.

5.2 Off-Street Parking and Loading Requirements (cont'd)

5.2.1 General (cont'd)

e) 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 provided for under 5.2.2(c).

f) 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 as determined by the Zoning Commission.

g) A request for a reduction of parking and/or loading requirements may be submitted to the Board of Zoning Appeals as provided for in Section 12.3.2 (c) and (d)

5.2.2 Special Requirements

a) **Setback:** Parking areas for multi-family and nonresidential uses shall be no closer than five (5) feet of a street, alley or right-of-way.

b) **Joint Use:** Two (2) 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 Township Attorney and accepted by the Board of Zoning Appeals, shall be filed with the application for a zoning certificate.

c) **Off-site parking:** Parking spaces may be located on a lot within 300 feet other than that containing the principal use or on a lot within 600 feet for uses within a commercial or industrial district for spaces designated for employees with a written agreement approved by the Township attorney and approval by the Board of Zoning Appeals, to be filed with the application for a zoning certificate.

d) **Surfacing and drainage**: All off-street parking and loading areas and driveways for multi-family and non-residential uses shall be surface with concrete, bituminous asphalt or other dust free material other than gravel or loose fill and graded to drain all surface water towards the interior of the parking lot. In those instances where the property is in a remote location and not in close proximity to other buildings or dwellings, the Zoning Commission may consider waiving the requirement to pave certain portions of the parking area as part of the Site Plan Review process. An internal storm drainage system shall be provided and connected to the nearest outlet subject to regulations and approval of the Lucas County 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.

5.2 Off-Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements (cont'd)

e) **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 (5) inches and the minimum length six (6) 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.

f) **Striping and Marking:** Parking spaces and aisles shall be clearly designated and marked 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.

g) **Handicapped Parking:**

1. Parking spaces shall be provided for the disabled and handicapped for all public, semi-public, commercial and industrial buildings and/or uses. The number of spaces which shall be reserved are one (1) accessible space for each 25 total lot parking spaces for the first 100 spaces and one (1) additional space for each 50 spaces thereafter.

2 Parking spaces and loading zones shall be located on the shortest possible circulation route to an accessible entrance. In separate 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.

3. 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 (2) accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clearance of an accessible circulation route.

4. Curb ramps shall be required for handicapped access. Minimum width shall be 36 inches with a minimum ramp slope of 1:10.

h) **Landscaping and screening:** Notwithstanding the landscaping requirements of Section 8.4, off-street parking and loading areas for multi-family dwellings and nonresidential uses which lie within 20 feet of a building on an adjoining lot or within 10 feet of a lot line shall be separated from the building or lot line with landscaping and screening not less than four (4) feet nor greater than six (6) feet in height.

i) **Lighting:** Any lighting used to illuminate any off-street parking areas shall be so arranged as to reflect light away from adjoining residential properties or public way.

5.2 Off-Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements (cont'd)

j) **Parking and Storage of Vehicles and Trailers**

1. No commercial vehicles as herein defined or other vehicle which infringes on the residential character of an "A" or "R" District shall be stored or parked in that district, excluding vehicles in an "A" or "R" District which are stored in an enclosed building or vehicles used in agriculture which are an integral part of the on-site agricultural business. Infrequent, short term parking of a commercial vehicle for conveying tools and materials to premises for use on the premises, or the delivery or moving of goods to or from a dwelling unit is exempted from this section.

2. No inoperable vehicle shall be parked within an "A" 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.

3. No recreational vehicles, vehicles used for recreational purposes, such as, all-terrain vehicles, racing vehicles, boats, boat trailers nor utility trailers shall be parked or stored in the minimum front yard of an "A" or "R" District, except when loading and 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 10 feet from a lot line. (Revised 5-20-9, Z25-C9)

k) **Drive-up Storage Area:** Any use having a drive-up window shall provide a storage area on site to minimize off-site traffic congestion while waiting for service. The Zoning Commission shall review and provide recommendations on all drive-up proposals.

l) **Trash Receptacle Area:** 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.

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 (3) sides. Such area shall not be located in any required yard or setback and shall be maintained according to the requirements of the Lucas County Board of Health.

m) **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.

5.2 Off-Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements (cont'd)

n) **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 single and two-family residences it may include a driveway, street or parking space. The Board of Zoning Appeals may waive these requirements for lots which have an operator on duty during all hours of operation.

o) **Loading Spaces:** No loading spaces shall be located in a front or side yard, nor in a required rear yard.

5.3 Space Requirements

5.3.1 Dimensions and Design

a) Parking lot loading spaces shall meet the following dimensional requirements and design as listed and illustrated in Table 5-1 and Figures 5-1 and 5-2 respectively.

FIGURE 5 - 1 **FIGURE 5 - 2**

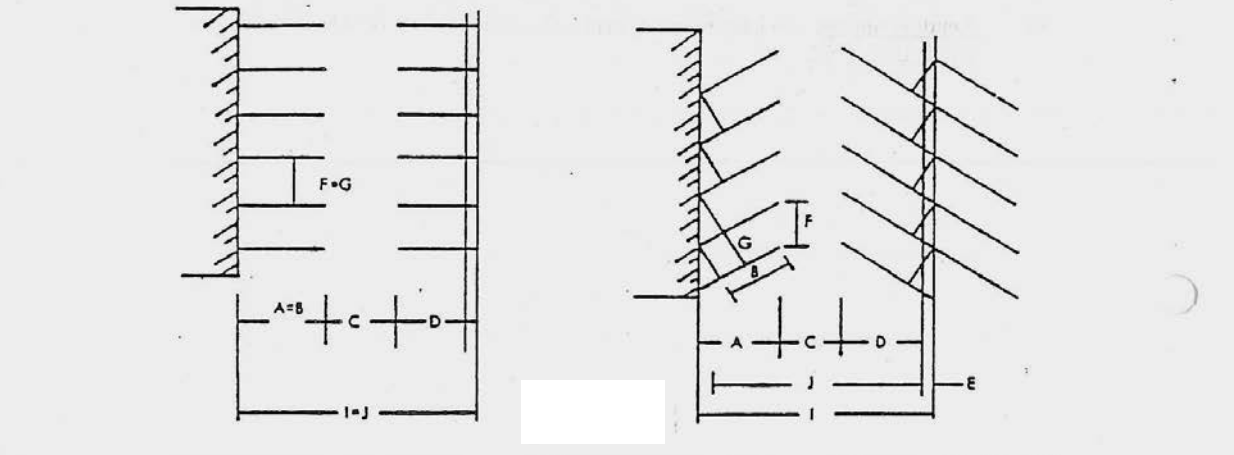


TABLE 5 - 1

DIMENSION (In Feet)	ANGLE 45	60	75	90
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
L. MODULE WIDTH, WALL TO WALL	46	54	60	61
J. MODULE WIDTH INTERLOCK TO INTERLOCK	42	51	58	61

5.3 Space Requirements (cont'd)

5.3.1 Dimensions and Design (cont'd)

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 5.2.2(g).

d) **Bumper Overhang:** For bumper overhang, deduct one-half (1/2) foot from stall depth to wall or three (3) feet from wall to wall for 45 degree and 60 degree parking. The equivalent dimensions for 75 degree and 90 degree parking are two (2) feet and four (4) feet respectively.

e) **Modification of parking space:** Modification of dimensions or design is subject to review by the Township Fire Chief and Zoning Commission. Attention to emergency vehicle access shall be considered and incorporated into the design.

5.3.2 Number of Spaces

USE	PARKING SPACES REQUIRED
a) Residential Dwellings	
Boarding House, Tourist Home, Dormitory	One (1) for each sleeping room or tenant, whichever is greater
Single, Two Family	Two (2) for each unit
Multi-family	Two (2) for each unit

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

USE	PARKING SPACES REQUIRED
b) Semi-Public/Institutional	
Adult Day Care, Community Centers, Church Social Centers	One (1) for every 300 square feet of gross floor area
Child Day Care or Nursery School	Six (6) or two for each classroom whichever is greater
Church or Temple	One (1) for every five (5) seats in main assembly area/auditorium
Elementary School	Two (2) for each classroom or one (1) for every five (5) seats in the main auditorium, whichever is greater
High School, College or Technical School	Four (4) for each classroom or one (1) for every four (4) seats in the main auditorium, whichever is greater
Hospital	One (1) for every four beds
Institutional Health Care Facility	One (1) for every four beds
Libraries, Museums, Art Galleries, or Community Centers	10 or one (1) for every 300 square feet of gross floor area whichever is greater
c) Recreational Facility	
Bowling Alley	Four (4) for each alley plus one (1) for each 100 square feet or gross floor area used for bar, restaurant or entertainment areas
Campground	1.5 spaces for each site
Golf Course	Four (4) for each hole

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

USE	PARKING SPACES REQUIRED
c) Recreational Facility (cont'd)	
Health Spa	One (1) for every 300 square feet of floor area
Lodge or Club	One (1) for every five (5) members
Skating Rinks	One (1) for every 100 square feet of gross floor area
Swimming Pools	One (1) for every 50 square feet or water surface area and one (1) for every 30 square feet or gross floor area for spectator seating
Tennis Courts/Racquet Clubs	Two (2) for each court
d) Commercial	
Animal Care Facilities/Kennels	One (1) for every 400 square feet of gross floor area
Auction/Market, Flea Market	One (1) for every 200 square feet of gross floor area or outdoor sales area
Auditorium, Theaters, Arenas or Conference Centers	One (1) for every four (4) seats or one (1) for every 30 square feet of gross floor area, whichever is greater
Banks or Financial Institutions	One (1) for every 300 square feet of gross floor area
Banquet / Recreational Hall	One (1) for every 200 square feet of gross floor area
Bar, Restaurant or Tavern	One (1) for every 100 square feet of gross floor area

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

USE	PARKING SPACES REQUIRED
d) Commercial (cont'd)	
Boarding of Livestock and domesticated pets	One (1) for every 400 square feet of gross floor area
Funeral Home / Mortuary	One (1) for every 200 square feet of gross floor area
Hotel / Motel	One (1) for every room and one (1) for every 100 square feet of gross floor area of bar, restaurant, and conference rooms
Motor Vehicle, Agricultural Implement, Recreational Vehicle, or Manufactured Home Sales	One (1) for every 5,000 square feet of lot area and one (1) for every 300 feet of gross floor area
Motor Vehicle Service / Repair	Two (2) for each service bay or one (1) for every 2 (two) pumps, whichever is greater
Offices	One (1) for every 300 square feet of gross floor area
Retail Store (appliance, printing, salon, hardware, carry-out, furniture, etc.)	One (1) for every 200 square feet of floor area
Self Service Storage Facility	Two (2) for on site manager or office
Shopping Center	One (1) for every 200 square feet of leasable area
Sweepstakes/Internet Cafe	One (1) for every 50 square feet of gross floor area
e) Manufacturing / Industrial	
Manufacturing / Processing / Warehousing	One (1) for every two (2) employees on the shift of the highest number of employees and one (1) for each motor vehicle used in the business

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

e) Manufacturing / Industrial (cont'd)

1) Loading Spaces: A loading space shall be required for each building, use or occupancy which has a gross floor area of 10,000 square feet. One (1) additional space shall be required for each 20,000 square feet of gross floor area thereafter.

SECTION 6 SPECIAL USES

SECTION 6.1	Purpose
SECTION 6.2	Special Uses and Procedures

CROSS REFERENCES

SECTION 2	Definitions
SECTION 3	Establishment of Districts
SECTION 4.5	Basic Yard, Area, Plot Coverage and Height Requirements for all Buildings Other Than Dwellings
SECTION 5	Off Street Parking and Loading
SECTION 7	Supplementary District Uses and Structures
SECTION 8	Design and Development Standards etc.
SECTION 11	Enforcement
SECTION 13	Amendments

6.1 Purpose

In addition to uses specifically classified and permitted in each District in this Resolution, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. The "special uses" require particular consideration as to their proper location in relation to adjacent established or intended uses, or the planned development of the community. The "special uses" fall into two (2) categories, as follows:

6.1.1 Uses either municipally operated, or uses traditionally affected by public interest.

6.1.2 Uses entirely private in character, which, because of their peculiar locational needs or the nature of the service they offer to the public, may have to be established in a district or districts, in which they cannot reasonably be allowed as a permitted use under the zoning regulations.

6.2 Special Uses and Procedures

The Board of Township Trustees may permit by resolution, the amendment of this Zoning Resolution and Zoning Map, the following uses of land or structures in any district except as specifically provided otherwise, after report thereon by the Zoning Commission and subject to the requirements and procedures set forth herein. Special Uses existing at the time of adoption of this Resolution may be continued and shall be considered as uses conforming to the Resolution.

6.2 **Special Uses and Procedures** (cont'd)

6.2.1 Special Uses Permitted

In Any "A" District:

Airport or Aircraft landing field
Animal Care Facilities
Auction Market
Banquet Halls
Boarding of Livestock and Domesticated Animals
Borrow Pits (Revised 4-2-09, Z25-C15)
Cemetery/Memorial Gardens
Clubs
Community/Public-Swimming Pools
Day Care Facilities
Flea Market
Golf Courses
Institutional Health Care Facilities
Nursing Homes
Public Uses
Semi-Public Uses
Small Wind Turbine
Sports Field, Indoor/Outdoor Courts
Telecommunication Tower (Revised 4-2-08, Z25-C14)

In Any "R" District

Borrow Pits (Revised 4-2-09, Z25-C15)
Day Care Facilities
Manufactured Home Parks (Revised 8-7-02, Z25-C12)
Public Uses
Semi-Public Uses
Telecommunication Tower (Revised 8-7-02, Z25-C12)

6.2 Special Uses and Procedures (cont'd)

6.2.1 Special Uses Permitted (cont'd)

In A "C-2" District:

Adult-Oriented Uses (Revised 4-5-00, Z25-C10)
*Adult Amusement and Entertainment
*Adult Book Store
*Adult Movie House
*Adult Video Store
Borrow Pits (Revised 4-2-09, Z25-C15)
*Massage Parlor
Auction Markets
Boarding of Livestock and Domesticated Animals
Flea Markets
Shopping Centers
Sweepstakes/Internet Cafes (See 7.27)

In Any "M" District:

Airport or Aircraft Landing Field
Borrow Pits (Revised 4-2-09, Z25-C15)
Extraction Industry
Motor Vehicle Salvage (Revised 5-20-98, Z25-C9)
Nursery / Landscaping Business with on site composting (Revised 12-1-10, Z25-C22)
Waste Disposal Facility (Revised 12-1-10, Z25-C22)

6.2.2 Expiration of Special Use Permit

A Special Use Permit shall be granted for only one (1) particular use and said permit shall automatically expire if, for any reason, the special use is not initiated within one (1) year of the granting of the permit or if the special use ceases to exist for more than two (2) years.

6.2.3 Procedure for Special Uses

The procedure for filing of the application, review fees, notices, referral to the County Planning Commission, public hearing by the Zoning Commission and the Trustees, passage, and determination of a Special Use shall be the same as procedures for an amendment to the Zoning Resolution as shown in Section 13.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES

SECTION 7.1	General
SECTION 7.2	Accessory Buildings
SECTION 7.3	Motor Vehicle Salvage Yards and Junk Yards
SECTION 7.4	Extraction Industries
SECTION 7.5	Fencing
SECTION 7.6	Home Occupation
SECTION 7.7	Boarding of Livestock and Domesticated Animals
SECTION 7.8	Manufactured Home/Manufactured Home Parks
SECTION 7.9	Self Storage Facilities
SECTION 7.10	Signs and Outdoor Advertising Structures
SECTION 7.11	Waste Disposal Facility
SECTION 7.12	Farm Markets
SECTION 7.13	Swimming Pools
SECTION 7.14	Site Design and Development
SECTION 7.15	Manufactured Home (Mobile Home) - replacement
SECTION 7.16	Ponds
SECTION 7.17	Causes of Blight or Blighting Factors
SECTION 7.18	Shopping Center
SECTION 7.19	Telecommunication Towers
SECTION 7.20	Adult-Oriented Uses
SECTION 7.21	Raising of Livestock
SECTION 7.22	Nursery and Landscaping/Lawn Care Services
SECTION 7.23	Small Wind Turbines
SECTION 7.24	Borrow Pits
SECTION 7.25	Geothermal Systems
SECTION 7.26	Solar Energy Systems
SECTION 7.27	Sweepstakes/Internet Cafe

CROSS REFERENCES

SECTION 4	Use Regulations
SECTION 5	Off-Street Parking and Loading
SECTION 6	Special Uses
SECTION 8	Design and Development
SECTION 9	Non-Conforming Uses and Structures
SECTION 10	Planned Unit Development
SECTION 11	Enforcement
SECTION 12	Amendment

7.1 General

The following supplementary district uses and structures are allowed in various zoning districts as specified in each subsection. To assure compliance with the conditions and regulations of this section, each use shall require a permit. No permits are required for agricultural buildings/structures nor exempted uses as shown in Section 1.5.

7.2 Accessory Buildings

7.2.1 General (Revised 4-5-00, Z25-C10)

A. No accessory use, building or structure or pond shall be permitted on any lot, which does not contain a dwelling or a main building except as provided for under 7.2.4.

B. Accessory building which are 100 square feet in area or less are exempt from the provisions of this section.

7.2.2 Setback (Revised 4-5-00, Z25-C10)

A. Accessory buildings shall have a minimum setback as follows:

DISTRICT	BUILDING HEIGHT	MINIMUM SETBACK
"A" Agricultural	0-20 Feet	10 Feet
"R" Residential	0-20 Feet	10 Feet
"A" or "R"	20-25 Feet	15 Feet
"A" or "R"	25-35 Feet	20 Feet

B. No accessory building shall exceed 35 feet in height and all accessory buildings shall be 15 feet from the main dwelling and outside of utility easements.

7.2.3 Yard Requirement (Revised 8-7-02, Z25-C12)

A. 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 except as provided for under 7.2.4.

B. Accessory buildings in total may not occupy more than 30 percent of a rear yard.

7.2.4 Exceptions (Revised 4-5-00, Z25-C10)

An accessory building or pond may be constructed on a parcel or lot prior to construction of a main building or located in a front or side yard, with the following requirements.

A. No permit shall be issued for any building or structure accessory to a proposed residential building that will require on-site septic disposal, without prior approval of the Toledo-Lucas County Health Department.

7.2 Accessory Buildings (cont'd)

7.2.4 Exceptions (cont'd)

B. A site plan shall be filed with the zoning permit application in accordance with requirements under Section 11. Zoning permit fees for the proposed main building and all proposed accessory buildings and structures shall accompany the permit application. With review as to location and site development all main building construction shall be completed in accordance with the time limit as required under Section 12.4.2.

C. Minimum lot area shall be two (2) acres and have a minimum depth of 500 feet.

D. No accessory building shall be located forward of the rear building line of the main building, which is located on an adjacent parcel and that said main rear building line, being the greater distance from the center line of the road as shown in Figure 7-1.

1. Trees and natural screening is required on all sides of the building which is visible to abutting parcels and public roadways.

2. Height of trees and/or screening shall be equal to the height of the accessory building and have a minimum depth of 20 feet.

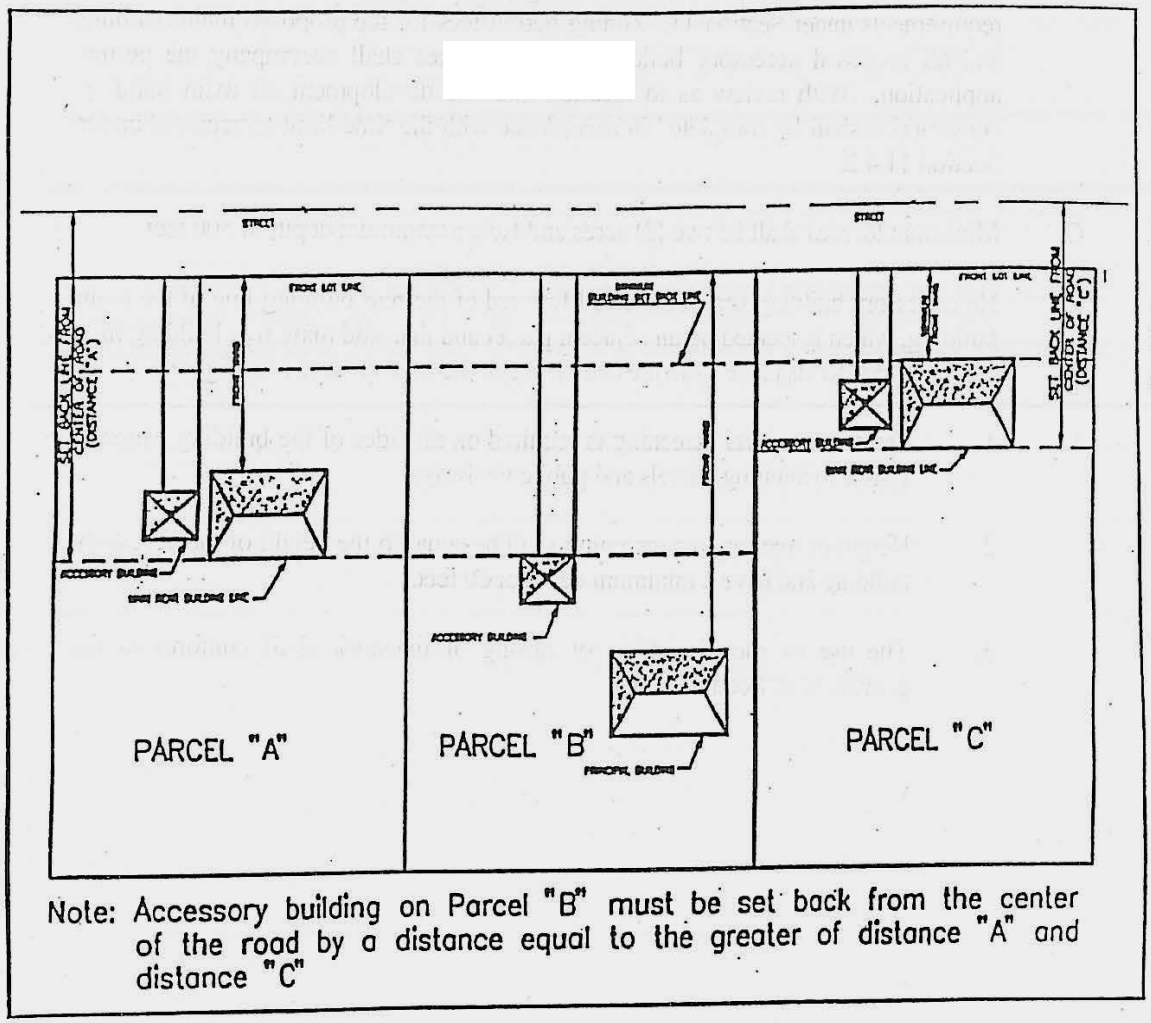
3. The use of such building for raising of livestock shall conform to the provisions of Section 9.15.

E. Shipping container use is not permitted as an accessory building.

7.2 Accessory Buildings (cont'd)

7.2.4 Exceptions (cont'd)

FIGURE 7-1



7.3 Motor Vehicle Salvage Yards and Junk Yards

7.3.1 General

a) The applicant shall provide a complete and accurate legal description of the entire site.

b) A site plan shall be submitted which at minimum includes the dimensions of the site, size of buildings, building locations, setbacks, storage areas, driveways and fencing.

7.3.2 Storage

a) When adding storage facilities, the applicant shall reduce the number of vehicles or junk in the storage yard.

b) Motor vehicle wrecking yards shall maintain a list of vehicles in stock and submit this list to the township upon request.

c) No vehicle shall be stored longer than six (6) months without written permission from the Board of Township Trustees.

7.3.3 Licensing

a) Applicants for junk yards shall be licensed as required under Chapter 4737 O.R.C. and file with the Township proof of licensing by the Lucas County Auditor.

b) Applicants for motor vehicle wrecking yards shall be licensed as required under Chapter 4738 O.R.C. and file with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

7.3.4 Hours of Operation

Hours of operation shall be no earlier than 7:00 A.M. nor later than 6:00 P.M., Monday through Saturday.

7.3.5 Fencing and Screening

Any area used as a motor vehicle wrecking yard or junk yard shall be effectively screened on all sides by means of walls, fences and plantings. Walls or fences shall be a minimum of six (6) feet in height with no advertising thereon. Storage of materials shall not exceed this height. A strip of land not less than 15 feet in width shall be planted and maintained on the exterior with evergreen hedge or shrubs and shall be equal to or greater than the height of the fence or wall.

7.3 Motor Vehicle Salvage Yards and Junk Yards (cont'd)

7.3.6 Industrial Standards

Not withstanding the requirements set forth herein, all motor vehicle salvage yards and junk yards shall meet the Industrial Standards as set forth in Section 8.

7.3.7 Off-Street Parking and Loading

Off-Street parking and loading shall be provided as set forth under Section 5.

7.3.8 Yard Requirements

a) Front Yard: There shall be a front yard of not less than 50 feet, but where such a yard is opposite an "A" Agricultural or "R" Residential District, it shall be a minimum of 100 feet and the first 25 feet thereof shall be used only for landscaping purposes.

b) Side Yard: There shall be a side yard of not less than 25 feet, but where abutting an "A" Agricultural or "R" Residential District, it shall be a minimum of 50 feet. Storage of materials and parking of vehicles is prohibited in a side yard.

c) Rear Yard: There shall be a rear yard of not less than 50 feet, but where such a yard is abutting an "A" Agricultural or "R" Residential District, it shall be a minimum of 100 feet.

7.3.9 Pavement

All roadways internal to the site shall be paved or maintained to minimize dust.

7.4 Extraction Industries

7.4.1 Removal

The removal of soil, sand and gravel, and/or minerals shall not exceed 25% 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 1514.10 O.R.C.

7.4.2 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 Lucas County Board of Health for solid waste disposal under 3734.05 O.R.C.

7.5 Fencing

7.5.1 General

a) No fence shall be allowed within the required road right-of-way.

7.5.2 Corner Lot

No fence, structure or planting screens shall be created or maintained within 30 feet of the corner (point of intersection of the two (2) streets rights-of-way) at a height exceeding two and one-half (2 1/2) feet above curb or street grade.

7.6 Home Occupation

7.6.1 General Requirements (Revised 8-7-02, Z25-C12)

a) For all "A" 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 the lesser of 10% of the lot area or 2,000 square feet in area maximum.

b) For all "R" Districts, a home occupation shall be confined to the dwelling and shall comply with part (d) of this section.

c) The home occupation shall not involve the employment of any person other than a resident of the dwelling.

d) 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% of floor area of the dwelling unit shall be used in the conduct of the home occupation.

e) There shall be no change in the outside appearance of the building or premises, outside storage of any kind related to the home occupation, nor other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding four (4) square feet in area, non-illuminated and wall mounted or low profile.

f) No traffic shall be generated by such home occupation in greater volume than would normally be expected for a residential dwelling in a comparable 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 Resolution, and shall not be located in a required front yard;

7.6 Home Occupation (cont'd)

7.6.1 General Requirements (cont'd)

g) 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 of audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

h) No commodities shall be sold other than articles produced upon the premises by such home occupation. Items commonly collected or traded and occasionally sold by hobbyists such as coins, stamps, and other collectibles may be considered as exempt from this prohibition if all other requirements are met.

i) Parking of commercial vehicles shall conform to Section 5.2.2(j) of this Resolution.

7.6.2 Requirement for Issuance of Permit

a) All existing home occupations conforming to the home occupation regulations in effect prior to this amendment shall be permitted to continue in accordance with the grandfather provisions contained in Section 9.

b) All new and existing home occupations shall be required to obtain a zoning certificate in accordance with the provisions contained in Section 11. An application for a home occupation zoning certificate shall include a letter detailing the proposed use and addressing each of the general requirements contained in Section 7.6.1. Appeals shall be provided in accordance with Section 12.3.

7.7 Boarding of Livestock and Domesticated Animals

The boarding of livestock and domesticated animals such as horses, dogs, cats, etc. or their use for exhibit or other commercial/recreational purposes shall meet the following requirements. The uses or activities include but are not limited to kennels, riding stables, or animal exhibits which are used for commercial purposes.

7.7.1 General Requirements (Revised 8-7-02, Z25-C12)

a) Minimum lot area shall be two (2) acres. Boarding of livestock and domesticated animals shall not be allowed in areas containing 15 or more lots, each of which are less than five (5) acres in size and contiguous as determined by abutting or being opposite each other on a public dedicated road.

b) Buildings, pens or enclosures used for housing animals shall be a minimum of 50 feet from all property lines and/or any dwelling unit on the site and at least 250 feet from existing dwellings on abutting parcels, including parcels across the street.

7.7 Boarding of Livestock and Domesticated Animals (cont'd)

7.7.1 General Requirements (cont'd)

c) Suitable fencing or landscaping shall be installed around buildings, pens and/or enclosures used for housing animals. Fencing for containing livestock shall be a minimum of five (5) feet from property lines.

d) Hour of operation shall be between 8:00 A.M. and 7:00 P.M. for all days of the week.

e) Advertising signs shall be in accordance with Section 7.10.

f) On-site parking shall be provided in accordance with Section 5.

7.8 Manufactured Home/Manufactured Home Parks

7.8.1 Manufactured Homes

Manufactured Homes as defined under Section 2 shall not be permitted as a residence in the township except as provided for under Section 7.8.2 or as a temporary use under Section 12.3.2(h). (Revised 5-20-98, Z25-C9)

7.8.2 Manufactured Home Parks (Revised 5-20-98, Z25-C9)

a) The manufactured home park site shall contain not less than five (5) acres, shall be maintained as a single parcel of record, and the overall density shall conform to the density of the zoning district for a single family.

b) A manufactured home park site may contain less than five (5) acres if it is an extension or enlargement of an existing manufactured home park, and said extension or enlargement shall have no more than 10 manufactured home spaces per gross acre.

c) Every manufactured home park lot shall be designed to abut upon open space or recreational facilities.

d) Each manufactured home park shall contain a community building.

e) No unit shall be placed closer than 50 feet of a manufactured home park boundary line nor within 20 feet of another manufactured home unit.

f) A manufactured home park site in an "A" or "R" District shall not be so situated that either its rear property line or a side property line shall abut a commercial or industrial zone or an existing manufactured home park.

g) No commercial activity shall take place in a residentially zoned part of the manufactured home park.

7.8 Manufactured Home/Manufactured Home Parks (cont'd)

7.8.2 Manufactured Home Parks (cont'd)

h) No structure designed for year-round living purposes is added to manufactured homes in the park.

i) The land occupied by the park is maintained in single ownership or control, and no individual lot is transferred to other ownership.

j) Manufactured home parks shall comply with the rules of the Ohio Department of Health, Public Health Council, Manufactured Home Parks, Chapter 37-1-27 of the Administrative Code; be platted in accordance with the Lucas County Subdivision Regulations and be subject to site plan review.

7.9 Self Service Storage Facilities

7.9.1 General Requirements

a) Self service storage facilities shall be limited to rental of storage units, pickup and deposit of dead storage.

b) 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 condition of the permit.

7.9.2 Specific Requirements

a) Lot Area: Minimum lot area shall be two (2) acres.

b) Lot coverage: Maximum lot coverage of units and storage areas shall be 50% of gross lot area.

c) Setback:

1)	Front yard	-	50 feet
2)	Side or Rear Yard	-	25 feet when abutting or opposite an "A" or "R" District
		-	15 feet when opposite or abutting a "C" or "M" District

7.9 Self Service Storage Facilities (cont'd)

7.9.2 Specific Requirements (cont'd)

d) Height: Height of structures shall be in conformance with structures or equal the average height of structures on properties abutting or opposite to self service storage facilities where no adjacent structures exist, the maximum height shall be 15 feet to highest point of building (see figure 4-3).

e) Lighting: Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arrange to reflect light away from adjoining residential property or any public way.

f) Site Plan: A site plan shall be required and subject to approval by the Zoning Commission, with review by the Planning Director of the Lucas County Planning Commission.

g) Signs: Shall conform to requirements under Section 7.10.

h) Pavement: All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement.

i) No door openings for any storage unit shall be constructed facing any residentially zoned property.

j) 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.

k) Special Requirements: Where within 500 feet of a residence:

1) Fencing or walls shall consist of decorative wood or stone, decorative concrete block or similar materials compatible with surrounding residential dwellings.

2) Hours of operation shall be no earlier than 7:00 A.M. nor later than 8:00 P.M. daily.

l) Parking and external storage of vehicles: A minimum of one (1) parking or external storage space shall be provided for each 1000 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.

7.10 Signs and Outdoor Advertising Structures

No signs shall be permitted in any district except as hereinafter provided:

7.10.1 Definitions

Sign Structure

a) **Permanent** - Any sign or sign structure affixed to the land by foundation, permanent supports, or to buildings or structures.

b) **Temporary** - A sign (includes flags and banners) which is limited in use for a designated period of time to serve an event, activity or the sale or rental of property.

c) **Portable Sign** - Any sign which is not permanently attached to the ground or a building.

7.10.2 General Provisions

a) Permanent signs and portable signs (where applicable) shall require a permit.

b) Residential identification signs shall not require a permit.

c) The following temporary signs shall not require a permit, but shall be removed no later than 10 days after an event or transaction.

1. Signs announcing special public or institutional events.

2. Signs pertaining to public elections.

3 Signs advertising the sale or rental, or lease of personal property or real estate.

d) No portable signs shall be permitted, except for a one-time opening of a business but not to exceed 30 days.

e) No sign shall project into any public right-of-way nor obstruct traffic visibility at street or highway intersections.

f) Each application for a sign permit shall include number of signs, a drawing of the proposed sign(s), dimensions, color, illumination, location in relation to the building and roadway, and construction details.

g) All nonconforming signs and billboards will be permitted to remain in place, but shall be subject to review under this section when replaced or changed significantly.

7.10 Signs and Outdoor Advertising Structures (cont'd)

7.10.2 General Provisions (cont'd)

h) All signs will be maintained and subject to review by the Zoning Inspector. If in need of repair, it will be deemed temporarily nonconforming for a period of 30 days. Upon reinspection, the sign shall conform to requirements under this section or be removed.

i) Each business shall be permitted one (1) flat wall sign or a sign suspended from the principal building/frontage and one (1) free-standing sign permanently affixed to the ground and located on site of that business.

j) Sign area includes total area of all sign faces.

k) No signs shall be permitted which contain flashing lights or movable parts or lighting which is intermittent in operation.

l) Signs for home occupations shall not exceed four (4) square feet in area and shall be wall mounted or low profile. (Revised 8-8-02, Z25-C12)

7.10.3 Sign Dimensions

	Sign Type	Maximum Dimension
a)	Non Commercial	
1.	Announcement/Professional sign	Six (6) sq. ft.
2.	Bulletin Boards	32 sq. ft.
3.	Area or Building Identification	12 sq. ft.
b)	Commercial/Industrial	
1.	Primary	Area = (1.5 x Bldg. Width) but not greater than 100 sq. ft.
2.	Wall	Two (2) foot projection
3.	Free Standing	20 ft. in height
4.	Suspended	42 in. projection from building nine (9) ft. above grade to bottom of sign
5.	Billboards/Poster Panels	20 ft. in height 72 sq. ft. in area
6.	Identification Sign (Business Complex)	100 sq. ft. in area

7.10 Signs and Outdoor Advertising Structures (cont'd)

7.10.4 Setback Requirements

Sign Type		Minimum
a)	Real Estate Sign/ Bulletin Boards	10 ft. from road right-of-way
b)	Business Signs - Free-standing	20 ft. from road right-of-way 30 ft. from any lot line
c)	Billboard/Poster Panels	Front yard depth 50 ft. from side or rear lot line
d)	Commercial Signs	100 ft. from lot line when abutting residence is located within 100 ft. of lot line 300 ft. from lot line when facing public parks, schools, or public buildings
e)	Home Occupation Signs	5 feet from road right-of-way. (Revised 8-7-02, Z25-C12)

7.10.5 Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply with any of the provisions of this Chapter shall be deemed a violation and shall be punishable under Section 11.4 of this Resolution.

7.11 Waste Disposal Facility

7.11.1 Zoning Requirements

No waste disposal facility shall be established, operated, used or located within the Township unless such facility is located within an "M" Zoning District.

No waste disposal facility shall be established, operated or located within the Township unless such facility has been issued a Special Use Permit under Section 6 of this Resolution.

A Special Use Permit issued hereunder shall be conditioned on the operator and site having and maintaining valid permits, licenses and registrations required by any regulatory agency or authority having jurisdiction over such operations.

Except as specifically provided for and permitted under this Section 7.11, no person shall dispose of waste nor operate any waste disposal facility or solid waste transfer facility within the zoned portion of the Township.

7.11 Waste Disposal Facility (cont'd)

7.11.2 Interpretation

This Section is intended to be interpreted and applied so as not to be in conflict with the general laws of the State of Ohio.

Unless specifically defined otherwise in this Resolution, the terms used in Section 7.11.1 shall have the same meanings as the definitions established for such terms in the Ohio Revised Code and Ohio Administrative Code.

7.12 Farm Markets

7.12.1 General

Farm markets shall be permitted where 50% or more of the gross income received from the market is derived from produce raised on farms owned or operated by a market operator within a normal crop year.

7.12.2 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 20 feet of any road right-of-way.

7.13 Swimming Pools

a) Swimming pools shall not be permitted in a side or front yard in an "A" or "R" District.

b) Swimming pools exceeding 12 feet in diameter or length as applicable to the shape of the pool and having greater than two (2) feet of depth capacity for water shall be enclosed or protected by an adequate fence at least 42 inches high with all access gates provided with adequate key-type locks. Portable pools 42 inches or higher, require no fence if the pools are free of any cross bars and the ladder is withdrawn when the pool is not in use and placed where small children cannot reach it.

c) Pools shall be a minimum of 10 feet from any property line.

7.14 Site Design and Development

Site plan review and landscaping shall be required for all Multi-Family, and non-residential uses which are original uses; or existing uses, when a building or structure is erected, changed, or enlarged by 50% or more or 5,000 square feet or greater in floor area. It is recommended all site plans required by this section be professionally prepared by an architect, landscape architect, planner, Professional Surveyor, or a Professional Engineer. A Professional Engineer's or Professional Surveyor's seal may be required pursuant to the O.R.C. Chapter 4733, as determined by the Zoning Inspector.

7.14 Site Design and Development (cont'd)

7.14.1 Site Plan Review

A. General Requirements

1. A formal letter of submittal shall accompany the site plan. The letter should give reference to a Plan Commission 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, i.e. 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) 12 blueline or blackline prints of the site plan on paper no larger that 24" X 36". 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" X 11" to 11" X 17".

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.

7.14 Site Design and Development (cont'd)

7.14.1 Site Plan Review (cont'd)

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 by name all adjacent roadways. The site plan shall show both right-of-way and pavement widths measured from the centerline of the roadway.

5. The site plan shall indicate the locations, size (height), and material of all existing and proposed fencing and/or walls on the subject property.

6. The site plan shall show the location, height and dimensions of existing or proposed signs on the property.

7. 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.

8. 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 Lucas County Engineer's Office.

9. The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.

10. 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.

7.14 Site Design and Development (cont'd)

7.14.1 Site Plan Review (cont'd)

11. 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.

12. 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.

7.14.2 Application Procedure

a. Site plans shall be filed with the Zoning Inspector.

b. The Zoning Inspector shall transmit the site plan to the staffs of the Lucas County Engineer and Plan Commissions, for review and recommendation. The Zoning Inspector may seek review and recommendation from other county or state agencies, as applicable. This may include, but not limited to, Lucas County Sanitary Engineer, Lucas County Board of Health, and appropriate state agencies (ODOT and EPA).

c. The Zoning Inspector shall transmit the site plan and the comments and recommendations received from the above county and state agencies to the Zoning Commission for review and recommendation.

d. The Zoning Commission shall review the site plan and transmit the plan with recommendations to the Zoning Inspector.

e. No permit shall be issued for any use or change in use prior to the review of the site plan by the Zoning Commission. Conditions and modifications may be attached to these plans.

f. Minor changes to a site plan may be approved by the Zoning Inspector. Any major change in the site plan once approved, shall require resubmittal of the plan and approval by the Township Trustees. Minor changes or revisions to an approved site plan are allowed for 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;

7.14 Site Design and Development (cont'd)

7.14.2 Application Procedure (cont'd)

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 large 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 yard or landscaped areas.

3. Adjustments in the size and location of signs.

A major change is any change that does not meet the criteria under Part A of this section and in addition, is one which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended. A major change shall require approval by the Township Trustees.

g. Any appeal of the requirements or decisions of enforcement of the provisions herein, by the Zoning Inspector, shall be filed in accordance with the provisions under Section 14B.

7.15 Manufactured Home (Mobile Home) - replacement

Manufactured Homes (Mobile homes) outside a Manufactured (Mobile) Home Park, may be replaced providing the replacement unit meets the requirements of Section 4.4 and other applicable requirements for single-family dwellings.

7.16 Ponds

7.16.1 General Requirements

a) Ponds shall be permitted in any "A" District on parcels of three (3) acres or greater.

b) All ponds shall require a permit and meet requirements of Section 11.4 Application and Issuance of Zoning Certificates which includes written application for a zoning certificate accompanied with a site plan. All residential uses on lots of five (5) acres or less and all nonresidential uses shall meet the additional requirements of Section 8 which includes site plan review by the zoning commission.

7.16 **Ponds** (cont'd)

7.16.1 General Requirements (cont'd)

c) Ponds shall conform to the U.S. Soil Conservation Service specifications and recommendations.

d) If a pond is deemed to pose a safety hazard because of the density of development in the vicinity of the parcel, the township may require fencing be installed as specified under Section 7.13. (Revised 5-20-98, Z25-C9)

e) Ponds which abut more than one (1) lot and or serves as an accessory use for more than one (1) lot, and all of the respective lots associated with the pond shall be platted in accordance with applicable subdivision regulations. (Revised 5-20-98, Z25-C9)

f) Lots containing ponds used for drainage retention shall be platted in accordance with applicable subdivision regulations. (Revised 5-20-98, Z25-C9)

g) All ponds shall be reviewed by the Lucas County Building Regulations Department for conformance with applicable flood plain regulations prior to the issuance of a Zoning Certificate (Revised 8-7-02, Z25-C12)

7.16.2 Area and Design Requirements

a) Minimum pond surface area shall be one fourth (1/4) acre. Maximum surface area shall not exceed 25% of the net acreage of the parcel. (Revised 5-20-98, Z25-C9)

b) The side slope of a pond shall be horizontal to vertical at a ratio of 3:1 except where a beach is desired. This 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 10:1 and shall not exceed 25% of the pond surface area.

d) Ponds shall be graded not to exceed four (4) feet in height so it will not 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.

7.16.3 Setback

a) A pond shall have 100 feet minimum setback from any roadway right-of-way centerline.

7.16 Ponds (cont'd)

7.16.3 Setback (cont'd)

b) Ponds on parcels of five (5) acres or less shall have a side yard setback of not less than 10% 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 a septic tank, or leach field.

7.16.4 Refilling

a) 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 Lucas County Board of Health for solid waste disposal under 3734.05 O.R.C.

7.17 Causes of Blight 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 Providence Township owned, leased, rented or occupied by such person, firm or corporation.

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

b) The outdoor storage upon any premises of building materials unless a zoning permit has been issued by the Township and a building permit issued by the Lucas County Department of Building Regulations not more than one (1) 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.

c) 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.

7.17 Causes of Blight or Blighting Factors (cont'd)

d) 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.

e) 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. (Revised 4-5-00, Z25-C10)

f) 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 Township and a building permit issued by the Lucas County Department of Building Regulation and unless exterior construction is completed within one (1) year after issuance thereof.

7.18 Shopping Center

A Shopping Center shall meet the following requirements:

a) Contain a minimum lot area of five (5) acres.

b) Be platted in accordance with applicable subdivision rules and regulations.

c) Subject to a traffic survey prepared by qualified experts indicating the effect of the proposed shopping on adjacent streets and roadways, also indicating the anticipated points of origin and direction and the amount of traffic flow to and from the shopping center.

7.19 Telecommunication Towers

Pursuant to the Telecommunications Act of 1996 and ORC Section 519.211, and the Township Trustees being duly notified of a person's intent to construct a telecommunication tower on a site located within an "A" or "R" zoning district, this section sets forth standards for the Zoning Commission and Township Trustees to consider when reviewing the special use request. These minimum standards include:

a) 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 (ie. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation).

b) The applicant shall provide proof of notification to adjacent property owners as required by ORC Section 519.211.

7.19 Telecommunication Towers (cont'd)

c) 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.

d) The structure containing the telecommunication tower shall be located on its own lot which meets the square footage requirements of the district.

e) 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.

f) Structures must be screened with fencing, masonry, shrubbery or other screening materials.

g) 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.

h) No advertising or illumination other than that required by law may be located on the structure.

i) 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.

7.20 Adult-Oriented Uses (Revised 5-20-98, Z25-C9)

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 radius from the location of the adult use.

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

3) Off-street parking shall be provided in accordance with Section 5, "Off-Street Parking and Loading".

4) The Township shall reserve the right to review facilities established under this section after it has been in operation for a period of one (1) year upon the recommendation of the Zoning Commission and/or initiation by the Township Trustees.

7.21 Raising of Livestock (Farm Animals)

The following shall apply to platted subdivisions and areas containing 15 or more lots, each of which are less than five (5) acres in size and contiguous as determined by abutting or being

opposite each other on a public dedicated road:

7.21 Raising of Livestock (Farm Animals) (cont'd)

The breeding, raising or maintaining of farm animals such as horses, pigs, cows, sheep, goats or similar livestock is prohibited on lots of one (1) acre or less. On lots greater than one (1) acre but less than five (5) acres, the maximum number of farm animals allowed shall be one animal unit per acre and such farm animals or structures incident to housing farm animals, shall not be permitted within 50 feet of a dwelling or an adjacent property line. Fencing for containing livestock shall be a minimum of five (5) feet from property lines. (Revised 8-7-02, Z25-C12)

Animal Unit: An animal or animals equal to 1,000 pounds of live weight or less.

7.22 Nursery and Landscaping/Lawn Care Services (Added 4-22-06 – Z25-C13)

7.22.1 General Requirements

a) A special use permit and site plan review in accordance with Section 7.14 shall be required.

b) The site shall be located on a major street within the Agricultural zoning district.

7.22.2 Specific Requirements

a) The only retail activity permitted is the sale of nursery stock and related items.

b) Machinery and equipment shall not be stored within the required yard areas, and shall be suitably screened or fenced.

c) Any storage building or other non-residential building shall not be located within the required yard area for such buildings in the Agricultural zoning district.

d) Off-street parking shall be provided for in accordance with Section 5.3.2.

7.23 Small Wind Turbine (Added 4-02-08 – Z25-C14)

7.23.1 General Requirements:

a) Small wind turbines shall be allowed in Agricultural "A" districts on parcels two (2) acres or greater in size, and accommodates the tower fall zone.

b) The small wind turbine powering an electric generator shall service only one residence.

c) The small wind turbine must be a freestanding tower without guy wires unless a waiver is granted from the Providence Township Board of Zoning Appeals (BZA).

7.23 Small Wind Turbine (cont'd)

7.23.2 Specific Requirements:

a) The applicant shall provide proof of notification to adjacent property owners as required by ORC Section 519.211.

b) Height: The total height of the tower shall not exceed eighty (80) feet and the minimum distance between the ground and any protruding blades is 15 feet as measured at the lowest point of the arc of the blades.

c) Fall zone: The proposed small wind turbine shall be a distance of at least 125% of height of the total structure from any property line, residence, building, and public or private road or right-of-way.

d) Set-back: No part of the wind system structure, including guy wire anchors which would require a waiver by the Providence Township BZA, shall extend closer than ten (10) feet to the property boundaries of the installation site.

e) Lighting: The maximum lighting used for or on the structure is a low intensity red light defined by the Federal Aviation Administration.

f) Electrical generator: The small wind turbine powered by an electric generator shall have a rated capacity of not more than 15 kW.

g) Noise: Noise coming from the small wind turbine shall not exceed 65 dBA to the nearest property line.

h) Fencing: The supporting tower shall be enclosed with a six (6) foot high fence unless the base of the tower is not climbable for a distance of twelve (12) feet.

i) Base: All tower support bases shall be made of concrete.

j) FAA: The FAA is required to receive notification of any construction or alternation of an object that is more than 200 feet in height above the ground level at the site or if the object is located within 10,000 feet of an airport per FAA, Title 14, Section 77.13.

k) The applicant shall notify the Zoning Inspector if operations of the small wind turbine cease and shall be removed within 60 days of ceasing operations.

l) Environmental impact: Applicant will provide evidence that the Metro Parks, the U.S. Department of Fish and Wildlife, and the Ohio Department of Natural Resources were notified of intent to erect a small wind turbine.

m) The small wind turbine wire shall be placed underground to any structures.

7.23 Small Wind Turbine (cont'd)

7.23.2 Specific Requirements (cont'd)

Requirement for issuance of a permit:

Before installation of a small wind turbine, a zoning permit must be obtained; the following requirements must be met to obtain zoning permit for installation of a small wind turbine:

a) Site plan: A detailed site plan shall be required in accordance with the requirements of Section 6.2.3 and Section 8.5.

7.24 Extraction of Minerals from Borrow Pits

The construction and operation of borrow pits for highway construction purposes creates a real or substantial risk to the public health, safety or general welfare of the Township's citizens and the regulation there for is deemed necessary in the interest of public health and safety.

7.24.1 General Requirements

a) The term "minerals" shall have the same definition as minerals are defined in ORC 1514.01(B).

b) The extraction of minerals from borrow pits for highway construction purposes is deemed a Special Use under Section 7 of this Zoning Resolution and shall require a Special Use Permit in all zoning districts and is subject to all of the provisions of Section 7 of this Zoning Resolution.

c) The application for a borrow pit Special Use Permit shall contain sufficient detail to demonstrate that the borrow pit meets or exceeds all applicable design and development provisions required under Section 10 of this Zoning Resolution.

d) The application for a borrow pit Special Use Permit shall include the names, addresses, telephone numbers of the applicant and the primary contractor or contractors who will be involved in all aspects of extraction, reclamation and site work, along with a copy of a contract or contracts to provide extracted minerals for highway construction purposes.

7.24.2 Area and Design Requirements

a) The size of a borrow pit shall be determined by the parcel's location, existing structures on the parcel and availability of minerals therefore the size is not restricted.

b) Borrow pits shall be graded not to exceed four (4) feet in height so it will not obstruct an adjoining property owner's view.

7.24 Extraction of Minerals from Borrow Pits (cont'd)

7.24.2 Area and Design Requirements (cont'd)

c) The side slopes of a borrow pit shall not exceed a 3:1 ratio horizontal to vertical. This ratio shall be maintained to a minimum depth of 17 feet.

d) Drainage calculations, sediment and erosion control methods shall be submitted as part of the site plan.

e) A detailed site grading plan shall be submitted for approval. The plan will include existing and proposed grades, and grades for the land abutting the proposed development from the development boundaries for a distance of approximately 100 feet. All storm drainage must be directed internal and not runoff on to adjacent properties unless approved by the Lucas County Drainage Engineer. The grading plan must be based on Lucas County datum.

f) If disturbing more than one acre of land, an Ohio EPA, NPDES permit is required and provisions for water quality, sediment and erosion control shall be provided in accordance of this permit.

g) The application for a borrow pit Special Use Permit shall have attached a detailed landscape plan meeting the requirements of Section 10.4 of this Zoning Resolution.

h) If a borrow pit is deemed to pose a safety hazard because of the density of development or in close proximity to a road in the vicinity of the parcel, the township may require that a four (4) foot high perimeter fencing be installed after the construction is complete.

i) Any borrow pit approved hereunder must be fully extracted within 18 months after extraction activities are commenced.

j) Final landscaping and any required fencing must be completed within 24 months after extraction activities are commenced.

k) All borrow pit extraction activities shall be performed under a bond in such reasonable amount, as the Township shall determine. Said bond shall be payable to the Township in the event any property owner, applicant or the primary contractor or contractors are determined by the Zoning Inspector to be in violation of the terms or conditions of the Special Use Permit or this Township Zoning Resolution. No extraction activities shall commence until said bond has been approved by formal action of the Board of Trustees.

l) Inspections of nearby structures and water wells to determine structural integrity and water levels.

7.24 Extraction of Minerals from Borrow Pits (cont'd)

7.24.2 Area and Design Requirements (cont'd)

m) Compliance with Ohio EPA, ODNR, U.S. Army of Corps and other applicable federal, state, and local laws and regulations.

n) The Zoning Commission or Board of Trustees may also require as a condition of approval, the following specific measures:

1. Identification of specific roads, as approved by the Lucas County Engineer, to be used as the primary means of ingress and egress from the proposed facility;

2. Compliance with reasonable noise abatement measures;

3. Compliance with reasonable dust abatement measures; and

4. Any other measures reasonably related to public health and safety.

o) The hours of operation shall be limited to:

Monday through Friday:	7:00 a.m. to 7:00 p.m.
Saturday:	7:00 a.m. to 5:00 p.m.
Sunday:	Not permitted

7.24.3 Setback

a) A borrow pit shall have 100 feet minimum setback from the centerline of public roadway right-of-way.

b) The minimum side yard setback is 25 feet.

c) The minimum setback for borrow pits from septic systems or leach fields is 100 feet.

7.24.4 Refilling

The refilling of an area which has been excavated for the development of a borrow pit shall be considered waste disposal and shall meet the requirements as set fourth by the Lucas County Board of Health for solid waste disposal under 3734.05 O.R.C.

7.24.5 Requirement for Issuance of Permit

Provide a written description of location and site plan.

7.25 Geothermal Systems

1. Permitted in all zoning classifications.

2. All exposed geothermal equipment must be in the side or backyard. If the system is located in the front yard, the exposed equipment must be landscaped to minimize visibility.

3. No geothermal underground equipment shall extend beyond the property line.

7.26 Solar Energy Systems

1. Solar Energy Systems shall be setback at least ten (10') feet from all rear and side property lines.

2. A Zoning Certificate must be requested by the applicant and approved by the Providence Township Zoning Inspector.

3. A scaled site plan must accompany the application.

4. No solar panels may be located within the front yard or on a side yard adjacent to any roadway.

5. No solar energy system shall be constructed over a septic system.

6. Height standards require the tallest point project no greater than ten (10') feet for ground mounted panels and may not occupy more than thirty (30%) of a required rear yard.

7. Panels should not be attached to any roof that faces the street.

8. A solar energy system shall be maintained in good condition. Maintenance shall include, but not limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Providence Township Fire Department and Emergency Management Director and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar energy system and any access road(s) unless accepted as a public way.

9. The solar energy system shall be maintained in good working order in accordance with standards of the existing zoning code. Failure of the property owner to maintain the solar energy system in good working order is grounds for appropriate enforcement actions by the Township in accordance with applicable ordinances.

10. A solar energy system must be properly maintained and be kept free of all hazards including but not limited to, faulty wiring, lose fastenings, being in an unsafe

condition or detrimental to public health, safety or general welfare. Weeds and vegetation must be mowed or trimmed. In the event of a violation of any of the foregoing provisions, the Zoning Inspector shall give written notice specifying the violation to the owner of the solar energy system to conform or to remove the solar energy system.

11. Stand-alone solar energy systems shall be subject to conditional use approval in all Zoning Districts.

7.27 Sweepstakes/Internet Cafe

A. Sweepstakes/Internet Cafes shall not be located within 500 feet from each other.

B. The hours of operation shall be restricted to 8:00 a.m. to 10:00 p.m.

SECTION 8 SPECIAL PROVISIONS FOR NON-RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USES

SECTION 8.1	Environmental Standards
SECTION 8.2	Open Storage and Display of Material and Equipment
SECTION 8.3	Temporary Buildings and Uses
SECTION 8.4	Landscaped Buffer
SECTION 8.5	Site Plan Review

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 6	Special Uses
SECTION 7.14	Site Plan Review
SECTION 10	Planned Unit Development
SECTION 12	Board of Zoning Appeals

8.1 Environmental Standards

8.1.1 General

No land or building shall be used or occupied for commercial, industrial or nonresidential purposes which produces any dangerous, injurious, noxious or otherwise objectionable element or condition which could adversely affect the adjacent land or pose a threat to the public health, welfare and safety of persons at the site or external to it. Such uses permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objection-able elements to acceptable limits as established by the following standards.

a. Environmental standards will be maintained for air quality, water quality and solid waste disposal as required by the Ohio Environmental Protection Agency and the Ohio Department of Health.

b. Glare and Heat - No direct glare or reflected lights which are visible from other properties outside the industrial or commercial district shall be permitted.

c. Vibration and Noise - Noises deemed objectionable to adjacent and nearby properties if determined a nuisance by the Township Trustees, shall not be permitted.

8.1 Environmental Standards (cont'd)

8.1.1 General (cont'd)

d. Smoke, dust, particulates and odors - The emission of smoke, dust, particulates or odors which are objectionable or pose a threat to the health and safety of the surrounding area shall not be permitted. Compliance shall be in accordance to Air Quality Standards of the State of Ohio as administered by the City of Toledo, Environmental Services Agency.

e. All roadways internal to the site will be paved or maintained to minimize dust.

f. Radiation or electromagnetic disturbance - No device or material which generates hazardous radiation or causes electromagnetic disturbances to nearby areas shall be permitted.

g. Electrical and telecommunication facilities - All electrical and telecommunication facilities should be hidden from view of adjoining properties and roadways and where feasible will be placed underground.

8.2 Open Storage and Display of Material and Equipment

The open storage and display of material and equipment incident to permitted or conditional nonresidential uses shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties by means of walls, fences or plantings. In no case shall this storage be maintained beyond the front building line. Walls or fences shall be a minimum of four (4) feet in height without advertising thereon. Notwithstanding the requirements of Section 8.4, 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 (4) feet in height at the time of planting may be substituted.

8.3 Temporary Buildings and Uses

Temporary buildings, structures or uses including housing for seasonal agricultural employees, and/or temporary open storage of equipment shall be permitted subject to approval and conditions by the Board of Zoning Appeals under Section 12

8.4 Landscaped Buffer

a) For all nonresidential uses (except agriculture) which are within, abut or opposite an "A" or "R" District, a buffered landscaped strip of land 25 feet in width shall be required for all yards. It shall be landscaped with natural screening at a minimum of four (4) feet in height for all uses and shall include an additional four (4) feet of mounding for all industrial and public/semi-public uses. The landscape strip shall be a minimum width of 25 feet for all commercial uses and 50 feet for industrial and public/semi-public uses. The landscape plan shall be subject to approval by the Zoning Commission, with review by the Planning Director of the Lucas County Planning Commission.

8.4 Landscaped Buffer (cont'd)

b) For all uses where an "M" District abuts or is opposite an "A" or "R" District, a buffer strip of 50 feet in width shall be required for the front, side and rear of the parcel. This buffer shall include mounding at a minimum of four (4) feet in height and landscaping to extend a minimum of four (4) feet above the highest point of the mound; the landscape plan shall be subject to approval by the Zoning Commission with review by the Planning Director.

8.5 Site Plan Review

A site plan review shall be required for any nonresidential, commercial or industrial uses subject to the requirements under Section 7.14.

SECTION 9 State Route 295 and Interchange Overlay District

SECTION 9.1	Purpose and Intent
SECTION 9.2	State Route 295 and Interchange Overlay District Boundaries
SECTION 9.3	Review and Approval Procedures
SECTION 9.4	Permitted and Special Uses
SECTION 9.5	Excluded Uses
SECTION 9.6	Accessory Buildings and Uses
SECTION 9.7	Development Standards
SECTION 9.8	Parking and Loading Requirements
SECTION 9.9	Architectural Review Requirements
SECTION 9.10	Access Management and Traffic Impact Studies
SECTION 9.11	Signage Requirements
SECTION 9.12	Outside Requirements
SECTION 9.13	Utilities
SECTION 9.14	Landscape Buffering Requirements

CROSS REFERENCES

SECTION 7	Use Regulations
SECTION 5	Parking & Loading Requirements
SECTION 7	Supplementary District Uses and Structures
SECTION 8	Special Provisions for Non-Residential, Commercial and Industrial Uses
SECTION 10	Non-Conforming Lots, Structures and Uses

9.1 Purpose and Intent

The purpose of the State Route 295 and Interchange Overlay District is to promote and protect public health and safety by providing for consistent and coordinated treatment of the properties bordering State Route 295 and Perry Road, Box Road, Bailey Road, Pollock Road, Yawberg Road and Heller Road in the area of the new interchange with U.S. 24 in Providence Township. State Route 295 is the major north-south route through Providence Township and abuts Waterville Township on the east side from Archbold Whitehouse Road to Mohler Road. As a state route, State Route 295 is a regionally significant roadway that will likely serve as a major commercial corridor as the surrounding townships and villages continue to grow and develop. The State Route 295 Overlay District and Interchange Overlay District provides standards and requirements intended to preserve the environmental qualities of the corridor and manage access to property in a manner that will maintain traffic safety and roadway capacity.

9.2 State Route 295 and Interchange 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 the State Route 295 right-of-way to a depth of 1,000 feet from the centerline of the right-of-way along both sides within the township boundary, extending from the north township line to the south where zoning limit stops at Pollock Road. For Perry Road, Box Road, Bailey Road, Pollock Road, Yawberg Road (east side only) and Heller Road (west side only) the district boundaries will be to a depth of 600 feet from the centerline of the right-of-way along both sides within the zoned portion of the township in the area bounded by Perry Road, Heller Road, Pollock Road and Yawberg Road.

9.3 Review and Approval Procedures

Site plan review and approval shall be necessary for all new multi-family or nonresidential development and for any existing multi-family or non-residential structure that is enlarged by 50% 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 7.14** (requiring the submission of a detailed site plan) and by additional provisions in this section. 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.

9.4 Permitted and Special Uses

All uses which are permitted or special uses in the underlying zoning district(s) except the uses expressly excluded in Section 9.5.

9.5 Excluded Uses

Adult-oriented uses
Auction Market
Automobile/truck repair garage when not in conjunction with new car sales
Auto wrecking/salvage yard/junk yard
Boat storage
Dwelling, Multi-family
Extraction industry
Flea market
Landfill
Manufactured home, mobile home or industrialized dwelling unit sales
Manufactured home park
Off-premises signs
Pole and Roof Signs
Sale of fireworks
Self-service storage facility
Sweepstakes/Internet Cafe
Truck transport terminal
Used car sales when not in conjunction with new car sales

9.6 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.

9.7 Development Standards

a) **Minimum Front Yard Setback**. The minimum front yard setback along State Route 295 shall be the greater of 50 feet from the right-of-way line or 125 feet from the centerline of State Route 295. 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 in **Sections 4.5 and 4.6**.

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 twenty-five (25) foot rear yard landscape area shall be provided where the rear yard abuts an agricultural or residential zoning district outside the overlay district.

d) **Maximum Building Height**. As specified in the underlying zoning district.

e) **Minimum Front Yard Landscape Area**. Twenty-five (25) feet along State Route 295 and 25 feet along 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 ten (10) feet. See **Section 8.4** of this resolution when abutting "A" or "R" districts as a "M" district.

f) **Lot Frontage**. No existing lot that has frontage on State Route 295 may be subdivided in such a manner so as to reduce such frontage on State Route 295 to less than 200 feet, unless a traffic impact study is reviewed and approved by the Lucas County Engineer and the Ohio Department of Transportation. Existing lots of record at the time of this amendment's adoption with widths of under 200 feet retain their legal status in accordance with **Section 10** of the Zoning Resolution.

9.8 Parking and Loading Requirements

a) The number of parking spaces required are as established in **Section 5** of this Resolution depending upon the zoning and the intended land use. Parking is prohibited in the front yard landscape area and in the rear yard setback when adjoining a residential district. Efforts to break up large expanses of pavement are to be encouraged by the interspersing of appropriate planting area wherever possible.

9.8 Parking and Loading Requirements (cont'd)

b) Semi-truck loading berths or bays for merchandise and materials shall be suitably screened by landscaping or fencing.

9.9 Architectural Review Requirements

1. Variation in Massing. Building facades facing public streets shall have visual breaks and incorporate architectural design features. The design of a building façade facing a public street shall reduce its apparent mass or bulk by dividing the building into smaller masses. The apparent mass of a building may be reduced by such techniques as variations in roof form and parapet heights, incorporating clearly pronounced recesses and projections, introducing wall plan offsets, use of other reveals and projections and subtle changes in texture and color of wall surfaces, changes in allowable building materials, use of deep set windows with mullions, use of ground level arcades and second floor galleries/balconies, and other techniques that reduce the apparent mass of a building.

2. Minimum Wall Variegation. Exterior walls shall be variegated in order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size. Variegation shall be visually established by using architectural features such as columns, ribs or pilasters, piers, and fenestration pattern.

3. Well-Defined Primary Entrance. The primary building customer entrance(s) shall be clearly defined and contrast with the surrounding wall plane. This can be accomplished with the following techniques individually or in combination: canopies or porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms, arches, architectural details such as tile work and moldings which are integrated into the building structure and design, integral planters or wing walls that incorporate landscaped areas and/or places for sitting, and other architectural techniques with aesthetic distinction.

4. Reduction in Perceived Height. The design of a building greater than two stories shall reduce its perceived height through the use base and top treatments that divide mass into smaller scale components that appear to provide a well-defined base, middle and top to the building. The following examples are techniques that can be used: low planters and walls; base planting; a base architectural veneer banding (wainscot); treatments defined by different materials, texture or color; the addition of covered walkways or architectural awning that provide deep shadow at ground level; features such as distinct and multiple architectural roof forms; clearly pronounced eaves; distinct parapet designs and cornice treatments, and other techniques that reduce apparent height of a building.

9.9 Architectural Review Requirements

5. Minimization of Unsightly Features. The design of the building and building site shall reduce the emphasis on unsightly structures integral to the building function, and any auxiliary structures, which detract from the overall aesthetic quality of the site. Minimally, attention shall be given, but not limited to, the following:

    a. All building shall have architectural features fully concealing rooftop equipment, such as HVAC units from public view.

    b. All large waste receptacles shall be completely concealed from public view by structure consistent with the main building exterior material and architecture.

    c. In order to reduce the scale of parking areas, no single parking area shall exceed 200 spaces unless divided into two or more sub areas separated from each other by landscaping, public streets or buildings.

6. Building Materials and Colors. Predominant building materials on any vertical surface visible from the right-of-way shall be brick, wood, natural stone, cut stone, field stone, cast stone, glass, and stucco, or any combination thereof. The following materials are allowable when integrated with the above materials for accent purposes: exterior insulation and finish systems (EIFS) or equivalent products; colored, fluted and textured concrete block; tilt-up panels; and vinyl siding. Colors shall be low-reflectance, subtle, neutral or earth tone colors. The following exterior building materials may not be used: smooth-faced concrete blocks, smooth-faced tilt-up concrete panels, metal panels, and wood sheet goods.

A Design Review Committee shall consist of the Zoning Commission.

The Zoning Commission shall have the authority to review and approve the plans submitted for architectural design review as part of the Site Plan Review Process to ensure compliance with the provisions of this section. The Zoning Commission may exempt all or parts of the requirements in this section when, in the opinion of the Zoning Commission, the design of the building constitutes a unique building meeting the design intent of the design requirements. Decisions rendered by the Zoning Commission may be appealed to the Board of Zoning Appeals.

9.10 Access Management and Traffic Impact Studies.

Access in the Zoning Overlay District shall be reviewed relative to the distance from other drive approaches and from roadway intersections. Access permits shall be reviewed and approved by the Lucas County Engineer and the Ohio Department of Transportation prior to Township approval. Access options that reduce or eliminate driveways and curb cuts are preferred. When deemed appropriate Providence Township shall require the developer to prepare a traffic impact study.

9.11 Signage Requirements

Notwithstanding the regulations contained in **Section 7.10** "Signs and Outdoor Advertising Structures," low profile signs shall be the only freestanding sign permitted in the Zoning Overlay district. Other freestanding signs, such as pole signs or off-premises signs that display any commercial message, as well as building projecting signs, shall be prohibited in the Zoning Overlay District.

9.12 Outside Storage or Refuse

All outdoor storage and refuse containment units shall be suitably screened from public view and conform to the requirements of **Section 8.2**.

9.13 Utilities

Utilities shall be underground wherever possible.

9.14 Landscape Buffering Requirements

Buffer yards and landscaping and screening requirements shall conform with **Section 8.4** and other criteria in this resolution.

SECTION 10 NON-CONFORMING LOTS, STRUCTURES AND USES

SECTION 10.1	Intent of Resolution Concerning Non-Conformities
SECTION 10.2	Avoidance of Undue Hardship
SECTION 10.3	Single Nonconforming Lots of Record
SECTION 10.4	Nonconforming Lots of Record in Combination
SECTION 10.5	Nonconforming Uses of Land
SECTION 10.6	Nonconforming Structures
SECTION 10.7	Nonconforming Uses of Structures or of Structures and Land in Combination
SECTION 10.8	Expansion, Repair, and Maintenance

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 11	Enforcement
SECTION 12.3.2	Exceptions

10.1 Intent of Resolution Concerning Non-Conformities

Within the districts established by this Resolution or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination, which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Resolution or future amendments. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Resolution 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.

10.2 Avoidance of Undue Hardship

To avoid undue hardship, nothing in this Resolution 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 Resolution 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.

10.2 Avoidance of Undue Hardship (cont'd)

Any nonconforming structure that is ready for or under construction at the time of adoption or amendment of this Resolution 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.

10.3 Single Nonconforming Lots of Record

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 Resolution, notwithstanding limitations imposed by other provisions of this Resolution. 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.

Variances for district requirements, other than lot area or lot width, shall be obtained only through action of the Board of Zoning Appeals as provided in Section 13.2.3.

10.4 Nonconforming Lots of Record in Combination

If two or more nonconforming lots, or portions thereof, with continuous frontage are in single ownership, the BZA may, upon appeal of the Zoning Inspector's decision to deny a zoning permit for failure to meet the requirements of this Resolution, determine that these lots are or are not to be an undivided parcel for the purpose of this Resolution. 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 Resolution, nor shall any division of said parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.

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.

10.5 Nonconforming Uses of Land

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

1. 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 Resolution;

2. 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 Resolution;

3. Additional structures which do not conform to the requirements of this Resolution shall not be erected in connection with such nonconforming use of land;

4. If any such nonconforming uses of land are discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located. A nonconforming use shall be considered voluntarily discontinued or abandoned:

10.5 Nonconforming Uses of Land (cont'd)

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 2-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.

10.6 Nonconforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this resolution 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:

1. 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;

2. Should such nonconforming structure or nonconforming portion of structure be damaged so extensively that such structure is rendered unfit for occupancy by any means, it shall not be reconstructed except in conformity with the provisions of this Resolution;

3. 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 move.

10.7 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 Resolution that would not be allowed in the district under the terms of this Resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this resolution 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;

2. 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 Resolution, but no such use shall be extended to occupy any land outside such building;

10.7 Nonconforming Uses of Structures or of Structures and Land in Combination (cont'd)

3. 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 (See Section 13.3) 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 Resolution;

4. 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;

5. 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;

6. When a nonconforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two (2) years (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 two 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 form the Board of Zoning Appeals.

10.8 Expansion, Repair, and Maintenance

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 resolution 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.

10.8 Expansion, Repair, and Maintenance (cont'd)

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.

Any lawfully established use of a building or land, established prior to the effective date of this Resolution, or of amendments hereto, that does not conform to the use regulations for the district in which it is located, shall be deemed to be a legal non-conforming use and may be continued, except as otherwise provided herein.

SECTION 11 "P.U.D." PLANNED UNIT DEVELOPMENT

SECTION 11.1 General Requirements

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 7	Supplementary District Uses
SECTION 8	Design and Development Standards for Multi-Family, Non Residential, Commercial and Industrial Uses

Because of the trend toward group houses, planned neighborhoods, and other planned developments intended for greater convenience or utility to the public which may necessitate variations from the zoning regulations, such variations may be permitted so as to enhance the community in general by providing amenities which are unique to the community. All planned developments shall be platted in accordance with applicable subdivision rules and regulations.

11.1 General Requirements

a. A development plan for a Planned Unit Development may be submitted to the Township Trustees and shall be referred to the Zoning Commission for study and review and for public hearings. Notice and publications of such public hearings shall conform to the procedures as provided in Sections 13.2.5 and 13.2.8 for hearings on changes and amendments.

b. In order for the Commission to better determine that the Planned Unit Development meets all requirements, the developer shall furnish a preliminary plan of the entire tract showing topography, roads, lot lines, lot areas, easements, encumbrances, and other relevant data. The plans shall include the location of existing structures, areas of shrubs and/or trees of 10 inch diameter or more, existing contours, and the proposed grading plan.

c. A Planned Unit Development shall also meet the following additional conditions:

1. The property adjacent to the area included in the plan will not be adversely affected.

2. The buildings shall be used only for single-family, two-family, and multiple-family dwellings; including row houses, the usual accessory uses, and for community activities.

3. The average lot area per family contained in the site, exclusive of the area occupied by streets, will not be less than the lot area per family required in the district in which the development is located. For the "A" Agricultural District, the minimum lot area per family is one (1) net acre.

11.1 General Requirements (cont'd)

4. A consolidated open space area of 10% of the gross area of the parcel shall be required.

SECTION 12 ENFORCEMENT

SECTION 12.1	Zoning Inspector
SECTION 12.2	Zoning Certificates
SECTION 12.3	Conditions under which Certificates are Required
SECTION 12.4	Application and Issuance of Zoning Certificates
SECTION 12.5	Fees for Zoning Certificates
SECTION 12.6	Violations and Penalties
SECTION 12.7	Violations - Remedies

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 6	Special Uses
SECTION 7	Supplementary District Uses and Structures
SECTION 8	Design and Development Provisions for Multi-Family, Non-Residential, Commercial and Industrial Uses
SECTION 12.3.1	Appeals

12.1 Zoning Inspector

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

12.1.2 Appeal from the decision of the Zoning Inspector may be made to the Board of Appeals, as provided in Section 13.2.1.

12.2 Zoning Certificates

12.2.1 It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a zoning certificate shall have been issued by the Zoning Inspector. It shall be the duty of the Zoning Inspector to issue a certificate, provided he is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Resolution. No permit for excavation, construction or reconstruction shall be issued by the Zoning Inspector unless the plans, specifications and the intended use conform to the provisions of this Resolution.

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

12.3 Conditions under which Certificates are Required

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

a) Construction or structural alteration of any building, including accessory buildings.
b) Change in use of an existing building or accessory building to a use of a different classification.
c) Occupancy and use of vacant land.
d) Change in the use of land to a use of a different classification.
e) Any change in the use of a nonconforming use.
f) A zoning certificate shall be required for all lawful nonconforming uses of land or buildings created by adoption of this Resolution or any amendments.
g) The conduct of a home occupation. (Revised 8-7-02, Z25-C12)

12.4 Application and Issuance of Zoning Certificates

12.4.1 Written application shall be made for a zoning certificate for the construction of a new building or the alteration of an existing building. Said certificate shall be issued within 10 days after a written request for the same has been made to the Zoning Inspector or his agent, provided such construction or alteration is in conformity with the provisions of this Resolution.

12.4.2 Written application for a zoning certificate for the use of vacant land, or for a change in the use of land or of a building, or for a change in a Nonconforming Use, as herein provided, shall be made to the Zoning Inspector. The application for zoning permit shall be signed by the owner or agent of the owner attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and shall be revoked if work has not begun within one (1) year or substantially completed within two (2) years.

Within 15 days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution.

All zoning permits shall be conditional upon the commencement of work within one (1) year. One (1) copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. (Revised 5-20-98, Z25-C9)

12.4.3 Every application for a zoning certificate shall be accompanied by a plot plan, and such plans as may be necessary to show the location and type of buildings to be erected or alterations to be made. Where construction or physical improvement of the land is involved, the lot and location of the buildings to be erected thereon shall be staked out on the ground before construction is started, and all dimensions shown on filed plans shall be based on an actual survey.

12.4 Application and Issuance of Zoning Certificates (cont'd)

a) Each plan shall show:

1. The street providing access to the lot and the exact location of the lot in relation to the nearest cross street.

2. The name of the concerned lot plan, if any, and the lot numbers of the concerned and abutting properties.

3. The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.

4. The location and size of the proposed structure and/or the proposed enlargement of the existing structure.

5. Any other information which in the judgement of the Zoning Inspector may be necessary to provide for the enforcement of this Resolution.

b) Each plan shall bear statements declaring:

1. That no part of the land involved in the application has previously been used to provide required yard space or lot area for another structure.

2. Which abutting land was formerly that of the owner of the land involved in the application, and, if any, the approximate date of title transfer.

c) Where complete and accurate information is not readily available from existing records, the Zoning Inspector may require the applicant to furnish a survey of the lot by a registered surveyor.

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

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

12.4.4 The Zoning Inspector shall not issue a zoning certificate for any application requiring site plan review prior to recommendation by the Zoning Commission.

12.5 Fees For Zoning Certificates

12.5.1 A fee, in accordance with the Providence Township Zoning Certificate Fee Schedule, shall accompany each application for a zoning certificate.

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

12.5.3 Time Limit. A Zoning Certificate shall be valid for a period of six (6) months after the date of issuance.

12.6 Violations and Penalties

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Board of Trustees. Any person, firm or corporation violating any regulation thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $500.00. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues, may be deemed a separate offense. (Revised 4-22-06 – Z25-C13)

12.7 Violations - Remedies

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

12.7.2 In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of this Resolution or any amendment or supplement thereto, the Zoning Inspector, Township 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 in junction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

SECTION 13 BOARD OF ZONING APPEALS

SECTION 13.1	Powers
SECTION 13.2	Membership
SECTION 13.3	Jurisdiction
SECTION 13.4	Procedures

CROSS REFERENCES

SECTION 2	Definitions
SECTION 3	Establishment of Districts
SECTION 4	Use Regulation
SECTION 5	Off Street Parking and Loading
SECTION 6	Special Uses
SECTION 7	Supplementary District Uses and Structures
SECTION 8	Design and Development Standards for Multi-Family, Non-Residential, Commercial and Industrial Uses
	Subdivision Rules and Regulations Lucas County

13.1 Powers

The Board of Zoning Appeals, hereinafter called the Board, is hereby established by this Resolution and shall serve the purpose to hear and decide on appeals of a lawfully executed order by any administrative official in the enforcement of this Resolution. The Board shall consider and make a determination on requests for variances from the terms and conditions of this Resolution and consider appeals for exception for the use of land, buildings or other structures as applicable under the requirements and conditions of this Resolution.

13.2 Membership

The Board shall consist of five (5) members appointed by Board of Township Trustees. The terms of all members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall be a resident of the unincorporated territory described as the zoned area of Providence Township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by Resolution of the Board of Township Trustees for the unexpired term of the member affected.

13.3 Jurisdiction

The Board shall have appellate jurisdiction relative to appeals and variances including the granting of exceptions as provided herein.

13.3.1 Appeals

a) The Board shall have the power to hear and decide where it is alleged there is an error in any order, requirement, decision or determination made by any administrative official in the enforcement of this Resolution.

b) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.

c) The Board may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its option ought to be made in the premises; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken.

13.3.2 Exceptions

In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:

a) **Interpretation**
Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout as shown on the map aforesaid.

b) **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 60% of its fair market value where the Board finds some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.

c) **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

13.3 Jurisdiction (cont'd)

13.3.2 Exceptions (cont'd)

(1) the waiver of the requirement that automobile parking space be provided on the same lot with a dwelling, if other suitable and convenient parking space is available within or without a building; or

(2) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

d) **Public Parking Areas Location**
Permit in any "A" or "R" District, public parking areas or storage garages adjacent to any existing or proposed use in the multiple dwelling, commercial or industrial districts.

e) **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.

f) **Substitution of Nonconforming Uses**
The substitution of a nonconforming use existing at the time of enactment of this Resolution of another nonconforming use, if no structural alterations except those required by law or resolution are made; provided, however that in an "A" or "R" District, no change shall be authorized by the Board to any use which is not a permitted or special use in any "A" 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.

g) **More Than One (1) Main Use on a Parcel**
Within any zoned district, the placing of more than one (1) main building on a lot, when all of the buildings are intended to be operated as a single enterprise and the lot and all portions of it are owned, leased, or under option by a single party. In such cases, the yard requirements shall apply along all edges of the lot, but shall not be required for the internal arrangement of the buildings on the lot. Height, bulk, and lot area per family shall apply as in the case of one (1) main building located on a lot. An application for the placing of more than one (1) main building on a lot shall be accompanied by a site plan. Proposals for placing more than one (1) residential main building on a lot shall be referred to the Zoning Commission for review of the site plan, and Zoning Commission approval of the site plan shall be prerequisite to final approval by the Board of Zoning Appeals.

13.3 Jurisdiction (cont'd)

13.3.2 Exceptions (cont'd)

h) **Temporary Structures and Uses**
Permit the temporary use of a structure or premises in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this Resolution 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 certificate for such use shall be granted in the form of a temporary and revocable permit, for not more than a 12 month period in undeveloped sections of the Township and not more than six (6) months in developed sections, subject to such conditions as will safeguard the public health, safety, convenience and general welfare. A Mobile Home shall be considered a temporary building for purposes of use during construction or reconstruction of a permanent dwelling. The Board may renew this permit once for the above time period respectively.

13.3.3 Variances

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

a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions generally created by the provisions of the Zoning Resolution in the neighborhood or district in which the property is located.

b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Resolution and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

c. That such unnecessary hardship has not been created by the appellant.

d. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

13.3 Jurisdiction (cont'd)

13.3.4 Nonconforming Uses - Extensions or Permit

The Board shall have the authority to grant an extension or permit completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on date such building became nonconforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all 100% of the floor area of the existing building or buildings devoted to a nonconforming use.

13.4 Procedures

Appeals, variances and conditional uses shall conform to the procedures and requirements of this Resolution.

13.4.1 Application

a) **Application**: All applications shall be in writing, shall be signed by the owner of the property involved or his duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be 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 20 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.

13.4.2 Review by Other Officials The Board of Zoning Appeals may request additional information or review of the appeal, variance, or request for an exception by other Township officials, County agencies, or the Lucas County Planning Commission. Said information or review shall be delivered to the Board of Zoning Appeals within 45 days after the receipt of the request. Failure to disapprove the same within such period shall constitute approval thereof.

13.4.3 Public Hearing and Notice The Board shall hold a hearing on each appeal after at least a 10 day notice, both in writing to the parties of interest and by publishing in one (1) or more newspapers of general circulation in the Township, stating the time and place thereof. The Board shall make its findings and determination in writing within 40 days from the date of the filing of the appeal or in the case of an application for a conditional use within 30 days after receipt of the review or information requested from other County and Township officials and agencies or expiration of the time limit as provided for in 12.4.2. A copy of such findings and determination shall be transmitted to the applicant within 30 days thereafter.

13.4 Procedures (cont'd)

13.4.4 Supplemental Conditions and Safeguards In granting any appeal, variances or exception, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue the permit listing the specific conditions of approval specified by the Board. Violations of such conditions and safeguards, when made a part of the terms under which the use is granted, shall be deemed a violation of this Resolution and punishable under Section 11.4.

13.4.5 Schedule of Fees, Charges, and Expenses The Board of Township Trustees shall, by resolution, 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 Resolution 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 Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

13.4.6 Record of Appeals, Variances, and Conditional Uses 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.

13.4.7 Appeal of Board Decisions If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made within 10 days of the Board's written decision.

13.4.8 The Board of Zoning Appeals has the power to revoke a variance or conditional use for noncompliance. The Board shall notify the affected party of their intent to revoke by the mailing of a notification by certified mail. The affected party has the right to request a hearing within 30 days of the mailing of the notification, in which case the Board shall notify the party of the time and place of the hearing. Revocation of a variance or an appeal for exception shall become effective 30 days after notice has been given, unless a hearing has been requested.

SECTION 14 AMENDMENTS

SECTION 14.1	Authority
SECTION 14.2	Procedures
SECTION 14.3	Effective Date and Referendum

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulations
SECTION 9	Supplementary District Uses
SECTION 10	Design and Development Standards for Multi-Family, Non Residential, Commercial and Industrial Uses

14.1 Authority

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may, by resolution, after receipt of recommendation thereon from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property, now or hereafter established by this Resolution.

14.2 Procedures

14.2.1 Initiation of Zoning Amendments

Amendments to this Resolution can be initiated in one (1) of the following ways:

1. By adoption of a motion by the Zoning Commission;

2. By adoption of a resolution by the Township Trustees;

3. By the filing of an application by at least one (1) owner of said property proposed to be changed or affected by said amendment.

14.2.2 Application

The application for amendment or district changes shall be made on forms prescribed by, and obtainable at the office of the Zoning Inspector. This application shall be accompanied by information or data indicating the necessity for, or desirability of, the change requested.

14.2 **Procedures** (cont'd)

14.2.3 Fees

A fee shall be paid upon the filing of the application in accordance with the fee schedule as shown in Section 12.5. All additional expenses incurred by the Township in excess of the minimum required fee shall be paid by the applicant. No action shall be taken on an application until all fees have been paid in full.

14.2.4 Transmittal to Zoning Commission

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner of the property, said Resolution or application shall be transmitted to the Zoning Commission. The date that the Zoning Commission accepts the said Resolution or application shall constitute the official filing date. All time limits shall commence from said filing date. The Zoning Commission shall record, in the official minutes, actions taken on all resolutions and applications submitted to them for review (i.e. Submitted to County Planning Commission for review. Application incomplete, have requested further information from applicant.)

14.2.5 Public Hearing and Notice by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than 20 nor more than 40 days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application. Notice of such hearings shall be given as follows:

1. A notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

2. If the proposed amendment intends to rezone or redistrict 10 or less parcels of land, as listed the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from such areas proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice shall not invalidate any such amendment. The notice shall contain the same information as required on notices published in the newspaper(s).

14.2 **Procedures** (cont'd)

14.2.5 Public Hearing and Notice by Zoning Commission (cont'd)

3. The applicant must post in a secure fashion and maintain one or more on-site notices within five (5') feet of the lot line adjacent to the public road during the period in which the application is being considered by the Lucas County Planning Commission, Providence Township Zoning Commission and Providence Township Board of Trustees. The applicant shall remove the posted notices within ten (10) day after the decision of the Board of Trustees. No one except the applicant, agent or Township shall remove or tamper with any such notice during the time it is required to be posted and maintained. Providence Township will provide the form of the notice and its content. (Added 4-22-06 – Z25-C13)

14.2.6 Submission to County Planning Commission

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner, the Zoning Commission shall transmit a copy of such motion, resolution, or application with the text and map(s) pertaining to the case in question to the County Planning Commission. The County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

14.2.7 Recommendation by Zoning Commission

Within 30 days after the scheduled public hearing, the Zoning Commission shall recommend to the Board of Township Trustees that:

1) the amendment be granted as requested;

2) it may recommend a modification of the amendment requested; or

3) it may recommend that the amendment not be granted.

The Commission shall keep minutes of its proceedings showing the vote of each member upon each question shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Commission, and shall be a public record.

14.2.8 Public Hearing and Notice by Township Trustees

Within 30 days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing.

14.2 Procedures (cont'd)

14.2.8 Public Hearing and Notice by Township Trustees (cont'd)

Notice of such hearing shall be given by the Township Trustees by at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing. This notice shall set forth the time and place of the public hearing and the nature of the proposed amendment.

14.2.9 Action by Board of Township Trustees

Within 20 days after the public hearing, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Township Trustees is required.

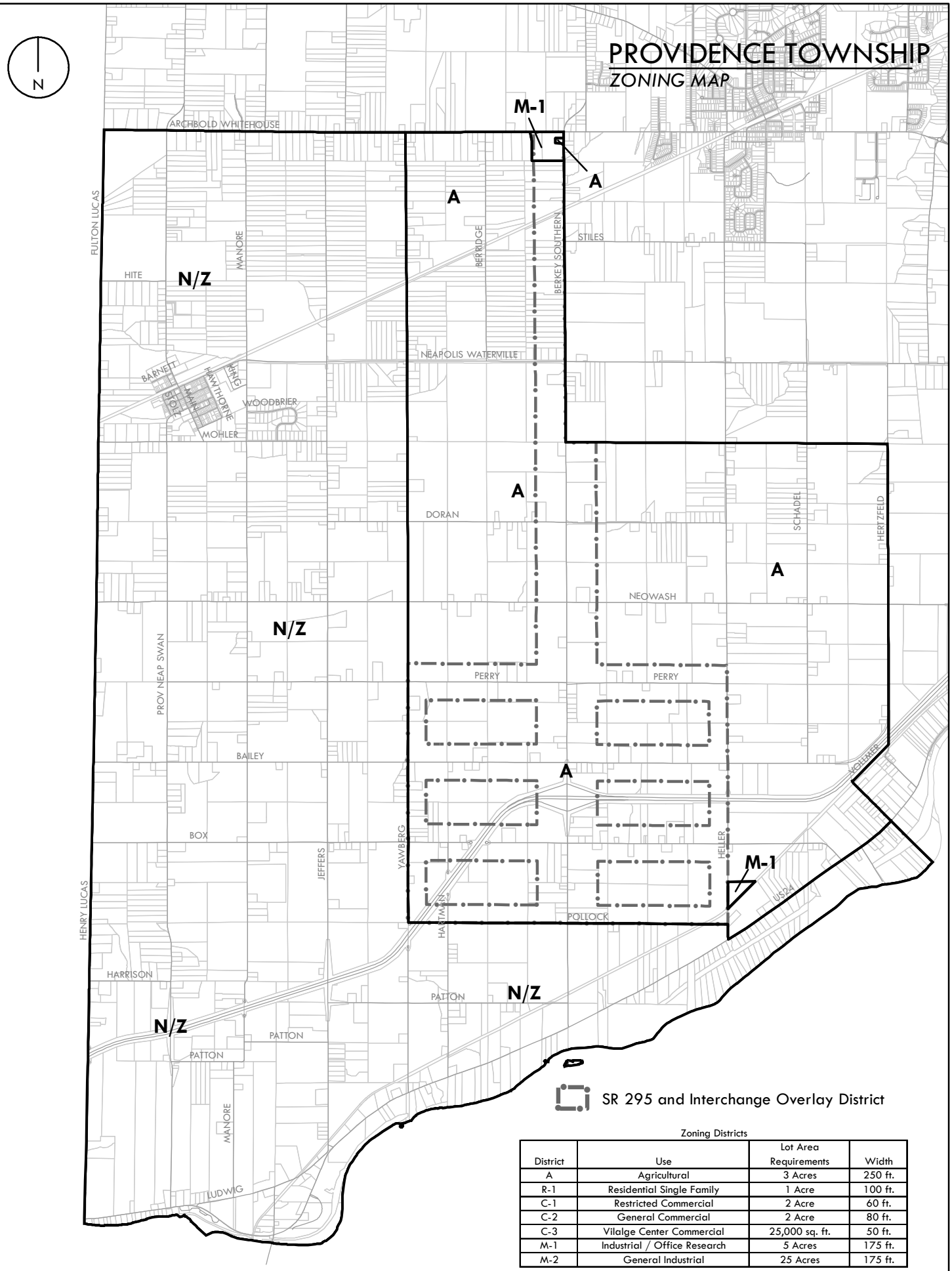
14.3 Effective Date and Referendum

Such amendment adopted by the Township Trustees shall become effective 30 days after the date of such adoption unless within 30 days after the adoption of the amendment there is presented to the Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the Township or part thereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected, requesting the Township Trustees submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

PROVIDENCE TOWNSHIP

ZONING MAP



Zoning Districts

District	Use	Lot Area Requirements	Width
A	Agricultural	3 Acres	250 ft.
R-1	Residential Single Family	1 Acre	100 ft.
C-1	Restricted Commercial	2 Acre	60 ft.
C-2	General Commercial	2 Acre	80 ft.
C-3	Vilalge Center Commercial	25,000 sq. ft.	50 ft.
M-1	Industrial / Office Research	5 Acres	175 ft.
M-2	General Industrial	25 Acres	175 ft.

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