

ARTICLE 6

DISTRICTS AND GENERAL PROVISIONS

6.0 Districts: The Township is hereby divided into 11 Districts known as:

FP: Flood Plain District	B-2: General Business District
RU: Rural District	PBO: Professional Business Office District
R-1: Residential District	M-1: General Manufacturing District
R-2: General Residential District	PUD: Planned Unit Development District
R-3: Multi-Family Residential District	MHP: Mobile Home Park District
B-1: Local Business District	

6.1 Zoning Map: The districts and boundaries thereof are established as shown on the zoning Map, which map, together with all notations, references, data, district boundaries and other information shown thereon, shall be part of these regulations. The Zoning Map, properly attested, shall be and remain on file in the office of the Township Clerk.

6.2 District Boundaries: The district boundary lines on said map are intended to follow either 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 determined by the use of the scale appearing on the Zoning Map or by dimensions.

Where boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of the said railroad line.

6.3 Compliance with Regulations: No building shall be erected, converted, or altered, nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located, except as hereinafter provided. No building shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements, and minimum off-street parking space requirements of this Resolution for the District in which such building is located.

6.4 Street Frontage Required: Except as permitted by other provisions of these regulations, no lot shall contain any building used in whole or part for residential purposes unless such lot abuts for at least 50 feet on a street; and, there shall be not more than one single-family dwelling for such frontage.

6.5 Traffic Visibility across Corner Lots: In any District on any corner lot, no fence, structure or planting shall be erected or maintained within 20 feet of the corner (the point of intersection of the right-of-way lines), which interferes with traffic visibility across the corner.

6.6 Off-Street Parking and Loading: In any district spaces for off-street parking and off-street loading shall be provided in accordance with the provisions of Article 21.

- 6.7 Essential Services:** Essential services shall be permitted as authorized and regulated by law and other resolutions of the Township, it being the intention hereof to exempt such essential services from the application of these regulations. However, a Zoning Certificate for such uses shall be required in accordance with the provisions of this resolution.
- 6.8 Unsafe Buildings:** Nothing in these regulations shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by proper authority.
- 6.9 Vacated Street or Alley:** Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.
- 6.10 Territory Not Included - Annexations:** In every case where territory has not been specifically included within a district or where a territory becomes a part of the unincorporated area of the Township as the result of the de-incorporation of any city, town, or portion thereof, or otherwise, such territory shall automatically be classified an "RU" District until otherwise classified.
- 6.11 Drainage and Sanitary Facilities:** No principal building shall be erected, structurally altered, or relocated on land where the sanitary waste and/or storm water runoff is not adequately drained. Area drainage and/or sanitary facilities are subject to approval by the County Board of Health, the County Sanitary Engineer, and County Engineer, prior to issuance of any permit.
- 6.12 Agricultural Exemptions:** Sections 519.02 to 519.25, inclusive, of the Ohio Revised Code confer no power on any board of township trustees or zoning appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such building or structures are located, and no zoning certificate shall be required for any such building or structure. However, a residential structure on a farm must comply with the provisions of this Resolution and obtain a zoning certificate.
- 6.13 Dwelling - Board of Health Regulations:** All dwellings shall meet the regulations of the Allen County Board of Health.
- 6.14 Outdoor Advertising:** Outdoor advertising shall be classified as a business use and be permitted in all districts zoned for industry, business, or trade, or lands used for agricultural purposes. However, such uses shall comply with the requirements of the district in which they are located and the requirements of Article 22 of this Resolution as it pertains to signage.
- 6.15 Recreational Vehicles:** Whereas, the Zoning Commission wishes to provide for parking of recreational vehicles in all residential districts of the township and to

permit same to be parked upon various portions of private property and requirements as follows:

The parking of only one (1) recreational vehicle in a rear yard or garage in any residential district is permitted. However, if it is not physically possible to park such recreational vehicle in a rear yard or garage, such recreational vehicle may be parked in a carport, side yard or driveway; provided, however, that if such recreational vehicle is parked in a driveway, no portion of such recreational vehicle shall be closer than two (2) feet to the edge of the public sidewalk, or if there is no such sidewalk, closer than the (10) feet to the edge of the pavement of the public street and provided further, if such recreational vehicle is parked in a side or rear yard, no portion of such recreational vehicle shall be closer than three (3) feet to the side or rear lot line. No living quarters shall be maintained in any such recreational vehicle, but occupancy by children or guest of the owner thereof for the period not exceeding seven (7) days shall not be construed as the maintenance of living quarters; providing that toilet facilities shall not be used in such recreational vehicle while so occupied or parked. No such recreational vehicle shall exceed thirty (30) feet in length or eight (8) feet in width.

- 6.16 Mobile Homes or Double Wides Prohibited Except in Mobile Home Park Districts:** No mobile home, trailer or similar portable residential structure shall be permitted to locate in the township, permanently or temporarily, except in the MHP (Mobile Home Park District), regardless of the intention and/or option of converting the structure to real estate through a process with the Allen County Auditor.

Further, no such home manufactured for residential purposes may be converted and/or used for the purposes of, but not limited to: office trailers, tool trailers, storage units or any other non-residential application – irregardless of location in the Township. However, a Zoning Certificate may be issued for the above prohibited uses for a period of six (6) months, for the purposes of a legitimate construction project. This certificate may be renewable for three (3) month periods so long as the Zoning Inspector determines that construction activity has been continuous and is still underway.

- 6.17 Motor Vehicles - Inoperable or Unlicensed:** Motor vehicles that are inoperable or unlicensed, if parked outside of a building, on private property cumulatively for more than seventy-two (72) hours within any ninety-six (96) hour period, shall be in violation of this resolution and shall be removed from the premises without consent of the owner seven (7) days after receipt of written notice sent by the Zoning Inspector, or as provided in Chapter 4513.65 of the **Ohio Revised Code**.

- 6.18 Junk Yards (Automobile Graveyards), Motor Vehicle Salvage:** Junk yards shall conform to the provisions of Chapter 4737.05 to 4737.99 and 4738.01 to 4738.99 of the **Ohio Revised Code** (license-fence-buffer).

- 6.19 Modular Homes:** Modular homes, as defined in this resolution, may be used as a dwelling. However, said modular home shall be affixed to a permanent foundation and comply with all Lot Area and Yard Requirements and Floor Area Requirements of this Resolution.

6.20 Parking Lot Screening

6.20.1 **Where Required:** Screening shall be provided for all off-street parking areas for more than five (5) cars in the following conditions:

6.20.1.1 At the side of the parking lot facing the street in all B-1, B-2, PBO and M-1 Districts.

6.20.1.2 At the side of the parking lot facing the side and rear lot lines in all B-1, B-2, PBO and M-1 Districts when said parking lot is within 100' of an "R" District, MHP District, R-PUD District or residential lot or dwelling in an RU or SP-PUD District.

6.20.1.3 When a landscape buffer required under Article 6.21 or Article 18 effectively screens a parking lot in an M-1 or PUD District, the separate screening requirement for the parking area contained in this Section may be waived by the Zoning Inspector.

6.20.1.4 Refer to Article 18 for landscape requirements in R-PUD and SP-PUD Districts.

6.20.2 **General Requirements:** Parking lot screening refers to a wall, hedge, informal planting or berm provided for the purpose of buffering a parking lot and activity therein from neighboring areas or from the street. When required, this screening may be provided by one or more of the following means:

6.20.2.1 An opaque evergreen trimmed hedge, the thickness of which shall be not less than two-thirds of the required height.

6.20.2.2 An opaque evergreen informal screen planting, the thickness of which shall not be less than the intended height.

6.20.2.3 A deciduous hedge or informal planting, the thickness of which shall be not less than 2 times the intended height, and providing a minimum 70% year round opacity.

6.20.2.4 A solid masonry wall.

6.20.2.5 An earth berm may be used alone or in combination with any of the above types of screening, but not more than two-thirds (2/3) of the required length of such screening may be provided only by the berm.

6.20.2.6 Height and location of screening. Screening for parking areas shall be between forty-two (42) inches and five (5) feet in height, except that along the street side or front yard of a lot where such screening shall be not less than thirty (30) inches nor more than forty-two (42) inches in height. The height of all screening shall be measured from the grade at the edge of the parking lot being screened. All

screening shall follow the line of the parking lot to be screened, or shall be so arranged as to substantially hide from adjoining properties the activity to be screened.

6.20.2.7 Parking areas and the required screening shall be located in such a way that they do not constitute a danger to pedestrian or vehicular traffic by reason of impairment of vision at a street or driveway intersection. Refer to Article 22.11 for specific minimum sight triangle clearance requirements.

6.20.2.8 Prescribed screening need not be provided along a lot line if a building wall, solid fence or free-standing wall of the required height exists immediately abutting and on the other side of the lot line.

6.20.2.9 Plants shall be planted in accordance with good landscape practice, such that the full height required may be achieved within a five (5) year period. All plantings shall be maintained in good growing conditions. Whenever necessary, plantings shall be replaced with other plant materials to insure continued compliance with these screening requirements.

6.20.3 **Submission Requirements:** For either new parking lots, or expansion of existing parking lots, in B-1, B-2, PBO, or M-1 Districts, plans for required screening must be submitted when applying for a Zoning Certificate. The screening must be installed concurrently with the new or expanded facility. If no Zoning Certificate is required for said improvements, the required screening must be installed concurrently with the new improvements.

6.21 Landscape Buffer Plantings

6.21.1 **Where Required:** Landscape buffers shall be provided in the following conditions and in accordance with the following requirements:

6.21.1.1 At the side and rear yards in all B-1 & B-2 Districts which adjoin abut or lie within 100' of an "R" District, MHP District, R-PUD District or residential lot or dwelling in an RU or SP-PUD District. Such buffers shall have a minimum effective height of six (6) feet. When a parking lot screen planting is provided at the lot line (in accordance with Article 6.20), additional buffer planting is not required.

6.21.1.2 At the side and rear yards in all M-1 Districts, to a minimum effective height of 10'.

6.21.1.3 At the front yards and along all public street frontages in an M-1 District, when on-site activities and uses such as automobile, truck and trailer parking, truck docks, loading

and unloading areas, dumpsters, trash storage areas, utility meters, material storage areas, and manufacturing activities would be visible from the street right-of-way.

Such buffers shall have a minimum effective height of 10'.

- 6.21.1.4 Refer to Article 18 for landscape buffer requirements in R-PUD and SP-PUD Districts.

6.21.2 **General Requirements:** A landscape buffer refers to plantings with or without earth berming provided for the purpose of buffering a building or activity from neighboring areas or from the street. When required, landscape buffers may be provided by one or more of the following means:

- 6.21.2.1 An opaque evergreen informal screen planting, the thickness of which shall not be less than the intended height.
- 6.21.2.2 A deciduous informal planting, the thickness of which shall be not less than 2 times the intended height, and providing a minimum 70% year round opacity.
- 6.21.2.3 An earth berm may be used alone or in combination with any of the above types of screening, but not more than two-thirds (2/3) of the required length of the buffer may be provided only by the berm.
- 6.21.2.4 The location of the landscape buffer shall generally fall within the required front, side and rear yards of the parcel to be buffered, or shall be so arranged as to substantially hide from adjoining properties the automobile, truck and trailer parking, truck docks, loading or unloading areas, material storage areas, dumpsters, trash storage areas, material storage areas, utility meters, and manufacturing activities. The location and grading of earth berms shall comply with the requirements of Article 9.7 (Landscaping, Mounds, Raised Beds, and Other Earth Works) and Article 9.9 (Regulation of Drainage).
- 6.21.2.5 Buffers shall be located in such a way that they do not constitute a danger to pedestrian or vehicular traffic by reason of impairment of vision at a street or driveway intersection. Refer to Article 22.11 for specific minimum sight triangle clearance requirements
- 6.21.2.6 Prescribed buffering need not be provided along a lot line if a building wall of the required height exists immediately abutting and on the other side of the lot line, or if natural vegetation exists along the lot line that provides a minimum 70% year round opacity.
- 6.21.2.7 Plants shall be planted in accordance with good landscape practice, such that the full height required may be achieved

within a five (5) year period. All plantings shall be maintained in good growing conditions. Whenever necessary, plantings shall be replaced with other plant materials to insure continued compliance with these screening requirements.

- 6.21.3 **Submission Requirements:** For either new construction, or expansion of existing facilities, in B-1, B-2, or M-1 Districts, plans for required buffers must be submitted when applying for a Zoning Certificate. The screening must be installed concurrently with the new or expanded facility. If no Zoning Certificate is required for said improvements, the required buffers must be installed concurrently with the new improvements.

When applying for a Zoning Amendment to rezone property to B-1, B-2 or M-1, a plan of the required buffers must be submitted with the Zoning Amendment application and the required buffers must be installed within one (1) year after the rezoning of the property, or shall be installed concurrently with any new construction, whichever occurs first.