

# **SANDUSKY TOWNSHIP ZONING RESOLUTION**

ADOPTED 1971

AMENDED

August, 1995  
January, 2003  
December, 2003  
November, 2004  
March, 2006  
February, 2008  
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# **ZONING RESOLUTION OF SANDUSKY TOWNSHIP, SANDUSKY COUNTY, OHIO**

**A RESOLUTION**, for the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements all in accordance with a Comprehensive Plan, the Sandusky Township Zoning Commission finds it necessary and advisable to regulate the location, size and use of buildings and other structures, including tents, cabins and trailer coaches; percentages of yards, courts and other open spaces; and the uses of land for trade, industry, residences, recreation or other purposes and for such purposes, divides the area of Sandusky Township into districts or zones.

**BE IT RESOLVED BY THE BOARD OF TRUSTEES, SANDUSKY TOWNSHIP, SANDUSKY COUNTY, STATE OF OHIO:**

## **ARTICLE I**

This Resolution shall be known as the **Zoning Resolution of 1971**.

## **ARTICLE II - INTERPRETATION, PURPOSE AND CONFLICT**

### **SECTION 1. General:**

In interpreting and applying the provision of this Resolution they shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this Resolution, rules, regulations or permits previously adopted or issued, and not in conflict with any of the provisions of this Resolution, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this 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.

**ARTICLE III - DISTRICTS AND GENERAL PROVISIONS**

**SECTION 1. Districts:**

Sandusky Township is hereby divided into ten (10) districts known as:

- “A-1” Agricultural District
- “S-1” Special District
- “R-1” Suburban Residential District
- “R-2” Residential District
- “R-3” Multiple Dwelling District
- “B-1” Local Business District
- “B-2” Regional Business District
- “M-1” Restricted Industrial District
- “M-2” Industrial District
- “M-3” Mineral Extraction & Processing District

**SECTION 2. District Map:**

1. The boundaries of the district are shown upon the map, which is made a part of this Resolution, which map is designated as the “District Map”. The district map and all the notations, references and other information shown thereon are a part of this Resolution and have the same force and effect as if the district map and all the notations, references and other information shown thereon were all fully set forth or described herein, the original of which district map is properly attested and is on file with the Board of Trustees, Sandusky Township.

**SECTION 3. District Boundaries:**

1. 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 the boundary of the district, unless such boundary is otherwise indicated on the map. In the case of un-subdivided property, the district boundary lines shall be determined by the use of the scale appearing on the Zoning District Map or by dimensions.
2. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be the centerline of railroad right-of-way.

**SECTION 4. Compliance with Regulations:**

1. No building shall be created, 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 created, 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.

2. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this Resolution shall be included as a part of a yard or other open space similarly required for another building.

**SECTION 5. Prohibited Uses:**

The following uses are prohibited in all zoning districts.

1. Manufacture of explosives, fireworks, gunpowder and ammunition.
2. Storage or disposal of slaughterhouse refuses rancid fats, garbage, and dead animals or offal material.
3. Unlicensed dumping of any and all materials.
4. Chemical waste disposal or petroleum waste disposal.
5. Hazardous waste disposal, incineration or storage.
6. Privately owned and/or commercial landfill.

**SECTION 6. Uses Exempted from Provisions of Resolution:**

1. The use of land for agricultural purposes, as defined by ORC 519.01, or the construction of use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located shall be permitted in all districts established by this Resolution, and no Zoning restriction shall be required for any such building or structure. The township zoning resolution shall in any platted subdivision approved under section 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen or more lots approved under section 711.131 (711.13.1) of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate:
  - (1) Agriculture on lots of one acre or less;
  - (2) Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: set back building lines; height; and size;
  - (3) Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five per cent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After thirty-five per cent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to section 519.19 of the Ohio Revised Code.
2. The location, creation, 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 of essential services as herein defined shall be permitted in all districts established by this Resolution and no zoning permit shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.
3. Lawn and Garden Utility buildings of less than 100-sq. ft. to be located at least 5 ft. from side and rear property lines. Buildings of 101 to 150 sq. ft. require a Zoning Permit; (above rules on clearances apply). Buildings of 150-sq. ft. and more, regular Zoning Regulations apply.

**SECTION 7. Non-Conforming Uses:**

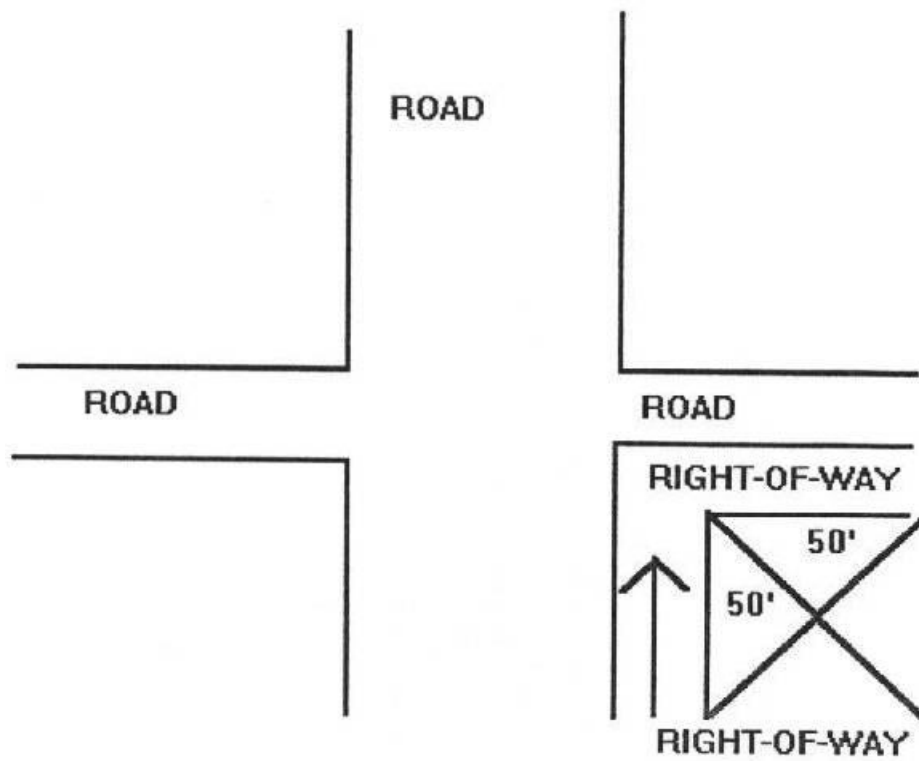
1. Any use of building or land existing at the effective date of this Resolution may be continued, even though such use does not conform to the provisions hereof. The non-conforming use of a building may be extended throughout those existing parts of the building which were arranged or designed for such use. No non-conforming building or structure shall be moved, extended, enlarged or altered, except when authorized by the Sandusky Township Board of Zoning Appeals in accordance with the Provisions of Section 6.
2. Whenever the use of a building of land becomes non-conforming through a change in the amended Zoning Resolution or in the district boundaries, such use may be continued.
3. A non-conforming use which is discontinued for a period of two (2) years shall not again be used except in conformity with the regulations of the district in which it is located.
4. A non-conforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity, or the public enemy, may be restored so long as the replacement building or structure is not larger than the original building or structure and the same use and occupancy continued or resumed provided that such restoration is begun within a period of one (1) year and completed within 2 years. Any lot whose buildings are destroyed beyond 90 percent of their total value shall not be restored to its original use and the land used by such buildings shall thereafter be used only in conformance with the district regulations.
5. Non-conforming trailer or mobile homes located on a lot in any district other than "A-1" or "R-3" District, once removed shall not be relocated on such lot unless the unit was "traded-in" for another unit. In this instance the replacement shall be on site within four (4) weeks of the removal of the previous unit.

**SECTION 8. Traffic Visibility across Corner Lots:**

1. In any district on any corner lot, no fence, structure or planting shall be erected or maintained within twenty (20) feet of the "corner" at a height of more than three (3) feet above curb or street grade, or so as to interfere with traffic visibility across the corner.



REFERENCE SECTION 8



2-½ ft. High Fence Allowed

#### **ARTICLE IV - USE REGULATIONS**

The permitted and conditional uses for each district are shown on the accompanying table, which is Article III. The interpretation of uses given in categorical terms shall be as defined in Article XIII. Uses not specifically listed or interpreted to be included categorically under this Article and Article XIII shall not be permitted except by Amendment to the Resolution.

"A-1"

"S-1"

"R-1"

"R-2"

Agriculture

Special

Suburban  
Residential

Residential

PERMITTED USES			
Single-Family Homes	Single-Family Homes	Single-Family Homes	Single-Family Homes
Public Uses	Public Uses	Public Uses	Public Uses
Semi-Public Uses	Semi-Public Uses	Semi-Public Uses	Semi-Public Uses
Public Service Facility	Public Service Facility	Public Service Facility	Public Service Facility
Essential Services	Essential Services	Essential Services	Essential Services
Agriculture	Agriculture	Single-Family Condominiums	Single-Family Condominiums
Accessory Uses	Accessory Uses		Two-Family Homes
Personal Use Wind Turbine	Personal Use Wind Turbine		Two-Family Condominiums
Small Wind Farm	Parks		
Plant Cultivation	Non-Commercial Recreational Facilities		
Specialized Animal Raising & Care	Condominium Projects		

CONDITIONAL USES REQUIRING BOARD APPROVAL			
Cemetery	Cemetery	Personal Use Wind Turbine	Personal Use Wind Turbine
Seasonal Residence	Seasonal Residence	Home Occupations	Home Occupations
Commercial Billboard	Tourist Home	Tourist Home	Tourist Home
Non-Commercial Recreation Areas	Small Wind Farm	Non-Conforming Recreational Facilities	Non-Conforming Recreational Facilities
Commercial Recreational Facility	Commercial Recreational Facilities		
Oil & Gas Wells			

**UPGRADING CONDITIONAL USES REQUIRING BOARD APPROVAL**

Permitted &  
Conditional Uses For:  
A-1 District

Permitted &  
Conditional Uses For:  
S-1 District  
A-1 District

Permitted &  
Conditional Uses For:  
R-1 District  
S-1 District  
A-1 District

<b>"R-3"</b> <b>Multiple Dwelling</b>	<b>"B-1"</b> <b>Local Business</b>	<b>"B-2"</b> <b>Regional Business</b>
<b>PERMITTED USES</b>		
Public Uses	Public Uses	Public Uses
Semi-Public Uses	Semi-Public Uses	Semi-Public Uses
Public Service Facility	Public Service Facility	Public Service Facility
Essential Services	Essential Services	Essential Services
Single-Family Homes	Personal Services	Personal Services
Two-Family Homes	Professional Activities	Professional Activities
Single Family Condominiums	Social Activities	Social Activities
Two Family Condominiums	Personal Use Wind Turbine	Personal Use Wind Turbine
Multi Family Condominiums		Business Services
		Tourist Homes
		Retail Business

<b>CONDITIONAL USES REQUIRING BOARD APPROVAL</b>		
Non-Commercial Recreational Facilities	Commercial Billboards	Commercial Billboards
Tourist Homes	Small Wind Farm	Small Wind Farm
Professional Activities	Animal Care Facility	Food Processing
Home Occupations		Animal Care Facility
Personal Use Wind Turbine		Commercial Entertainment Facilities
		Kennel

<b>UPGRADING CONDITIONAL USES REQUIRING BOARD APPROVAL</b>		
Permitted & Conditional Uses For:	Permitted & Conditional Uses For:	Permitted & Conditional Uses For:
R-2 District	R-3 District	B-1 District
R-1 District	R-2 District	R-3 District
S-1 District	R-1 District	R-2 District
A-1 District	S-1 District	R-1 District
	A-1 District	S-1 District
		A-1 District

**"M-1"  
Restricted Industrial**

**"M-2"  
Industrial**

**"M-3"  
Mineral Extraction  
and Processing**

PERMITTED USES		
Essential Services	Essential Services	Essential Services
Public Service Facility	Public Service Facility	Public Service Facility
Personal Use Wind Turbine	Personal Use Wind Turbine	Personal Use Wind Turbine
Research & Testing Facilities	Research & Testing Facilities	
Small Wind Farm	Small Wind Farm	
Offices	General Manufacturing	

CONDITIONAL USES REQUIRING BOARD APPROVAL		
Restaurants	Restaurants	Auto & Metal Salvage Operations
Retail Business	Retail Business	Industries Utilizing Products of the "M-3" District
Commercial Recreational Facilities	Commercial Recreational Facilities	Commercial Recreational Facilities
Commercial Billboard	Commercial Billboard	Non-Commercial Recreational Facilities
Animal Care Facility	Animal Care Facility	Animal Care Facility
Motels & Hotels	Kennel	Kennel
Entertainment Facilities	Kennel, Private	Kennel, Private
	Motels & Hotels	
	Entertainment Facilities	

**UPGRADING CONDITIONAL USES REQUIRING BOARD APPROVAL**

Permitted & Conditional Uses For:  
 B-2 District  
 B-1 District  
 R-3 District  
 R-2 District  
 R-1 District  
 S-1 District  
 A-1 District

Permitted & Conditional Uses For:  
 M-1 District  
 B-2 District  
 B-1 District  
 R-3 District  
 R-2 District  
 R-1 District  
 S-1 District  
 A-1 District

Permitted & Conditional Uses For:  
 M-2 District  
 M-1 District  
 B-2 District  
 B-1 District  
 R-3 District  
 R-2 District  
 R-1 District  
 S-1 District  
 A-1 District

**ARTICLE V - YARD AND AREA REGULATIONS FOR RESIDENTIAL USES**

**SECTION 1. Basic Yard and Area Requirements:**

1. The following table establishes the minimum yard and area requirements for special and residential districts.

<u>District</u>	<u>Minimum Depth of (in feet)</u>		<u>Minimum Side Yard Widths (in feet) Either Side</u>	<u>Minimum Lot Width (in feet)</u>	<u>Minimum Lot Area</u>
	<u>Front Yard</u>	<u>Rear Yard</u>			
"A-1"	50	40	15	150	30,000 sq. ft.
"S-1"	50	40	15	150	43,560 (1 acre)
"R-1"	50	40	10	120	22,000 sq. ft.
Combined, Sewage Disposal System					
	35	25	10	85	12,000 sq. ft.
"R-2": Individual Sewage Disposal System					
One-Family	40	40	10	100	20,000 sq. ft.
Two-Family	40	40	10	120	22,000 sq. ft.
Combined, Sewage Disposal System					
One-Family	35	35	10	85	12,000 sq. ft.
Two-Family	35	35	10	100	15,000 sq. ft.
"R-3": Combined, Sewage Disposal System					
One-Family	30	30	10	70	8,400 sq. ft.
Two-Family	30	30	10	100	12,000 sq. ft.

2. Maximum Percent of Lot Coverage

	<u>A-1</u>	<u>S-1</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>B-1</u>	<u>B-2</u>	<u>M-1, M-2 &amp; M-3</u>
A. Residential	25		30	30	40	50	60	
B. Non-Residential	25	20	30	30	40	50	60	60

**SECTION 2. Apartments and Multiple Dwellings:**

1. No apartment or multiple dwelling sites shall have an area less than 30,000 square feet in an "R-2" District and not less than 20,000 square feet in an "R-3" District.
2. Apartments and 3 or more unit dwellings shall utilize an approved community sewage disposal system.
3. The Sandusky Township Zoning Commission may permit more than one apartment building or condominium on a single site only after approval of the site plan.
4. The following yard and area requirements shall apply to the erection of apartment buildings and multiple dwellings:

District	Minimum Depth of (in feet)		Minimum Side Yard Widths (in feet)		Minimum Lot Width (in feet)	Minimum Lot Area Per Family
	Front Yard	Rear Yard	Either Side	Sum of Side Yard		
"R-2"	50	40	15	30	150	7,500 sq. ft.
"R-3"	40	40	10	25	125	5,000 sq. ft.

**SECTION 3. Combined Sewage Disposal Systems:**

1. In Districts where collective sewers connecting with a sewage disposal system are to be utilized by new dwellings, the collective and disposal system shall be one approved by the Sandusky Township Sewer District and appropriate County and State officials having jurisdiction.

**SECTION 4. Residential Floor Area Requirements:**

1. The floor area for a single dwelling, two-family dwelling or multiple dwelling erected on any lot shall not be less than that established by the following table:

District	No. of Stories	Minimum Ground Floor Area	Minimum Floor Area Per Family
"S-1"	Less than two	1,000 sq. ft.	1,000 sq. ft.
	Two or more	900 sq. ft.	1,200 sq. ft.
"R-1"	Less than two	1,000 sq. ft.	1,000 sq. ft.
	Two or more	900 sq. ft.	1,200 sq. ft.
"R-2"	Less than two	800 sq. ft.	800 sq. ft.
	Two or more	720 sq. ft.	900 sq. ft.
"R-3"	Less than two	720 sq. ft.	720 sq. ft.
	Two or more	600 sq. ft.	720 sq. ft.
"A-1"	Less than two	720 sq. ft.	720 sq. ft.
	Two or more	600 sq. ft.	720 sq. ft.

2. The floor area for dwelling units in an apartment building erected on any lot shall not be less than 600 square feet per family in an "R-2" District and 500 square feet in an "R-3" District.

**SECTION 5. Existing Lot of Record:**

1. Any lot of record existing at the effective date of this Resolution in any "A", "S" 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. Where two or more contiguous unimproved lots of record with less than the required area and width are held by one owner, the Sandusky Township Zoning Commission may require re-platting to fewer lots to permit compliance with minimum yard requirements.

**SECTION 6. Special Yard Regulations:**

1. Lots having frontage on more than one street shall provide the required front yard for the District in which it is located and the same dimension for all side yards.
2. No accessory buildings shall be located in any front yard except under unusual circumstances where such activity shall not conflict with the intent and purposes of this Resolution; or where enforcement shall result in extreme hardship. Either exception shall require approval of the Sandusky Township Zoning Appeals Board.
3. Front yard requirements for new residences on lots of record existing at the effective date of this Resolution and where one or more of the lots of record are occupied by existing dwellings within two hundred (200) feet of the lot on which the new dwelling is to be erected may be modified, subject to Appeals Board approval, to conform to the setback line of the existing dwelling or dwellings provided the front yard so established is not less than thirty (30) feet.
4. The required lot frontage for lots fronting on a cul-de-sac or on a curved street shall be measured at the building line as determined by the front yard requirement.
5. Dish antennas shall not be permitted in any area of any front yard.

**SECTION 7. Architectural Projections:**

1. Cornices, eaves, belt courses, sills, canopies or similar architectural projections may extend or project into required side yard not more than two (2) inches for each one (1) foot of width of such side yard, and may extend or project into a required front or rear yard not more than thirty (30) inches. Bay windows and chimneys may project into a required front, side or rear yard not more than eighteen (18) inches provided the side yard is not reduced to less than eight (8) feet.
2. Covered structures such as porches, balconies, or platforms shall be considered a part of the building to which attached and shall not project into the required minimum front, side or rear yard.

**SECTION 8. Set Back of Buildings on Principal Highways:**

1. Buildings or structures shall be set back as outlined in Article IV, Section 1 through 4 and Article V, and Section 1. For purposes of clarity, set back is normally measured from the right-of-way rather than the edge of the road, curb, or centerline.

**SECTION 9. Residential Development and Condominium Projects:**

1. Zoning permits may be issued for residential development or condominium projects even though the use of land, area of lots and depth of yards do not comply in all respects to the provisions of this Resolution providing:
  - a. The Board of Trustees of Sandusky Township has approved a complete plan for the area after review by the Sandusky Township Zoning Commission and a public hearing.
  - b. The property adjacent to the area will not be adversely affected.



- c. The plan is consistent with the intent and purposes of this Resolution.
- d. The average lot area, including all other improvements except streets not less than the lot area requirements of the district in which the plan is located.
- e. The use of land shall be similar to the uses permitted in the district in which the plan is located.

**ARTICLE VI - REGULATIONS FOR BUSINESS AND INDUSTRIAL USE**

**SECTION 1. Front, Rear Yard and Area Requirements:**

1. The following table establishes the yard, area and lot coverage regulations for all uses permitted in business and industrial districts, except as provided in Section 5 of Article II.

<u>District</u>	<u>Minimum Depth of (in feet)</u>		<u>Minimum Width Each Side Yard (in feet)</u>	<u>Minimum Lot Width (in feet)</u>	<u>Minimum Lot Area</u>
	<u>Front Yard</u>	<u>Rear Yard</u>			
"B-1"	50	15	none	none	none
"B-2"	60	40	20	100	20,000 sq. ft.
"M-1"	75	50	25	200	2 acres
"M-2"	85	40	20	150	1 acre
"M-3": Minimum Lot size of Residence:					
	60	40	10	100	20,000 sq. ft.

(See Special Provisions of Section 9 in Article VIII)

**SECTION 2. Side and Rear Yard Requirements for Non-Residential Uses Abutting "S" or "R" Districts:**

**1. Minimum Yard Requirements:**

- a. Non-residential buildings or uses shall not be located nor conducted closer to any lot line of any other lot in an "S" or "R" District than the distance specified in the following schedule, except as provided in Paragraph 2 of this Section.

<u>Minimum Side or Rear Yard Abutting any "S" or "R" District</u>	<u>Use</u>
25 feet	Off-street parking spaces and access drives for non-residential uses.
50 feet	Churches, schools and public or semi-public Buildings.
80 feet	Recreation facilities, entertainment facilities, motels, trailers and mobile home parks, all commercial uses and billboards
150 feet	Outside sale or storage of building material or construction equipment, all industrial uses, except those listed below.
500 feet	Auto and metal salvage operations.

## **2. Landscaping or Screening Provisions:**

- a. For non-residential uses abutting "S" or "R" Districts the minimum yards may be reduced to fifty percent of the above requirements if acceptable landscaping or screening, approved by the Zoning Inspector, is provided. Such screening shall be a masonry or solid fence between four and six feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than fifteen feet in width planted and maintained with an evergreen hedge, or dense planting of evergreen shrubs not less than four feet in height.

### **SECTION 3. Regulations for Permitted and Conditional Uses in the "M-1" Restricted Industrial District:**

1. Manufacturing Uses with minimum nuisance standards shall be permitted in the "Manufacturing" District including, but not limited to the following uses:
  - a. Assembly of products from previously manufactured glass; and similar types of uses of a low nuisance level
  - b. Auto repair, junk yard, salvage yard
  - c. Bakeries
  - d. Bottling works
  - e. Carting, express or hauling establishments
  - f. Clothing manufacturing
  - g. Contractors' establishments and equipment storage (provided not stored in required yards)
  - h. Dairying
  - i. Electrical equipment assembly
  - j. Furniture and wood products manufacturing
  - k. Lumber yards, Lumber mills
  - l. Machine shops
  - m. Manufacturing and processing of nuts, bolts and similar small metal products
  - n. Printing shops
  - o. Radio and television stations and towers
  - p. Research laboratories (use of animals of which is prohibited)
  - q. Sheet metal shops

Extractive industries, such as quarrying shall be classified as permitted manufacturing uses.

2. The following regulations, conditions and procedures shall apply to the development of properties for permitted and conditional uses in Restricted Industrial Districts.

#### **1. General Provisions:**

- 1) The owner of a tract of land located in any district where or near where a proposed restricted industrial area is shown on the future land use plan, containing not less than five acres. May submit to the Commission for its review a preliminary plan for the use and development of such tract of land for industrial uses permitted in accordance with the provisions of this Resolution.

- 2) In accepting such plan for review the Commission must be satisfied that the proponents of the office or industrial development are financially able to carry out the proposed project; that they intend to start construction within one year of the approval of the project and intend to complete it within a reasonable time as determined by the Commission.

**2. Location and Character of Development:**

- 1) The proposed office and industrial development shall be located so that reasonably direct traffic access is supplied from principal thoroughfares and where congestion will not likely be created by the proposed development; or where such congestion will be obviated by presently projected improvements of access thoroughfares, by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking.
- 2) The plan shall provide for an office or industrial development consisting of one or more buildings or integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, which will be an attractive development and which will fit harmoniously into and will have no adverse effects upon, the adjoining or surrounding development.

**3. Permitted Uses:**

- 1) The uses permitted in an "M-1" District shall be those office buildings and industrial and related uses listed in Article III.

**4. Regulations:**

- 1) The following regulations shall apply to office and industrial developments in "M-1" Districts.
  - a) **Building Heights:** No building shall exceed two stories or forty-five feet in height, except as modified by Section 1 of Article VII of this Resolution.
  - b) **Yards:** No building shall be less than seventy-five feet distant from any boundary of the tract on which the office or industrial development is located. Loading and storage shall be permanently screened from all adjoining properties located in any "R" District by building walls, or a solid wall or compact evergreen hedge at least six feet in height. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.
  - c) **Tract Coverage:** The ground area occupied by all the buildings shall not exceed in the aggregate sixty percent of the total area of the lot or tract.
  - d) **Parking Space:** Notwithstanding any other requirements of this Resolution, there shall be provided one off-street space for each two employees on the maximum working shift. Parking areas will not be located closer than twenty-five (25) feet to any adjoining lot line in any "S", "R" or "B" District and shall be set back at least twenty-five feet from the street right-of-way

line. The parking area shall be graded for proper drainage and improved so as to provide a durable and dust-free surface.

- e) **Loading Space:** Notwithstanding any other requirements of this Resolution, there shall be provided off-street loading or unloading space sufficient in area and vertical clearance to accommodate the maximum number of trucks and tractor trailers anticipated at any one time.
- f) **Access Drives and Illumination of Parking Areas:** Access drives and illumination of parking areas shall conform to the requirements of Article VII.
- g) **Signs:** Signs for office and industrial developments shall be limited to wall type signs on the principal building except that a small freestanding identification and directional sign not over fifteen square feet in area may be erected at entrances to the office and industrial development. If signs are illuminated the source of light shall not be visible.

**5. Submission and Approval of Final Development Plan:**

- a) Upon determination by the Commission that the proposed office or industrial development, as shown by the preliminary plan, appears to conform to the requirements of this Section and all other applicable requirements of this Resolution, the proponents shall prepare and submit a final development plan, which plan shall incorporate any changes or modifications required or suggested by the Commission.
- b) If the final development plan is found to comply with requirements set forth in this Section and other applicable provisions of this Resolution, the Commission shall submit said plan with its report and recommendations, together with the required application for a Zoning Permit to the Board of Township Trustees which shall hold a public hearing on the proposed development plan.
- c) Following a public hearing, the Board of Township Trustees may modify the plan, consistent with the intent and meaning of this Resolution and authorize the issuance of a Zoning Permit.
- d) After the final development plan has been approved by the Board of Township Trustees and in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yard may be requested by the proponents and provided such requests conform to the standards established by the final development plan and this Resolution, such adjustments or rearrangements may be authorized by the Commission.

## **ARTICLE VII – HEIGHT REGULATIONS**

### **SECTION 1. Requirements:**

1. Buildings with a height in excess of thirty-five (35) feet above the average ground level at the foundation walls shall be permitted in all districts excluding R1, R2 and R3 districts provided the required front, side and rear yards are each increased by one foot for each foot of additional building height above thirty-five (35) feet, except that no building shall exceed a maximum height of sixty (60) feet without prior approval of the Board of Zoning Appeals. In Residential districts, accessory structures shall not exceed 18 feet in height.

### **SECTION 2. Exemptions:**

1. The height regulations prescribed herein shall not apply to television and radio towers, cell towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, silos and similar structures for bulk storage, grain elevators, mineral extraction and processing structures, elevator bulkheads, smokestacks, conveyors and flagpoles, except where the height of such structure will constitute a hazard to the safe landing and take-off of military, public, commercial and private aircraft at an established airport.

## ARTICLE VIII - OFF-STREET PARKING AND LOADING REQUIREMENTS

### SECTION 1. Off-Street Parking Requirements:

1. **General Requirements:** In all districts, in connection with every industrial business, institutional, recreational, residential or other use, there shall be provided, at any time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the following requirements:
  - a. Each off-street parking space shall have an area of not less than one hundred sixty square feet exclusive of access drives or aisles, and shall be of usable shape and condition.
  - b. There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does abut on a public or private alley or easement of access, there shall be provided an access drive not less than eight (8) feet in width in the case of a dwelling, and not less than eighteen (18) feet in width in all other cases, leading to the parking or storage areas or loading or unloading spaces required hereunder.
2. **Number of Spaces Required:** The number of off-street parking spaces to be provided shall not be less than the following:

<u>Use</u>	<u>Parking Spaces Required</u>
Residential	Two per housekeeping unit
Rental Units	One per rented room or unit
Church or School	One for each four seats in principal gathering room
Private Club or Lodge	One for each four members
Country Club	One for each four members
Theater	One for every four seats
Offices, Wholesale Establishments, Business Services	One for every 250 square feet of floor space plus one space for each two employees
Retail Store, Personal Service Establishment or Furniture, Auto Parts, Etc.	One for each 150 square feet of floor space
Industrial Uses	One for each two employees on the maximum working shift
Hospital, Sanitarium or Convalescent Home	One for every three beds and one for each two employees on the maximum working shift
Clinics	One for each 150 square feet plus one space

	for each employee
Dance Hall, Restaurant, Assembly or Exhibition Hall, Night Club, Café or similar Recreation Establishment	One for each 75 square feet of floor space
Bowling Alley	Seven for each alley
Mortuary or Funeral Home	One for each 75 square feet of floor
Tourist Home, Hotels and Motels	One and one-fifth (1.2) spaces for each sleeping room plus spaces required for restaurants, assembly rooms, related facilities and employees
Service Station	One space for each employee or full time equivalent plus two (2) spaces for each service stall, plus required space for retail store, if applicable, with minimum for six (6) spaces

3. Location, erection, construction, reconstruction, enlargement, change, maintenance or use.
 

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

  - a. "Floor space" shall mean the gross floor area of the specified use.
  - b. Fractional numbers shall be increased to the next whole number.
  - c. Spaces shall be provided in connection with the expansion of any building or use in accordance with the expanded floor area, increased number of employees, beds or seats, or the increased number of residential units.

## **SECTION 2. Special Parking Provisions:**

1. Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not overlap, provided that a written agreement, approved by the County Prosecutor and accepted by the Board of Township Trustees shall be filed with the application for a Zoning Permit.
2. Parking spaces may be located on a lot other than that containing the principal use with the approval of the Board of Appeals provided a written agreement, approved by the County Prosecutor and accepted by the Board of Township Trustees shall be filed with the application for a Zoning Permit.
3. **Surfacing:** Any off-street parking area for more than five (5) vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.
4. **Lighting:** Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any "R" District.

## **SECTION 3. Off Street Loading Requirements:**

1. In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of five thousand (5,000) square feet or less, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, three shall be provided and maintained,



- on the same lot with such building, at least one (1) off-street loading space plus one (1) additional such loading space for each ten thousand (10,000) square feet or major fraction thereof of gross floor area so used in excess of five thousand (5,000) square feet.
2. Each loading space shall be not less than twelve (12) feet in width, sixty (60) feet in length, and fourteen (14) feet in height.
  3. Subject to the limitations in section 3 of this Article, such space may occupy all or any part of any required yard or court space.
  4. No such space shall be located closer than fifty (50) feet to any other lot in any "R" District, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted fence not less than six (6) feet in height and provided such wall or fence is located not closer than ten (10) feet from a lot in an "R" District which intervening area shall be landscaped and properly maintained at all times.

## ARTICLE IX - SPECIAL PROVISIONS

### **SECTION 1. Performance Requirements for Uses in All Districts except in "M-3" Districts:**

1. **Requirements:** No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition unless the following performance requirements are observed:

- a. **Fire Hazards:** Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire suppression equipment and by such safety devices as are normally used in the handling of any such material.
- b. **Radioactivity or Electrical Disturbance:** No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- c. **Noise:** Noise which is objectionable as determined by the Board due to volume, frequency or beat shall be muffled or otherwise controlled, except during construction operations. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.
- d. **Vibration:** No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
- e. **Smoke:** Smoke shall not be emitted for longer than eight minutes in any hour which is of a shade equal to or darker than No. 3 on the Standard Ringleman Chart as issued by the U.S. Bureau of Mines.
- f. **Odors:** No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
- g. **Air Pollution:** No pollution of air by fly ash, dust, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation or other property or which can cause soiling.
- h. **Glare:** No direct or reflected glare shall be permitted which is visible from any property or from any public street, road or highway.
- i. **Erosion:** No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
- j. **Water Pollution:** Pollution of water shall be subject to the requirements and regulations established by the State Sanitary Water Board.

### **2. Enforcement Provisions:**

- a. The Zoning Inspector shall refer any proposed use, which is likely to violate performance requirements to the Board for review. The Board, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements of processing or operations are to be controlled so as to conform with the performance requirements herein set forth.
- b. **Measurement Procedures:** Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to the applicable standard measurement procedures published by the American Standards Association, Inc., New York; the Manufacturing Chemists' Association, Inc., Washington, DC; and the United States Bureau of Mines.

## **SECTION 2. Manufactured Home Regulations:**

Individual manufactured homes shall meet the following requirements:

1. Individual manufactured homes are permitted in manufactured home parks and may be permitted as a Special Use in the "A" District provided all other district requirements are met and the total floor area exceeds 900 square feet.
2. Individual manufactured homes, where permitted (except in a manufactured home park) shall be placed on a permanent masonry foundation and be completely skirted with the wheels and tongue being removed and adequate tie-downs provided.

Factory-Built Housing: Factory-built housing means a factory build structure designed for long-term residential use, the components of which are essentially constructed or assembled prior to its delivery and installation upon a site. For the purpose of this Resolution, "factory-built housing" shall include the following:

1. **Manufactured Home** – A factory built structure that is manufactured or constructed under the authority of 42 United States Code Section 540 and is to be used as a place for human habitation, but which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site and with wheels and/or axles. Manufactured homes must comply with the following minimum standards.
  - a. **Exterior Siding** – Exterior siding shall be made of non-reflective and non-metallic materials unless approved otherwise. Acceptable siding materials include: vinyl, wood, stucco, brick, stone or other masonry materials or any combination of these materials.
  - b. **Color/Texture** – Color and texture of exterior materials shall be compatible with the adjacent single-family structure.
  - c. **Roof Structure** – Except for authorized deck areas, all roof structures shall be sloped to provide eaves projection of no less than six (6) inches and no greater than 30 inches.
  - d. **Roofing Material** – All roofing material shall consist of the following categories: wood, shingle, and concrete tile or any other material that the Township deems appropriate. Metallic roofing surfaces shall not be permitted on the residential structure, garage or carport.
  - e. **Minimum Floor Area** – The minimum width of a dwelling located on a lot outside a manufactured home subdivision shall be not less than twenty (20) feet.
  - f. **Foundations** – All manufactured homes shall be placed on a permanent foundation that meets applicable building code requirements, such as the floor elevation of the proposed dwelling is reasonably compatible with the floor elevations of surrounding dwelling units.
3. **Mobile Home** – A transportable, factory built home, designed to be used as a year round residential dwelling and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, effective June 15, 1976.

### **SECTION 3. Trailers, Trailer Coaches, Mobile Homes and Trailer Parks:**

1. No trailer, trailer coach or mobile home shall be used out of a permitted trailer park to provide living quarters or space for the conduct of business, except as herein provided.
  - a. A trailer, trailer coach or mobile home may be used as a temporary accessory building during the construction of a principal building upon issuance of a temporary permit by the building inspector. Requests for a temporary permit must be accompanied by a letter of approval from the Sandusky County Health Department.
  - b. The Zoning Inspector may issue a temporary permit for up to one year.
  - c. One additional six month temporary permit may be issued for hardship as determined by the Zoning Inspector.
  - d. Any temporary accessory building not removed from the temporary permitted site upon the date of expiration will be subject to a fine of up to \$100.00 per day as determined by the Zoning Inspector.
2. Modular homes or Pre-Constructed Homes shall be permitted if they comply with Residential Regulations.
3. Trailer parks where permitted shall observe the following requirements:
  - a. No trailer park shall have an area less than ten acres, nor an average gross area per occupied trailer of less than 4,000 sq. ft.
  - b. Every occupied trailer shall be connected to a sanitary sewer and an approved sewage disposal system.
  - c. In any trailer park, no unoccupied trailer including boat trailer and boats stored thereon shall be located less than twenty (20) feet on all sides from any occupied trailer nor shall any unoccupied trailer be located less than three feet on all sides, from another unoccupied trailer.
  - d. A safe, useable recreation area shall be conveniently located in every trailer park and shall not be less in area than ten percent (10%) of the gross area of the trailer park.
  - e. No trailer shall be located less than 50 feet from any abutting property.
  - f. The park shall be permanently landscaped and maintained in good condition.
  - g. No flammable materials may be used for windbreaks, barrier insulation under or around house trailer.

### **SECTION 4. Signs and Outdoor Advertising Structures:**

1. **General Provisions:**
  - a. Real estate signs not exceeding twelve (12) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located shall be permitted on any property.
  - b. Announcement or professional signs for home occupations and professional activities where permitted shall not exceed two (2) square feet in area in "R" and "S" Districts and not more than four (4) square feet in other districts. Wall mounted signs not to project more than one foot from the face of the building.
  - c. Bulletin boards and signs for a church, school, community or other public or semi-public institutional building and permitted conditional uses shall be permitted provided the area of such bulletin board or sign shall not exceed twenty (20) square feet in area.

- d. Wall signs pertaining to a non-conforming use shall be permitted if on the same premises of such use provided the area of such sign does not exceed twenty (20) square feet.
- e. No building wall shall be used for display of advertising, except that pertaining to the use carried on within such building.
- f. Temporary signs not exceeding in the aggregate fifty (50) square feet, announcing the erection of a building, the architect, the builders, contractors, etc., may be erected for the period of sixty (60) days, plus the construction period not to exceed one (1) year after date of issuance of permit after which the sign shall be removed from the premises.
- g. All signs shall be maintained in good appearance and repair.

**2. Business District Signs:**

- a. In a business district each business shall be permitted one flat or wall sign. Projections of wall signs shall not exceed five (5) feet measured from the face of the main wall of the building.
- b. The area of all permanent advertising signs for any single business enterprise shall be limited according to the widths of the building or part of building occupied by such enterprise. For the purposes of this section, width shall be measured along the building face nearest parallel to the street line. In the case of a corner lot, either frontage may be used in determining width, but the frontage selected shall be considered the front wall of the building for the purposes of determining maximum area of the sign.
- c. The area of all permanent advertising signs for any single business enterprise may have an area equivalent to one and one-half square feet of sign area for each lineal foot of width of a building, or part of a building occupied by such enterprise, but shall not exceed a maximum area of two hundred (200) square feet per face.
- d. Free standing signs not over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet and located not closer than ten (10) feet to any street line, and not closer than one hundred (100) feet to any adjoining lot line may be erected to serve a group of business establishments.
- e. Pole signs of symbolical design shall be permitted for automobile service stations and other similar business establishments provided:
  - 1) No part of such sign shall project into the right-of-way of any street or highway.
  - 2) The support of such sign shall be set back at least three (3) feet from any public right-of-way.
  - 3) The maximum area of any face of such sign shall not exceed thirty-two (32) square feet.
  - 4) The pole support of the sign shall not be less than fifty (50) feet from any lot line in any "R" or "S" district.

**3. Setback Requirements:** Signs and outdoor advertising structures where permitted shall be set back from the established right-of-way line of any street or highway at least as far as the required front yard depth for a principal use in such district except for the following modification:

- a. At the intersection of any state or federal highway with a major or secondary street, the sign or outdoor advertising structure shall not be less than three hundred (300) feet from any intersecting highway or street.

- b. At the intersection of any County or Township road with any other public roadway, the sign or outdoor advertising structure shall not be less than two hundred (200) feet from an intersecting highway or street in an “A-1”, or “S-1”, “R-1” or “M-3” District; or, one hundred (100) feet in any other district.
  - c. Real estate signs and bulletin boards for a church, school or other public or semi-public, religious or educational institution may be erected within ten (10) feet of the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersection
- 4. **Special Yard Provisions:** The following special provisions shall be observed in the erection or placement of signs and outdoor advertising structures:
  - a. No such sign or advertising structure shall be permitted which faces the front or side lot line of any lot in any “R” District within one hundred (100) feet of such lot line, or which faces any public parkway, public square or entrance to any public park, public or parochial school, library, church or similar institution, within three hundred (300) feet thereof.
  - b. Signs and advertising structures, where permitted, shall be erected or placed in conformity with the side and rear yard requirements of the district in which located except no sign or advertising structure shall be erected or placed closer than within fifty (50) feet to a side or rear lot line in any “R” or “S” District.
- 5. **Illumination:** The following provisions shall be observed in the illumination of signs and advertising structures:
  - a. All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.
- 6. **Permits:** A separate permit shall be required for the erection of signs regulated in this resolution, except that no permit shall be required for temporary real estate signs with an area of twelve (12) square feet for the sale or lease of property and for small announcement signs with an area of less than two (2) square feet. Announcement signs shall be removed by the person or persons responsible for posting same within thirty (30) days after erection. Each application for a sign permit shall be accompanied by a drawing to scale, showing the design proposed, the size, character and color of letters, lines and symbols, method of illumination; the exact location of the sign in relation to the building and property, and details and specifications for construction. A fee established by Township Trustees shall accompany each application for a sign permit.

**SECTION 5. Integrated Shopping Areas or Centers:**

**1. General Provisions:**

- a. The owner of a tract of land located in any district at or near where a proposed shopping center is shown on the Land Use Plan, containing not less than two acres

in the case of a neighborhood shopping center (B-1 District type) and not less than fifteen (15) acres in case of a community shopping center (B-2 District type) may submit to the Commission for its review a preliminary plan for an integrated shopping center.

- b. In accepting such plan for review, the Commission must be satisfied that the proponents of the integrated neighborhood or community shopping center are financially able to carry out the proposed project; that they intend to start construction within one year of the approval of the project and necessary change in zoning, and intend to complete it within a reasonable time as determined by the Commission.

**2. Location, Size and Character of Development:**

- a. The proposed shopping center is located so that reasonably direct traffic access is supplied from principal thoroughfares and where congestion will not likely be created by the proposed center; or where congestion will be obviated by presently projected improvement of access thoroughfares, by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking.
- b. The plan provides for a shopping center consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, which will be an attractive and efficient shopping center, convenient, pleasant and safe to use, and which will fit harmoniously into, and will have no adverse effects upon the adjoining or surrounding development.

3. **Permitted Uses:** The uses permitted in an integrated neighborhood shopping center shall be those retail businesses, commercial and service uses permitted in the B-1 District and the uses permitted in an integrated shopping center shall be the same kinds of uses as permitted in the B-2 District. No industrial uses shall be permitted, or any use other than such as is necessary or desirable to supply with goods or services the surrounding neighborhood or community.

4. **Regulations:** The following regulations shall apply to an integrated neighborhood or community shopping center:

- a. **Building Heights:** No building shall exceed two stories or twenty-five feet in height, except as modified by Section 1 of Article VII of this Resolution.
- b. **Yards:** No building shall be less than one hundred feet distant from any boundary of the tract on which the shopping center is located. The center shall be permanently screened from all adjoining properties located in any "R" District by a solid wall or compact evergreen hedge at least six feet in height. Such wall or hedge shall be placed at least five feet from the property line and wall or hedge shall be properly and permanently landscaped and properly maintained at all times. A bordering strip of at least thirty feet in width adjacent to the property line along streets of which the center has frontage, except for necessary entrances and exits, shall be landscaped with trees and plantings. Any intervening space between the street pavement and the right-of-way, except for the necessary entrances and exits shall also be improved, landscaped and properly maintained subject to any regulations governing such street areas.
- c. **Tract Coverage:** The ground area occupied by all the buildings shall not exceed in the aggregate twenty-five percent of the total area of the lot or tract.

- d. **Customer Parking Space:** Notwithstanding any other requirements of this Resolution, there shall be provided one off-street space for each one hundred and twenty-five (125) square feet of rental floor space, not including basement storage space, in an integrated neighborhood shopping center; and one off street parking space for each sixty (60) square feet of rental floor space, not including basement storage space in an integrated community shopping center.
- e. **Loading Space:** Notwithstanding any other requirements of this Resolution, there shall be provided one off-street loading or unloading space for each ten thousand (10,000) square feet or fraction thereof of aggregate floor space of all buildings in the center. At least one-third (1/3) of the spaces required shall be sufficient in area and vertical spaces required shall be sufficient in area and vertical clearance to accommodate trucks of the tractor-trailer type.
- f. **Access Drives and Illumination of Parking Areas:** Access drives and illumination of parking areas shall conform to the requirements of Article VI.
- g. **Signs:** Each center shall be permitted two free standing signs not over thirty (30) feet in height, having a maximum total area of one hundred (100) square feet and located not closer than ten (10) feet to any street line and not closer than one hundred (100) feet to any adjoining lot line. A single identification pylon or similar structure of a height in excess of thirty (30) feet and in harmony with the design of the buildings shall be permitted in a community shopping center. All signs within the center shall be controlled by written agreement between the owners and tenants of the center, or otherwise, to avoid excessive advertising and ensure a harmonious appearance to the center as a whole. In a neighborhood shopping center, all signs shall only be indirectly illuminated, and in either a neighborhood or community center, all signs shall conform to the distance requirements from property lines for the buildings in the center.

**5. Submission and Approval of Final Development Plan:**

- a. Upon determination by the Commission that the proposed integrated neighborhood shopping center or community shopping center, as the case may be, as shown by the preliminary plan, appears to conform to the requirements of this Section and all other applicable requirements of the Resolution, the proponents shall prepare and submit a final development plan, which plan shall incorporate any changes or modifications required or suggested by the Commission.
- b. If the final development plan is found to comply with requirements set forth in this Section and other applicable provisions of this Resolution, the Commission shall submit said plan with its report and recommendations, together with the required application by the proponents of the necessary change in zoning classification of the site of the proposed center, to the Sandusky Township Trustees which shall hold a public hearing on both the development plan and application for a change in zoning.
- c. Following a public hearing, the Sandusky Township Trustees may modify the plan, consistent with the intent and meaning of this Resolution, and may rezone the property to the classification permitting the proposed center, for development in substantial conformity with the final plan as approved by the Trustees.
- d. After the final development plan has been approved by the Sandusky Township Trustees and in carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards, may be requested by the proponents, and, provided such requests conform to the standards established by the final development plan and this Resolution, such adjustments or rearrangements may be authorized by the Commission.



## **SECTION 6. Gas and Oil Wells:**

1. Oil and gas wells and storage areas permitted shall be located a minimum of 200 feet from any other lot in any district. The site shall be maintained in good condition and structures shall harmonize, in so far as possible, with the character of the structures in the district in which it is located.

## **SECTION 7. Swimming Pools and Ponds:**

### **1. Ponds – Fresh Water:**

- a. Ponds shall be conditionally permitted in the A-1,S-1, R-1, R-2, R-3, B-1, B-2, M-1 and M-2 districts
- b. Large ponds shall be conditionally permitted in an industrial district as part of the overall design of an industrial plant or park containing at least three (3) acres.
- c. Minimum surface area shall be one-half (1/2) acre. Maximum surface area shall not exceed twenty-five (25%) percent of the net acreage of the parcel.
- d. The side slope of a large pond shall be horizontal to vertical at a ratio of 2:1. The ratio shall be maintained to a minimum depth of seventeen (17) feet.
- e. All ponds may be required to be enclosed with a four to six (4-6) ft. fence.
- f. To prevent adverse effects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from pond development, and then diverted to a suitable outlet or drainage ditch. (Excluding ponds for agriculture)
- g. Refilling: The refilling of an area which has been excavated for the development of a pond shall be considered waste disposal and shall meet the requirements as set forth by the Sandusky County Board of Health for solid waste disposal under 3734.05 of the Ohio Revised Code.
- h. Retention ponds and other ponds not specifically permitted above may be permitted with the approval of the Zoning Inspector.

### **SETBACK:**

A large pond shall have 100-ft minimum setback from any street right-of-way, septic tank or leach field.

Large ponds on industrial parcels of five (5) acres or less shall have a side yard setback of not less than ten percent (10%) of the width of the parcel, with a minimum setback of twenty-five (25) feet.

A large pond shall be located no closer than 100 feet to a septic tank or leach field.

### **PERMIT APPLICATION REQUIREMENTS**

Prior to beginning construction of any pond in Sandusky Township, the owner or qualified representative must submit the following:

A completed pond permit application listing: Owner Name, Address, Contractor Name, address and license number, Intentions (swimming, ornamental or agricultural), Date (from start of construction to completion – shall NOT extend beyond twelve (12) months).

Two copies of the site plan indicating the exact location of the pond; size; its distances from property lines; the location of the septic & sewer lines; slope and depth of the pond.

\$100.00 non-refundable deposit.

## **2. Swimming Pools:**

All swimming pools and or the entire property, on which they are located, shall be walled or fenced to prevent uncontrolled access from the street or adjacent properties. Said fence or wall shall not be less than FOUR (4) feet in height and maintained in good condition with a lockable gate. The required fence shall be in place within thirty (30) days after the swimming pool is constructed. Swimming pools are permitted only in the side and rear yards and a ten (10) foot setback from all lot lines must be maintained. Swimming pools, as described herein, shall exclude portable pools with a diameter of less than twelve (12) feet or with an area of less than 100 square feet.

An above ground pool is exempt from any fencing regulations providing the height of the pool is equal to or greater than FOUR feet. All access ladders for this type of pool shall be removed or in an inaccessible position when the pool is not in use or is left unattended.

3. **Community or Club Swimming Pools:** A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club for use and enjoyment by members of the association or club and their families. Community and club swimming pools shall comply with the following conditions and requirements:

- a. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under the ownership or jurisdiction the pool is operated.
- b. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than one hundred (100) feet to any property line of the property on which located.
- c. The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than six feet in height and maintained in good condition. The areas surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees and maintained in good condition.

## **SECTION 8. Temporary Buildings:**

1. Temporary buildings or trailers other than trailers for living purposes in conjunction with construction work only may be permitted in any district during the period that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work. Permits for temporary buildings shall be used for a one-year period and must be renewed for their continued use.

## **SECTION 9. Extraction and Processing of Minerals:**

1. The extraction and processing of minerals in an “M-3” District shall be conducted in accordance with the requirements of this section and other sections of this Resolution inconsistent with this section shall have no application to mineral extraction and processing in an “M-3” District.
  - a. **Existing Operations:** The provisions of this section shall not apply to existing buildings, structures and areas utilized for the extraction and processing of minerals prior to the enactment of this Resolution except that the extension of any existing extraction operations shall not be conducted closer than 250 feet to any lot line in an “R”, “B” or “M-1” District and not closer than 50 feet to any lot line in an “S”, “A” or “M-2” District except that in no case shall extraction operations be conducted within 250 feet of a structure used for human occupancy unless written permission is granted by the adjacent property owners. Owners of buildings, structures and excavations on tracts of land where no further extraction or processing is contemplated shall comply with the requirements of paragraph (d) of this section.
  - b. **Control of Objectionable Elements:** The owners and operators of existing and proposed extraction industries shall minimize the harmful effects of smoke, fly ash, dust, noise and vibration upon surrounding properties in accordance with the customary and accepted practices of the extraction industry.
  - c. **New Operations and Major Expansion of Existing Operations:**
    1. The operator of a proposed extraction and processing operation in an area outside an established “M-3” District or the operator of an existing extraction and processing operation where an expansion is contemplated beyond the established limits of an “M-3” District, shall submit to the Sandusky Township Trustees for approval, copies of plans showing the proposed location and type of building, or structures to be erected and the areas from which minerals are to be extracted. The plans shall show the type of restoration or reuse contemplated for the land upon completion of the extraction and processing operation.
    2. Proposed operations and major expansion of existing operations for the extraction and processing of minerals shall provide off-street parking and loading facilities sufficient to meet personnel and operating requirements at all times.
    3. Buildings and structures used for the processing of minerals shall be located at a minimum distance of five hundred (500) feet from any “A”, “S”, “R” or “B” District. Mineral extraction operations shall not be conducted closer than 250 feet to any lot line in an “R”, “B” or “M-1” District and not closer than 50 feet to any lot line in an “A”, “S” or “M-2” District except that in no case shall extraction operations be conducted within 250 feet of a structure used for human occupancy unless written permission is granted by the adjacent property owners. Owners of buildings, structures and excavations on tracts of land where no further extraction or processing is contemplated shall comply with the requirements of paragraph (d) of this section.
    4. Upon determination by the Commission that proposed buildings and structures and the extraction and processing of minerals as shown on the submitted plans conforms to the requirements of this section and other applicable provisions of this Resolution, the Commission shall submit the plans and the application for a zoning change, together with its report and recommendations to the Sandusky Township Trustees which shall hold a public hearing on both the proposal as shown by the plans and the application for any required change in zoning.

5. Following the public hearing the Sandusky Township Trustees may require modifications in the plans, consistent with the intent and meaning of this Resolution and may approve any required rezoning of property to an “M-3” classification.

- d. **Abandoned Buildings, Structures and Excavations:** Buildings and structures for which no further use is contemplated in the extraction and processing of minerals and for which no other acceptable use is practicable or feasible shall be demolished. Excavated areas shall be re-graded to remove abrupt and precipitous slopes and quarry banks and planted with appropriated plant material. Where such grading is impracticable because of rock formations, the excavated area may be enclosed by a six-foot fence, which shall be maintained in good condition.
- e. The erection of dwellings for human occupancy, in other than residential districts (“R-1”, “R-2” and “R-3”), adjoining an existing “M-3” District shall not restrict the future right to excavate in said “M-3” District up to a minimum distance of fifty (50) feet.
- f. The operator of a proposed industry which uses the products of the mineral extraction and processing industry in its manufacturing process, and therefore desires to locate in an “M-3” District adjacent to an existing processing plant in order to have direct delivery from such processing plant by conveyor belts or otherwise, shall submit a plan of the proposed development to the Board for approval.

**SECTION 10. Roadside Stands for Sale of Farm Products:**

- 1. Farm products may be sold at roadside stands providing fifty (50) percent of the items are grown on the property on which the stand is located or on the immediately adjacent property. Such stands shall be set back at least thirty (30) feet from the traveled portion of the roadway. Adequate off-the-road parking facilities shall be maintained for customer vehicles in order to promote public safety.

**SECTION 11. Summer Cottages and Shooting Club Houses:**

- 1. Summer cottages and shooting clubhouses shall have a minimum floor area of 400 square feet and shall have a minimum lot area of 5,000 square feet per family. The cottages and clubhouses shall conform to County Health Standards.

**SECTION 12. Outdoor Wood Fired Furnaces:**

- 1. **PURPOSE:** This Special Provision is intended to promote the public health, welfare and safety by regulating the installation and operation of outdoor wood fired furnaces and/or similar devices.
- 2. **APPLICABILITY.** This ordinance applies to all outdoor wood fired furnaces; corn fired furnaces; pellet fire furnaces; bio-fuel furnaces or furnaces with similar characteristics, in all zoning districts within Sandusky Township.
- 3. **DEFINITIONS.**
  - a. “Clean Wood” means natural dry wood which has not been painted, varnished or coated with a similar material has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.
  - b. “Outdoor Wood Furnace” means a wood, corn, pellet or bio-fuel fired furnace, stove or boiler and is typically not located within a building intended for residential, commercial or industrial habitation.

- c. "Refuse" means any waste material except clean wood.
- d. "Corn Fired" means dry shelled corn that is substituted for clean wood.
- e. "Pellet Fired" means pellets made from compacted sawdust; wood chips; bark waste; paper and other organic materials as a substitute for clean wood.
- f. "Bio-fuel Fired" means soybeans or wheat that is substituted for clean wood.

**4. INSTALLATION AND USE OF OUTDOOR WOOD FIRED FURNACES.**

- a. The outdoor wood fired furnace shall be installed and used only in parcels of sufficient size to meet distance requirement to neighboring buildings or residences.
- b. The outdoor wood fired furnace shall be located at least 100 feet from the nearest residence, commercial establishment or industrial building which is not on the same property as the outdoor wood fired furnace. Furnaces defined in accordance with 3b above shall be considered a structure and must meet all requirements for that zoning district.
- c. If there is a residence within 300 feet of the wood fired furnace which is not on the same property, then the outdoor wood furnace shall have an attached permanent stack extending higher than the roof line of the structures not being served.
- d. The outdoor wood fired furnace shall comply with all applicable laws including, but not limited to County ordinances that prohibit creating a human health hazard or a public nuisance.
- e. Only clean wood, pellets, shelled corn, soybeans or wheat may be used in the furnace.
- f. The outdoor wood fired furnace shall not be used to burn any of the prohibited materials listed under item 5 below.

**5. MATERIALS THAT MAY NOT BE BURNED.**

Unless specific written approval has been obtained from the Township Trustees, the following materials may not be burned.

- a. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, leaves, paper, cardboard, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business waste.
- b. Waste oil or other petroleum based products.
- c. Asphalt and products containing asphalt.
- d. Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.
- e. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- f. Rubber including tires and synthetic rubber-like products.

**6. OUTDOOR WOOD FIRE FURNACE PERMIT.**

- a. The owner of the outdoor wood fired furnace or similar approved furnace shall obtain a permit from the Township Zoning Inspector and pay the permit fee prior to installation.
- b. Application. An application for a wood fired furnace permit shall be made to the Township Zoning Inspector upon forms furnished by the Township that shall include, for the purpose of enforcing these regulations, the following data:
  - 1. Name and address of applicant and property owner.
  - 2. Legal description of the property (parcel number, lot number, etc.)

3. A sketch of the dimensions of the property, including the location of the buildings and the wood fired furnace relative to the lot lines and distances from neighboring residences that are within 300 feet.
- c. Application process.
  1. Upon receipt by the Township Zoning Inspector, a site visit shall be performed and reviewed before consideration of approval.
  2. Applicants shall be notified in writing of the decision on their application within then (10) business days of receipt of the completed application.
  3. The Township shall issue a permit under this section for a wood fired furnace that meets the standards established by Article 9 – Section 12 of the Sandusky Township Zoning Resolution.
- d. Validity of Permit.
 

The permit shall be valid for a period of eighteen (18) months from the date of issue. Installation of the wood fired furnace shall be completed during that time or the permit is void and the applicant will be required to re-apply for a new permit.

**7. RIGHT OF ENTRY AND INSPECTION.**

An officer, agent, employee or representative of the Township who presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions in this Section.

**8. EXISTING NONCONFORMING OUTDOOR WOOD FIRED FURNACES.**

The lawful use of a non-conforming outdoor wood fired furnace existing at the time of the adoption of this Special Provision under Article IX, may be continued although such furnace does not conform to the provision. However, the use of a non-conforming outdoor wood fired furnace shall not be a public nuisance or cause a human health hazard as prohibited by this provision.

**9. ENFORCEMENT AND PENALTIES.**

- a. The Township Zoning Inspector is authorized to enforce this provision (Article 9 – Section 12).
- b. The penalties for violation of any portion of this provision shall be in accordance with Section 7, Article 10 of the Sandusky Township Zoning Resolution.

**SECTION 13. Wind Turbines:**

1. **PURPOSE:** This Special Provision is intended to promote the public health, welfare and safety by regulating the installation, operation and decommissioning of wind turbines.
2. **APPLICATION FOR PERMIT:** An applicant wishing to install a Wind Turbine(s) that generate less than 5 megawatts shall acquire a permit from the Zoning Inspector.
3. **FEES:** See the Sandusky Township Fee Schedule.
4. **CONTROL AND BRAKES:** All Wind Turbines shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls and mechanical brakes.
5. **SET BACKS:** Wind Turbines shall be set back from the nearest occupied building, property line or public right of way a distance not less than the normal set back requirements for that zoning classification or 1.25 times the turbine height, whichever is greater. Personal Use Wind Turbines shall not be permitted in any area of a front yard.

6. **VISUAL APPEARANCE:** Wind Turbines shall be a non-obtrusive color as determined by the Zoning Inspector (i.e. white, off white or gray).

**7. DECOMMISSIONING:**

- A. The Wind Turbine owner shall, at their expense, complete decommissioning of the small wind farm or individual wind turbines within 12 months after the end of the useful life of the farm or individual wind turbine.
- B. The small wind farm or individual wind turbines will presume to be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months.
- C. Decommissioning shall include the removal of wind turbines, buildings, components, roads, other associated facilities and foundations to a depth of thirty six inches.

**SECTION 14. Sexually Oriented Business:**

1. Sexually Oriented Business shall be permitted in Zoning District B-2.
2. Sexually Oriented Business shall not be permitted within 1500 feet from boundaries or a parcel of real estate having situated on it a school, place of worship, library, public park, business catering to minors, tavern, bar or another Sexually Oriented Business.
3. Sexually Oriented Business shall not be permitted within 1500 feet from the boundaries of any residential district.
4. Measure of Distance: All required minimum distance referred to within this section shall be measured in a straight line, without regard to intervening structures, from the closest exterior wall of the Sexually Oriented Business to the closest property line of the affected property.
5. A permit shall be obtained from the Zoning Inspector.
6. Cost of a permit shall be set by the Township Trustees and included in the Township Fee Schedule.

**SECTION 15. Animals:**

1. No Agricultural livestock permitted within any zoning district other than A1 district except as provided in subsection two (2) hereof.
2. The following shall apply to platted subdivisions and any area consisting of fifteen or more lots approved under section 711.131 of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a

dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated road.

The keeping of livestock, animal husbandry, poultry husbandry, the keeping of horses or any agricultural activity involving animals shall not be permitted on lots of less than five (5) acres.



## ARTICLE X – ENFORCEMENT

### **SECTION 1. Office of Zoning Inspector Created:**

1. A Zoning Inspector, appointed by the Board of Township Trustees, shall administer and enforce this Resolution. The Zoning Inspector, before entering upon his duties, shall give bond as specified by Section 519.161 of the Ohio Revised Code. The Zoning Inspector may be provided with the assistance of other persons as authorized by the Board of Township Trustees.

### **SECTION 2. Duties of the Zoning Inspector:**

1. For the purposes of this Resolution, the Zoning Inspector shall have the following duties:
  - a. Review and decide upon applications for Zoning Permits;
  - b. Conduct on-site inspections as necessary;
  - c. Investigate violations and order the discontinuance of uses, activities, and/or structures violating this Resolution and ordering the action necessary to correct such violations;
  - d. Take any other action authorized by this Resolution to insure compliance with or to prevent violation of this Resolution;
  - e. Maintain up-to-date records on all applications and actions related to this Resolution;
  - f. Maintain an up-to-date zoning text and map;
  - g. Propose amendments to the Zoning Commission and Township Trustees, as necessary;
  - h. Review all subdivision plats applicable to the Township and report violations to the Regional Planning Commission;
  - i. Accept and transmit applications for appeals, variances, or special use permits;
  - j. Cooperate with the County Auditor in reporting building activities in the Township for tax purposes; and
  - k. Perform other such responsibilities as may be required by law or the Township Trustees.

### **SECTION 3. Conditions under Which Permits are required:**

1. A zoning permit shall be required for any of the following; except as herein provided:
  - a. Construction or alteration of any building exterior, 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 non-conforming use.

### **SECTION 4. Application and Issuance of Zoning Permits:**

1. Written application shall be made for a zoning permit for the construction of a new building or for the alteration of an existing building. Said permit shall be issued within ten (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.

2. Written application for a zoning permit 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 non-conforming use, as herein provided, shall be made to the Zoning Inspector; if the proposed use is in conformity with the provisions of this Resolution, the permit therefore shall be issued within fifteen (15) days after the application for same has been made.
3. A plot plan and such other plans as may be necessary to show the location and type of buildings to be erected or alteration to be made shall accompany every application for a zoning permit. 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 that all dimensions shown on filed plans shall be based on actual survey.

**SECTION 5. Expiration of Zoning Permit:**

1. If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire, it shall be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within one and one half (1 ½) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

**SECTION 6. Schedule of Fees, Charges, and Expenses:**

1. The Board of Township Trustees shall by resolution establish a schedule of fees, charges and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, 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 Board of Township Trustees. Until all applicable fees, charges and expenses have been paid in full; no action shall be taken on any application or appeal.
2. The Zoning Inspector shall forthwith deposit all fees and fines with the Sandusky Township Fiscal Officer who shall credit such fees to the credit of the General Revenue Fund of the Township.
3. Every zoning permit shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all zoning permits shall be kept on file in the Office of the Zoning Inspector or his agent and copies shall be furnished on request to any person having proprietary or tenancy interest in the building or land affected.

**SECTION 7. Violation and Penalties:**

1. It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building, structure or land in violation of any regulation in or any provisions to this Resolution or any amendment or supplement thereto adopted by the Sandusky Township Trustees. Any individual violating any regulation thereto shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars per day for each offense, if deemed residential. If deemed commercial, they shall be fined five hundred (\$500.00) dollars per day for each offence. Which shall be defined to be; 1. Illegal location, 2. Erection, 3. Construction, 4. Reconstruction, 5.

Enlargement, 6. Change, 7. Maintenance, or use continues, may be deemed a separate offense. If the fine is not paid within thirty (30) days, the amount of the fine or fines shall be added to the property taxed by the Sandusky County Treasurer.

**SECTION 8. Violations – Remedies:**

1. In case any building or structure 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, the County Prosecutor, or any adjacent or neighboring property owner remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such enlargement, change maintenance or use.

## ARTICLE XI - ADMINISTRATION

### SECTION 1. Zoning Commission:

1. **Membership:** A Zoning Commission is hereby created which shall consist of five (5) members to be appointed by the Board of Sandusky Township Trustees, each for a term of five (5) years, except that the initial appointments shall be one (1) member each for one (1), two (2), three (3), four (4) and five (5) year terms. Each member shall be a resident of Sandusky Township. Members of the Commission 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 appointment by the Board of Township Trustees for the un-expired term of the member affected. A Chairman will be elected annually at the organizational meeting.
2. **Rules:** The Commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this resolution. Meetings shall be held at the call of the chairman and at such other times as the Commission may determine. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed in the office of the Board of Township Trustees.
3. For the purpose of this resolution the Commission shall have the following duties:
  - a. Initiate proposed amendments to this resolution;
  - b. Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees.
  - c. Review all planned unit developments and make recommendations to the Board of Township Trustees.
4. **Quorum:** A quorum shall consist of three (3) members of the Board of Zoning Commission.
5. **Voting:** The concurring vote of at least three (3) members of the Board of Zoning Commission shall be required for action on all matters.

### SECTION 2. Board of Zoning Appeals:

1. **Membership:** The Board of Sandusky Township Trustees shall appoint a Board of Zoning Appeals of five members who shall be residents of the Township. The terms of each member shall be five (5) years, beginning January 1<sup>st</sup>, except that the terms of the original members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Sandusky Township Trustees and shall be for the respective un-expired term. The members of the Board of Zoning Appeals may receive such compensation as the Sandusky Township Trustees provide. A Chairman will be elected annually at the organizational meeting.
2. **Hearings, Rule, etc.:** The hearings of the Board of Zoning Appeals shall be public, notice of which shall be given by publication in a newspaper of general circulation in the Township at least 10 days prior to the meeting. The Board shall organize annually and elect a President, Vice-President and Secretary. The Board shall act by resolution in which three (3) members must concur. The Board shall adopt from time to time such rules and regulations, as it may deem necessary to carry into effect the provisions of this Resolution. The Board shall hear the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any building permit is pending, and shall also hear any other parties in interest.

3. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other officials' actions, all of which shall be immediately filed in the Office of the Sandusky Township and shall be a public record.
4. **Witnesses, Oaths, Etc.**: The Board shall have the power to subpoena witnesses, administer oaths, and punish for contempt and may require the production of documents, under such regulations as it may establish.
5. An appeal to the Board of Zoning Appeals may be taken to any person aggrieved or an officer of the Township affected by any decision of the Zoning Inspector. Such appeals shall be taken within 20 days after the decision by filing with the Zoning Inspector and the Board of Zoning Appeals, a notice of appeal specifying the grounds for the appeal. The Zoning Inspector shall transmit a copy to the Board of all papers constituting the record upon which the action applied from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from unless, in the determination of the Zoning Inspector, a stay would cause imminent peril to life or property; in this case, proceedings shall not be stayed otherwise than by order of the Board of Zoning Appeals or the courts with due cause shown.

### **SECTION 3. Powers and Duties:**

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

1. To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Resolution or any amendments thereto.
2. In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:
  - a. Permit the extension of a district where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Resolution.
  - b. Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this resolution where the street lay out actually on the ground varies from the street layout, as shown on the map aforesaid.
  - c. Permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than ninety (90) percent of its fair market value.
  - d. Waive or reduce the parking and loading requirements in any of the districts whenever the character or use of the building is such as to make unnecessary the full provision or parking or loading facilities or where such regulations would impose an unreasonable hardship on the use of the lot, as contrasted with merely granting an advantage or a convenience.
  - e. Permit land within three hundred (300) feet of a multiple dwelling to be improved for the parking spaces required in connection with a multiple dwelling, but only when there is positive assurance that such land will be used for such purpose during the existence of the multiple dwelling.
  - f. Determine whether an industry should be permitted within the "M-1" Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.
3. The Board shall have the authority to grant the following **variations**:

- a. Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.
  - b. The extension or completion of a building devoted to a non-conforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building non-conforming and where such extension is necessary and incidental to the existing use of such building.
  - c. Authorize upon approval – whenever a property owner can show that a strict application of the terms of the Resolution relating to the use, construction or alterations of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship – such variations of the strict application of the terms of this Resolution as are in harmony with its general purpose and intent; but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the zoning plan as established by this Resolution, and at the same time, the surrounding property will be properly protected.
4. The Board shall have the power to hear and decide in accordance with the provisions of this Resolution, applications for conditional uses. In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures; and in authorizing a conditional use, the Board may impose such requirements and conditions with respect to location, construction, maintenance and operation – in addition to those expressly stipulated in this Resolution for the particular conditional use – as the Board may deem necessary for the protection of adjacent properties and the public interest.
  5. In considering all appeals and all proposed exceptions to this Resolution, the Board shall, before making any exceptions or variations from the Resolution in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the portion of the Township to which this Resolution applies.
  6. Appeals from decisions of Board of Appeals shall be made to the Court of Common Pleas within 30 days.

## **ARTICLE XII - DISTRICT CHANGES AND RESOLUTION AMENDMENTS**

### **SECTION 1. General:**

1. Whenever the public necessity, convenience, general welfare or good zoning practices require, the Sandusky Township Trustees may by Resolution – after receipt of recommendation thereon from the Commission, and subject to the procedures provided by law – amend, supplement or change the regulations, district boundaries or classification of property, now or hereafter established by this Resolution or amendments thereof. It shall be the duty of the Commission to submit its recommendations regarding all applications or proposals for amendments or supplements to the Sandusky Township Trustees.

## **SECTION 2. Procedure for Change in Zoning Districts:**

1. Applications for any change of district boundaries or classifications of property as shown on the Zoning Map, shall be submitted to the Commission, at its public office, upon such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications. Applications for amendments initiated by the Commission shall be accompanied by its motion pertaining to such proposed amendment.
2. **Names and Addresses of Adjacent Property Owners:** Any person or persons desiring a change in the zoning classification of property shall file, with the application for such change, a statement giving the names and addresses of other owners of all properties within and contiguous to and directly across the street from such area proposed to be rezoned provided these properties are located within the township zoning district.
3. **Public Hearing by Commission:** Before submitting its recommendations on a proposed amendment to the Sandusky Township Trustees, the Commission shall hold a public hearing thereon, notice of which shall be given by publication in a newspaper or general circulation in the Township at least 10 days prior to the public hearing. The notice shall state the place or places and times at which the proposed amendments to the Resolution, including text and maps, may be examined.
4. **Notice to Property Owners:** In addition to the published notice as hereinbefore specified, the Commission shall give notice of the time, place and purpose of public hearings, per ORC 519.12, to be held by it on proposed amendments or supplements, by mailing a postal card or letter notice not less than (10) ten days prior to the date of hearing, to the owners of all properties within and contiguous to, or directly across the street from such area proposed to be rezoned, provided these properties are located within the township zoning district. The failure to notify as provided in this Section, shall not invalidate any recommendations adopted hereunder; it being the intention of this Section to provide, so far as may be possible, due notice to the persons substantially interested in the proposed change that an application is pending before the Commission, proposing to make a change in the Zoning Map or the regulations set forth in this Resolution.
5. **Action of Commission:** The Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested in the application, or it may recommend that the application be not granted. These recommendations shall then be certified to the Sandusky Township Trustees within thirty (30) days of the commission's public hearing.
6. **Public Hearing by Township Trustees:** The Board of Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment, which the date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the township zoning commission. Notice of such public hearing shall be given by the Board by one publication in one or more newspapers of general circulation in the township, at least ten days before the date of such hearing and include information as outlined in ORC 519.12, paragraph f.
7. **Action of Board of Township Trustees:** Within twenty days after such public hearing, the board shall either adopt or deny the recommendations of the zoning commission or adopt some modification of them. If the board denies or modifies the recommendation of the township zoning commission, the majority vote of the township board shall be required.

Such amendment adopted by the board shall become effective thirty days after the date of such adoption. See ORC 519.12(h) for redress.

**SECTION 3. Application Fees:**

1. At the time that an application for a change of zoning districts is filed with the Commission, as provided herein, there shall be deposited with the Township Fiscal Officer a fee as established by Township Trustees to cover investigation, legal notices and other expenses incidental to the determination of such matter, such fee to be for one lot or part of one lot. An additional fee as established by Township Trustees shall be deposited for each additional lot or part of an additional lot which may be included in the request, such additional lot or part of a lot to be adjacent to each other. The Township Trustees shall credit such sums so deposited to the General Fund of Sandusky Township.
2. In the event the Commission disapproved the application and the petitioner elects not to have the same certified to the Board of Township Trustees, then a refund as established by Township Trustees plus an additional refund as established by Township trustees for each additional lot or part of an additional lot which was included in the application should be made to the petitioner by the Township Trustees, provided, that the Township Trustees, is notified of such election by the petitioner within thirty days from the time of the action taken by the Commission.



## ARTICLE XIII - DEFINITIONS

### SECTION 1. Terms and Definitions:

For the purpose of this Resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural, the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

1. **Accessory Use:** A use or building such as a garage naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or buildings. Accessory uses include home occupation and roadside stands, as herein defined.
2. **Animal Care Facility:** A structure, building or enclosure used for medical treatment, including the care and temporary housing of animals.
3. **Automotive Repair:** The repair, rebuilding or recondition of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.
4. **Automotive Sales:** The sale or rental of new or used motor vehicles or trailers.
5. **Auto Wrecking/Junkyards/Salvage Yards:** The dismantling or wrecking of automobiles or the salvaging of metal materials for the sale or storage of the salvaged parts or material shall be permitted only in an "M" District subject to the approval of the Board of Zoning Commission and the Board of Township Trustees after permission has been granted by the Board of Zoning Appeals.

Any area used for an automobile wrecking yard, metal salvaging and storage, the open storage of wrecked motor vehicles or parts of wrecked motor vehicles or abandoned motor vehicles which is incidental to or accessory to a permitted use in any district, or any area used for junk storage and sales shall be effectively screened on all sides by all walls, fences or plantings. Walls or fences shall be a minimum of eight (8) feet in height with no advertising thereon. In lieu of such wall or fence, a strip of land not less than 15 feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than six (6) feet in height may be substituted. Storage of materials shall not exceed the height of the screening.

6. **Bed and Breakfast:** A dwelling, which accommodates paying, guests and provides **lodging and breakfast.**
7. **Bed and Breakfast Homestay:** A private owner occupied residence with 1 to 3 guestrooms. The B & B home is secondary and not a part of the main residential use of the building.
8. **Bed and Breakfast Inns:** A B & B operated as a business, even though the owner may live on premises. The B & B Inn must obtain a commercial license and typically has four to twenty (4-20) guestrooms.
9. **Billboard or Signboard:** Any sign situated on private premises with an area greater than 100 square feet on which the written or pictorial information is not directly related to the principal use of the land on which such sign is located.
10. **Board:** The Board of Zoning Appeals of Sandusky Township, Sandusky County, Ohio.
11. **Board of Township Trustees:** The Board of Township Trustees for Sandusky Township, Sandusky County, Ohio.
12. **Boarding House:** A building other than a hotel where, for compensation and arrangement, meals or lodging and meals are provided for three (3) or more persons but not exceeding twenty (20) persons.
13. **Building, Front Line of:** The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or un-enclosed but does not include steps.

14. **Building, Height of:** The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.
15. **Building, Principal:** A building, which is, conducted the main or principal use of the lot on which said building is situated.
16. **Business Services:** Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in the home or business.
17. **Clinic:** An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.
18. **Club:** A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, education or recreation purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
19. **Commission:** The Township Zoning Commission of Sandusky Township, Sandusky County, Ohio.
20. **Commercial Entertainment Facilities:** Any activity conducted for gain which is generally related to the entertainment field, such as motion picture theaters, carnivals, night clubs and similar entertainment activities.
21. **Condominium:** Condominium means property in which one or more individually owned dwelling units are offered together with common ownership of land. For purposes of determining lot and building requirements and the approval process, refer to Art V, Sec 9 of the Zoning Resolution. Condominiums shall also comply with the declaration and other requirements of ORC 519.021.
22. **Drive-In Commercial Uses:** Any retail commercial use providing considerable off-street parking and catering primarily to vehicular trade such as drive-in restaurants, drive-in theaters and similar uses.
23. **Dwelling:** Any building or portion thereof which is designed for or used for residential purposes.
24. **Dwelling, Single-Family:** A building designed for or occupied exclusively by one family.
25. **Dwelling, Two-Family:** A building designed for or occupied exclusively by two families.
26. **Dwelling, Multiple:** A building used or designed as a residence for three or more families living independently or each other and doing their own cooking therein, including apartment houses, apartment hotels, flats and group houses.
27. **Essential Services:** The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.
28. **Family:** One or more persons occupying a dwelling and living as a single housekeeping unit and doing their own cooking on the premises as distinguished from a group occupying a boarding house or hotel, as herein defined.
29. **Filling Station, Service Station:** Any building, structure, or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work, such as motor replacement, body and fender repair or spray painting.
30. **Fence:** An enclosing structure of rails, pickets, wires or the like (does not include salvage items like wheels, drums, etc.). Fences in residential zones shall not exceed six (6) feet in

- height, except around swimming pools (ARTICLE IX, Section 7.2.) without special consideration of Appeals Board. In no case in front yards, or side yards of a corner lot, regular setbacks to rule.
31. **Food Processing**: The preparation or processing of food products.
  32. **Frontage**: All the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
  33. **Garage, Private**: An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be commercial vehicle of more than two-ton capacity.
  34. **Garage, Public**: A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor driven vehicles.
  35. **Highway, Major**: A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.
  36. **Home Occupation**: Any occupation or activity carried on by a member of the immediate family, residing on the premises; provided there is no commodity sold upon the premises and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes; and provided that no display will indicate from the exterior that the building or land is being utilized in part for any purpose other than that of the dwelling. Home occupation shall include the use of premises by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment but not for the general practice of his profession.
  37. **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 room is made through an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradistinction to a boarding house, a lodging house or an apartment, which are herein separately defined.
  38. **Kennel**: An establishment, licensed or unlicensed, operating a facility for the housing of domestic or exotic animals/pets and where grooming, breeding, boarding, training or selling of animals is conducted as business, but exclusive of animals used for agricultural purposes.
  39. **Kennel, Private**: Any lot, building or premise on which four (4) or more domestic or exotic pets, being more than four (4) months of age, are kept and may belong to the owner of the principal use for the purpose of show, hunting or as pets.
  40. **Loading Space**: A space within the main building or on the same lot therewith, providing for the standing, loading or unloading of trucks, and having a minimum dimension of 12 by 40 feet and a vertical clearance of at least 14 feet.
  41. **Local Retail Business**: Any retail establishment which caters to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion, local retail uses include only those enterprises, which normally employ less than ten persons. See definition of **Regional Business** for other business activities.
  42. **Lot**: A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one main building together with its accessory buildings, the open spaces and parking spaces required by this Resolution, and having its principal frontage upon a street or upon an officially approved place.
  43. **Lot Coverage**: Percentage of lot coverage shall be the ratio of enclosed ground floor area of all buildings to the horizontally projected area of the lot, expressed as a percentage.

44. **Lot of Record**: Any lot, which individually or as a part of a subdivision has been recorded in the Office of the Recorder of Deeds of Sandusky County, Ohio.
45. **Lot, Minimum Area of**: The area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.
46. **Lot Width**: The width of a lot at the building setback line measured at right angles to its depth.
47. **Manufacturing, General**: Any manufacturing or industrial process including food processing which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, noise, vibration, cinders, gas fumes, dust, smoke, refuse matter or water carried waste. Any manufacturing or industrial process permitted in an "M-2" District shall comply with the performance requirements of Article VIII.
48. **Manufacturing, Restricted**: Any manufacturing or industrial processing which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. Restricted industrial uses shall comply with the performance requirements specified in Article VIII and shall include the industrial uses listed below and any other uses which are determined by the Board to be of the same general character: drugs, jewelry, musical instruments, sporting goods, processing and assembly of glass products, small household appliances, electronic products and parts for production of finished equipment, research and testing laboratories, printing and engraving plants.
49. **Mineral Extraction and Processing**: Any mining, quarrying or processing limestone, dolomite, marl or other mineral resources.
50. **Mobile Home**: A structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.
51. **Non-Conforming Use**: the use of land or a building, or portion thereof, which does not conform to the use regulations of the district in which it is situated.
52. **Personal Services**: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, valet service, watch repairing, barber shop, beauty parlors and related activities.
53. **Plant Cultivation**: The cultivation of crops, fruit trees, nursery stock, trucks, garden products and similar plant materials.
54. **Ponds**: A natural or man-made body of water used to provide water for livestock, recreation, fire control, irrigation, retention and other related used for the personal use of the property owner and/or tenants; also of which none of the excavated material has been removed from the site for commercial purposes.
55. **Professional Activities**: The use of offices and related spaces for such professional services as are provided for example by doctors, dentists, lawyers, architects, engineers and realtors and other state licensed professionals.
56. **Prosecutor, County Prosecutor**: The Prosecutor of the County.
57. **Public Service Facility**: The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, railroad whether publicly or privately owned or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.
58. **Public Uses**: Public parks, schools, and administrative and cultural and service buildings, not including public land or buildings devoted solely to the storage and maintenance of equipment and material.
59. **Recreational Facilities**:
  - a. **Non-Commercial Recreational Facilities**: Private and semi-public recreational facilities which are not operated for commercial gain, including private country clubs, riding stables, golf courses, game preserves, hunting and trapping and other private

- non-commercial recreation areas and facilities or recreation centers including private community swimming pools, marinas and yacht clubs.
- b. **Commercial Recreational Facilities:** Recreational facilities established and operated for a profit such as commercial golf courses, swimming pools, race tracks, amusement parts, carnivals and similar commercial enterprises.
  - c. **Recreational Facilities:** Boat docks and fishing piers, boat launching, maintenance, repair and fueling facilities, concession buildings for the sale of food and non-alcoholic beverages and boating and fishing supplies and accessories.
60. **Regional Business:** Services and retail businesses whose predominant number of customers is attracted from all over the County, plus highway travelers from other counties and states. See the definition of Local Business for other business activities.
  61. **Residential Development Project:** To divide a tract of land into building lots.
  62. **Residential Floor Area:** The interior floor area of a dwelling including stairways, halls and closets but not including basements, porches, garages and carports.
  63. **Seasonal Residences:** Summer cottages, shooting clubhouses, farm labor housing and similar housing occupies less than six months during the year.
  64. **Semi-Public Uses:** Churches, Sunday Schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.
  65. **Sewage Disposal System – Combined:** A combined sewage disposal system shall be one that shall be an approved system which provides for the collection and disposal of sewage from a group of dwellings or commercial or industrial building.
  66. **Sexually Oriented Business:** means an Adult Arcade, Adult Bookstore, Adult Novelty Store, Adult Entertainment Establishment, Adult Motion Picture Theater, or Adult Theater as defined by Sandusky Township Legislation dated January 6<sup>th</sup>, 2009 regulating Sexually Oriented Business.
  67. **Sewage Disposal System – Individual:** An on-site system for septic tank facilities for the collection and disposal of sewage from a dwelling or building.
  68. **Social Activities:** Any building and land used for private or semi-private club activities including lodges, fraternities and similar activities.
  69. **Specialized Animal Raising and Care:** The use of land and buildings for the raising and care of fur-bearing animals such as rabbits and domestic pets, the stabling and care of horses, animal kennels, pigeon raising and raising of any other domestic animals or birds of a similar nature.
  70. **Story:** That portion of a building other than a cellar included between the surface of any floor and the surface of the floor next above it or if there is not floor above it, then the space between the floor and the ceiling next above it.
  71. **Street Line, Right-of-Way Line:** A dividing line between a lot, tract or parcel of land and contiguous street.
  72. **Structure:** Anything constructed or erected other than a building, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including but without limiting, the generality of the foregoing, advertising signs, billboards, backstops for tennis courts and pergolas.
  73. **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.
  74. **Tourist Home:** A dwelling offering lodging and meals, which is open to the public for compensation, not to exceed twenty (20) persons, and may offer certain Personal Services to overnight or day guests at the dwelling, limited exclusively to beauty parlor and day/spa services, including facials, manicures, pedicures and massages. An overnight guest at the dwelling is a customer that lodges at the dwelling overnight the day before or day of the Personal Services being provided to the customer. A day guest is a customer on the premises for at least five (5) continuous hours pursuant to an appointment.

75. **Trailer, Small Utility**: Any trailer drawn by passenger automobile, used for the occasional transport of personal effects.
76. **Trailer, Mobile Home**: Any house car, house trailer, or similar mobile unit, which may be used for dwelling or sleeping quarters.
77. **Wind Turbine**: A wind energy conversion system that converts wind energy into electricity through the use of wind turbine generator, and includes the nacelle, rotor, free standing tower and pad transformer.
  - a. **Personal Use Wind Turbine**: A single Wind Turbine that produces one (1) megawatt or less of electricity.
  - b. **Small Wind Farm**: Multiple Wind Turbines that have the aggregate ability to generate up to five (5) megawatts of electricity to sell to the electricity grid.
78. **Yard**: An open space at grade between a building and the 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.
79. **Yard, Front**: A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street right-of-way and the main building or any projection thereof, other than the projections of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.
80. **Yard, Rear**: A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projection thereof, other than the projections of uncovered steps, un-enclosed balconies or un-enclosed porches.
81. **Yard, Side**: A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot and the side of the main building or any projections thereto.
82. **Zoning Permit**: The document issued by the Zoning Inspector authorizing the use of the land or buildings.
83. **Zoning Inspector**: The Zoning Inspector or his authorized representative appointed by the Board of Township Trustees.
84. **Zoning District Map**: The Zoning District map or maps of the Township together with all amendments subsequently adopted.

#### **ARTICLE XIV - 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.

## **ARTICLE XV - WHEN EFFECTIVE**

**SECTION 1.** This amended Code shall become effective from and after the date of its approval and adoption as provided by law. Sandusky Township Trustees approved revised Zoning Resolution and forwarded to Zoning Board on August 2, 2016.