Planning Commission
App. No. 051-2021-TA

Zoning Text Amendment

Chatham Township

Meeting: August 4, 2021
Applicant: Chatham Township Zoning Commission (ZC)
Hearing: To be determined
Amendments: Whole new zoning resolution
Reviewer: Rob Henwood
Recommendation: **APPROVAL WITH MODIFICATIONS**

Proposal: In an email dated May 4, 2021, Heather Osborn, Chatham Township Zoning Secretary, requested a review of a complete rewrite of the Chatham Township Zoning Resolution.

Department of Planning Services (DPS) staff comments are included in the table below.

Section No.	Page No.	Section Title	DPS Staff Comment
109	9	Establishment of Districts	Second paragraph, second sentence, replace the word “us” with the word “use.”
406.B	22	Minimum Front Yard Setback	The second sentence is not related to the first sentence. The second sentence should be its own subsection.
409.A and B	22	Minimum Living Floor Area	It is not clear why a three bedroom home has the same required minimum floor area as a two bedroom home.
412.H	24	Back Lot Development Provisions	Use the term “Back Lot” consistently throughout the text. Change the reference from "Rear Lot" to “Back Lot.”
509.A and B	27	Minimum Living Floor Area	It is not clear why a three bedroom home has the same required minimum floor area as a two bedroom home.
512.G	29	Back Lot Development Provisions	Use the term “Back Lot” consistently throughout the text. Change the reference from "Rear Lot" to “Back Lot.”
605.Y	32	Information Required on Site Development Plans	It is assumed that the term “solid waste” is intended to mean garbage.
704.C	37	Signs Permitted in all Districts and not Requiring a Permit, Real Estate Signs	Not content neutral; an individual must read the sign to determine that it is a real estate sign. See DPS staff comment 2. This section can be addressed by temporary signs.

Section No.	Page No.	Section Title	DPS Staff Comment
704.F	37	Signs Permitted in all Districts and not Requiring a Permit, Political and Campaign Signs	Not content neutral; an individual must read the sign to determine that it is a political and/or campaign sign. See DPS staff comment 2. This section can be addressed by temporary signs.
704.G	37	Signs Permitted in all Districts and not Requiring a Permit, Township Information Signs	It is not clear why this type of sign is only permitted on township property.
705.B.2	38	Signs Requiring a Permit, Pole Signs	Not content neutral; an individual must read the sign to determine that it is a Home Occupation sign. See DPS staff comment 2.
805.A	42	General Standards for all Conditionally Permitted Uses	It is not clear what "specific plan of current adoption" is being referred to. Does this mean the Comprehensive Plan?
806.A.7	43	Specific Standards for All Conditionally Permitted Uses, Privately Owned Parks and Recreation Areas	It is not clear what the term "permitted installation" means.
806.A.9	43	Specific Standards for All Conditionally Permitted Uses, Privately Owned Parks and Recreation Areas	It is not clear why this conditionally permitted use must be renewed after three years. This seems arbitrary. See DPS staff comment 3.
902.D	46	Nonconforming Uses, Enlargement of Use	Delete "of community" from the end of the last sentence.
1202.D	53	Ponds, Lakes, and Pools	Delete the reference to the Medina County Soil and Water Conservation District's standards and specifications for pools; no such standards and specifications exist.
1206	55	Parking and Storage of Vehicles and Equipment	It is not clear what "commercial mobile equipment" is.
1209	57	Public Recreational Uses	Conditionally permitted uses should not need to be renewed as long as they are compliant with zoning. See DPS staff comment 3.
Article 13	59	Definitions, Civic Purpose Sign	Not content neutral; an individual must read the sign to determine that it is a Civic Purpose sign. See DPS staff comment 2.
Article 13	61	Definitions, Lot of Record	Add the word "recorded" after "has been" towards the end of the sentence.

Section No.	Page No.	Section Title	DPS Staff Comment
Article 13	62	Definitions, Sign, Electronic Changeable Copy	First sentence; delete the word "whether."

1. The township utilized a consultant to prepare the rewrite of the zoning resolution. The text is well written and mostly satisfactory. DPS staff comments included in the table above illustrate the few areas of concerns that staff noted.
2. Sign regulations expert, Alan Weinstein of the Cleveland-Marshall College of Law recommends that communities follow the "On its Face Rule" when considering sign regulations, "if you have to read the message displayed to determine how a sign is regulated, then that regulation is content-based." Weinstein indicates that sign regulations which do not utilize "content or message neutrality" are at risk of First Amendment violations and vulnerable to law suits.
3. Conditionally permitted uses should not be required to be regularly renewed. If a property owner with a conditionally permitted use is compliant with the conditions of approval it is not reasonable to require them to renew the conditional use permit.

Recommendation: DPS staff recommends the Planning Commission **APPROVAL WITH MODIFICATION** the proposed amendments to the Chatham Township Zoning Resolution.

Attachment: Chatham Township Draft Zoning Resolution

CHATHAM TOWNSHIP

DRAFT

ZONING RESOLUTION

MAY 2021

CERTIFICATION

As of the date contained herein, the undersigned hereby certify this to be a true and correct copy of the Chatham Township Zoning Resolution as adopted effective November 16, 1961 and amended effective on the following dates:

June 16, 1968
September 9, 1968
May 9, 1973
May 4, 1974
June 5, 1977
May 21, 1981
August 1, 1984
January 18, 1986
June 27, 1987
November 2, 1987
November 24, 1988
March 1, 1990
February 9, 1991
May 27, 1993
August 19, 1993
December 9, 1993
May 15, 1998
May 11, 2000

_____

_____
Trustee

_____
Trustee

_____
Trustee

_____
Fiscal Officer

CHATHAM TOWNSHIP
ZONING RESOLUTION

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ARTICLE 1 GENERAL PROVISIONS

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SECTION 101 TITLE

This Zoning Resolution shall be known as the Chatham Township Zoning Resolution.

SECTION 102 AUTHORIZATION

The authority for establishing "The Chatham Township Zoning Resolution" is derived from Chapter 519.00 of the Ohio Revised Code.

SECTION 103 PURPOSE

In order to promote and protect the health, safety, and general welfare of the residents of the unincorporated area of Chatham Township, Medina County, Ohio; to preserve the rural character of the Township; to control populations density; to protect and preserve property values; and to insure orderly growth and development in said township in conformance with the adopted Chatham Township Comprehensive Plan, the Board of Township Trustees found it necessary and advisable to adopt a comprehensive plan of zoning which will regulate the location, height, bulk, number of stories, and size of buildings and other structures; percentages of lot areas which may be occupied; building setback lines; size of yards and other open spaces; use of buildings and other structures; uses of the land for trade, industry, residence, recreation, or other purposes, and for such purposes to divide the unincorporated area of Chatham Township into districts and to provide for the administration and enforcement of such regulations.

SECTION 104 VALIDITY AND SEPARABILITY

It is hereby declared to be the legislative intent that, if any provision(s) of the Zoning Resolution, or the application thereof to any zoning lot, building, or other structure, or tract of land, are declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, or to be inapplicable to any person or situation, the effectiveness of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or ineffective, or to the zoning lot, building, or other structure, or tract of land immediately involved in the controversy. All other provisions of this Zoning Resolution shall continue to be separate and

fully effective, and the application of any such provision to other persons or situations shall not be affected.

SECTION 105 REPEALER

All existing Zoning Resolutions of Chatham Township, Medina County, Ohio, inconsistent herewith, are hereby repealed.

SECTION 106 EFFECTIVE DATE

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

SECTION 107 INTERPRETATION

In interpreting and applying the provisions of this Zoning Resolution, they shall be held to be the minimum requirements for the promotion of public health, safety, morals, comfort and general welfare. Whenever the requirements of this Zoning Resolution are at variance with the requirements of any lawfully adopted rules, regulations, ordinances or resolutions, the most restrictive, or that imposing the higher standards shall govern.

SECTION 108 APPLICATION OF REGULATIONS

A. Buildings or land shall hereafter be used or occupied only in conformance with the provision of this Zoning Resolution. Any building or structure or part thereof erected, moved, altered, restored or reconstructed shall hereafter be established and used only in conformance with the regulations herein specified for the district in which it is located.

B. Any building hereafter erected, used, occupied, altered, restored or reconstructed shall comply with this Zoning Resolution in regard to the use, area of lot occupied, and the size of front, rear and side yards.

C. Every new lot shall comply with the minimum required dimensions for lot area, frontage, and lot width for the district in which it is located. No yard or lot existing at time of passage of this Zoning Resolution shall be reduced in dimension or area below the minimum requirements set forth herein.

D. Any part of a yard or other open space required around any building for the purpose of complying with the provision of this Resolution shall not be included as a part of a yard or other open space similarly required for another building.

E. Whenever a boundary line of a district is changed by Amendment of this Zoning Resolution so as to transfer an area from one district to another district of a different classification, the regulations for the district to which said area is transferred shall apply to all buildings, structures, and uses in the area so transferred except for prior legal nonconforming uses, structures, and lots as provided in this Zoning Resolution.

F. A review and recommendation by the Chatham Township Zoning Commission shall be required for any building, structure or use other than:
   1. An agricultural building for which a certificate of agricultural use has been executed and filed with the Zoning Inspector; or

2. A new single-family dwelling, addition to an existing single family dwelling, or a permitted accessory building on an existing building lot of record in the Residential R-1 District.

G. Every lot shall have frontage upon a public road, or upon a private road approved for frontage, conforming to the requirements of this Zoning Resolution.

H. Not more than one dwelling unit shall be permitted on any individual lot.

I. No accessory use, building, or structure shall be permitted on a lot or parcel until such time as the principal use, to which the use, building, or structure is accessory, has been established.

J. The use of camping trailers, other types of camping vehicles or equipment, or recreational and/or seasonal facilities, such as cabins or lodges, or house trailers or mobile homes for residence or dwelling unit purposes is prohibited.

K. It shall be unlawful to use land and/or buildings in any district for use which creates a nuisance or which is noxious, dangerous, or offensive by reason of odor, dust, smoke, gas, noise, fumes, flame, vibration, insects or vermin.

L. Pursuant to Section 3796.29 of the Ohio Revised Code, the cultivation, processing, and retail dispensing of medical marijuana is prohibited within Chatham Township.

SECTION 109 ESTABLISHMENT OF DISTRICTS

For the purposes set forth in this Zoning Resolution, the land area within the unincorporated area of Chatham Township is hereby divided into the following districts:

R-1 Residential and Agricultural District
R-2 Residential and Limited Commercial District

Only those uses specifically identified as being either a permitted principal use, a conditionally permitted use, or an accessory use in a particular zoning district may be permitted in that zoning district. Any use not specifically listed as a permitted, conditional, or accessory use in a zoning district shall be considered a prohibited us in the zoning district.

SECTION 110 OFFICIAL ZONING MAP

The zoning districts and their boundary lines are indicated upon the map entitled, "Official Zoning Map - Chatham Township, Medina County, Ohio." Said map is made part of this Zoning Resolution. The said Official Zoning Map, once signed by two or more trustees and dated, together with all notations and references thereon are hereby declared a part of this Zoning Resolution. The original map shall be maintained in the administrative offices of Chatham Township, and shall show thereon all amendments or changes made hereafter. The Zoning Inspector shall be responsible for adding amendments and changes adopted by the Township Trustees to the Official Zoning Map.

SECTION 111 INTERPRETATION OF DISTRICT BOUNDARIES

The following rules shall be used to determine the precise location of any zoning district boundary unless such boundary is specifically indicated on the Official Zoning Map:

A. Where district boundary line is shown to approximately follow a lot line; such lot line shall be construed to be the boundary line.
B. Where a district boundary line is shown as approximately parallel to the right-of-way line of a street or highway, the district boundary line shall be construed as being parallel thereto and at a distance therefrom as indicated on the Official Zoning map.
C. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be deemed to be at the high water line.
D. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of the railroad line.
E. Whenever any street, alley, or other public way is vacated, the zoning district adjoining each side of such street, alley, or public way shall automatically be extended to the center of such location, and all areas within that location shall thenceforth be subject to all regulations appropriate to the respective extended district.
F. If no measurement is given, dimensions shall be determined by the use of the scale shown on the Official Zoning Map.

SECTION 112 RULES OF CONSTRUCTION

For the purposes of this Resolution, certain terms or words herein shall be construed or defined as follows:

A. The present tense shall include the “future”, the singular number shall include the “plural” and the plural number shall include the “singular”.
B. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
C. The word “person” includes a corporation, firm, partnership, association, organization, trust or company as well as an individual.
D. The word “building” shall include the word “structure”.
E. The word “lot” includes the word ‘plot” or “parcel”.
F. The words “used” or “occupied” includes the words “intended, designed or arranged to be used or occupied”.
G. When the number of days is specified, it shall mean calendar days unless specifically stated otherwise.

ARTICLE 2 ADMINISTRATIVE POWERS AND DUTIES

Section 201 ZONING INSPECTOR
Section 202 POWERS AND DUTIES OF THE ZONING INSPECTOR
Section 203 ESTABLISHMENT AND PROCEEDINGS OF THE ZONING COMMISSION
Section 204 POWERS AND DUTIES OF THE ZONING COMMISSION
Section 205 ESTABLISHMENT AND PROCEEDINGS OF THE BOARD OF ZONING APPEALS
Section 206 POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS

SECTION 201 ZONING INSPECTOR

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution and perform such other duties as may be delegated by the Board of Trustees. The Zoning Inspector may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Township Zoning Inspector, before entering upon his/her duties, shall give bond as specified in Section 519.161 of the Ohio Revised Code**.**

SECTION 202 POWERS AND DUTIES OF THE ZONING INSPECTOR

For the purpose of this Resolution, the Zoning Inspector shall have the following duties and powers:

A. Accept and review applications for all required permits as set forth in this Zoning Resolution.
B. Issue zoning permits and certificates of zoning compliance as provided by this Zoning Resolution and keep a record of the same with a notation of any special conditions involved.
C. Deny the issuance of a zoning certificate in those cases where one (1) or more applicable provisions of this resolution are not complied within the application thereto.
D. Maintain in current status the Zoning Resolution and Official Zoning Map, which shall be filed with the Medina County Recorder and kept on permanent display in the Township.
E. Maintain permanent and current records required by this Resolution including but not limited to zoning permits, certificates of zoning compliance, inspection documents, and records of all variances, amendments, conditional uses, and similar uses.
F. Respond to questions concerning applications for amendments to the Zoning Resolution and the Official Zoning Map.
G. Conduct inspections of buildings and uses of land to determine compliance with this Resolution.
H. Determine the existence of any violations of this Resolution and cause such notifications or citations to be issued, or initiate such other administrative or legal action as needed, to address such violations.
I. Enforce all provisions of this Resolution uniformly throughout the Township.

SECTION 203 ESTABLISHMENT AND PROCEEDINGS OF THE ZONING COMMISSION

In accordance with Section 519.04 of the Ohio Revised Code, the Zoning Commission of Chatham Township is hereby created and shall have all the powers and duties prescribed by law and by this Resolution.

A. Composition and Appointment.

1. The Zoning Commission shall be composed of five (5) regular members who shall reside in the unincorporated area of the Township and who shall be appointed by the Board of Township Trustees.
2. Terms of regular members shall be for five (5) years and shall be so arranged that the term of one member expires each year. Each member shall serve until his/her successor is appointed and qualified. The term of the alternate member shall be as established by the Board of Township Trustees.
3. Members of the Commission may be removed from office by the Board of Township Trustees for the same causes and in the same manner as provided in Section 519.04 of the Ohio Revised Code.
4. The Board of Township Trustees shall fill vacancies, and such appointments shall serve for the unexpired term of the member affected.
5. The Board of Township Trustees shall appoint an individual to serve as recording secretary for the Zoning Commission.

B. Quorum.

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

C. Meetings.

1. The Zoning Commission shall elect a chair and vice chair from its membership and shall adopt rules necessary to the conduct of its affairs in keeping with this Resolution.
2. Meetings shall be held at the call of the chair and at such other times as the commission may determine.
3. 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 public record and be immediately filed in the office of the Commission.
4. All meetings of the Zoning Commission shall be open to the public.

SECTION 204 POWERS AND DUTIES OF THE ZONING COMMISSION

For the purposes of this Resolution, the Zoning Commission shall have the following powers and duties:

A. To review all proposed amendments to this Zoning Resolution and the Official Zoning Map and to submit a recommendation to the Board of Township Trustees.

B. To review all development plans / site plans required by this Resolution and submit a recommendation to the Zoning Inspector for permitted uses and to the Board of Zoning Appeals for conditional uses.

C. To initiate proposed amendments to the Zoning Resolution and the Official Zoning Map.

D. To transmit all proposed amendments to the Medina County Planning Commission for their recommendation and to consider the Medina County Planning Commission's recommendations at a public hearing. The recommendations of the County Planning Commission shall be advisory only and the Zoning Commission shall not be bound by such recommendations.

E. Make recommendations to the Chatham Township Trustees on all matters concerning planning, zoning and development in Chatham Township.

SECTION 205 ESTABLISHMENT AND PROCEEDINGS OF THE BOARD OF ZONING APPEALS

In accordance with Section 519.13 of the Ohio Revised Code, the Board of Zoning Appeals of Chatham Township is hereby created and shall have all the powers and duties by law and by this resolution.

A. Composition and Appointment.

1. The Board of Zoning Appeals shall be composed of five (5) regular members who shall reside in the unincorporated area of the Township and who shall be appointed by the Board of Township Trustees.
2. Terms of regular members shall be for five (5) years and shall be so arranged that the term of one member shall expire each year. Each member shall serve until his/her successor is appointed and qualified. The term of the alternate member shall be as established by the Board of Township Trustees.
3. Members of the Board of Zoning Appeals may be removed from office by the Board of Township Trustees for the same causes and in the same manner as provided in Section 519.13 of the Ohio Revised Code.
4. The Board of Township Trustees shall fill vacancies, and such appointments shall serve for the unexpired term of the member affected.
5. The Board of Township Trustees shall appoint an individual to serve as recording secretary for the Board of Zoning Appeals.

B. Quorum.

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

C. Meetings.

1. The Board of Zoning Appeals shall elect a chair and vice chair from its membership and shall adopt rules necessary to the conduct of its affairs in keeping with this Resolution.
2. Meetings shall be held at the call of the chair and at such other times as the Board may determine.
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 official actions, all of which shall be public record and be immediately filed in the office of the Board of Zoning Appeals.
4. The chair, or in his/her absence, the acting chair, may administer oaths and compel the attendance of witnesses.

5. All meetings of the Board of Zoning Appeals shall be open to the public. The Board may deliberate a pending matter in private, but all actions shall be taken in open session.
6. The Board may compel the attendance of witnesses.

SECTION 206 POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS

For the purpose of this Resolution, the Board of Zoning Appeals shall have the following duties and powers:

A. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector. In exercising this power, the Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination, and to that end shall have all powers of the officer from whom the appeal is taken.

B. To authorize such variances from the terms of this Resolution as will not be contrary to public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in unnecessary hardship or practical difficulty, and so that the spirit of this Resolution shall be observed and substantial justice done.

C. To grant conditional use permits as specified in this Resolution and such additional safeguards as will uphold the intent of this Resolution.

D. To make a determination that a proposed use that is not listed or provided for in this Resolution is a similar use by virtue of being substantially similar to a principal or conditional use that is listed and provided for in this Resolution.

E. To revoke an authorized variance or conditional use permit granted if any conditions of the variance or permit are violated.

F. To resolve any disputes with respect to the precise location of a zoning district boundary.

G. To resolve any disputes with respect to the precise meaning of any words, terms, or provisions of the Zoning Resolution.

H. Such other powers as may be established by this Zoning Resolution and the Ohio Revised Code.

ARTICLE 3 ADMINISTRATION AND ENFORCEMENT

Section 301 ZONING PERMIT REQUIRED
Section 302 AGRICULTURAL USES EXEMPT
Section 303 ZONING PERMIT APPLICATION REQUIREMENTS
Section 304 REVIEW FOR COMPLETENESS
Section 305 ACTION ON APPLICATION FOR ZONING PERMIT
Section 306 APPROVAL AND COMPLIANCE
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Section 310 REVOCATION OF PERMITS
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Section 312 SCHEDULE OF FEES
Section 313 ENFORCEMENT
Section 314 VIOLATIONS
Section 315 PENALTIES

SECTION 301 ZONING PERMIT REQUIRED

No land shall be disturbed or altered, no building or structure shall be erected, constructed, enlarged, structurally altered, or moved in whole or in part, and no use shall be established or changed, or re-established within Chatham Township prior to the issuance of a Zoning Permit in conformance with the provisions of this Article. A zoning permit shall be issued only when the plans for the proposed use, building or structure fully comply with the regulations set forth in this Zoning Resolution, unless a variance has been approved by the Board of Zoning Appeals.

SECTION 302 AGRICULTURAL USES EXEMPT

Any use determined by the Zoning Inspector to be an agricultural use shall be exempt from the zoning permit requirement. No zoning permit shall be required for such agricultural use or any building or structure specifically accessory thereto, provided that a statement of agricultural exemption is completed by the property owner. No agricultural building shall be occupied by a use other than an agricultural use without first obtaining a zoning permit in accordance with this Chapter.

SECTION 303 ZONING PERMIT APPLICATION REQUIREMENTS

All applications for Zoning Permits shall be submitted to the Zoning Inspector on forms provided by Chatham Township, shall be signed by the land owner or his duly authorized and documented agent, and shall be accompanied by the following information as determined to be necessary by the Zoning Inspector:

A. Site plans as required by Article 6 hereof;
B. Written evidence from the appropriate public agency that the subject site has approval for an on-site sewage disposal system capable of meeting the needs of the proposed use;

C. Written evidence from either Medina County that the subject site has approval for public water service or the Medina County Health Department that the site has an approved on-site water system capable of meeting the demands of the proposed use;
D. Written evidence of approval from the appropriate public agency that the subject site has an approved access to an improved public right-of-way;
E. Permit and review fees in such amounts as may be established by the Board of Township Trustees; and
F. Such additional information as the Zoning Inspector or Zoning Commission may require in order to determine compliance with this Zoning Resolution.
G. Applications for Zoning Permits for conditional uses shall include the submission requirements for conditional uses set forth in Article 8.

SECTION 304 REVIEW FOR COMPLETENESS

The Zoning Inspector shall review each application for completeness, accuracy, and compliance with this Zoning Resolution. Within three (3) business days of the submission date, the Zoning Inspector shall determine whether an application is complete. If the application is determined to be insufficient the Zoning Inspector shall notify the applicant of the nature of the deficiency. If the application is determined to be complete, the Zoning Inspector shall officially accept the application and commence the review process.

SECTION 305 ACTION ON APPLICATION FOR ZONING PERMIT

Applications requiring referral to the Zoning Commission as set forth in Article 6 hereof, shall be scheduled by the Zoning Inspector for the next regular meeting of the Commission. No permit shall be issued for a Zoning Permit that requires Site Development Plan approval by the Zoning Commission until the Zoning Commission grants such approval. The Zoning Inspector may forward a copy to the Medina County Engineer's Office for review and comment. Applications which do not require site development plan review by the Zoning Commission shall be reviewed for conformance by the Zoning Inspector and shall be approved, denied, or approved with modifications and/or conditions as noted within fifteen (15) days of formal acceptance. In conducting his/her review of an application, the Zoning Inspector may consult with any department, agency, public body, official, company, or individual necessary to determine whether the application complies with the regulations of this Resolution. The cost of any consultant's review shall be borne by the applicant, as stated in the schedule of fees.

SECTION 306 APPROVAL AND COMPLIANCE

When an application has been approved, the Zoning Inspector shall issue a Zoning Permit to the applicant. All work performed and uses established shall be pursuant to and in conformance with said Zoning Permit and this Zoning Resolution. One (1) copy of the plans shall be returned to the applicant by the Zoning Inspector after the Zoning Inspector signs, dates and notes the copy as approved. One (1) copy of the plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the subject property, attesting to the fact the activity is in conformance with the provisions of the Resolution.

SECTION 307 DENIAL OF ZONING PERMIT

A zoning permit shall not be issued where the structure or use, as proposed, would violate one or more provisions of this Resolution. In such case, the Zoning Inspector shall state on the application the reason for the denial, including the regulation(s) which would be violated by the proposed use, and shall transmit one (1) copy thereof to the applicant along with one (1) copy of the site development plan, signed, dated and noted as disapproved.

SECTION 308 SUBMISSION TO DIRECTOR OF TRANSPORTATION

Pursuant to ORC 5511.01, before issuing any zoning permit affecting land within 300 feet of the right-of-way of a proposed new state highway or a state highway for which changes are proposed as described in the certification to local officials by the Director of the Ohio Department of Transportation (ODOT) or any land within a radius of 500 feet from the point of intersection of said right-of-way with any state highway, the Zoning Inspector shall give notice, by registered mail, to the Director of ODOT and shall not issue a zoning permit for 120 days from the date the notice is received by the office. If notified that the state is proceeding to acquire the land needed, then a zoning permit shall not be issued. If notified that acquisition at this time is not in the public interest, or upon the expiration of the 120 day period or any agreed upon extension thereof, a zoning permit shall be granted if the application is in conformance with all provisions of this resolution.

SECTION 309 EXPIRATION OF ZONING PERMIT

Zoning Permits shall be become null and void one (1) year from the date of issuance unless construction has commenced and/or the use has been established. All construction work shall be completed within two (2) years from the date of issuance of the Zoning Permit unless a greater time period was established by the Zoning Commission as part of the site plan approval or unless such time period shall be extended by the Board of Zoning Appeals for sufficient cause.

SECTION 310 REVOCATION OF PERMITS

A Zoning Permit may be revoked by the Zoning Inspector where it is determined that any of the following conditions exist:

A. It has been issued in error or has been issued based on materially false information or misrepresentations.
B. Construction of the use has not commenced within one (1) year of zoning permit issuance, unless an extension of time has been granted pursuant to the provisions of this Zoning Resolution.
C. Construction has not been completed within two (2) years of issuance of the Zoning Permit and a new permit, renewal, or extension has not been obtained.
D. The work or use is not being conducted in accordance with the approved Zoning Permit and site plan.

Written notice of revocation and the reasons therefore shall be signed and dated by the Zoning Inspector and sent to the applicant by certified mail (return receipt requested) and notice shall be posted in a conspicuous place on the property. The applicant shall be notified of the right to appeal within twenty (20) days after the revocation is issued. The notice of revocation shall

contain a statement that all work and/or operation of the use shall cease pending determination of an appeal or approval of an extension or new permit.

SECTION 311 CERTIFICATE OF ZONING COMPLIANCE

No vacant land and no building erected, added to or altered shall be occupied or used in whole or in part nor shall any owner or tenant or any land or building hereafter change the use classification or enlarge the use classification in any building or on any premises without obtaining a certificate of zoning compliance from the Zoning Inspector. The Zoning Inspector shall issue a certificate of zoning compliance when the following have occurred:

A. The Zoning Inspector has determined that all the provisions of the Zoning Resolution have been satisfied.

B. In cases when, because of weather conditions or other factors beyond the control of the zoning permit recipient, it would be unreasonable to require the zoning permit recipient to complete all of the improvements prior to commencing the intended use of the property or occupying any building, the Zoning Inspector may issue a temporary certificate of zoning compliance for a period not to exceed six (6) months. The temporary certificate of compliance shall set forth the time for completing the pavement requirement, after which the temporary certificate of compliance will be void. Once the Zoning Inspector has determined that all required improvements have been satisfactorily completed, a certificate of compliance shall be issued.

C. The property owner has submitted the following:
   1. Evidence from the Building Inspector indicating compliance with the Medina County Building Code; and
   2. Evidence from the Medina County Health Department indicating compliance with all the requirements of said Department.

SECTION 312 SCHEDULE OF FEES

The Township Board of Trustees shall by resolution establish a schedule of fees for zoning permits, certificates of zoning compliance, development plan reviews, conditional use permits, similar use determinations, appeals, variances, amendments, and other procedures and services pertaining to the administration and enforcement of the Zoning Resolution. In determining the fee amounts, the Trustees shall consider the recommendations of the Zoning Commission and the Zoning Inspector with respect to actual administrative costs, both direct and indirect, and including the cost of review by professional consultants. The schedule of fees shall be available from the Zoning Office and may be altered or amended only by the Trustees. Changes, amendments, additions, deletions or other modifications to the fee schedule shall become effective immediately upon adoption by the Township Trustees. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure. Fees shall be nonrefundable.

SECTION 313 ENFORCEMENT

When the Zoning Inspector becomes aware of any violation of this Zoning Resolution or any provision, regulation, requirement, condition, or stipulation adopted or applied pursuant to the

provisions of this Zoning Resolution, the Zoning Inspector may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such violation.

SECTION 314 VIOLATIONS

A. No building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used in violation of this Zoning Resolution or any amendment to this Zoning Resolution.

B. No person shall commence work or establish a use requiring a zoning permit or approval without first obtaining such permit or approval, nor shall any person vary from the terms or conditions of a zoning permit issued or of other authorized approval, nor shall any person fail to comply with any corrective or abatement order issued by the Zoning Inspector.

C. All violations shall be corrected within a reasonable time limit set by the Zoning Inspector.

SECTION 315 PENALTIES

A. Violations of this Zoning Resolution or failure to comply with any requirements, including violations of conditions and safeguards established in various sections of this Zoning Resolution, shall constitute a misdemeanor. Any person who violates this Zoning Resolution or fails to comply with any of its requirements shall upon conviction therefore be fined for such misdemeanor of the third degree as provided by law and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, or any architect, builder, contractor, agent, or other person who commits, participates in, assists, or maintains such violation may each be found guilty of a separate offense and suffer penalties herein provided.

B. In case any building is, or is proposed to be, located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is, or is proposed to be used without a permit in violation of this Zoning Resolution, the Board of Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector, or any adjacent property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, or proceeding to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, change, maintenance, or use.

ARTICLE 4 R-1 RESIDENTIAL AND AGRICULTURAL DISTRICT

Section 401 PURPOSE
Section 402 PERMITTED USES
Section 403 MINIMUM LOT AREA
Section 404 MINIMUM LOT WIDTH
Section 405 MINIMUM LOT FRONTAGE
Section 406 MINIMUM FRONT YARD SETBACK
Section 407 MINIMUM SIDE AND REAR YARD SETBACKS
Section 408 ACCESSORY BUILDING SEPARATIONS
Section 409 MINIMUM LIVING FLOOR AREA
Section 410 MAXIMUM HEIGHT
Section 411 PARKING AND DRIVEWAY REQUIREMENTS
Section 412 BACK LOT DEVELOPMENT PROVISIONS

SECTION 401 PURPOSE

The purpose of the R-1 Residential and Agricultural District is to accommodate residential development at a low-density that will promote the continuation of the predominantly rural residential character of Chatham Township.

SECTION 402 PERMITTED USES

Within an R-1 Residential and Agricultural District, no buildings, structures, or premises shall be used, arranged to be used, or designed to be used except for one (1) or more of the following uses, all other uses shall be expressly prohibited:

A. Permitted Uses
   1. Single Family Dwellings.
   2. Two-Family Dwellings.
   3. Agricultural Uses.
   3. Accessory Uses and Buildings which are subordinate and customarily incidental to the principal use.
   4. Accessory Signs subject to the provisions of Article 7 hereof.
   5. Accessory Parking pursuant to Section 411.
   6. Home Occupations subject to the provisions of Section 1207.
   7. Agricultural Roadside Stands for the sale of agricultural products produced on the property consisting of removable structures, provided such structures are set back beyond the right of way of the highway or road and provided that adequate facilities are maintained in conjunction therewith for off-the-road parking.
   8. Accessory Ponds, Lakes, and Pools subject to the provisions of Section 1202.
   9. Cemeteries subject to the provisions of Section 1208.

B. Conditionally Permitted Uses
   The Board of Zoning Appeals may issue Conditional Zoning Certificates for uses listed herein, subject to the provisions of Article 8.

1. Governmentally owned and/or operated parks, playgrounds and golf courses.
2. Public, parochial and private schools.
3. Places of Worship.
4. Institutions for medical care; hospitals, clinics, sanitariums, convalescent homes, nursing homes, homes for the aged and philanthropic institutions.
5. Publicly owned and/or operated libraries, museums, community centers, fire stations, township halls and other buildings and facilities.
6. Privately owned and/or operated parks, recreational areas, and campgrounds where camping in tents, trailers, and other vehicles, cabins, or lodges is permitted by fee, membership, or otherwise, and for overnight or longer periods of time subject to the provisions of Section 806(A).
7. Public Recreational uses other than those governmentally owned and/or operated subject to the provisions of Section 1209.

SECTION 403 MINIMUM LOT AREA

A. The minimum lot area for a Single Family Dwelling shall be three (3.0) acres exclusive of road rights-of-way.
B. The minimum lot area for a Two-Family Dwelling shall be six (6.0) acres exclusive of road rights-of-way.
C. The minimum lot area for a Back Lot shall be seven (7) acres exclusive of road rights-of-way with a minimum buildable area of 400 feet by 400 feet. Back Lots shall comply with the provisions of Section 412.

SECTION 404 MINIMUM LOT WIDTH

A. The minimum lot width measured at the building setback line shall be two hundred (200) feet.
B. The minimum lot width at the building setback line for a Back Lot shall be four hundred (400) feet.

SECTION 405 MINIMUM LOT FRONTAGE

A. The minimum lot frontage at the street line shall be two hundred (200) feet.
B. The minimum lot frontage at the street line for a Back Lot shall be fifty (50) feet. The access from a public street to the buildable portion of a Back Lot shall be a minimum of fifty (50) feet wide for its entire length.

SECTION 406 MINIMUM FRONT YARD SETBACK

A. The minimum building set back from any street right-of-way line shall be one hundred (100) feet. If there is no established street right-of-way for any road or street, said line shall be deemed to be thirty (30) feet from the center line of the road. No portion of any building or structure shall extend into the front setback, except steps and uncovered porches, which may extend not more than ten (10) feet into the required setback.

B. The minimum building setback for a Back Lot shall be one hundred fifty (150) feet from the rear lot line of any parcel. No portion of any building or structure shall extend into the front setback, except steps and uncovered porches, which may extend not more than ten (10) feet into the required setback.

SECTION 407 MINIMUM SIDE AND REAR YARD SETBACKS

A. No building or structure shall be located less than twenty-five (25) feet from any side or rear lot line.

B. On Back Lots, no building or structure shall be located less than fifty (50) feet from any side or rear lot line.

SECTION 408 ACCESSORY BUILDING SEPARATIONS

Accessory buildings and structures shall be separated from the main or principal building by at least twenty (20) feet.

SECTION 409 MINIMUM LIVING FLOOR AREA

For the purposes of this Section, breezeways, porches, garages, attics, and basements shall not constitute living floor area.

A. Single Family Dwellings

Each single-family dwelling unit shall meet the following minimum living floor area requirements:

Bedrooms per Dwelling Unit	Minimum Floor Area	
	w/Full BASEMENT	w/o BASEMENT
Two bedrooms, or less	1,200	1,200
Three bedrooms	1,200	1,500
Four bedrooms	1,400	1,700
Five bedrooms, or more	1,600	1,900

B. Two-Family Dwellings

Each dwelling unit in a Two-Family Dwelling shall meet the following minimum living floor area requirements:

Bedrooms per Dwelling Unit	Minimum Floor Area	
	w/Full BASEMENT	w/o BASEMENT
Two bedrooms, or less	1,200	1,200
Three bedrooms	1,200	1,500
Four bedrooms	1,400	1,700
Five bedrooms, or more	1,600	1,900

SECTION 410 MAXIMUM HEIGHT

A. The maximum height of any principal residential building shall be forty-five (45) feet.

B. The maximum height of any accessory building or structure shall be twenty-five (25) feet.

C. The maximum height of any conditionally permitted use shall be as established by the Board of Zoning Appeals as part of the conditional use approval.

SECTION 411 PARKING AND DRIVEWAY REQUIREMENTS

A. Parking spaces shall be provided for each building or use as provided below:
   1. Single Family and Two-Family Dwellings shall provide a minimum of two (2) parking spaces per dwelling unit.
   2. Places of worship shall provide one (1) parking space per four (4) seats.
   3. Public or private schools shall provide one (1) parking space per each four (4) seats in auditorium or main assembly room or one (1) per each classroom, whichever is greater.
   4. Medical offices including clinics and hospitals shall provide one (1) parking space per 200 square feet of floor area.
   5. Nursing homes shall provide one (1) parking space per each bed.
   6. Other conditionally permitted uses shall provide parking as determined by the Board of Zoning Appeals as part of the conditional use approval.

B. Parking areas for all non-residential uses shall be separated from the street right-of-way and adjacent lot lines by a twenty (20) foot strip of land, landscaped and appropriately maintained.

C. All residential driveways shall be a minimum of ten (10) feet in width and shall be located a minimum of ten (10) feet from the nearest side lot line. There shall be no obstructions of any type within five (5) feet of either side of a residential driveway. Residential driveways over two hundred fifty (250) feet in length shall be hard surfaced and shall be designed to adequately accommodate emergency vehicles and have a minimum radius of curvature along the centerline of fifty (50) feet. Residential driveways over 250 feet in length shall have a turnaround located no more than 150 feet from the dwelling. Where a driveway crosses a watercourse or drainage way, a bridge, culvert, or other approved means of maintaining water flow shall be provided.

D. A permit from the Medina County Engineer is required for driveways on County roads. For driveways on State roads, a State of Ohio permit is required. On Chatham Township roads, a permit is required from the Township.

E. All private driveways shall be located entirely within the boundaries of the lot served by the driveway.

SECTION 412 BACK LOT DEVELOPMENT PROVISIONS

In addition to the other provisions of this Article regulating Back Lots, all Back Lots shall comply with the following requirements, standards, and limitations:

A. Two-Family Dwellings shall not be permitted on a Back Lot.

B. A Back Lot behind a Back Lot shall not be permitted.

C. All buildings and structures shall be located to provide maximum privacy for adjacent lots.

D. The access driveway for a Back Lot shall be to a public street and shall be located a minimum of one thousand (1,000) feet from any street intersection.

E. The minimum Lot Access width from street to Back Lot shall be fifty (50) feet and shall be free of any structures.

F. Lot Access shall be part of the main parcel such that only one (1) parcel is created, with the requirements provided by law for deeds, and shall be filed with the Recorder of Medina County for record.

G. No Back Lot Access shall immediately abut another Back Lot Access.

H. All applications for a Zoning Certificate for a Rear Lot shall have attached the following acknowledgment, signed by the applicant(s). The undersigned grantee(s) hereby acknowledge(s) that the premises described in the attached application is located upon a non-dedicated easement of access, and further the grantee(s) understand(s) that no governmental body is responsible for care and maintenance of access.

I. A copy of each application for a Back Lot Zoning Permit shall be forwarded to the Fire Chief for review. The Zoning Inspector shall consider the Chief's recommendation in reaching his/her determination upon the application.

J. Once a Zoning Permit for a Back Lot has been issued by the Zoning Inspector and the Back Lot has been created, zoning certificates and/or permits for additional structures and/or uses otherwise permitted in an R-1 Residential and Agricultural District that do not violate the terms of this Section may be issued by the Zoning Inspector in the same manner as all other Zoning Permits.

ARTICLE 5 R-2 RESIDENTIAL AND LIMITED COMMERCIAL DISTRICT

Section 501 PURPOSE
Section 502 PERMITTED USES
Section 503 MINIMUM LOT AREA
Section 504 MINIMUM LOT WIDTH
Section 505 MINIMUM LOT FRONTAGE
Section 506 MINIMUM FRONT YARD SETBACK
Section 507 MINIMUM SIDE AND REAR YARD SETBACKS
Section 508 ACCESSORY BUILDING SEPARATIONS
Section 509 MINIMUM LIVING FLOOR AREA
Section 510 MAXIMUM HEIGHT
Section 511 PARKING AND DRIVEWAY REQUIREMENTS
Section 512 BACK LOT DEVELOPMENT PROVISIONS

SECTION 501 PURPOSE

The purpose of the R-2 Residential and Limited Commercial District is to accommodate residential and non-residential development along major thoroughfares in Chatham Township.

SECTION 502 PERMITTED USES

Within an R-2 Residential and Limited Commercial District no buildings, structures, or premises shall be used, arranged to be used, or designed to be used except for one or more of the following uses, all other uses shall be expressly prohibited:

A. Permitted Uses
   1. Single Family Dwellings.
   2. Two-Family Dwellings.
   3. Agricultural Uses.
   3. Accessory Uses and Buildings which are subordinate and customarily incidental to the principal use.
   4. Accessory Signs subject to the provisions of Article 7 hereof.
   5. Accessory Parking pursuant to Section 511.
   6. Home Occupations subject to the provisions of Section 1207.
   7. Cemeteries subject to the provisions of Section 1208.
   8. Agricultural Roadside Stands for the sale of agricultural products produced on the property consisting of removable structures, provided such structures are set back beyond the right of way of the highway or road and provided that adequate facilities are maintained in conjunction therewith for off-the-road parking.
   9. Accessory Ponds, Lakes, and Pools subject to the provisions of Section 1202.

B. Conditionally Permitted Uses
   The Board of Zoning Appeals may issue Conditional Zoning Certificates for uses listed herein, subject to the provisions of Article 8.
   1. Governmentally owned and/or operated parks, playgrounds and golf courses.

2. Public, parochial and private schools.
3. Places of Worship.
4. Institutions for medical care; hospitals, clinics, sanitariums, convalescent homes, nursing homes, homes for the aged and philanthropic institutions.
5. Publicly owned and/or operated libraries, museums, community centers, fire stations, township halls and other buildings and facilities.
6. Privately owned and/or operated parks, recreational areas, and campgrounds where camping in tents, trailers, and other vehicles, cabins, or lodges is permitted by fee, membership, or otherwise, and for overnight or longer periods of time subject to the provisions of Section 806(D).
7. Multi-Family Dwellings.
8. Retail Stores selling new and/or used merchandise for personal or household consumption and providing services incidental to the sale of such goods and not exceeding 7,500 square feet in gross floor area.
9. Food and beverage sales for consumption on or off premises.
10. Sales and servicing of vehicles, including automobiles, bicycles, light trucks, motorcycles, and farm equipment.
11. Professional, administrative, and business offices engaged in finance, insurance, real estate, and professional services.
12. Personal and business services.
13. Businesses providing care, training, grooming, and care of animals.
14. Mini or Self Storage facilities solely within enclosed buildings.
15. Indoor event facilities or party centers, indoor theaters, bowling alleys, and social halls.
16. Building supply and hardware stores.
17. Funeral homes and mortuaries.
18. Public Recreational uses other than those governmentally owned and/or operated subject to the provisions of Section 1209.
19. Similar Uses as determined by the Board of Zoning Appeals pursuant to Section 807.

SECTION 503 MINIMUM LOT AREA

A. The minimum lot area for a Single Family Dwelling shall be three (3.0) acres exclusive of road rights-of-way.
B. The minimum lot area for a Two-Family Dwelling shall be six (6.0) acres exclusive of road rights-of-way.
C. The minimum lot area for Conditionally Permitted Uses shall be in accordance with Article 8 and as established by the Board of Zoning Appeals.

SECTION 504 MINIMUM LOT WIDTH

A. The minimum lot width measured at the building setback line shall be two hundred (200) feet.
B. The minimum lot width at the building setback line for Conditionally Permitted Uses shall be in accordance with Article 8 and as established by the Board of Zoning Appeals.

SECTION 505 MINIMUM LOT FRONTAGE

A. The minimum lot frontage at the street line for Single Family and Two-Family Dwellings shall be two hundred (200) feet.

B. The minimum lot frontage at the street line for Conditionally Permitted Uses shall be in accordance with Article 8 and as established by the Board of Zoning Appeals, but in no case less than two hundred (200) feet.

SECTION 506 MINIMUM FRONT YARD SETBACK

C. The minimum building set back from any street right-of-way line for Single Family and Two-Family Dwellings shall be one hundred (100) feet. If there is no established street right-of-way for any road or street, said line shall be deemed to be thirty (30) feet from the center line of the road. No portion of any building or structure shall extend into the front setback, except steps and uncovered porches, which may extend not more than ten (10) feet into the required setback.

D. The minimum building setback for Conditionally Permitted Uses shall be in accordance with Article 8 and as established by the Board of Zoning Appeals.

SECTION 507 MINIMUM SIDE AND REAR YARD SETBACKS

C. No Single Family Dwelling, Two-Family Dwelling, or accessory building or structure thereto shall be located less than twenty-five (25) feet from any side or rear lot line.

D. Conditionally Permitted Uses shall be setback from side and rear lot lines in accordance with Article 8 and as established by the Board of Zoning Appeals.

SECTION 508 ACCESSORY BUILDING SEPARATIONS

Accessory buildings and structures shall be separated from the main or principal building by at least twenty (20) feet.

SECTION 509 MINIMUM LIVING FLOOR AREA

For the purposes of this Section, breezeways, porches, garages, and basements shall not constitute living floor area.

A. Single Family Dwellings

Each single-family dwelling unit shall meet the following minimum living floor area requirements:

Bedrooms per Dwelling Unit	Minimum Floor Area	
	w/Full BASEMENT	w/o BASEMENT
Two bedrooms, or less	1,200	1,200
Three bedrooms	1,200	1,500
Four bedrooms	1,400	1,700
Five bedrooms, or more	1,600	1,900

B. Two-Family Dwellings

Each dwelling unit in a Two-Family Dwelling shall meet the following minimum living floor area requirements:

Bedrooms per Dwelling Unit	Minimum Floor Area	
	w/Full BASEMENT	w/o BASEMENT
Two bedrooms, or less	1,200	1,200
Three bedrooms	1,200	1,500
Four bedrooms	1,400	1,700
Five bedrooms, or more	1,600	1,900

C. Multi-Family Dwellings

Each dwelling unit in a multi-family building shall meet the following minimum living floor area requirements:

Bedrooms per Dwelling Unit	Minimum Floor Area
One bedroom	650
Two bedrooms	800
Three bedrooms	1,000
Four bedrooms, or more	1,300

SECTION 510 MAXIMUM HEIGHT

A. The maximum height of any principal residential building shall be forty-five (45) feet.

B. The maximum height of any accessory building or structure shall be twenty-five (25) feet.

C. The maximum height of any conditionally permitted use shall be as established by the Board of Zoning Appeals as part of the conditional use approval.

SECTION 511 PARKING AND DRIVEWAY REQUIREMENTS

A. Parking spaces shall be provided for each building or use as provided below:

1. Single Family and Two-Family Dwellings shall provide a minimum of two (2) parking spaces per dwelling unit.
2. Places of worship shall provide (1) parking space per four (4) seats.
3. Public or private schools shall provide one (1) parking space per each four (4) seats in auditorium or main assembly room or one (1) per each classroom, whichever is greater.
4. Medical offices including clinics and hospitals shall provide one (1) parking space per 200 square feet of gross floor area.
5. Nursing homes shall provide one (1) parking space per each bed.
6. Retail Stores, personal and business services, and offices shall provide one (1) parking space for each 250 square feet of gross floor area.
7. Other conditionally permitted uses shall provide parking as determined by the Board of Zoning Appeals as part of the conditional use approval.

B. Parking areas for all non-residential uses shall be separated from the street right-of-way and adjacent lot lines by a twenty (20) foot strip of land, landscaped and appropriately maintained and shall be located within three hundred (300) feet of the entrance of the establishment which they serve.

C. All residential driveways shall be a minimum of ten (10) feet in width and shall be located a minimum of ten (10) feet from the nearest side lot line. There shall

be no obstructions of any type within five (5) feet of either side of a residential driveway. Residential driveways over two hundred fifty (250) feet in length shall be hard surfaced and shall be designed to adequately accommodate emergency vehicles and have a minimum radius of curvature along the centerline of fifty (50) feet. Residential driveways over 250 feet in length shall have a turnaround located no more than 150 feet from the dwelling.

D. Non-residential driveways and drive aisles shall be a minimum of twenty-four (24) feet in width, except where a different dimension is authorized by the Board of Zoning Appeals.

E. A permit from the Medina County Engineer is required for driveways on County roads. For driveways on State roads, a State of Ohio permit is required. On Chatham Township roads, a permit is required from the Township.

F. All private driveways shall be located entirely within the boundaries of the lot served by the driveway.

G. All non-residential driveways and parking lots shall be hard surfaced with asphalt or concrete.

SECTION 512 BACK LOT DEVELOPMENT PROVISIONS

In addition to the other provisions of this Article regulating Back Lots, all Back Lots shall comply with the following requirements, standards, and limitations:

A. A Back Lot behind a Back Lot shall not be permitted.

B. All buildings and structures shall be located to provide maximum privacy for adjacent lots.

C. The access driveway for a Back Lot shall be to a public street and shall be located a minimum of one thousand (1,000) feet from any street intersection.

D. The minimum Lot Access width from street to Back Lot shall be fifty (50) feet and shall be free of any structures.

E. Lot Access shall be part of the main parcel such that only one (1) parcel is created, with the requirements provided by law for deeds, and shall be filed with the Recorder of Medina County for record.

F. No Back Lot Access shall immediately abut another Back Lot Access.

G. All applications for a Zoning Certificate for a Rear Lot shall have attached the following acknowledgment, signed by the applicant(s). The undersigned grantee(s) hereby acknowledge(s) the premises described in the attached application is located upon a non-dedicated easement of access, and further the grantee(s) understand(s) that no governmental body is responsible for care and maintenance of access.

H. A copy of each application for a Back Lot Zoning Permit shall be forwarded to the Fire Chief for review. The Zoning Inspector shall consider the Chief's recommendation in reaching his/her determination upon the application.

I. Once a Zoning Permit for a Back Lot has been issued by the Zoning Inspector and the Back Lot has been created, zoning certificates and/or permits for additional structures and/or uses otherwise permitted in an R-2 Residential and Limited Commercial District that do not violate the terms of this Section may be issued by the Zoning Inspector in the same manner as all other Zoning Permits.

ARTICLE 6 SITE DEVELOPMENT PLANS

Section 601 PURPOSE AND INTENT
Section 602 SITE DEVELOPMENT PLANS REQUIRED
Section 603 MINOR SITE DEVELOPMENT PLANS
Section 604 MAJOR SITE DEVELOPMENT PLANS
Section 605 INFORMATION REQUIRED ON MAJOR SITE DEVELOPMENT PLANS
Section 606 DESIGN STANDARDS
Section 607 ACTION ON MAJOR SITE DEVELOPMENT PLANS
Section 608 PERFORMANCE BONDS
Section 609 CONFORMANCE WITH APPROVED PLANS
Section 610 FEES AND DEPOSITS

SECTION 601 PURPOSE AND INTENT

Site development plans are intended to promote orderly and appropriate development that is designed and intended to preserve and maintain the rural character of the Township, to ensure proper design for efficient use of land, to protect adjoining properties from adverse impacts, and to promote high quality developments. The purpose of this Article is to provide specific standards and requirements for design and construction of new developments, for additions and modifications to existing developments, for the establishment of new uses, and for the re-use of sites.

SECTION 602 SITE DEVELOPMENT PLANS REQUIRED

A. A site development plan is required and shall be submitted for any use or development involving new construction, reconstruction, alteration, expansion, or relocation of non-agricultural buildings and/or structures. Site plans shall also be required for site improvements, such as, but not limited to, off-street parking, driveways, drainage provisions, and site lighting. No construction activity shall commence for any such use or project unless and until a site plan has been submitted to the Zoning Inspector for review and approval, and a valid Zoning Permit has been issued for said use or project pursuant to Article 3 of this Zoning Resolution.

B. Site development plans for new detached single-family dwellings, additions to single family dwellings, accessory buildings and structures commonly incidental to single family dwellings on individual building lots in R-1 Residential and Agricultural Districts and temporary signs in any district shall comply with the requirements and procedures for Minor Site Plans as set forth in Section 603. All other applications for site plan approval shall comply with the procedures and requirements for Major Site Development Plans as set forth in Sections 604 through 609 hereof.

SECTION 603 MINOR SITE DEVELOPMENT PLANS

A. Two (2) copies of minor site development plans shall be submitted to the Zoning Inspector along with a completed application for a Zoning Permit as set forth in Section 303.

B. Minor site development plans shall contain the following information:
   1. The name of the owner and developer, north arrow, date, and scale;
   2. The owners, zoning classification, and present use of adjoining parcels;
   3. The property boundaries;
   4. The area of the parcel;
   5. Proposed building elevations;
   6. Location and dimensions of existing public rights-of-way and of all minimum building setback lines;
   7. Locations and dimensions of all existing and proposed structures and drives;
   8. Provisions for adequate disposition of storm water;
   9. Location and dimensions of the on-site sewage disposal system; and
   10. Existing and proposed water facilities, or location of proposed well or private water system;

C. Minor site development plans may be reviewed and approved by the Zoning Inspector, who shall act within fifteen (15) days of formal acceptance of a complete application.

D. Applicants or affected property owners aggrieved by a decision of the Zoning Inspector with regard to approval or denial of a minor site development plan may appeal such decision to the Board of Zoning Appeals following the procedures set forth in Article 10 of this Zoning Resolution.

SECTION 604 MAJOR SITE DEVELOPMENT PLANS

A. All applications for Major Site Development Plan approval shall be filed with the Zoning Inspector along with a completed application for a Zoning Permit as set forth in Section 303.

B. Major Site Development Plan applications shall consist of:
   1. Ten (10) copies of a site development plan drawing conforming to the requirements of Section 605; and
   2. A narrative description of the proposed project;

C. Once the application is determined to be complete and is officially accepted by the Zoning Inspector, the Zoning Inspector shall forward all submitted materials to the Zoning Commission. The Zoning Commission shall review and take action on each site plan within sixty (60) days from the time the Zoning Inspector officially accepts the application as being complete unless such time period is extended with the consent of the applicant.

D. Prior to acting on a site plan application the Zoning Commission may, whenever it deems necessary, seek expert advice or cause special studies to be made to determine compliance with the requirements set forth in Sections 605 and 606. The costs of securing such expert or consultant advice and/or the preparation of such special studies shall be borne by the applicant.

SECTION 605 INFORMATION REQUIRED ON MAJOR SITE DEVELOPMENT PLANS

Major site development plan drawings shall contain the following minimum information:

A. The name and address of the applicant and the engineer, architect, and/or surveyor responsible for preparation of the drawings;
B. A project summary including the area of all proposed parcels, the total number of dwelling units of each type, the area of land uses by type, the number and areas of buildings, the total number of parking spaces, the amount of land area designated for public and/or private streets, open space, storm drainage, wetlands, and all proposed uses;
C. Development phases if the project is to be done in phases;
D. The names and address of adjacent property owners;
E. A vicinity map at a scale of 1" equals 1000';
F. A north arrow, date, and scale;
G. The current zoning classification and all zoning district boundary lines;
H. A boundary survey showing all existing and proposed property lines, easements, rights-of-way, and setback lines;
I. Existing and proposed topography at two-foot contour intervals;
J. Existing areas of significant vegetation and designation of areas of vegetation to be retained and to be removed;
K. Existing and proposed watercourses, water bodies, flood plains, and wetlands;
L. Location and dimensions of all existing and proposed buildings and structures;
M. Location and dimensions of all existing and proposed public streets, rights-of-way, private streets and access easements;
N. Location, design, and dimensions of existing and proposed parking areas and truck loading areas;
O. Location, design, and dimensions of all existing and proposed walkways, sidewalks, bike paths, and other pedestrian facilities;
P. Existing and proposed water facilities including location, design, and sizes of water lines, hydrants, valves, wells, etc.;
Q. Existing and proposed sanitary sewer facilities including location, design, sizes of on-site treatment systems;
R. Existing and proposed utilities including natural gas, electric, and telephone;
S. Existing and proposed location and dimensions of common open areas, recreation areas, preservation areas, and similar facilities;
T. Location and type of site lighting;
U. Location and specifications of screening features such as walls, fences, mounds, and landscape buffers;
V. Location and specifications of all proposed signage;
W. A landscaping plan including location, size, and type of plant materials;
X. Provisions for solid waste;
Y. Proposed building elevations;
Z. Location and dimensions of proposed access drives;
AA. Provisions for storm drainage including design calculations, storm sewer sizes, grades, and inverts, manhole locations and inverts, detention and/or retention facilities, and proposed outlets;
BB. Provisions for erosion and sedimentation control; and
CC. A perpetual maintenance plan for proposed common areas.

DD. A cost estimate for all required public and common area improvements prepared and certified by the applicant's registered engineer.

SECTION 606 DESIGN STANDARDS

All major site development plans shall be reviewed based on principals of good site design intended to provide safe and efficient vehicular and pedestrian movement, to preserve and protect significant natural features and sensitive environmental areas, to advance the goals and objectives of the Township, and to be consistent with the spirit and intent of the Zoning Resolution. In addition, all major site development plans shall conform to the following minimum design standards:

A. All proposed water and sanitary sewer improvements shall be designed and constructed in accordance with the standards and requirements of Medina County, and the Ohio Environmental Protection Agency.
B. Development features, including buildings, parking areas, driveways, etc., shall be so located and designed as to minimize adverse impacts on adjacent properties. Maximum possible visual and auditory privacy for surrounding properties shall be provided through good design and landscaping buffers.
C. Building location and placement shall be developed with consideration given to minimizing the removal of trees and changes of topography.
D. Parking, service, and refuse storage areas shall be screened from view from adjoining residential properties. Screening of parking, service, and refuse storage areas shall be provided by means of landscaping, ornamental walls, fences, or similar means.
E. Drives, travel lanes, and parking areas shall be designed and related to public thoroughfares to provide for pedestrian and vehicular safety both in the right-of-way and on the site. On-site circulation shall provide for adequate access by emergency vehicles.
F. Storm runoff provisions shall be designed in accordance with the standards, policies and requirements of the Medina County Engineer's Office.
G. The design and construction of all streets, both public and private, shall conform to the design criteria of the Medina County Engineer and the Medina County Subdivision Regulations.

SECTION 607 ACTION ON MAJOR SITE DEVELOPMENT PLANS

The Zoning Commission may:

A. Approve the site development plan as submitted; or
B. Approve the site development plan with modifications expressly stated and/or duly noted on the plan; or
C. Disapprove the site development plan indicating the reasons for denial.

SECTION 608 PERFORMANCE BONDS

The Zoning Commission may determine which of the proposed improvements must be completed prior to site occupancy or operation and which site improvements may be completed later subject to a performance bond or other financial guarantee. A performance bond or other financial guarantee shall be placed on deposit with the Township Fiscal Officer to ensure that

any required improvements not completed at the time of approved occupancy or operation are completed in accordance with approved plans. Such bond or guarantee shall be in an amount equal to the cost of construction of the improvements based on the certified cost estimate and shall be for a period not to exceed two (2) years and providing for the complete construction of the improvements.

SECTION 609 CONFORMANCE WITH APPROVED PLANS

Developments shall conform in all respects to the approved site development plan. No building or premises shall be occupied or used except in conformance with the approved site development plan and this Zoning Resolution. The Zoning Inspector shall make such periodic inspections during construction of the project as may be necessary and appropriate to determine continued compliance with the approved site development plan and Zoning Resolution. Approved site development plans may be amended in the same manner and following the same procedure as the original site development plan approval, provided, however, that the applicant need not resubmit information which was provided as part of the original site development plan review process.

SECTION 610 FEES AND DEPOSITS

The Board of Township Trustees may establish fees for the processing and review of site development plans, including minor site development plans, and may require applicants to place funds on deposit with the Township Clerk, in such amounts as the Board of Township Trustees may determine, for the purpose of retaining experts or consultants to assist with plan review. The Board may also establish fees for the purpose of retaining consultants to provide inspections during construction if the public agencies are unable to provide such services or to supplement the inspection services provided by those public agencies.

ARTICLE 7 SIGN REGULATIONS

Section 701 PURPOSE
Section 702 LIMITATION
Section 703 GENERAL SIGN PROVISIONS
Section 704 SIGNS PERMITTED IN ALL DISTRICTS AND NOT REQUIRING A PERMIT
Section 705 SIGNS NOT REQUIRING A PERMIT
Section 706 NON-ACCESSORY OR OFF PREMISES SIGNS

SECTION 701 PURPOSE

This article sets forth certain requirements which will provide for the use, location, size and content of signs throughout the Township, in an orderly manner that will promote traffic safety, provide for adequate identification of uses, and minimize the confusion and self-defeating consequences of the use of an excessive number or size of signs.

SECTION 702 LIMITATION

A. Official Signs Excluded from Regulation
All signs erected and maintained pursuant to any governmental function and necessary to the public safety and welfare or signs incident to legal process are exempt from regulation under this article.

B. ODOT Permits
Under Chapter 5516 of the Ohio Revised Code and the regulations adopted pursuant thereto, all signs within 660 feet of the right of way of certain State Routes are subject to regulation by the Ohio Department of Transportation (ODOT). Zoning Permits for signs along such right of ways shall not be issued without evidence that a permit has first been issued by ODOT, or that ODOT has determined that a state permit is not required.

SECTION 703 GENERAL SIGN PROVISIONS

The regulations of this Section shall apply to all signs in all zoning districts.

A. Lighting and Illumination
1. Unless expressly permitted elsewhere in this article, no sign shall be lighted or illuminated, internally or externally. Any sign incorporating light or illumination shall use only light or illumination of constant intensity and color. No sign shall utilize lights or illumination which varies in color or intensity, flashes, rotates, moves or is intermittent except as specifically provided in Section 704.G.
2. Any sign incorporating light or illumination shall require a Zoning Permit even if the usage or location would not otherwise require a permit. Where sign lighting or illumination is permitted, evidence of a county electrical permit for the sign installation shall be required before any Zoning Permit shall be issued.

3. Where sign lighting or illumination is permitted, either indirect internal and/or external lighting may be used. Where external illumination is used, the light source shall be so mounted and shielded that the field of illumination is limited to the sign. In no event shall a sign be placed so that light is directed or reflected upon highway right of ways or adjacent property. Where internal lighting is used, the light source shall be so placed that light cannot be directed or reflected upon highway right of ways or adjacent property. This restriction shall apply even in the event of the failure of surface elements of the sign through cracking, breakage, improper installation and/or maintenance or other failure modes.

B. Movement

No sign or part thereof shall incorporate or use any parts or elements which revolve, spin, rotate, move or otherwise make use of motion. All signs and parts thereof shall be static and stationary except as specifically provided in Section 704.G. No sign or part thereof shall contain or consist of banners, pennants, streamers, ribbons, spinners, balloons, inflatable devices or other similar moving parts or devices.

C. Right of Way

No sign shall be placed in or shall extend into any public right of way.

D. Similarity to Traffic Control Devices

No sign visible from any public road, highway or thoroughfare shall utilize or contain any color, shape, symbol, word or words which could cause confusion because of their resemblance to traffic control or directional signals or signs.

E. Portable Signs

No differentiation shall be made between portable or mobile signs and other types of sign structure. Any portable or mobile sign must conform to all the requirements and restrictions of this article.

F. Location

All signs shall be erected so as not to obstruct traffic sight lines or traffic control or direction controls or signs. No sign of more than four (4) square feet in area shall be located within one hundred and fifty (150) feet of any highway intersection unless affixed to a building.

G. Construction

All signs shall be erected using materials and methods which will enhance the safety of the finished sign Any sign using transparent or translucent panels shall use materials which will not shatter or break. The use of conventional glass is prohibited.

H. Zoning Permit Lifetime

All Zoning Permits for signs, issued under this Article, shall be for a period of one (1) year, with automatic renewal each year, without additional fee; unless the Chatham Township Zoning Inspector shall determine that the terms and conditions of the Permit are not being honored. Upon such a determination the Zoning Inspector shall notify the Permit holder of the violation in sufficient time to allow correction before the expiration of the Permit. Should the Permit holder fail to make the required improvements prior to the permit expiration date, it will

be necessary to apply for a new Permit upon correction. A new Permit will require payment of the applicable fee.

I. Unsafe Signs
Should any sign be or become unsafe, or be in danger of falling, the Permit holder thereof shall, upon written notice of the Zoning Inspector, proceed at once to put said sign in a safe and secure condition or remove the sign. Noncompliance with the notice of the Zoning Inspector shall be a violation of the code, for which the Permit holder may be prosecuted.

SECTION 704 SIGNS PERMITTED IN ALL DISTRICTS AND NOT REQUIRING A PERMIT

The following SIGNS shall be permitted in any zoning district and shall not require a Zoning Permit,

A. Residence Signs
Each residence or dwelling shall be permitted one (1) sign not exceeding four (4) square feet in area.

B. Directional Signs
Signs, not to exceed four (4) square feet in area, directing and guiding traffic and parking on private property located not more than three (3) feet above grade shall be permitted at each access drive to the site. Two (2) signs per access driveway shall be permitted. Signs shall not be located within three (3) feet of the highway right-of-way.

C. Real Estate Signs
Real estate signs when placed on properties for sale or rent, not exceeding six (6) square feet in area or eight (8) feet in height. Signs shall not be located closer than fifteen (15) feet from the highway right-of-way.

D. Temporary Signs
Temporary signs shall be less than sixteen (16) square feet in area, shall not be displayed more than thirty (30) days. No property shall display more than one (1) temporary sign at a time and no more than four (4) temporary signs may be displayed in any one year. Temporary signs shall not be located closer than fifteen (15) feet from the highway right-of-way.

E. Small Off-Premises Directional Signs
Signs showing direction to off-premises uses. Such sign shall be less than two (2) square feet in area, three (3) feet in height and no more than four (4) signs may be displayed. Off-site directional signs shall obtain written permission of the property owner and shall not be permitted in the highway right-of-way.

F. Political and Campaign Signs.
Signs relating to political campaigns and expressing public opinion regarding issues provided such signs are located a minimum of five (5) feet of the street right-of-way.

G. Township Information Signs.
Signs located on Township owned property intended to provide information to the general public provided that such signs shall not exceed forty (40) square feet in area and six (6) feet in height. Township informational signs may be electronic changeable copy signs provided that:

1. Each message or copy shall remain fixed for at least fifteen (15) seconds. Messages shall not flash, include moving video displays or animation, or emit intermittent light.
2. Changes to messages, copy, or images shall be accomplished in not more than three (3) seconds.
3. Each such sign must be capable of regulating the digital display intensity and the light intensity level of the display must automatically adjust to natural ambient light conditions.
4. No such sign shall be of such intensity as to create a distraction or nuisance for motorists.
5. Such signs shall contain a default design that will freeze the sign in one position or cause it to go dark if a malfunction occurs.
6. The entire message shall change at once, without scrolling, animation, flashing, blinking or other movement or noise.

SECTION 705 SIGNS REQUIRING A PERMIT

The following types of signs, when associated with the premises on which they are located, shall be permitted in all districts upon the issuance of a Zoning Permit. Where specifically authorized herein, lighting of these on-premises signs may be permitted when the general requirements of Section 703(A) are satisfied.

A. Wall Signs
   1. Each multi-family or non-residential use shall be permitted one accessory wall sign. Buildings facing more than one right of way may have one wall sign facing each right of way. Non-residential wall signs may be illuminated.
   2. Wall signs shall not exceed an area equivalent to one and one-half (1 1/2) square feet of sign area for each lineal foot of building frontage.
   3. Wall signs shall not project more than eighteen (18) inches from the face of the wall and shall not extend above or beyond the building wall. All portions of a projecting sign shall be at least nine (9) feet above the ground, walkway, or other surface below the sign. Wall signs shall not cover any doorway, window or fire escape.

B. Pole Signs
   1. Each multi-family or non-residential use shall be permitted one (1) accessory pole sign in addition to the wall sign permitted in Section 705(A) above. Such Sign shall not exceed forty (40) square feet in area nor twenty-five (25) feet in height, and shall not be located within twenty (20) feet of any highway right of way side line, except that pole signs smaller than ten (10) square feet in area may be located within twenty (20) feet from a highway right of way side line. Such signs may be illuminated.
   2. Signs advertising Home Occupations not exceeding ten (10) square feet in area and limited to one sign per dwelling. Signs shall not exceed six (6) feet in height and shall not be located closer than fifteen (15) feet from the highway right-of-way. Such signs shall not be illuminated.
   3. Conditionally Permitted Uses shall be permitted a changeable copy sign or bulletin board, not to exceed twenty (20) square feet in area, in addition to the

sign permitted in Section 705(B)(1) where such sign is authorized by the Board of Zoning Appeals as part of the approval of the Conditional Zoning Certificate. Signs for Conditionally Permitted Uses may be illuminated if specifically authorized by the Board of Zoning Appeals.

SECTION 706 NON-ACCESSORY OR OFF-PREMISES SIGNS (BILLBOARDS)

A. Non-accessory or off-premises signs shall be permitted only in the R-2 DISTRICT and on lands used for agricultural purposes. Such signs shall be located so as to maintain the same minimum front, side and rear setback requirements as any other building or structure in that district.

B. Non-accessory or off-premises signs shall not be located less than five hundred (500) feet from any dwelling or other similar sign or any public park, school, library, church, hospital or similar institution. The maximum area for a non-accessory or off-premises sign shall be three hundred (300) square feet. The maximum height for such signs shall be thirty-five (35) feet. Each sign shall carry a logo or similar identification of the owner, including the owner's name and current address.

C. Non-accessory or off-premises signs shall require a Zoning Permit. Before the permit shall be issued, the owner of the sign shall show proof of agreement with the property owner in the form of a lease agreement or similar document. As a part of this agreement, the property owner shall assume responsibility for removal of the sign if and when the sign owner cannot be located.

ARTICLE 8 CONDITIONAL ZONING CERTIFICATES

Section 801 PURPOSE
Section 802 APPLICATION
Section 803 NOTICE AND HEARING
Section 804 BASIS OF DETERMINATION
Section 805 GENERAL STANDARDS FOR ALL CONDITIONALLY PERMITTED USES
Section 806 SPECIFIC STANDARDS PERTAINING TO CERTAIN CONDITIONALLY PERMITTED USES
Section 807 SIMILAR USES
Section 808 GENERAL PROVISIONS GOVERNING ALL CONDITIONALLY PERMITTED USES
Section 809 VIOLATIONS AND REVOCATION
Section 810 APPEALS
Section 811 REAPPICATION

SECTION 801 PURPOSE

Rather than assign all uses to special individual and limited zoning districts, it is important to provide controllable and reasonable flexibility in requirements for certain kinds of uses that will allow practicable latitude for the investor, and, at the same time, maintain adequate provision for the security of the health, safety, convenience, and general welfare of the community's inhabitants. In order to accomplish such a dual objective, a provision is made in this Resolution for a more detailed consideration of each of certain specified activities relative to proposed conditions of location, design, size, operation, intensity of use, generation of traffic and traffic movement, and concentration of population, etc. Land and structure uses possessing these particular unique characteristics are designated through the issuance of a Conditional Zoning Certificate with such conditions and safeguards attached as may be deemed necessary for the protection of the public welfare. The Board of Zoning Appeals may authorize the issuance of such Conditional Zoning Certificates for any of the uses specified in this Resolution pursuant to the procedures set forth herein. The Board of Zoning Appeals is also authorized, upon application and hearing, to modify and amend previously granted Conditional Zoning Certificates.

SECTION 802 APPLICATION

A. Submission
An application shall be submitted through the Zoning Inspector to the Board of Zoning Appeals on a special forms for such purpose.

B. Data Required with Application
Each application for a Conditional Zoning Certificate shall include at a minimum, the following:

1. A completed application form signed by an authorized representative of the applicant. If the applicant is not the owner of the property, the

application shall be accompanied by a letter of authorization signed by the property owner.

2. Ten (10) copies of a site development plan pursuant to the provisions and requirements of Article 6.
3. A narrative statement explaining in detail the proposed use and supported by substantiating evidence regarding the requirements enumerated in this Article.
4. The names and addresses of the owners of property abutting and immediately across the street from the subject site as shown on the latest tax roll of the Medina County Auditor.
5. Such fees and deposits as may be established by the Board of Trustees.

C. Review and Processing

The Zoning Inspector shall review each application for completeness, accuracy, and compliance with this Resolution. Within three (3) business days of the submission date, the Zoning Inspector shall determine whether the application is complete. If the application is determined to be insufficient, the Zoning Inspector shall notify the applicant of the nature of the deficiency. If the application is determined to be complete, the Zoning Inspector shall officially accept the application and forward the request to the Board of Zoning Appeals.

SECTION 803 NOTICE AND HEARING

Upon receipt of a complete application, the Board of Zoning Appeals shall schedule and hold a public hearing upon the application. The Board shall give notice of the public hearing by publishing one (1) notice of such hearing in a newspaper of general circulation in the Township at least ten (10) days prior to the date of the hearing. Such notice shall indicate the place, time, and subject of the hearing. Notice shall also be given to adjoining property owners and those immediately across the street by regular mail. Such notice or letter shall indicate the place, time, and subject of the hearing and shall be posted at least ten (10) days prior to the meeting date.

SECTION 804 BASIS OF DETERMINATION

The Board of Zoning Appeals shall consider each application for a Conditional Zoning Certificate based upon the general and specific standards set forth herein. No Conditional Zoning Certificate shall be approved unless the Board determines that such use will comply with said standards. When approving a Conditional Zoning Certificate, the Board of Zoning Appeals may impose such additional conditions and safeguards as it may deem necessary for the general welfare, the protection of individual property rights, and for ensuring that the intent and objectives of this Resolution will be observed. Upon approval by the Board, the Zoning Inspector shall issue a Conditional Zoning Certificate setting forth all of the terms and conditions of such approval.

SECTION 805 GENERAL STANDARDS FOR ALL CONDITIONALLY PERMITTED USES

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall make a determination based upon the evidence provided whether such use in the proposed location:

A. Will be harmonious with and in accordance with the general objectives, or with any specific plan of current adoption;
B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or whether such use will change the essential character of the area;
C. Will be hazardous or disturbing to existing or future neighboring uses;
D. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, or schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;
E. Will create excessive additional requirements at public cost for public facilities and services or be detrimental to the economic welfare of the community;
F. Will involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, smoke, fumes, glare, odors, or noise of any nature;
G. Will be consistent with the intent and purpose of this Resolution;
H. Will be in compliance with the Medina County Subdivision Regulations, when applicable, the Medina County Board of Health Standards, and the Medina County Building Code.
I. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads;
J. Will be developed with consideration given to minimizing removal of trees and change of topography; and
K. Will result in the destruction, loss, or damage of natural scenic, or historic features of major importance.

SECTION 806 SPECIFIC STANDARDS PERTAINING TO CERTAIN CONDITIONALLY PERMITTED USES

In addition to the general standards set forth in Section 805, the Board of Zoning Appeals shall also consider whether the application for a conditional use complies with the specific standards for uses set forth herein.

A. Privately owned and/or operated parks, recreational areas, and campgrounds where camping in tents, trailers, and other vehicles, cabins, or lodges is permitted by fee, membership, or otherwise, and for overnight or longer periods of time.
    1. All structures and non-campsite activity areas shall be located at least one hundred (100) feet from all property lines. Campsites shall be located at least two hundred (200) feet from all property lines.

2. No campsite shall be occupied by the same occupant or group and/or tent, trailer, or other camping equipment for a period longer than fourteen (14) consecutive days.
3. No cabin, lodge, room, or other rental accommodations shall be occupied by the same occupant or group for a period longer than thirty (30) consecutive days.
4. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted as part of the park, recreational area, or campground. Included as such retail uses are refreshment stands, souvenir stands, and concession stands, park office, and limited sale of groceries where the customers are primarily the campers using the park.
5. Loudspeakers which cause a hazard or annoyance shall not be permitted;
6. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.
7. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual, or to the community in general; a bond may be required to ensure that this provision is met.
8. All facilities and structures shall meet all County and/or State of Ohio health, building, electrical, and other applicable codes;
9. A Conditional Zoning Certificate for any such use permitted under this section shall be issued for a three (3) year period only. After a three (3) year period has elapsed, a new Conditional Zoning Certificate shall be required and may be issued provided that the Board of Zoning Appeals determines that said use has been and is being operated according to the specifications of the Zoning Resolution and the previous Conditional Zoning Certificate. If necessary, the Board may attach additional requirements for the continued operation of the recreational use as a prerequisite for reissuance of the Conditional Zoning Certificate.
10. Such uses must front on Avon Lake Road and Chatham Road.

SECTION 807 SIMILAR USES

A. An applicant may submit an application for a Conditional Zoning Certificate for a building or use which is not specifically listed as a permitted use in a district where specifically authorized by this Resolution. The Board of Zoning Appeals shall interpret this Resolution to determine if the proposed use is a comparable use. The Board shall make a decision after consideration of the proposed use with respect to the following standards and other applicable provisions of this Resolution:
   1. Whether the use has characteristics and impacts consistent with those of one or more of the permitted uses in the district.
   2. Whether the use has characteristics and impacts more consistent with those of the permitted uses of the subject district than with the permitted uses of any other district.

3. Whether the establishment of the use in the district will significantly alter the nature of the district.
4. Whether the use will create dangers to health and safety or create offensive noise, vibration, dust, heat, smoke, odor, glare, traffic, or other objectionable impacts or influences to an extent greater than normally resulting from permitted uses listed in the subject district.
5. Whether the use typically requires site conditions or features, building bulk or mass, parking, or other requirements dissimilar from permitted uses; and whether the typical development of site and buildings for the use is compatible with those required for permitted uses and can be constructed in conformance with the standard regulations for height, lot dimensions, setbacks, etc. of the district.
6. Whether the proposed use is a permitted or conditionally permitted use in another zoning district.

B. The Zoning Inspector shall maintain a record of each use declared to be similar by the Board of Zoning Appeals in each zoning district. Such list shall be used by the Zoning Inspector to evaluate subsequent applications for the same use or the same districts as a permitted use. Uses determined by the Board of Zoning Appeals to be similar uses in a zoning district shall be added to the list of permitted uses at the next general update of the Zoning Resolution.

SECTION 808 GENERAL PROVISIONS GOVERNING ALL CONDITIONAL ZONING CERTIFICATES

The following standards and conditions shall apply to all Conditional Zoning Certificates:

A. Conditional Zoning Certificates shall be issued to the applicant only and shall not be transferrable to any other entity without the approval of the Board of Zoning Appeals.
B. Conditional Zoning Certificates shall expire if the use for which they are issued has not been established within two (2) years of the date of issuance.
C. The Board may require bonds or performance guarantees where it determines that such assurances are necessary.
D. The Board may attach stipulations and conditions on the granting of any Conditional Zoning Certificate as it may determine to be necessary and appropriate to protect the general public health, safety, and general welfare and to mitigate adverse impacts on adjacent properties.

SECTION 809 VIOLATIONS AND REVOCATION

The Zoning Inspector shall notify the Conditional Zoning Certificate holder of any noted violation of the Zoning Resolution or any specific terms, requirements, stipulations, or conditions attached to the granting of the Conditional Zoning Certificate and shall order that such use be brought into compliance and shall set forth a reasonable period of time to do so. If the Conditional Zoning Certificate holder fails to comply with either the provisions of this Resolution or the conditions of the Conditional Zoning Certificate within such time period, the Zoning Inspector shall take appropriate action to compel compliance, abate the violation, or

revoke the Conditional Zoning Certificate and require that the use cease and desist. The breach of any condition, safeguard, or requirement of the Conditional Zoning Certificate shall constitute a violation.

SECTION 810 APPEALS

When as individual is aggrieved by a decision or action of the Zoning Inspector with regard to violation or revocation of a Conditional Zoning Certificate, such individual may appeal said action or decision as set forth in Article 10 of this Zoning Resolution.

SECTION 811 REAPPLICATION

No application for a Conditional Zoning Certificate which has been denied wholly or in part by the Board of Zoning Appeals shall be resubmitted until the expiration of one (1) year after such denial, unless newly discovered evidence or proof of changed conditions exist which would be sufficient to justify reconsideration by the Board of Zoning Appeals.

ARTICLE 9 NONCONFORMING USES, STRUCTURES, AND LOTS

Section 901 PURPOSE.
Section 902 NONCONFORMING USES.
Section 903 NONCONFORMING STRUCTURES.
Section 904 NONCONFORMING LOTS.
Section 905 COMPLETION OF APPROVED CONSTRUCTION.
Section 906 NONCONFORMING SIGNS.

SECTION 901 PURPOSE

The purpose of this Article is to provide for the regulation of uses, structures, and lots lawfully established prior to the enactment of this Zoning Resolution and amendments hereto but which do not conform to the existing provisions of this Zoning Resolution. Such lawfully established uses, structures, and lots may be continued, despite their nonconforming conditions, subject to the provisions of this Zoning Resolution which provide for their completion and continued use, but also provide for reasonable regulation of their restoration, reconstruction, extension, and substitution. While it is the intent of this Zoning Resolution to permit such nonconforming conditions to continue until abandoned, removed, or abated, a nonconformity is deemed incompatible with currently permitted uses and requirements in the zoning district and should be discouraged, especially where such nonconformity constitutes a nuisance or hazard.

SECTION 902 NONCONFORMING USES

A. Continuance of Lawful Nonconforming Use.
The lawful use of any building or land existing at the time of this Zoning Resolution or amendments thereto, may be continued, although such use does not conform with the provisions of this Zoning Resolution, subject however to the provisions of this Chapter.

B. Discontinuance or Abandonment.
Whenever a nonconforming use has been discontinued for a period of two (2) years or more, such discontinuance shall be considered conclusive evidence of an intention to legally abandon the nonconforming use. At the end of the two (2) year period of abandonment, the nonconforming use shall not be re-established, and any further use shall be in conformity with the provisions of this Zoning Resolution.

C. Displacement.
No nonconforming use shall be extended to displace a conforming use.

D. Enlargement of Use.
A nonconforming use may be altered or enlarged to extend such use to a total area not to exceed twenty percent (20%) more than the original existing area of the use, provided that the alteration or enlargement shall comply with the current regulations for the district in which it is located. Provided however, that the area or intensity or nature of a use shall not be altered or enlarged in any manner, which creates or increases a nuisance or hazard affecting or potentially affecting the surrounding properties of community.

SECTION 903 NONCONFORMING STRUCTURES

A. Alterations or Enlargements.
A nonconforming structure may be enlarged or extended to extend such structure to a total area not to exceed twenty percent (20%) more than the original existing area of the structure, provided that the alteration or enlargement shall comply with the current regulations for the district in which it is located.

B. Restoration of Damaged Structure.
Nothing in this Zoning Resolution shall prevent the reconstruction, repairing, rebuilding, and continued use of any nonconforming building or structure damaged by fire, collapse, explosion or acts of God, subsequent to the date of this Zoning Resolution, provided that not more than fifty percent (50%) of the value of the building or structure was lost in such damage event and provided such replacement or repair does not extend the nonconformity, and further provided that such replacement or repair occurs within one (1) year of the date of damage. When more than fifty percent (50%) of the value of the structure is lost in such damage event, the structure and use shall not be reconstructed except in a manner conforming with this Zoning Resolution.

C. Repairs and Maintenance.
Repairs and maintenance work as required to keep a nonconforming structure in sound condition are permitted.

SECTION 904 NONCONFORMING LOTS

When a nonconforming lot can be used in conformity with all applicable provisions of this Zoning Resolution, except that the area of the lot is nonconforming, then the lot may be used as if its area were conforming. When conforming use of a nonconforming lot cannot reasonably be established due to the setback requirements of the district in which it is located, the Board of Zoning Appeals may grant variances to setback requirements as necessary to establish a permitted use of the district, provided that there is no contiguous land in common ownership with the subject lot which could be used to reduce or eliminate the nonconformity and the variance meets all other variance standards of this Zoning Resolution.

SECTION 905 COMPLETION OF APPROVED CONSTRUCTION

Nothing in this Zoning Resolution shall prohibit the completion or construction and use of a nonconforming structure for which a Zoning Certificate has been issued prior to the effective date of this Zoning Resolution or amendment thereto, provided that construction is commenced within ninety (90) days after adoption of this Zoning Resolution and provided that the entire structure and the establishment of the use shall have been completed within one (1) year after issuance of the Zoning Permit.

SECTION 906 NONCONFORMING SIGNS

Signs which were legally existing prior to the effective date of this Resolution, but which do not

conform with the provisions hereof, may be maintained as a matter of right provided that such signs comply with the current provisions of this Resolution regarding safety, maintenance, and repair. Normal maintenance such as painting, cleaning, or minor repairs shall be permitted on all such nonconforming signs. Relocation or replacement of a non-conforming sign or any alteration in the size or structure of such sign shall cause the sign to lose its status as legally nonconforming and said sign shall be immediately brought into compliance.

ARTICLE 10 VARIANCES, APPEALS AND INTERPRETATIONS

Section 1001 APPEALS.
Section 1002 NOTICE AND HEARING.
Section 1003 AREA VARIANCES.
Section 1004 USE VARIANCES.
Section 1005 ISSUANCE.
Section 1006 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS.

SECTION 1001 APPEALS

A. Appeals to the Board of Zoning Appeals may be taken by any person aggrieved by any decision of the Zoning Inspector. Such an appeal shall be taken within twenty (20) days after the decision by filing with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. All appeals and applications made to the Board of Zoning Appeals shall be in writing and on forms provided by the Zoning Inspector and shall be accompanied by a fee as set by the Board of Township Trustees. The Zoning Inspector shall forthwith transmit to the Township Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken. Every appeal or application shall refer to the specific provision of this Zoning Resolution that is the subject of the variance, appeal or determination, and shall set forth the interpretation that is claimed, the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted as the case may be.

B. Before an applicant may appeal for a variance from the regulations of this Resolution, the applicant must first apply for a Zoning Permit. After the Zoning Inspector has disapproved the application, the applicant may then file a request for a variance from the strict application of the Zoning Resolution as it applies to the applicant's situation.

C. The Board shall decide each appeal within a reasonable time after it is submitted.

SECTION 1002 NOTICE AND HEARING

A. Upon receipt of an application, and a determination that the application is complete, the Board of Zoning Appeals shall fix a reasonable time for the public hearing and shall give at least ten (10) days notice in writing to the parties in interest. Such written notice of the hearing shall be mailed by the Board of Zoning Appeals, by first class mail, at least ten (10) days before the date of the public hearing to all owners of abutting properties and properties directly across the street from the subject site. Such notices shall be sent to the address of such owners appearing on the county auditor's current tax list and shall indicate the place, time, and subject of the hearing. The Board may notify such other parties as the Board determines may be affected by or have interest in the appeal. The Board shall also give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in the county at least ten (10) days before the date of such hearing.

B. At the public hearing, any person may appear in person or by attorney and shall have the opportunity to give testimony under oath.

SECTION 1003 AREA VARIANCES

Where the appeal requests an area variance, that is, a variance involving provisions relating to yard dimensions, setback, height, or similar spatial or dimensional requirements, then the following standards shall be considered and weighed in determining whether the grant of a variance is warranted to afford relief of practical difficulties:

A. Whether the property in question will yield a reasonable return and whether there can be any beneficial use of the property without the variance. Increased cost only shall not be the basis for a variance.
B. Whether the variance is substantial.
C. Whether the essential character of the neighborhood will be substantially altered and whether adjoining properties will suffer interference with their proper future development and rights as a result of the variance.
D. Whether the variance will adversely affect the delivery of governmental services.
E. Whether the property owner purchased the property with knowledge of the zoning restriction.
F. Whether the property owner's predicament can be obviated through some method other than a variance.
G. Whether the spirit and intent of this Zoning Resolution will be observed and substantial justice done by granting the variance.
H. Whether the property in question has unique or exceptional circumstances or conditions that do not generally apply to other properties in the vicinity and within the same district.
I. Whether granting of the variance will be contrary to the general purpose, intent, and objective of the specific use district.
J. Whether the variance requested arises from a condition or circumstance which is unique to the subject site and which is not generally shared by other properties in the same zoning district or general vicinity.
K. Whether the practical difficulty is created by the Zoning Code and not by any action or actions of the property owner or the applicant.
L. Whether the variance desired will adversely affect the public health, safety, or general welfare.
M. Whether the variance requested is the minimum variance necessary to afford relief to the property owner.

SECTION 1004 USE VARIANCES

Where the appeal requests a use variance, that is, a variance for the approval of a use which is not permitted in the district, then the following standards shall be considered and weighed in determining whether the grant of a variance is warranted to afford relief of an unnecessary hardship:

A. Whether uses permitted in the district may be reasonably established on the property and whether they are economically viable on the property in question without the variance. Increased cost alone shall not be the basis for a variance.
B. Whether the variance is the minimum necessary to afford relief to the property owner.

C. Whether the essential character of the neighborhood will be substantially altered or adjoining properties will suffer interference with their proper future development and rights as a result of the variance.
D. Whether the property in question has unique or exceptional circumstances or conditions that do not generally apply to other properties in the vicinity and within the same district.
E. Whether the hardship condition was created by actions of the applicant.
F. Whether the spirit and intent of this Zoning Resolution will be observed and substantial justice done by granting the variance.
G. Whether the use requested is similar in character to the permitted uses in the subject district.
H. Whether the subject property is adequate to meet the needs and requirements of the proposed use.

SECTION 1005 ISSUANCE

A variance shall not be granted unless the Board of Zoning Appeals makes a determination that the criteria contained herein are satisfactorily addressed by the evidence presented by the applicant to establish that a practical difficulty or unnecessary hardship exists and that the granting of a variance will preserve the spirit and intent of this Zoning Resolution and that substantial justice will be done..

SECTION 1006 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Zoning Resolution, which shall become stipulations of the variance or appeal. Violations of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Zoning Resolution.

ARTICLE 11 AMENDMENTS

Section 1101 INITIATION OF AMENDMENTS.
Section 1102 AMENDMENTS GENERALLY.
Section 1103 EFFECT OF AMENDMENTS.
Section 1104 RESUBMISSION OF AMENDMENTS.

SECTION 1101 INITIATION OF AMENDMENTS

Amendments to this Zoning Resolution may be initiated in any of the following manners:

A. The Zoning Commission may initiate and recommend an amendment;

B. The Township Trustees may propose an amendment and send their proposal to the Zoning Commission for review and recommendation; or

C. A property owner or lessee(s) of property may propose an amendment and submit an application requesting the amendment. Applications for amendments made by property owners shall be made on forms provided by the Zoning Inspector and shall be filed with the Zoning Inspector.

SECTION 1102 AMENDMENTS GENERALLY

This Resolution may be amended or supplemented in the manner and for the purposes provided in Section 519.12 of the Ohio Revised Code and any subsequent amendments thereto.

SECTION 1103 EFFECT OF AMENDMENTS

Amendments of this Zoning Resolution shall not affect the prior operation of this Resolution or any prior action taken thereunder. Nor shall any amendment affect any validation, cure, right, privilege, obligation or liability previously acquired, accrued, accorded or incurred thereunder.

SECTION 1104 RESUBMISSION OF AMENDMENTS

No text or map amendment which is disapproved by the Board of Township Trustees shall be resubmitted for substantially the same text provisions or land area for a minimum period of at least one (1) year from the effective date of the action by the Board of Township Trustees.

ARTICLE 12 SUPPLEMENTAL REGULATIONS

Section 1201 GENERAL PROVISIONS
Section 1202 PONDS, LAKES, AND POOLS
Section 1203 ANTENNAS AND SOLAR COLLECTORS
Section 1204 OIL AND GAS REGULATIONS
Section 1205 OUTDOOR STORAGE
Section 1206 PARKING AND STORAGE OF VEHICLES AND EQUIPMENT
Section 1207 HOME OCCUPATIONS
Section 1208 CEMETARIES
Section 1209 PUBLIC RECREATIONAL USES

SECTION 1201 GENERAL PROVISIONS

The provisions of this Article shall apply in all zoning districts.

SECTION 1202 PONDS, LAKES AND POOLS

A. A Township Zoning Permit shall be required for all public or private ponds, lakes or pools.
B. Pools shall meet the location requirements for structures excluding the minimum separation between structures.
C. Ponds shall be located at least twenty-five (25) feet from the main building and all property lines and from the highway right-of-way sideline, as measured from the waterline at overflow condition or from the toe of the dam or elevated ground around the pond (whichever is closer).
D. In all cases the above ponds, lakes or pools shall meet the standards and specifications of the Medina County Soil and Water Conservation District and all pertinent sections of the Ohio Revised Code.
E. All applications for Zoning Permits for a pond, lake or pool with surface area of more than one-quarter (1/4) acre will require a copy of the plans which have been reviewed and stamped by the Medina County Soil and Water Conservation District.

SECTION 1203 ANTENNAS AND SOLAR COLLECTORS

For the purposes of this Resolution, Antennas are defined as a structure and are thereby subject to all regulations of this Resolution, and solar collectors are classified with antennas and by definition are considered to be subject to the same regulations. Within this Resolution, accessory antennas are a permitted use but are subject to the following regulations:

A. Antennas which are attached to a house or other structure and extend less than fifteen (15) feet above the roof line shall require no Zoning Permit. Free standing antennas less than fifty (50) feet in height shall require no zoning permit.

B. Parabolic (dish) or similar types of antenna, normally used as "satellite receivers", but not specifically designed and approved for roof mounting, shall not be mounted upon any building or dwelling, by reason of the mass of the antenna and the wind loading thereof.

C. Antennas, as structures, are subject to all building line requirements, as set forth elsewhere in this resolution.

D. Free standing antennas in excess of fifty (50) feet in height shall require a zoning permit. these antennas are subject to a further setback requirement. free standing antennas in excess of fifty (50) feet in height shall be located such that if the antenna and supporting structure were positioned horizontally on the ground, in any direction, with the base of the supporting structure at its mounted location the entire antenna and supporting structure would be within the lot lines. all portions of the antenna and supporting structure, including any guy lines shall be located within the building lines.

SECTION 1204 OIL AND GAS REGULATIONS

The following regulations shall apply to the operations of exploration, extraction, and storage of oil and/or natural gas. Chatham Township is known to contain oil and natural gas deposits. This Section sets forth requirements intended to ensure that any operations incidental to the exploration, extraction, or storage of oil and gas takes place in a manner fully compatible with the surrounding land uses in the Township, to prevent or mitigate any possible fire and explosion damage associated with such activities, and to protect public health, safety and welfare.

A. Plat Map

There shall be filed with the Chatham Fire Department a plat showing the point of ingress and egress for the site from a designated public road, as well as the location of the wellheads, in relation to storage tanks, power lines, all power shutoffs and oil shutoffs and oil flow line shutoffs.

B. Emergency Numbers

Information required by state law such as emergency telephone numbers shall be posted at the well site and provided to the Chatham Fire Department.

C. Parking and Access Roads

1. Truck loading areas shall be outside the road right of way with no parking of tank trucks, drilling rigs or any other vehicles related to the operation of, construction of, or maintenance of said well site and/or storage tanks within the road right of way. truck loading areas shall be at least fifty (50) feet from the side or rear lot lines.
2. Road damage caused by heavy equipment shall be repaired by the driller and/or Permit holder under the direction of and to the specifications established by the Board of Township Trustees. Drilling and/or maintenance operations shall not result in mud or debris being deposited on the roads. Mud and debris deposited on the road shall be removed immediately by the Permit holder and/or driller. Truck loading areas shall be improved with stone, gravel or hard surfacing as necessary to prevent the depositing of mud and debris on the road.

3. All installations shall be accessible to public safety vehicles. The access roads shall be at least fourteen (14) feet wide and equipped with turnaround areas. Access roads shall be constructed and maintained such as to permit all-season access for public safety vehicles.

D. Site Operations and Maintenance
Shut-off valves shall be painted a conspicuous color (such as fluorescent orange) for easy identification in an emergency.

SECTION 1205 OUTDOOR STORAGE

A. Junk motor vehicles or unlicensed motor vehicles which are parked on any lot for more than fifteen (15) days shall be stored within an enclosed building with permanently attached walls.
B. No lot in any district shall be used for the outside storage or processing of junk.

SECTION 1206 PARKING AND STORAGE OF VEHICLES AND EQUIPMENT

Parking or storage of heavy licensed or unlicensed commercial vehicles, commercial trailers, and commercial mobile equipment (exempting Church and School buses) is only allowed subject to the following general conditions as well as site-specific conditions set by the Board of Zoning Appeals (unless such parking is covered in the site plan review or conditional use hearing of a related use).

A. Individual vehicles, trailers, or pieces of mobile equipment with an empty weight of less than eight thousand (8,000) pounds and an overall length of less than twenty-one (21) feet are exempt from these regulations.
B. Parking of one such commercial vehicle on lots larger than five (5) acres in area with a frontage and lot width of more than three hundred (300) feet is exempt from these regulations if the parking areas are set back at least one hundred (100) feet from the road right of way side line and at least fifty (50) feet from any lot side line or back line.
C. No person who is not a resident on the premises may utilize said property for parking any said vehicle or equipment.
D. Where the use may be an annoyance or hazard to adjacent property owners by reason of sound, light, location, appearance, or emissions into the environment, adequate means shall be incorporated to minimize or eliminate the impact thereon. Screening, fencing, earthworks, or other means shall be required, as appropriate, to control the annoyance or hazard.
E. The parking area for such vehicle or equipment shall comply with the location requirements for structures.
F. Such parking of vehicles and equipment is permitted only on lots where a legal primary use has been clearly established and the principal structures for that use completed.

SECTION 1207 HOME OCCUPATIONS

All home occupations shall comply with the following provisions:

A. No person who is not a resident of the premises may utilize said property for parking any commercial vehicle or equipment, or may participate in any activity related to the business on site as an employee or volunteer.
B. No commercial equipment, process, materials, or chemicals shall be used which create noise, vibrations, smoke, dust, odor, heat, glare, X-rays, radiation, or electrical disturbances which are offensive to a person of ordinary sensibility.
C. Not more than twenty-five percent (25%) of the gross floor area of the dwelling, nor more than twenty-five percent (25%) of any single lot or parcel shall be devoted to any use related to the business activity.
D. Such use shall be conducted within the dwelling unit only; no home occupation use shall be made of any garage, accessory building or yard space.
E. The external appearance of the building on the property and the property itself, shall not be altered in such a way that a non-residential appearance inconsistent with the area is created.
F. Not more than one (1) sign conforming with Section 704(D) shall be allowed on the premises indicating the activity-taking place thereon.
G. The activity conducted must be clearly incidental and subordinate to the use of the premises for residential purposes.
H. No traffic shall be generated by such use in greater volume or intensity than would normally be expected in the neighborhood.
I. No commercial equipment or commercial motor vehicle shall be parked outside.

SECTION 1208 CEMETERIES

A. A minimum area of twenty (20) acres shall be required for a cemetery site.
B. Adequate screening with shrubs, trees, or compact hedge shall be provided parallel to property lines adjacent to or abutting residential dwellings; such shrubs, trees and hedges shall not be less than four (4) feet in height and shall be maintained in good condition.
C. Cemetery buildings and all other structures shall conform to front, side, and rear yard building lines as required in the zoning district.
D. No grave sites shall be located within one hundred (100) feet of the right of way lines of any publicly dedicated thoroughfare.
E. Except for office uses incidental to cemetery operations, no business or commercial uses of any kind shall be permitted on the cemetery site.
F. Family-owned cemeteries shall be exempt from these conditions.

SECTION 1209 PUBLIC RECREATIONAL USES

A. These provisions apply to picnic areas, playgrounds, parks, swimming pools, golf courses, tennis clubs, country clubs, riding academies, and other similar non-governmentally owned and/or operated recreational uses, **excluding** such uses as drive-in theaters, miniature golf courses, golf driving ranges, rifle ranges, skeet shooting ranges, pistol ranges or other ranges for the use of firearms.
B. All structures and activity areas shall be located at least fifty (50) feet from all property lines.

C. Loudspeakers which cause a hazard or annoyance shall not be permitted;
D. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.
E. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual, or to the community in general; a bond may be required to ensure that this provision will be met.
F. Only retail uses which are customarily accessory or incidental to the main recreational use shall be permitted, and shall include such uses as refreshment stands, souvenir stands, and concession stands.
G. All facilities and structures shall meet all County and/or State of Ohio health, building, electrical, and other applicable codes;
H. Conditional Zoning Certificates for Public Recreational Uses permitted under this section shall be issued for a three (3) year period only. After a three (3) year period has elapsed, a new Conditional Zoning Certificate shall be required and may be issued provided the Board of Zoning Appeals determines that said Public Recreational Use has been and is being operated according to the specifications of the Zoning Resolution and the previous Conditional Zoning Certificate. If necessary, the Board may attach additional requirements for the continued operation of the Public Recreational Use as a prerequisite for reissuance of the Conditional Zoning Certificate.
I. Such uses must front on Avon Lake Road or Chatham Road.

ARTICLE 13 DEFINITIONS

The words used in this Resolution are used in their ordinary English usage. For the purpose of this Resolution, the following terms, whenever used in this Resolution, shall have the meaning herein indicated:

Accessory Building- A building customarily incidental and subordinate to the principal building and located on the same lot or premises as the principal building.

Accessory Use- A use customarily incidental and subordinate to the principal use or building and located on the same lot or premises as the principal use or building.

Agriculture- As defined in Ohio Revised Code Section 519.01 as the same may be amended from time to time.

Alteration- As applied to a building or structure, is a change or rearrangement in the structural parts or in the entrance or exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or by moving from one location to another.

Antenna- A device, assembly or construction which is designed or intended to interact with the electromagnetic field by absorption, reception, concentration, radiation, reradiation, transmission or retransmission of electromagnetic radiation. By this definition solar collectors and similar devices are herein classified as antennas.

Back Lot- A building lot located behind another lot, connected to a public road street or highway by a long narrow parcel of land meeting the requirements of this Resolution, and having a minimum of fifty (50) feet of frontage on a public road street or highway.

Billboard- A "sign" which directs attention to a business, commodity, service, or any other activity conducted, sold, placed, or otherwise offered elsewhere than on the premises on which the billboard is located.

Board- The Board of Zoning Appeals of Chatham Township.

Building- Any structure having a roof supported by columns or by walls designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

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

Building, Principal- The building housing the principal activity performed on any lot.

Business Services- Services provided primarily to other business operations, which may include consulting services, property and/or equipment maintenance services, financial and/or

accounting services, computer and/or information management services, advertising and/or graphic services, and similar operations.

Campground- A recreational area where camping in tents, trailers or other vehicles, cabins or lodges are located, established, or maintained for occupancy as temporary living quarters for recreational, education or vacation purposes for which a fee or membership is charged.

Civic Purpose Sign- A sign advertising a project or undertaking for both the common good and general welfare of the people of the Township.

Commission- The Zoning Commission of Chatham Township.

Drive or Driveway- A private road which provides access from a public highway or roadway to a building, home or other use.

Dump- Any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration, or any other means and for whatever purpose of garbage, sewage, trash, refuse, waste material of any kind, junk, discarded machinery, vehicles, or parts thereof, offal, or dead animals.

Dwelling, Multi-Family- A building consisting of three (3) or more dwelling units with varying arrangements of entrances and party walls.

Dwelling, Single-Family- A free-standing building designed for or used exclusively for residence purposes by a single housekeeping unit.

Dwelling Two Family- A building consisting of two (2) dwelling units with varying arrangements of entrances and party walls.

Dwelling Unit- One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for an individual or group of individuals living together as a single housekeeping unit, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, bathing, toilet, and sleeping facilities.

Frontage- The distance from one side line of a lot to the other side line, as measured along the right of way side line of a road, street or highway.

Height, Building or Structure- The vertical dimension of a building or structure measured from the average elevation of the finished lot grade at the front of the building or structure to:

(a) The highest point of a structure or the roof of a building or structure with a flat roof;
(b) The deck line of a mansard roof; or
(c) The average height between the eaves and ridge of a gable, hip or gambrel roof.

Home Occupation- An accessory revenue-enhancing use of a dwelling which activity, occupation, service, or craft is clearly incidental and subordinate to the use of the premises as a dwelling and does not change the character thereof and is conducted entirely within the dwelling unit.

Hotel or Motel- A building, or buildings, occupied or used as a more or less temporary abiding place for individuals or groups of individuals, with or without meals, in which no provision is made for cooking in any individual room.

Manufactured Home / Mobile Home- A building unit or assembly of closed construction that is fabricated in an off-site facility for installation or assembly at the building site, designed to be used as a permanent dwelling unit and constructed in conformance with the federal construction and safety standards established by the secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974" 88 Stat. 700, 42 U.S.C.A. 5401, 5403 and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards. Manufactured homes are often referred to as mobile homes or trailers. Manufactured homes or mobile homes are not modular homes and are not single-family dwellings for purposes of compliance with the provisions of this Zoning Resolution.

Junk- Scrap iron, scrap tin, scrap brass, scrap copper, scrap lead or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tin foil, used bottles, old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used automobile or airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their present condition, but are subject to being dismantled.

Junk Motor Vehicles- Any motor vehicle which is:

(a) Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, doors, or transmission, and
(b) Apparently inoperable, or
(c) Any unlicensed automobile or truck.

Living Floor Area- The habitable floor area of a dwelling excluding attics, breezeways, porches, garages, and basements.

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

Lot- A parcel of land occupied by, or which may be occupied by, a building and accessory buildings and including the yards and other open spaces required by this Zoning Resolution.

Lot, Corner- A lot at the point of intersection of and abutting on two (2) or more intersecting streets or highways, the angle of intersection being not more than one hundred and thirty-five (135) degrees.

Lot Lines- The lines defining the limits of a lot.

Lot, of Record- A lot which is part of a subdivision, the plat of which has been recorded in the Office of the Registrar of Deeds of Medina County, or a lot described by metes and bounds, the deed to which has been in the office of the Registrar of Deeds of Medina County.

Lot, Width of- The width measured along the building setback line. In the case of a lot which is not square to the highway, lot width will be measured perpendicular to the lot side lines. Where the lot side lines are not parallel, the lot width measurement shall be made in such a manner as to generate the shortest straight-line distance from one side line to the other, said line passing through the building line at the structure.

Nonconforming Lot- A lot which does not conform with the lot area, lot width, lot depth or other area requirements of the district in which it is located.

Nonconforming Structure- A structure which does not conform with the requirements for height, floor area, yard, or other requirements applicable to a structure in the district in which it is located.

Nonconforming Use- A use existing at the time of the enactment of this Resolution, and which does not conform to the use regulations of the district in which it is located.

Open Space- An area of land which is in its natural state, or is developed only for the raising of agricultural crops or for outdoor recreation.

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

Personal Services- Services provided to individual members of the general public where the primary purpose is not the transfer of ownership of tangible goods. Such operations may include personal grooming services such as barber shops, beauty parlors, tanning salons, nail salons, dry cleaning services, and tailoring, or may involve other personal improvement services such as tutoring or counseling.

Setback, Front Yard- The perpendicular distance between the street right-of-way line and the nearest portion of any structure existing or to be constructed.

Setback, Side Yard- The perpendicular distance between the established side lot line and any portion of any structure existing or to be constructed on said lot.

Setback, Rear Yard- The perpendicular distance between the established rear lot line and any portion of any structure existing or to be constructed on said lot.

Sign- An advertising or informational device, made of cardboard, cloth, metal, painted glass, wood, plaster, stone or other material of any kind or character whatsoever which is placed on the ground or on any tree, wall, bush, rock, post, fence, building or structure. The term "placed" as used in this definition shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or other fastening, affixing, or making visible in any manner whatsoever. For the purposes of these regulations, the word "sign" does not include the flag, pennant, badge or insignia of any government, or any governmental agency or of any charitable, religious, educational or similar organization. For the purposes of these regulations, the word "Sign" shall include a writing, representation, or other figure of similar character located on the interior of a building only if illuminated and located so as to be viewed from the exterior of the building.

Sign, Area of- That area of a sign used for the display of advertising matter. Frames and structural members, free of any advertising matter shall not be included in the calculation of sign area, unless, by size or ornateness, the frame or structure has been designed to attract attention. The area of a sign shall be that area which is normally visible from any one direction. For example, a rectangular sign measuring four (4) feet by five (5) feet with advertising matter on both sides shall be considered as twenty (20) square feet, as would a four (4) feet by five (5) feet sign with advertising matter on only one side. Signs consisting of multiple panels, all visible from the same direction, shall be considered as a single sign. For signs with multiple faces of differing areas, the face with the largest area shall be the sign area.

Sign, Electronic Changeable Copy- A sign designed to display multiple or changing messages whether by electronic means. Such signs are characterized by changeable letters, symbols or numerals that are not permanently affixed to the structure, framing or background allowing the letters, characters, or graphics to be modified from time to time by electronic devices. Electronic Changeable Copy Signs shall include electronic message boards and digital displays but shall not include moving video or graphic displays.

Sign, Pole- A sign that is mounted on a free-standing pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.

Sign, Portable- A sign that is not permanent, affixed to a building, structure, or the ground.

Sign, Temporary- A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.

Sign, Wall- Any sign attached to, painted on, or integral with the wall of any building and located in a plane parallel to the wall and supported by the building. Wall signs shall also include signs mounted on awning or canopies.

Similar Use- A use which is not listed as a permitted use or a conditionally permitted use for a district, but which is found to be sufficiently similar to other uses permitted in the district and otherwise compatible with the district and which is approved as a conditionally permitted use by the Board of Zoning Appeals.

Single Housekeeping Unit- One or more individuals living together and jointly sharing household responsibilities and activities as a united and interactive group where all adults occupy the entire premises of the dwelling unit with full access to all living and eating areas, bathrooms, and food preparation and serving areas, but not including larger institutional group living situations such as dormitories, fraternities, sororities, monasteries or convents.

Story, Height of- The vertical surface from the top surface of one (1) floor to the top surface of the next above. The height of the topmost story is the distance from the top surface of the floor to the top surface of the ceiling joists.

Street, Private- A thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public.

Street, Public- A thoroughfare which affords principal means of access to abutting property and which has been dedicated or deeded to the public.

Structure- Anything constructed or erected which requires location on the ground, but not including fences or walls used as fences.

Structural Alterations- Any change in the supporting members of a building or structure such as bearing walls, columns, beams, or girders, or any substantial change in the roof and/or exterior walls of the structure.

Tank, Storage - An open or closed vessel suitable for the storage of liquids.

Use- The principal purpose for which a lot, and/or the principal building thereon, is designed, arranged, or intended and for which it may be used, occupied or maintained.

Use, Conditional- A use, listed as a conditional use for a specific district or otherwise identified as a conditional use in this Zoning Resolution, which may be established and operated only according to the provisions of the Conditional Zoning Certificate.

Variance- As authorized by this Resolution, a grant by the Board of Zoning Appeals permitting use of property in a manner not wholly in accordance with the provisions of this Resolution as a means of resolving practical difficulty or unnecessary hardship.

Zoning Compliance Certificate- A document issued by the Zoning Inspector confirming the use of lots, structures, uses of land and structures, or the arrangement of uses and structures is in compliance with the provisions of this Zoning Resolution and all applicable Zoning Permits.

Zoning District- An area within which only certain uses of land and buildings are permitted; yards and other open spaces are required; lot areas; building height limits, and other requirements are established; all of the foregoing being uniform throughout the Zoning District in which the apply.

Zoning Inspector- A Zoning Inspector of Chatham Township or an authorized representative of the Zoning Inspector.

Zoning Map- The "OFFICIAL ZONING MAP OF CHATHAM TOWNSHIP, MEDINA COUNTY, OHIO."

Zoning Permit- A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, or the arrangement of uses and structures in conformance with the provisions of this Zoning Resolution.

CHATHAM TOWNSHIP ZONING MAP

R-2 Residential and Limited Commercial District

All other areas of Chatham Township are Zoned R-1 Residential & Agricultural District

The boundary line of the R-2 District is aproximate. Where the R-2 District does not clearly follow a property line, the R-2 District is 1000 feet in depth from the road right-of-way.

All R-2 parcels must front on SR 83 (Avon Lake Road) or SR 162 (Chatham Road)