Draft Amended Text:

LITCHFIELD TOWNSHIP ZONING RESOLUTION

Introduction to the Litchfield Township Zoning Resolution

NOTE: This Introduction is for information purposes only and is not part of the Zoning Resolution.

Background

The Litchfield Township Zoning Resolution is adopted and enforced by the Litchfield Township Board of Trustees as authorized by the Ohio Revised Code. The Zoning Resolution was first adopted in 1950. Amendments have been adopted from time to time to create or adjust regulations and the boundaries of districts and to reflect changing provisions of the Ohio Revised Code, changing federal laws, and precedents set by court decisions.

Contents of the Resolution: Overview

The Zoning Resolution establishes zoning districts, permitted uses and types of buildings, minimum lot sizes, setbacks, and heights. It also regulates accessory structures, signs, and parking.

Key sections of the Zoning Resolution include:

- Article II: Zoning Districts and Uses. Describes the Zoning Districts, uses permitted in each District and standards for several specific uses and accessory uses.
- Article III: Lots, Yards, Buildings, and Site Standards. Details minimum lot, yard, and setback requirements and site standards such as screening and lighting.
- Article VI: Methods and Procedures. Explains the procedures for obtaining approvals and permits.
- Article VII: Describes the administrative bodies; provides procedures for obtaining variances and for amending the zoning map or text.
- Article IX: Definitions. Provides definitions for selected terms used in the Resolution.

Zoning Inspector

The Zoning Inspector is a township employee responsible for administering and enforcing the Zoning Resolution in coordination with the Board of Township Trustees, Zoning Board of Appeals, and the Zoning Commission. The Zoning Inspector also answers questions about the Zoning Resolution, provides copies of the Zoning Resolution, applications and other forms, issues zoning certificates, and maintains township zoning records.

Property owners and other interested parties are encouraged to contact the Zoning Inspector for assistance.

Frequently Asked Questions:

Do I need a Zoning Certificate for my project?
A Zoning Certificate is required for most new buildings, accessory buildings, sheds, and fences. Certificate requirements are listed in the Zoning Resolution. Contact the Zoning Inspector to find out if a permit is required.

How do I apply for a Zoning Certificate?
Contact the Zoning Inspector.

Where can I read the Zoning Resolution? Where can I see the Zoning Map?
The Township Zoning Resolution and Zoning Map are maintained by the Zoning Inspector and can be viewed and downloaded from the Township website.

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(For information purposes only; not part of the Resolution)

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101: PURPOSE

This Zoning Resolution has been adopted by the Board of Trustees of Litchfield Township in the interest of the public health, safety, convenience, comfort, prosperity and general welfare of the Township and its residents as a general plan of zoning. This is an affirmative regulation.

Uses which are not specifically permitted as described herein shall be considered prohibited.

For the purpose of promoting public health, safety, convenience, comfort, prosperity and general welfare of the residents of Litchfield Township, Medina County, Ohio; to conserve and protect property; to secure the most appropriate use of land; to facilitate adequate but economical provision of public improvements; to provide for the maintenance of the rural character of Litchfield Township; to manage orderly growth and development in said Township, the Board of Trustees has found it necessary and advisable to adopt these zoning regulations as a comprehensive plan of zoning which will regulate the location, height, bulk, number of stories, size of buildings and other structures, including tents, cabins, and trailer coaches, percentage of lot area which may be occupied, setback building lines, sizes of yards and other open spaces, the density of population, the uses of buildings and other structures including tents, cabins, and trailer coaches, and the use of land for trade, industry, residence, recreation or other purposes and for such purposes divides the area of Litchfield Township into zoning Districts and to provide for the administration and enforcement of such regulations.

Zoning Resolution regulations shall apply for each class or kind of building or other structure or use throughout any district or zone, except as specifically provided. This Zoning Resolution was developed to address the interests of the community and the objectives of the Litchfield Township Comprehensive Plan and applicable provisions of the Ohio Revised Code.

102: TITLE

This resolution shall be known as the Litchfield Township Zoning Resolution, hereafter referred to as “Resolution”.

103: AUTHORIZATION

The authority for establishing the Litchfield Township Revised Zoning Resolution is derived from Sections 519.01 to 519.99 inclusive, of the Ohio Revised Code.

104: INTERPRETATION

This is an affirmative regulation. Uses which are not specifically permitted shall be considered prohibited.

In interpretation and application, the provisions of this Resolution shall be held to be the minimum requirements adopted for the promotion of public health, and safety, convenience, comfort, prosperity and general welfare. Nothing herein shall repeal, abrogate, annul or in any way impair or interfere with any provisions of law or any rules or regulations, other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.

Where this Resolution imposes greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of this Resolution shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by this Resolution.

In the event any of the requirements or regulatory provisions of this Resolution are found to be internally incompatible or inconsistent one with another, the more restrictive or greater requirement shall be applicable.

105: VALIDITY AND SEPARABILITY

It is hereby declared to be the legislative intent that, if any provisions of this 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 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 the factual situation involved in the finding of inapplicability. All other provisions of this Resolution shall continue to be separate and fully effective, and the application of any such provision to other situations shall not be affected.

In the event any of the requirements or regulatory provisions of this Resolution are found to be internally incompatible or inconsistent one with another, the more restrictive or greater requirement shall be applicable.

106: REVISIONS AND AMENDMENTS

The Litchfield Township Zoning Resolution was adopted August 21, 1950 with subsequent amendments as approved by the Board of Township Trustees.

107: REFERENCE TO OTHER REGULATIONS

Any reference in this Resolution to the Ohio Revised Code or to other county, state or federal statutes or rules or those of other agencies having jurisdiction shall be construed to be a reference to the most recent enactment of the statute or rule and shall include any amendments as may from time to time be adopted.

108: APPLICABILITY TO ALL DISTRICTS; CONFLICTING PROVISIONS

Except where a regulation is specifically applied to a specific District, the general regulations set forth in this Resolution shall apply to all districts. Where the requirements of a general regulation and a district regulation differ, the more restrictive requirements shall prevail.

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201: ZONING DISTRICT DESIGNATIONS

To carry out the provisions of this resolution, the Township is hereby divided into the following Districts: Residential District, Circle District, Commercial District, and Industrial District.

202: ZONING DISTRICT MAP

The Districts and their boundary lines are indicated upon a map entitled "Zoning Districts Map of Litchfield Township, Medina County, Ohio," which original map, together with all notations, references, amendments and changes is maintained in the office of the Zoning Inspector.

203: ZONING DISTRICT PURPOSES

The Zoning Districts and their regulations are established to achieve, among others, the following purposes:

203.01: Residential District.

The purpose of the Residential District is to provide for uses and regulations that will maintain the overall rural character of Litchfield Township. The purpose is also to provide for Residential uses and Conditionally Permitted uses on buildable rear Residential District parcels that will maintain the overall rural character of Litchfield Township.

203.02: Circle District.
The purpose of the Circle District is to provide a mixed-use area for dwellings and for a variety of retail services and professional establishments which shall conform to the basic use and character of the area known as Litchfield Circle.

203.03: Commercial District.
The purpose of the Commercial District is to provide a mixed-use area for dwellings and a variety of retail, service, and commercial business establishments which would have no objectionable effects on the Township.

203.04: Industrial District.
The purpose of the Industrial District is to provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, distribution, and sexually oriented businesses, free from the encroachment of residential, retail, and institutional uses.

204: USES IN ZONING DISTRICTS

204.01: Permitted Use/Use Permitted by Right.
A use listed in Table 204 shall be permitted by right as a principal use in a district when denoted by the letter "P", provided that all requirements of this Zoning Resolution and other Township regulations have been met.

204.02: Conditional Use.
A use listed in Table 204 shall be permitted as a conditional use in a district when denoted by the letter "C," provided the Board of Zoning Appeals determines that the requirements of Section 208 have been met according to the procedures set forth in Section 602.

204.03: Accessory Use.
An accessory use that is clearly incidental and subordinate to a Permitted Principal Use or to an approved Principal Conditional Use shall be permitted provided that the requirements of all other Township regulations and this Zoning Resolution have been met. Accessory uses are further regulated in other sections of this Zoning Resolution.

204.04: Compliance with Development Standards and Other Applicable Regulations.
Although a use may be indicated as a permitted principal, conditional or accessory use in a particular district, it shall not be approved on a lot unless it can be located thereon in full compliance with all provisions of this Zoning Resolution applicable to the specific use and lot.

204.05: Uses Not Listed in Table 204 are Prohibited Uses.
Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in the zoning districts and shall only be permitted upon amendment of this Zoning Resolution or by approval of a Use Variance.

204.06: Permit Required
A permit or other approval as provided in this Resolution (e.g., Zoning Certificate, Conditional Zoning Certificate, Site Plan approval) shall be required prior to establishing a Permitted Use, Conditional Use, or Accessory use, or to establish a Change of Use in any district except as otherwise specifically provided.

204.07: One Principal Use
No more than one (1) principal use of any type shall be permitted on a parcel unless otherwise specifically stated in this Resolution.

Table 204: PERMITTED, CONDITIONAL AND ACCESSORY USES				
USES *(See Article IX for definitions of the uses listed below)*	**DISTRICTS**			
	Residential District	**Circle District**	**Commercial District**	**Industrial District**
	P = Permitted Use, C = Conditional Use, A = Accessory Use			
(See Notes (1), (2), (3), and (4) at bottom of this table.)				
Residential Uses				
Single Family Dwelling	P (1)	P	P	
Accessory Dwelling Unit (ADU)	P (1)	P	P	
Manufactured Home	P (1)	P	P	
Business Uses				
Home Based Business Type I	P (1)	P	P	
Home Based Business Type II	C (1)	C	C	
Automotive fueling station		C	C	
Food/Beverage Establishment		P(3)		
Food/Beverage Retail or Wholesale			P	
Office		P	P	
Retail Establishment		P (3) (4)		
Retail or Wholesale Establishment			P	
Retail/Financial		P	P	
Personal Service Establishment		P (3)	P	
Car Wash		C	C	
Shop, Small Repair; Artisans/Crafts Studio		P	P	P
Shop, Major Repair; Contractor Shop			P	P
Studio Instruction		P	P	
Transportation Business			P	P
Vehicle or Equipment Sales or Rental			P	
Vehicle Repair Establishment			P	P
Warehousing and Storage			P	
Assisted Living, Nursing, Residential Care Facility			C	
Event/Conference/Wedding or Party Center			C	
Funeral Home			C	
Veterinary Clinic of Other Related Services			C	
Industrial Uses				
Manufacturing Processes (Indoors only)			C	C
Scrap Metal Processing Facility				P
Warehouse, Storage				P
Wholesale Establishment				P

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(See Notes (1), (2), (3), and (4) at bottom of this table.)				
Salvage Motor Vehicle Yard				C
Other Uses				
Adult Day/Respite Care	C (2)	P (3)	P	
Child Day Care, Type A	C (2)	P (3)		
Child Day Care, Type B	P	P		
Child Day Care Center			P	
Child Day Care Camp			P	
Bed and Breakfast	C (2)	P (3)	P	
Church of Other Place of Worship	C (1) (2)	C (3)	P	
Golf Course or Driving Range	C (2)			
Telecommunication Tower	See 205.03 and ORC519.211			
Government Uses and Facilities			C	
Cemetery			C	
Hospital, Emergency and Urgent Care Facilities			C	
Libraries or Museums, Public or Private			C	
Recreational Sports Fields or Facilities			C	
Schools Public, Private, and Parochial			C	
Sporting Club (non-firearm)			C	
Sexually Oriented Business				P
Accessory Uses				
Accessory Buildings and Structures	A (1)	A	A	
Swimming Pool (in-ground)	A (1)	P	A	
Temporary Trailer	A (1)	A	A	
Outdoor Storage	A (1)	A	A	
Fence	A (1)	A	A	
Lake/Pond	A (1)	A	A	
Alternative Energy Utility System	A (1)	A	A	A
Outdoor Display of Goods or Merchandise		P	A	A
Signs	A	A	A	A
Parking	A	A	A	A
Drive Thru Facility; Drive Up Facility			A, C	

Table 204: PERMITTED, CONDITIONAL AND ACCESSORY USES				
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(See Notes (1), (2), (3), and (4) at bottom of this table.)				

NOTES to Table 204:
1) These uses are permitted (P) or conditionally permitted © as indicated on a Rear Lot in the Residential District.
2) Total floor area of all structures on the lot shall not exceed 5,000 square feet
3) Total floor area of all structures on the lot shall not exceed 3,000 square feet
4) The total area of outdoor display of merchandise of goods shall not exceed 10% of the business structure square footage.

205: STANDARDS FOR SPECIFIC USES

205.01: DWELLINGS

205.01.01: No more than one (1) dwelling unit of any type shall be permitted on a parcel unless otherwise specifically stated in this Resolution. One (1) accessory dwelling unit shall be permitted accompanying a dwelling unit which is the principal use. Other buildings located on the parcel shall only be accessory or incidental to the residential use and subject to the requirements of Section 304.03 of this Resolution.

205.01.02: Every dwelling shall be required to comply with applicable regulations for building construction and connection to utilities.

205.01.03: Every dwelling shall have a floor area of at least twelve hundred (1,200) square feet. Basement floor area conforming with applicable building and safety code requirements for livable floor area may constitute up to six hundred (600) square feet of the floor area. The floor area for a single-story structure shall be considered as the outside measurement of the foundation or foundation walls. In a two-story structure, floor area shall be considered as the outside measurement of the foundation or foundation walls plus the outside measurement of the second story structure. Excluded from floor area minimum square foot measurements are attics, basements, porches, garages, stoops, breezeways, or terraces in both single and two-story structures.

205.01.04: The height of a dwelling shall not exceed 35 feet.

205.01.05: Manufactured homes shall comply with the “Manufactured Housing Construction and Safety Standards Act of 1974”. Manufactured homes as defined under the Ohio Revised Code division (c)(6) Section 3781.06 built after January 1, 1995, having a permanent label or tag certifying compliance with all applicable federal construction and safety standards are permitted for residential use.

205.01.06: Temporary Dwelling Unit. No more than one (1) travel trailer, motor coach or mobile home may be used as a temporary residential dwelling unit on a parcel while a permanent residential dwelling is under construction. A Zoning Certificate is required for the first six months of use of a temporary dwelling unit and is renewable every three (3) months for a maximum of one (1) year.

205.02: HOME-BASED BUSINESS
A Type I or Type II home-based business may be permitted as an accessory use to a dwelling provided that all other provisions of this Resolution have been met in addition to the following requirements.

205.02.01: Type 1 Home-Based Business

a. A Type 1 home-based business is a non-residential use conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the exterior character of the dwelling.
b. The home-based business shall only employ and be conducted by persons who reside in the dwelling as their principal place of residence.
c. The home-based business shall not constitute primary or incidental storage facilities (including but not limited to parking) for a business, industrial, or other commercial activity not conducted at the residence.
d. No traffic shall be generated by a home-based business in greater volume than would normally be expected in a residential neighborhood.
e. A Zoning Certificate is not required to establish and operate a Type 1 home-based business complying with this Resolution.
f. Signs shall comply with the regulations applicable to the district in which the dwelling is located.
g. The following uses are permitted as Type I home-based businesses if they are otherwise in compliance with the provisions of this Zoning Resolution: home office for business management and operation, consulting, design, legal, accounting, finance; office services, on-line services; home food production (baked goods, confections, canned goods); craft or art studio; sewing, shoe repair, jewelry repair; repair or servicing of personal items such as small appliances, furniture, upholstery.

205.02.02: Type 2 Home-Based Business

a. A Type 2 home-based business is a non-residential use utilizing one (1) accessory building on a property having a dwelling as its principal use and is carried on by the property's residents and a maximum of one (1) employee, which use is clearly incidental and secondary to the use of the property for residential purposes.
b. A Conditional Use Permit is required to establish and operate a Type 2 home-based business. See specific standards for this use in Section 208.

205.03: TELECOMMUNICATION TOWERS
Telecommunication towers and related accessory structures are regulated under the Ohio Revised Code and if the provisions of division (B) and (C) of 519.211 are met and an objection received, a telecommunication tower shall be subject to the following regulations.

205.03.01: Tower location, equipment facilities, including support structures and attachments shall conform to current District setback requirements. A Zoning Certificate and Site Plan is required.

205.03.02: Towers and antennas shall be designed to meet all Medina County Building Department requirements. Except as required by the Federal Aviation Administration (FAA), antennas and towers shall not be illuminated. Any lighting for security purposes shall be directed away from adjacent properties or streets. Security fencing shall surround the tower and equipment and include a sign showing the names of companies and their respective twenty-four (24) hour emergency telephone numbers. In the event a separate access road is necessary, it shall be constructed of suitable width and road materials to allow Emergency vehicles year-round access.

205.03.03: Existing mature tree growth and natural landforms on the site shall be preserved where possible. The tower, equipment facilities and support structures shall be screened to maintain the maximum aesthetic value possible.

205.03.04: Co-location and site sharing shall be used whenever possible. Telecommunication facilities should accommodate Township fire and safety communications.

205.04: SEXUALLY ORIENTED BUSINESS (SOB)

It is the purpose and intent of the provisions of this Zoning Resolution which specifically apply to Sexually Oriented Businesses and Adult Entertainment establishments as defined under Sections; 2907.38, 2907.39, 503.51–503.53 of the Ohio Revised Code, to regulate such business with the intent of promoting the health, safety, and welfare of Litchfield Township, establishing reasonable and uniform regulations and thereby reducing or eliminating the adverse secondary effects from such businesses. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented materials. Similarly, it is not the intent or effect of this Zoning Resolution to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor the effect of this Zoning Resolution to condone or legitimize the distribution of obscene material. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material including sexually oriented materials.

Supplemental SOB Requirements. A Sexually Oriented Business or Adult Entertainment establishment is subject to review and approval of a Site Plan and issuance of a Zoning Certificate providing all other requirements of this Resolution have been met in addition to the following;

205.04.01: Shall be a Permitted use in the Industrial District only and is prohibited in Residential, Circle and Commercial Districts and residential dwellings in any District.

205.04.02: Shall not be located on any parcel within three hundred (300) feet of any residential dwelling; or within one thousand (1,000) feet of any public park, library, church, public playground, private or public school, licensed day care or preschool, or any other facility where children are kept day or night.

205.04.03: Shall be located a minimum of one thousand (1,000) feet from any other Sexually Oriented Business or Adult Entertainment establishment.

205.04.04: A Sexually Oriented Business or Adult Entertainment establishment shall be restricted to one (1) business per Principal structure, and one (1) structure per parcel.

205.04.05: Structures shall be designed to prevent internal activities and displays from being seen from outside. No pornographic advertisement displays or other promotional materials shall be shown or exhibited in any manner visible to the public from pedestrian sidewalks, roadways, or other public areas.

205.04.06: All activities, programs, and other events of the use shall be adequately and properly supervised to prevent any hazard, disturbance or nuisance to surrounding properties or residents.

205.04.07: A Sexually Oriented Business or Adult Entertainment establishment which is lawfully and legally located and operating as a Conforming use pursuant to the regulations set forth in this resolution, shall not be rendered as a Non-conforming use if a public park, library, church, public playground, private or public school, licensed day care or preschool, or any other facility where children are kept day or night

locates within one thousand (1,000) feet of the Sexually Oriented Business or Adult Entertainment establishment.

206: STANDARDS FOR ACCESSORY STRUCTURES

206.01: FENCES AND GATES

206.01.01: Zoning Certificates

a. A Zoning Certificate is required for all fences except fences used to contain farm animals, temporary snow fence, and decorative fences not exceeding thirty-two (32) feet in length.
b. It shall be the responsibility of the owner to locate the fence in compliance with this Resolution and as represented on the Zoning Certificate.

206.01.02: Fence Location.

a. Fences may be permitted within any yard or along the edge of any yard as provided in the table below:

LOCATION	MAXIMUM HEIGHT	TRANSPARENCY
Front Yard: Fence may be located in any part of front yard.	4 ft. max. height	No transparency requirements except as otherwise required for screening purposes.
Side Yard: Fence may be located in any part of side yard.	8 ft. max. height	
Rear Yard: Fence may be located in any part of rear yard.	8 ft. max. height	

b. A fence (maximum height of eight (8) feet) may be constructed on any part of a front yard which is set back farther from the right-of-way than the minimum depth required for a front yard.
c. Fences shall not be placed within the road right-of-way.

206.01.03: Fence Types and Construction.

a. Fences and posts shall be installed on the owners' side of the property line with finished side of fencing facing towards abutting property.
b. Permitted types of fences include picket, privacy, chain link, post & rail, lattice, ornamental or a living fence consisting of the growth or placement of hedges, trees, bushes, plants or a combination thereof.
c. Security fencing such as barbed wire, razor wire, concertina coils and anti-climbing spikes in any combination are prohibited unless required by the appropriate Federal, State or County authority pertaining to the safety and security of the development area, facility, building or structure. Electrified fence shall only be permitted on private, non-residential property as provided in ORC 3781.1011.
d. Gates, doors, and similar appurtenances shall be considered elements of a fence and shall comply with the height, location, and transparency regulations applicable to the fence except that driveway gates shall not exceed eight (8) feet in height. Freestanding gates, gateways, arches, and similar structures shall comply with these requirements.
e. The Zoning Resolution does not authorize or prohibit fences, hedges, or other structures in the public right-of-way. Property owners shall be responsible for compliance with any applicable right-of-way regulations.

206.01.04: Temporary Snow Fences. A snow fence shall be temporary in nature and purpose and may be erected or placed in any District during the period from November 1st to May 1st for the sole purpose of preventing the drifting of snow on roadways, driveways, or sidewalks and shall not require a Zoning Certificate. Snow fencing shall not be used as a permanent fence at any time.

206.02: SWIMMING POOLS

206.02.01: Swimming pools, hot tubs, and similar above-ground or in-ground water-filled containers shall be set back from front, side, and rear lot lines (see Table 301) at least the distance required for accessory buildings.

206.02.02: A Zoning Certificate shall be required for an in-ground pool.

206.03: LAKES AND PONDS

206.03.01: Lakes or ponds shall meet the specifications of the Medina County Storm Water and Sediment Control Rules and Regulations, the Medina County Soil and Water Conservation District, and Section 1521 of the Ohio Revised Code. Lakes or ponds used for domestic water supply shall also meet the requirements of the Medina County health code.

206.03.02: A lake or pond is considered a structure and a Zoning Certificate is required. (See Section 603 of this Resolution). A copy of the proposed lake and/or pond plan application approved by the Medina County Engineer's Office shall be submitted to the Zoning Inspector before a zoning certificate is issued.

206.03.03: Lake or Pond Minimum Setback (As measured from the ordinary high-water mark)

Front Yard Setback	80 ft. from centerline of the road right-of-way
Side Yard Setback	15 ft. from property line.
Rear Yard Setback	15 ft. from property line
Corner Parcel	80 ft. from centerline of each road right-of-way
On a Rear Lot	15 ft. from every property line

206.04: OUTDOOR STORAGE

Outdoor storage of items described below on a parcel in any District shall be subject to all other provisions of this Resolution and to the following:

206.04.01: Vehicle, RV, Boat, and/or Equipment

a. Except as otherwise provided, Storage of any vehicle, trailer, boat, recreational vehicle, recreational camping vehicle, trailer coach, semi-truck and trailer or box truck owned by the owner and resident of the property and utilized in the owner's full-time employment, or nonagricultural equipment is permitted in permanent paved, graveled or improved surface parking areas and driveways.
b. Outdoor storage of the above-noted items shall be permitted in side yard or rear yard areas and in any part of a front yard which exceeds the minimum required front yard depth according to district setbacks.
c. Screening is required for outdoor storage of the above-noted items on lots where permitted or conditionally permitted uses other than dwellings are located. *(See Section 305 of this Resolution for screening requirements.)*

206.04.02: Inoperable, junk, wrecked vehicles, equipment and parts

a. All junk motor vehicles; inoperable motor vehicles; wrecked vehicles; dismantled vehicles; vehicle parts; inoperable or damaged construction vehicles, equipment or parts; and such vehicles, equipment, and parts stored on trailers or truck beds; shall be stored inside of a fully enclosed building/garage and/or within the side and rear yard of the property enclosed on all sides with a permanent solid type fence meeting all zoning requirements so that such items as stated herein are not exposed to public view.
b. Such outdoor storage shall not result in or create a Junk Yard and/or a Dump within the enclosed fenced-in side and rear yard area of the parcel.

206.04.03: Garbage, Refuse, Debris and/or Recyclables

a. Storage of garbage, trash, rubbish, debris and/or recyclables awaiting disposal shall be kept in dumpsters, garbage cans or disposal bins.
b. No junk, garbage, refuse, debris and/or recyclables shall be exposed outdoors on the parcel to public view.
c. No land, building or structure shall be used in any residential, commercial, or industrial district for the purposes of selling, buying, exchanging, baling, packing, sorting, disassembling, dismantling or otherwise handling materials such as waste, discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, disabled motor vehicles, paper, rags, rubber, cordage, barrels, carpet, outdoor play equipment or toys. When such materials are generated on the property because of permitted construction or demolition on the property, they shall not be stored for more than thirty (30) calendar days.

206.04.04: Discarded or Damaged Items and Junk

Outdoor storage of miscellaneous junk materials, including all discarded and broken or damaged items such as but not limited to; furniture, carpet, household appliances, outdoor play equipment or toys, building materials, tires of any type, and manufactured goods that are so worn, deteriorated, obsolete or dismantled as to make them unusable, shall not be exposed outdoors on the parcel to public view.

206.04.05: Other Vehicle Types

a. Outdoor storage of an operable vehicle, other items with wheels, runners or a hull not described in Section 206.04.01 and Section 206.04.02 is permitted in permanent parking areas and driveways.
b. Outdoor storage of these items shall be permitted in side yard or rear yard areas.
c. Screening is required for outdoor storage of these items on lots of permitted or conditionally permitted uses other than dwellings.

206.04.06: Private, Residential, Commercial and/or Industrial Use Items

a. Outdoor storage of any items not listed in Subsections 206.04.01 through 206.04.05 above shall be permitted in side yard or rear yard.
b. Screening is required for outdoor storage of these items on lots of permitted or conditionally permitted uses other than dwellings.

206.04.07: Agricultural Use Items

Outdoor storage of operable agricultural use equipment is permitted on any lot having agricultural use.

206.05: SOLAR PHOTOVOLTAIC (PV) SYSTEMS

Solar Photovoltaic (PV) systems and associated facilities with a single connection to the electrical grid and/or off-grid shall be permitted in all Zoning Districts provided all other requirements of this Resolution have been met in addition to the following requirements.

206.05.01: PV Accessory to a Dwelling

a. Ground-mounted or Freestanding. The location of any ground-mounted or freestanding solar photovoltaic systems and other equipment associated with the energy system shall conform to setback, side yard and rear yard clearance requirements for an accessory structure of the applicable District. The height of the solar collectors and any mounts shall not exceed twelve (12) feet when oriented at maximum tilt, except where topographic or other conditions require a greater height. The solar collectors shall be located to prevent any glare directed towards an adjoining property or street. The use of fencing or natural vegetative screening may be required to obscure glare. A Solar Photovoltaic System is considered a structure and may be subject to review and approval of a site plan. Issuance of a Zoning Certificate is required.
b. Roof-mounted. Solar panels and all accessory equipment associated with the energy system roof mounted are not subject to issuance of a Zoning Certificate provided that the addition of the panels and equipment comply with the height regulations applicable to the main structure.

206.05.02: PV Accessory to Commercial, Industrial or Conditional Use

a. Ground-mounted or Freestanding. The location of any ground-mounted or freestanding solar photovoltaic systems and other equipment associated with the energy system shall conform to setback, side yard and rear yard clearance requirements for an accessory structure of the applicable District. The height of the solar collectors and any mounts shall not exceed twelve (12) feet when oriented at maximum tilt, except where topographic or other conditions require a greater height. The solar collectors shall be located to prevent any glare that gets directed towards an adjoining property or street. The use of fencing or natural vegetative screening may be required to obscure direct glare. A Solar Photovoltaic System is considered a structure and may be subject to review and approval of a Site Plan. Issuance of a Zoning Certificate is required.
b. Roof-mounted. Solar panels and all accessory equipment associated with the energy system roof mounted is not subject to issuance of a Zoning Certificate provided that the addition of the panels and equipment comply with the height regulations applicable to the main structure.

206.06: WIND ENERGY TURBINES

Wind energy turbine systems and associated facilities as defined under Section 519.213 of the Ohio Revised Code with a single connection to the electrical grid and/or off-grid, designed for, or capable of, operation at an aggregate capacity of less than five (5) megawatts shall be permitted in all Zoning Districts subject to following requirements:

206.06.01: Accessory to a Dwelling

a. Free Standing Tower-mounted. Tower-mounted designs shall have a minimum setback of 1.1 times the height of the tower from the road right-of-way, inhabited structures, and neighboring property lines. The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine blade tip. No part of the wind turbine energy system structure, including guy wire anchors, may extend closer than fifteen (15) feet to the property line. A free-standing Wind Energy Turbine is considered a structure and a Zoning Certificate is required.
b. Attached to Building or Roof-mounted. A Wind Energy Turbine attached to buildings or roof mounted shall not exceed the roof height of the building upon which it is mounted by more than 15’ to the highest position of the turbine blade tip. The turbine must be placed so if it falls it is contained within the property boundaries. A Wind Energy Turbine attached to a building or roof-mounted is considered a structure and a Zoning Certificate is required.

206.06.02: Accessory to a Commercial, Industrial or Conditional Use

a. Free Standing Tower-mounted. Tower-mounted designs need to have a minimum setback of 1.1 times the height of the tower from the road right of-way, inhabited structures, and neighboring property lines. The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine blade tip. No part of the wind turbine energy system structure, including guy wire anchors, may extend closer than twenty (20) feet to the property line. A freestanding Wind Energy Turbine is considered a structure and is subject to review and approval of a Site Plan and issuance of a Zoning Certificate (See Sections 601 and 603 of this Resolution)
b. Attached to Building or Roof-mounted. A Wind Energy Turbine attached to a building or roof-mounted designs needs to have a minimum setback of 1.1 times the height of the tower from the road right-of-way, inhabited structures, and neighboring property lines. The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine blade tip. A Wind Energy Turbine attached to a building or roof-mounted is considered a structure and subject to review and approval of a Site Plan and issuance of a Zoning Certificate. (See Sections 601 and 603 of this Resolution).

207: USES EXEMPT FROM TOWNSHIP ZONING OR SUBJECT TO LIMITED REGULATIONS

This Resolution recognizes that certain uses have been specifically exempted from township zoning regulation by the Ohio Revised Code unless otherwise provided by other applicable laws.

207.01: Public Utilities and Railroads are regulated under the Ohio Revised Code

Nothing contained in this Resolution shall prohibit the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings or structures of any public utility or railroad, whether publicly or privately owned, or the use of land for the operation of its business except as it relates to Telecommunication Towers under Section 519 division (B) or (C) of the Ohio Revised Code.

207.02: Oil and Gas Wells as defined under Section 1509 of the Ohio Revised Code

Nothing contained in this Resolution shall require the application for, or issuance of a Zoning Certificate prior to the drilling and operation of a oil or gas well. The drilling and operation of such wells are Permitted use in all Districts and shall comply with Chapter 1509 of the Ohio Revised Code and/or applicable Federal laws.

207.03: Agriculture as defined in Chapter 519 of the Ohio Revised Code

a. Nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land.
b. Anyone erecting an agricultural structure may be requested to sign a statement confirming the fact that the building under construction is being built for and will be used for agricultural purposes. If the agricultural building purpose is changed from the definition of agriculture as stated in the Ohio Revised Code, the owner must obtain a zoning certificate and meet the current zoning resolution requirements.

207.04: Farm Market defined under Section 519.01, 519.21 of the Ohio Revised Code.

207.05: Roadside Stand

Stands or vehicles used for the seasonal display and sale of agricultural products shall be located outside of the road right of way.

207.06: Agritourism: Any type of structure used primarily for agritourism activities shall:

a. Not exceed eight hundred (800) square feet in area or twenty-five (25) feet in height;
b. Be subject to all applicable zoning district building setbacks and restrictions
c. No parking area exceeding two thousand (2,000) square feet
d. Provide a minimum width for ingress/egress of thirty (30) feet at the public roadway.

207.07: Government

All Litchfield Township governmental use/buildings, structures, and land are exempt from this zoning resolution.

207.08: Winery

a. Winery. A building or other structure used primarily for vinting and selling wine and located on a lot on which viticulture is conducted. As used in this definition, "primarily" means use of more than 50% of the floor area of the building or structure.
b. ORC 519.21(A) Except as otherwise provided in divisions (B) and (D) of this section, sections 519.02 to 519.25 of the Revised Code confer no power on any township zoning commission, board of township trustees, or board of zoning appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture, and no zoning certificate shall be required for any such building or structure.

207.09: Not-for-profit Event.

An event conducted by a not-for-profit organization, occurring over only one (1) day.

208: STANDARDS FOR CONDITIONAL USES

This section establishes general standards to be applied in evaluating and acting upon applications for conditional zoning certificates for conditional uses listed in this Zoning Resolution. In addition, specific standards are established to be applied to specific conditional uses.

208.01: General Standards Applicable to All Conditional Uses

208.01.01: In addition to the specific requirements for conditional uses set forth in this Section, the Board shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:
208.01.02: Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive Zoning Resolution.
208.01.03: Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same areas.
208.01.04: Will not be hazardous or disturbing to existing or future neighboring uses including with regard to hours of operation.
208.01.05: Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
208.01.06: Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
208.01.07: Will not involve uses, activities, processes, materials, 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, noise, fumes, glare, or odors or other impacts.
208.01.08: Will have vehicular approaches to the property which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads.

208.02: Specific Standards for Conditional Uses

208.02.01: Home-based Business Type II

a. The home-based business shall only employ and be conducted by persons who reside in the dwelling as their principal place of residence provided that not more than one (1) additional person who does not reside in the dwelling may be employed.
b. The Type 2 home-based business shall be clearly incidental and subordinate to the dwelling. Only one (1) accessory building not to exceed five thousand (5,000) square feet shall be permitted for use by any home occupation.
c. All activity, material, goods or vehicles, and equipment associated with the business shall be conducted and stored within an enclosed building.
d. The use of the accessory building and/or land shall not constitute primary or incidental storage facilities (including but not limited to parking) for a business, industrial, or other commercial activity which is not conducted at the residential property.
e. No traffic shall be generated by such operation in greater volume than would normally be expected in a residential neighborhood.

f. No equipment or process shall be used in such home occupation, which would cause a nuisance to a neighbor such as noise, vibration, glare, fumes, odors or electrical interference. Evidence of the above objectionable elements shall not be discernible beyond the parcel lines of the property.
g. Signs shall comply with the regulations applicable to the district in which the dwelling is located.
h. The following uses may be approved as conditional uses as Type II home-based businesses if they are in compliance with the provisions of this Zoning Resolution: Type I Home Based Business with one (1) nonresident employee; landscaping, snow plowing, construction contractor; woodworking shop; vehicle repair.

208.02.02: Automotive Fueling Station

a. Rear Yard - a required minimum of 75 feet where the use abuts a Residential District.
b. Side Yard - a required minimum of 75 feet where the use abuts a Residential District.
c. Gasoline pump islands, compressed air connections, and other equipment shall be set back a minimum of 30 foot from any right-of-way line.
d. Hydraulic hoists, pits and all lubrication, washing and repair equipment shall be enclosed entirely within a building.
e. Air compressor pumps (e.g., for tire inflation) and other outdoor equipment shall be identified in the conditional use certificate and shall be located and screened in a manner which minimizes noise impacts on Residential Districts.
f. No major repair work and no vehicle sales, service, rental or leasing shall be conducted in a gas station except as otherwise approved with a Conditional Zoning Certificate.
g. The application for a gasoline station conditional use shall include a traffic impact study, prepared by a qualified traffic engineer, which includes at least the following information and such other information as the Board may deem necessary to determine the traffic impacts of the proposed use and the suitability of any proposed improvements to mitigate such impacts:
    - Plan of access, including curb cuts, drives, stacking lanes, and parking.
    - Evidence that the plan provides for free-flowing access to the site, with avoidance of undue congestion or any safety hazards in adjacent roads and intersections.
    - Roadway improvements, acceptable to the appropriate jurisdictions, which maintain or improve the level of service of any road located within one-fourth (1/4) mile of the site shown by the traffic impact study to be adversely impacted by the proposed development.
h. Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting servicing or return to customers after servicing, and vehicles held for disposal shall only be permitted in the locations approved in the conditional use certificate. Vehicles awaiting servicing or return to customers after servicing, and vehicles held for disposal shall not be stored on the site for more than twenty-one (21) days. Parking and storage of vehicles not related to the principal use of the site, or to an approved accessory use, shall not be permitted.
i. Retail sales of products shall be permitted only within an enclosed structure which shall comply with all provisions of the district, including requirements for parking.
j. Temporary outdoor storage of discarded materials, vehicle parts, scrap and other waste prior to collection and disposal shall only be permitted within a storage area completely surrounded by a solid wood or masonry fence six (6) feet in height or other screening approved in the site plan. The screening shall be set back from residential districts at least ten (10) feet and landscaped according to the approval in the conditional zoning certificate.

k. Outdoor repair, preparation, cleaning, assembly, disassembly, or other outdoor activities shall not be permitted unless the nature and location of the activity is specifically identified in the application and approved in the conditional use certificate.
l. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved in the conditional use permit.
m. Outdoor storage shall be screened by walls, fences and landscaping as may be determined by the Board of Zoning Appeals to be adequate to appropriately screen the materials and equipment from outside the boundaries of the lot. Screening of outdoor storage areas shall be by buildings housing the principal use, or by ornamental face brick wall or by a completely obscuring ornamental fence of wood or other material.
n. A site plan of the area proposed for outdoor storage shall be submitted for review and approval with the conditional use certificate. The plans shall show the type of materials or equipment to be stored, all principal buildings on the site, property lines, abutting roads and proposed screening methods.

208.02.03: Car Wash

a. An automobile washing or polishing establishment shall provide reserve space off-street for not less than ten automobiles per washing lane.
b. Repair work shall not be permitted.
c. Automobile washing and polishing services shall be performed wholly within a totally enclosed building, with the exception that finishing of vehicles may be conducted outside the building.
d. Washing and polishing facilities located adjacent to a residential area shall be used only during the hours of 7:00 a.m. to 10:00 p.m.
e. A permanent screening fence or wall not less than six (6) feet in height shall be constructed along any side property line which abuts property zoned for residential use.
f. The application for an automobile automatic wash station conditional use shall include a traffic impact study, prepared by a qualified traffic engineer, which includes at least the following information and such other information as the Board may deem necessary to determine the traffic impacts of the proposed use and the suitability of any proposed improvements to mitigate such impacts:
    1: Plan of access, including curb cuts, drives, stacking lanes, and parking.
    2: Evidence that the plan provides for free-flowing access to the site, with avoidance of undue congestion or any safety hazards in adjacent roads and intersections.
    3: Roadway improvements, acceptable to the appropriate jurisdictions, which maintain or improve the level of service of any road located within one-fourth (1/4) mile of the site shown by the traffic impact study to be adversely impacted by the proposed development.
g. The use shall comply with the standards established at Section 208.02.22 for Drive Thru or Drive Up Facilities.

208.02.04: Assisted Living, Nursing, Residential Care Facility

a. On-site parking shall be provided in sufficient quantity to provide for the parking demand generated by employees, visitors, service providers and persons under care.
b. Vehicular access shall be designed to provide efficient access to building entries, parking areas, and service areas and shall provide efficient access for safety and service vehicles while minimizing impacts on abutting uses.

c. Buildings shall comply with all standards applicable in the zoning district including but not limited to setbacks, yards, and building height.
d. Screening shall be provided to limit visibility of waste containers, loading facilities, and outdoor storage.

208.02.05: Event/Conference/Wedding or Party Center

a. On-site parking shall be provided in sufficient quantity to provide for the parking demand generated by employees, visitors, and service providers.
b. Vehicular access shall be designed to provide efficient access to building entries, parking areas, and service areas and shall provide efficient access for safety and service vehicles while minimizing impacts on abutting uses.
c. Buildings shall comply with all standards applicable in the zoning district including but not limited to setbacks, yards, and building height.
d. Screening shall be provided to limit visibility of waste containers, loading facilities, and outdoor storage.

208.02.06: Funeral Home

a. Adequate off-street assembly area for vehicles used in funeral processions shall be provided in addition to any required off-street parking area. Parking and assembly areas shall be screened from surrounding residential areas by a fence at least four (4) feet in height. Shrubs or trees may be used in combination with said structural screen or walls.

208.02.07: Veterinary Clinic or Other Related Services

a. Runways, Exercise Areas. All riding or exercising of animals shall be conducted solely on the premises. All outside animal runways or kennels shall be enclosed by a six (6) foot woven chain link fence, maintained in a clean, orderly and sanitary condition and free from any conditions that would menace the health of the animals enclosed therein, the public, or constitute a nuisance.
b. Buildings and Enclosures. The main building and any buildings housing animals shall be no closer than one hundred (100) feet from any other lot in any district. Enclosed runways and kennels or outside exercise areas shall be no closer than one hundred (100) feet from any property line.
c. Manure piles shall be disposed of daily in a sanitary, non-odorous condition. Open manure piles shall not be permitted.
d. The sale of incidental products is permitted.

208.02.08: Manufacturing Processes

A conditional zoning certificate shall be required to establish a business conducting manufacturing processes as defined in this Resolution and shall comply with the following standards.

a. The purposes of these standards are: to prohibit the establishment of uses which engage in activities or use materials which are excessively hazardous or have significant negative impacts on surrounding properties; to ensure that all uses in the district will provide methods to protect the community from hazards and other negative impacts and effects which can be prevented by processes of control and nuisance elimination; and to protect uses from arbitrary exclusion or persecution based solely on the impacts and effects produced by any particular type of industry or activity in the past.

b. Compliance with these standards shall be required during all times of operation of the approved activity or use.
c. An existing use that does not conform with these performance standards shall not be enlarged or remodeled if the enlargement or remodeling will cause greater noncompliance with the performance standards than exist at the time the use becomes nonconforming.
d. The owner of the property for which the conditional zoning certificate is requested shall submit a written statement describing any process which has the potential to create impacts addressed herein. The statement shall address each of the potential impacts and how the potential impact will comply with these provisions or how the potential impact will be prevented or mitigated or completely contained within the building.
e. Air Pollution.
   (1) Odor. No use shall be permitted to produce any odor which is discernible beyond any lot line of the lot upon which the use is located.
   (2) Smoke. No activity, operation, or use shall, during normal operations, emit smoke of a visible density to the exterior of the building in which the use is located.
   (3) Heat and Humidity. No use, operation, or activity shall produce intense heat or excessive humidity in the form of steam or moist air which has a perceptible, objectionable impact beyond the lot lines of the property.
   (4) Dust and Particulate Matter. No use, operation, or activity shall exhaust or discharge into the air, outside of the building in which the use, operation. or activity is contained, any quantity of fly ash, dust, dirt, or other particulate matter except in conformance with the current air pollution standards of the Ohio Environmental Protection Agency (OEPA) and pursuant to a valid discharge permit issued by OEPA.
f. Erosion. No erosion, either by wind or water or other natural forces, shall be permitted which will carry objectionable substances onto neighboring properties.
g. Water Pollution. No use, operation, or activity shall emit solids, liquids, or other matter into or onto any body of water, streams, or the ground except in conformance with the water pollution control standards established by OEPA and pursuant to a valid discharge permit issued by OEPA.
h. Vibration. No use, activity or operation shall cause or create earth borne vibrations perceptible beyond the property line of the lot on which the use is located, especially to a degree of frequency, duration, or displacement which is objectionable or destructive to health or property. Vibrations from temporary construction and vehicles which leave the lot (such as trucks) are excluded from compliance with this standard.
i. Electric or Electronic Disturbance. Production of electrical or electronic disturbances perceptible beyond the property line of the establishment, especially in such manner as to endanger human health or to interfere with the normal operation of equipment or instruments, shall not be permitted.
j. Noise. Proposed uses shall be so designed and operated as to minimize the creation of noise, especially noise which may be periodically or constantly perceptible outside of the building in which the use is located and which is perceptible in residential areas. (including during times when loading bay doors, windows, or other openings in the building may be open).
k. Glare and Exterior Lighting. Any operation producing intense glare shall be conducted within an enclosed building or with other effective screening in a manner to make glare completely imperceptible from any point along the property line of the lot on which the use is located. Exterior lighting shall be constructed and directed to shield residential properties from direct glare.

l. Enclosure of Operations and Stored Materials, Outdoor Storage, Waste Disposal. Except as authorized by the conditional zoning certificate:
   (1) All operations shall be conducted within an enclosed building; and
   (2) All equipment shall be used and stored within an enclosed building. The temporary storage of waste materials in conformance with these regulations and the daily parking of the personal vehicles of employees shall be permitted.

   No materials or wastes shall be deposited upon a property in such form or manner that they may be transferred off the property by natural causes or forces such as wind, water, or evaporation, cause fumes or dust, constitute a fire hazard, be edible by or otherwise attractive to rodents or insects. The owner of the property shall submit a written statement with the application for a zoning permit describing any operations or activities which will or may be conducted outside of the building or buildings, describing the manner of storage of all materials (including those brought to the site for use, those stored for distribution or delivery off site, and all waste materials), and describing the manner of storage of all equipment and vehicles. The owner shall submit a statement describing any activity which will produce waste and the nature of such waste or which requires outside storage of any materials, vehicles, or equipment and the nature of such items. The owner shall also submit a plan which identifies the locations of all such storage and waste disposal, including any construction intended to screen such storage from view from outside of the property.

m. Radiation Hazards. The use of radioactive materials shall not be permitted except as specifically permitted in the conditional zoning certificate. It is the general intent of this ordinance to not permit activities which require the use of significant amounts of radioactive materials, frequent transport of such materials into or through the township or use in a manner with potential to cause harm to human health or to the environment. It is the general intent of this ordinance to permit the use of the amounts and types of radioactive materials required for certain types of low-level equipment testing, laboratory research, medical testing and research, and comparable uses. The owner of the property shall submit a written statement with the application for a zoning permit describing any activity which will utilize radioactive materials, the nature and amounts of such materials, the methods and routes of transporting such materials, and the planned safety facilities and procedures related to the use, storage, and disposal of such materials.

n. Fire and Explosion Hazards. The storage, use or manufacture of materials in the Industrial District shall be regulated with the intent of protecting human life, protecting the natural environment, and protecting property while recognizing that certain fire and explosion hazards may be inherent in activities permitted in this district. Provisions for proper storage, use, and disposal of materials having fire hazard or explosive characteristics, shall conform to the standards and requirements for such materials in applicable law and shall be implemented in consultation with the Fire Chief.

o. Toxic or Noxious Matter. No use, operation, or activity shall emit or discharge toxic or noxious matter in any form, particularly as identified on the USEPA Extremely Hazardous Substances List, which may be detrimental to the public health, safety, or general welfare or which may endanger the natural environment. Provisions for proper storage, use, and disposal of hazardous and/or toxic materials shall conform to the standards and requirements for such materials as established by the USEPA and OEPA and shall be implemented in consultation with the Fire Chief.

p. Other Hazards or Impacts. Other hazards or potential hazards, potential nuisances, or other offsite effects of the proposed activity or use which are not common to uses permitted in the District or are not specifically addressed by the foregoing sections shall be made known to the Board of Zoning Appeals by the owner of the property proposing to establish the activity or use in the Industrial District.

208.02.09: Salvage Motor Vehicle Yard

a. All outdoor storage areas shall be screened or fenced with a solid fence eight (8) feet in height. Fence shall be maintained in sound condition, painted, and presenting a neat and inconspicuous appearance. In addition, the use of trees and shrubs shall be encouraged to enhance the outward appearance of said enclosed area.
b. Storage between the street and such fence is strictly prohibited.
c. All outside salvage or storage material shall be located no closer than seventy-five (75) feet to the side and rear property lines when located adjacent to a non-residential district and a two hundred (200) foot transition area measured from the fence to any residential district boundary shall be maintained. Such strip shall be planted with trees, grass, and shrubs.
d. Salvage yards shall be established and maintained according to all applicable State of Ohio statutes. The stricter regulations, either State or local, shall prevail.
e. A minimum of two (2) acres shall be provided.
f. A front yard of one hundred (100) feet from the right-of-way line shall be maintained. Said front yard shall be planted with trees, grass, and shrubs.
g. No material shall be stocked above the fence height, except the movable equipment used in the operation.
h. No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing, or packing shall be conducted within a completely enclosed building.
i. A site plan shall be submitted at the time of application showing building location, accessory buildings or structures locations, fence location, fence type and specifications, planting plan, parking area, street access point or points and drawn to scale.
j. A salvage yard operation will be permitted to operate in an approved location provided that the operation of said use does not adversely affect the public health, safety, and general welfare.

208.02.10: Adult Day/Respite Care; Child Day Care

a. All points of vehicular entrance or exits shall be located no closer than one hundred (100) feet from the intersection of two (2) major roads or no closer than fifty (50) feet from the intersection of a major road and a local collector road.
b. The uses shall be properly landscaped to be harmonious with the surrounding residential uses. Landscaping shall meet the approval of the Board of Zoning Appeals.
c. Outside play areas shall be enclosed by a six (6) foot fence set back a minimum of twenty (20) feet from the property line.
d. Sufficient parking and “drop off and pick up” areas shall be provided off the public roadway.
e. Applicant must provide evidence of a state license or of submitted application for a state license. State license must be obtained before conditional use permit will become effective.

208.02.11: Bed and Breakfast

a. The facility shall be compatible with surrounding land use and the residential character of the neighborhood. The exterior appearance of the structure or grounds shall not be altered from its single- family dwelling character.
b. The maximum length of stay shall not exceed fourteen (14) consecutive days and rooms will be rented only on an overnight basis. No guest shall stay more than sixty (60) nights in one (1) year period.
c. Sufficient on-site parking shall be provided to accommodate the vehicles of owner-operator and guests.

208.02.12: Church or Other Place of Worship

a. Paved areas, such as parking lots, playgrounds, and vehicle loading or storage areas, but not including access driveways, shall not be located closer than fifty (50) feet to any side or rear lot line of the site.
b. No place of worship building or other main or accessory building shall be located closer than fifty (50) feet to any side or rear lot line of the site.
c. No residential use or cemetery shall be permitted on the same site as the main use of place of worship or school unless specifically authorized by the Board of Zoning Appeals and otherwise listed as a permitted use in the district.
d. Places of worship and schools shall be located on thoroughfares suitable to serve the traffic volumes generated by the proposed use.
e. A place of worship shall only be used for local purposes of the congregation of the organization and shall not be used or operated in connection with a business, except for the renting of rooms for a use that provides a service to the community on a not-for-profit basis.

208.02.13: Golf Course or Driving Range

a. Course layout shall be designed such that all tees, greens, and fairways shall be directed away from all surrounding residential areas and roads.
b. All principal or accessory buildings and parking areas shall be not less than two hundred (200) feet from any property line of abutting residentially zoned land.
c. All detailed plans for the layout of golf courses, structures and accessory buildings shall be submitted to the Zoning Board of Appeals for review.
d. Pro-shops and sale of goods incidental to the principal use shall be permitted.
e. The sale of food and beverage shall be permitted if contained within the principal building or structure.

208.02.14: Telecommunication Tower

See 205.03 and the Ohio Revised Code for regulatory requirements for Telecommunication Towers.

208.02.15: Government Uses and Facilities.

a. Paved areas, such as parking lots, playgrounds, and vehicle loading or storage areas, but not including access driveways, shall not be located closer than fifty (50) feet to any side or rear lot line of the site.

b. No main or accessory building shall be located closer than fifty (50) feet to any side or rear lot line of the site.
c. The use shall be located on thoroughfares suitable to serve the traffic volumes generated by the proposed use.

208.02.16: Cemetery

a. The site shall not interfere with the development of a locally adopted street system and shall maintain direct access onto a public thoroughfare with a minimum of two points of entry.
b. The minimum site size shall be no less than ten (10) acres.
c. All buildings shall be set back as required by the District from any street right-of-way bounding the cemetery provided that side yards and rear yards are at least fifty (50) feet each.
d. All graves or burial lots shall be set back at least forty (40) feet from any street right-of-way bounding the cemetery and from all side and rear lines.
e. Existing cemeteries may continue to operate as nonconforming uses. Any future expansion of an existing cemetery not covered by a conditional use permit must comply with the requirements as set forth above.

208.02.17: Hospital, Emergency and Urgent Care Facilities

a. Paved areas, such as parking lots and vehicle loading or storage areas, but not including access driveways, shall not be located closer than fifty (50) feet to any side or rear lot line of the site.
b. No main or accessory building shall be located closer than fifty (50) feet to any side or rear lot line of the site.
c. The use shall be located on thoroughfares suitable to serve the traffic volumes generated by the proposed use.
d. Facilities such as emergency room access entries which attract or generate noise such as alarms or sirens and/or flashing vehicle lights shall be located on the site in a manner which mitigates the impact on abutting residential districts.

208.02.18: Libraries or Museums, Public or Private

a. Paved areas, such as parking lots, outdoor gathering spaces, and vehicle loading or storage areas, but not including access driveways, shall not be located closer than fifty (50) feet to any side or rear lot line of the site.
b. No main or accessory building shall be located closer than fifty (50) feet to any side or rear lot line of the site.
c. The use shall be located on thoroughfares suitable to serve the traffic volumes generated by the proposed use.

208.02.19: Recreational Sports Fields or Facilities

a. Paved areas, such as parking lots, outdoor gathering spaces (including spectator seating), and vehicle loading or storage areas, but not including access driveways, shall not be located closer than fifty (50) feet to any side or rear lot line of the site.

b. The use shall be located on thoroughfares suitable to serve the traffic volumes generated by the proposed use.
c. Field lighting shall be designed to minimize impacts on adjacent residential districts. Lighting plans shall specify locations, heights, orientations, shielding, and hours of operation.

208.02.20: Schools Public, Private, and Parochial

a. Paved areas, such as parking lots, playgrounds, and vehicle loading or storage areas, but not including access driveways, shall not be located closer than fifty (50) feet to any side or rear lot line of the site.
b. No main or accessory building shall be located closer than fifty (50) feet to any side or rear lot line of the site.
c. The use shall be located on thoroughfares suitable to serve the traffic volumes generated by the proposed use.
d. Facilities such as bus loading areas and drives which generate vehicle noise shall be located on the site in a manner which mitigates the impact on abutting residential districts.

208.02.21: Athletic Field (non-firearm)

a. Uses permitted shall be softball/baseball fields, multiple use paved areas, landscaped areas, playground apparatus and clubhouse.
b. Setback areas on the site shall be appropriately landscaped to screen the clubhouse, pavilion, and parking areas from view.
c. No use of firearms or other weapons permitted including but not limited to trap and skeet shooting, rifle or pistol ranges.
d. No dog field trials shall be permitted.
e. No amplification equipment shall be permitted.
f. All sanitary facilities and water supplies shall be approved by the County Board of Health.
g. The Zoning Inspector may inspect the premise during hours of operation. Failure to comply with regulations will be considered reason for revocation of the conditional use permit.

208.02.22: Vehicle Repair

a. When such use abuts a lot in any Residential district, a three-foot solid wall, chain link fence, or painted board fence, shall be maintained from the street right-of-way line to the building line, whereupon a six foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition, a row of shrubs or hedges shall be incorporated which will attain a maximum height of no more than three feet from the street right-of-way line to the building line and a minimum of six feet along the remainder of the property lines.
b. Buildings used for such purposes shall not be nearer than 25 feet to any residential use. An eight (8) feet fence shall be required.
c. Automobile, truck and trailer repairs shall be conducted completely within an enclosed building.
d. Storage of trucks or trailer shall be permitted on the premises but no partially dismantled or junked vehicles shall be stored outside the building on the premises.

e. Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting servicing or return to customers after servicing, and vehicles held for disposal shall only be permitted in the locations approved in the conditional use certificate. Vehicles awaiting servicing or return to customers after servicing, and vehicles held for disposal shall not be stored on the site for more than twenty-one (21) days. Parking and storage of vehicles not related to the principal use of the site, or to an approved accessory use, shall not be permitted.
f. Vehicle sales, service, rental, or leasing shall not be permitted on the site unless specifically approved.
g. Retail sales of products shall be permitted only within an enclosed structure which shall comply with all provisions of the district, including requirements for parking.
h. Temporary outdoor storage of discarded materials, vehicle parts, scrap and other waste prior to collection and disposal shall only be permitted within a storage area surrounded by a solid fence with a minimum six (6) feet in height or other screening approved in the site plan. The screening shall be set back from residential districts at least ten (10) feet and landscaped according to the approval in the conditional zoning certificate.
i. Air compressor pumps (e.g., for tire inflation) and other outdoor equipment shall be identified in the conditional use certificate and shall be located and screened in a manner which minimizes noise impacts on residential districts.
j. Outdoor repair, preparation, cleaning, assembly, disassembly, or other outdoor activities shall not be permitted unless the nature and location of the activity is specifically identified in the application and approved in the conditional use certificate.
k. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved in the conditional use permit.
l. Outdoor storage shall be screened by walls, fences and landscaping as may be determined by the Board of Zoning Appeals to be adequate to appropriately screen the materials and equipment from outside the boundaries of the lot. Screening of outdoor storage areas shall be by buildings housing the principal use, or by ornamental face brick wall or by a completely obscuring ornamental fence of wood or other material.
m. A site plan of the area proposed for outdoor storage shall be submitted for review and approval with the conditional use certificate. The plans shall show the type of materials or equipment to be stored, all principal buildings on the site, property lines, abutting roads and proposed screening methods.

208.02.23: Drive Thru facility; Drive up facility.

a. Drive-up facilities which utilize microphones or other audible signals shall be designed to minimize sound impacts upon abutting uses. Hours of operation shall be as approved with the site plan.
b. Lanes required for vehicle access to and waiting for use of a drive thru or drive up facility shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, to provide escape/abort lanes for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles, and to minimize impacts on the use of other required parking or drives or on the use of abutting roads and hazards to pedestrians.
c. Conditions may be established restricting the hours of operation to reduce inappropriate impacts on abutting uses and on road traffic and to ensure compatibility with normal vehicular activity in the district.

d. The applicant shall design the site plan or otherwise provide assurances to reduce the impacts of lighting, litter, noise, and exhaust resulting from the facility, especially impacts on nearby residential districts.
e. Drive-up facilities shall be located on that part of a site which is most distant from or most screened from the boundaries of abutting residential districts. Where site conditions necessitate locating a drive-through facility near to the district, the area between the uses shall be screened as directed by the Board of Zoning Appeals.
f. Drive up facilities, their stacking areas, and routes of access shall be located to not interfere with or cause interference with vehicles or pedestrian movement on the public road or within the site. Stacking areas for drive-through facilities shall not be the sole or primary site egress route. Stacking areas shall not utilize parking or aisles required for access to parking.
g. Business establishments with drive-up facilities, such as banks and restaurants shall provide a minimum of twelve (12) waiting spaces, but not less than eight (8) spaces per drive-up facility. A study prepared by a qualified traffic engineer may be accepted as evidence of need for and approval of lesser amounts of waiting spaces.

209: PROHIBITED USES

See amended 206.04

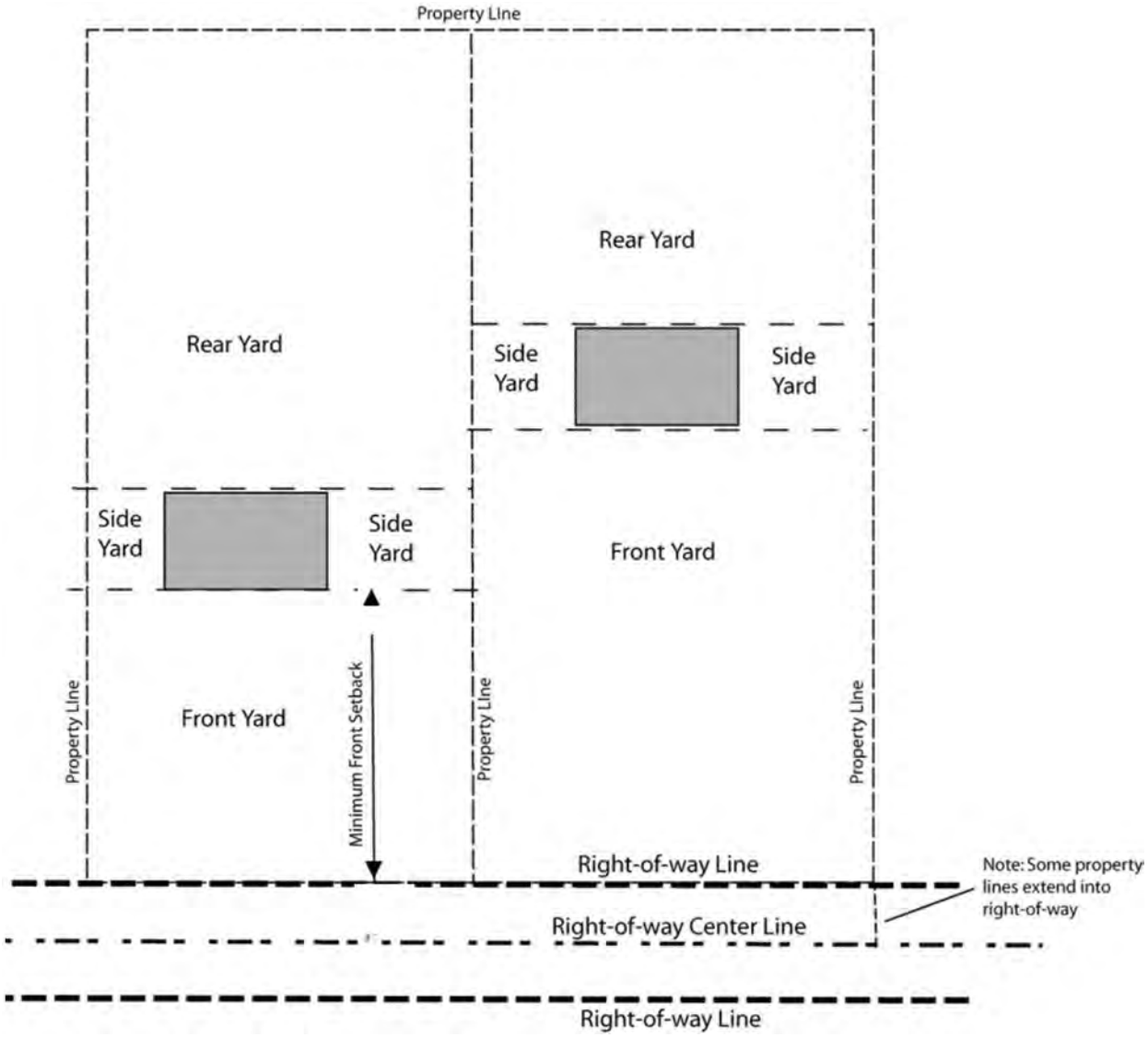
In addition, the dumping, storing, burying, reducing, disposing of, or burning of rubbish is prohibited.

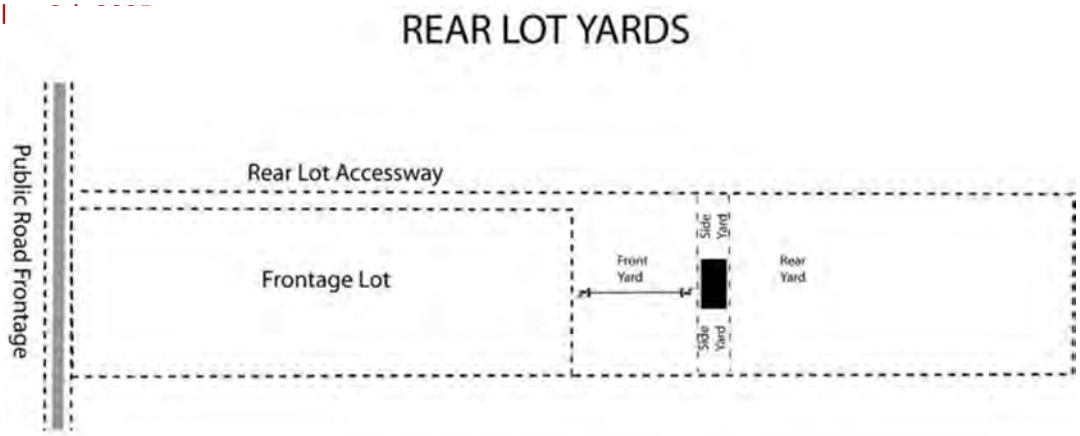
ARTICLE III: LOTS, YARDS, BUILDINGS AND SITE STANDARDS
301 Dimensional Standards for Lots, Yards, Buffers, and Screening
Table 301 Dimensional Standards
302 Lot Standards
303 Setbacks Requirements
304 Buildings; Accessory Buildings and Structures
305 Additional Site Standards
305.01 Screening
305.02 Buffers
305.03 Exterior Lighting
305.04 Compliance with Regulations of Other Agencies

301: DIMENSIONAL STANDARDS FOR LOTS, YARDS, SETBACKS, BUFFERS, AND SCREENING

301.01: Lots, yards, setbacks, buffers, screening, driveways, and parking shall comply with the standards established in Table 301 for the respective districts in which they are located.

Tabel 301: DIMENSIONAL STANDARDS	**Residential District**	**Circle District**	**Commercial District**	**Industrial District**
Lot Standards				
Lot Area Minimum (acres)	3	3	3	3
Lot Frontage Minimum (feet)	200	200	200	200
Lot Width Minimum (feet)	200	200	200	200
Lot Depth Minimum (feet)	250	250	250	250
Rear Lot in Residential District: See Section 302 for standards for Rear Lots in Residential Districts.				
Minimum Yards/Setbacks:				
Front Setback Minimum Depth (feet) *See note (b)*	100	75	100	100
Front Setback Maximum Depth (feet) *See note (b)*	1500			
Side Setback Minimum Width (feet) for dwellings and buildings/structures accessory to dwellings	15	15	15	NA
Side Setback for use other than a dwelling	25	20	30	30
Side Setback for Corner Lot	50	50	50	50
Rear Setback Minimum Depth (feet) (a)	15	15	25	25
Rear Setback Minimum (a) for use other than a dwelling	25	20	25	NA
Buffers and Screening: Only apply to a lot where a use other than a single-family dwelling is the principal use.				
Front Yard Buffer Minimum Depth (feet)	20	20	20	20
Side Yard Buffer Minimum Width (feet)	20	15	20	20
Rear Yard Buffer Minimum Width (feet)		15	20	20
Other Accessory Structure Standards: Comply with Minimum Yards/Wetbacks written above				
NOTES: "NA" means not applicable; "non-residential" means a Permitted Use or Conditional Use other than a Dwelling (a) See Section 306.03.03 for rear setback on a lot in more than one zoning district. (b) Front Setback is measured from the right-of-way line.				


Property Line
Rear Yard
Rear Yard
Side Yard
Side Yard
Side Yard
Side Yard
Front Yard
Front Yard
Property Line
Minimum Front Setback
Property Line
Property Line
Right-of-way Line
Note: Some property lines extend into right-of-way
Right-of-way Center Line
Right-of-way Line



301.02: Riparian Setback Requirement
No building/structure or paved area, including driveways and parking areas shall be located closer than thirty (30) feet to the edge of any river, stream, creek, channel, or designated wetland with the exception of structures used with vehicular and/or pedestrian traffic crossings over the waterway. The setback area shall be provided along the entire length and on both sides of the river, stream, creek, or channel as measured from the ordinary high-water mark.

302: LOT STANDARDS

302.01: Lot Area.
Lots shall comply with the minimum Lot Area standards in Table 301. All buildable parcels shall have sufficient area for the installation of an on-site sewer system pursuant to the regulations of the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.

302.02: Lot Frontage Required.
Every lot shall have frontage on a public road.

302.03: Lot Frontage; Corner Lot.
Lot Frontage shall be measured along a single continuous front lot line with a public road. The minimum Lot Frontage shall be provided on both street frontages of a corner lot.

302.04: Lot Width.
Minimum Lot Width shall be maintained in all parts of the lot between the front lot line (continuous with the public road right-of-way) and the minimum front building setback line.

302.05: Parcel Size
No parcel of land shall hereafter be reduced or divided to provide less than the minimum lot size required in the district in which the land is situated.

302.06: Rear Lot in Residential District
A Rear Lot complying with the provisions of this section may be subdivided in a Residential District provided that all parts of the Rear Lot are in the Residential District.

302.06.01: A Rear Lot shall comply with the following:

a. a front line abutting the rear line of a conforming lot or lots
b. continuous frontage on a public road of at least 30 feet but less than 200 feet

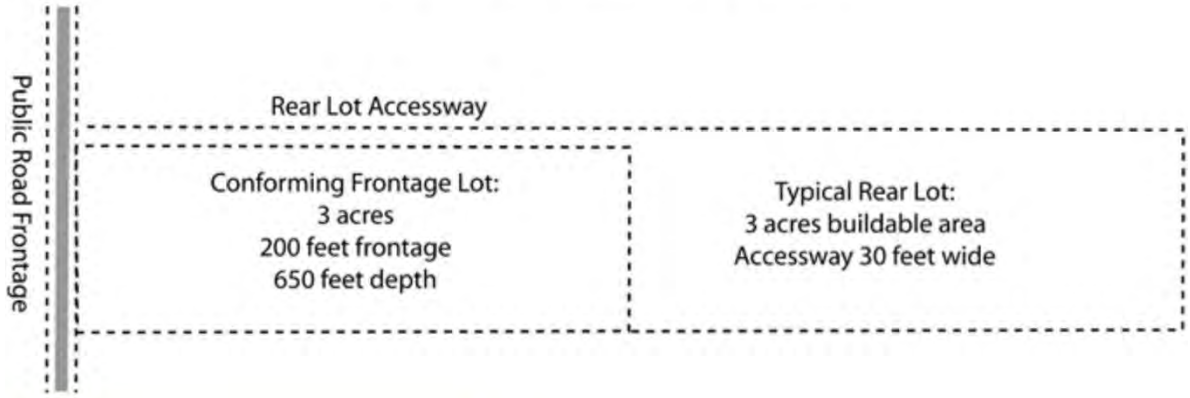
c. a permanent accessway at least 30 feet wide extending from the public right-of-way to the buildable area of the parcel
d. a buildable area of minimum 3 acres exclusive of the area of the accessway, minimum 200 feet width, and dimensions which permit conformance with the front, side and rear setback requirements of the Residential District provided that a setback of at least 50 feet shall be maintained from the rear line of every abutting lot
e. minimum width of the buildable area shall be two hundred (200) feet running the entire front of the parcel that is adjoined to the access-way area on a public road.
f. Building Setbacks. The minimum building setback is established at the point where the minimum parcel width of two hundred (200) feet has be maintained for at least fifty (50) feet from the parcel front property line. Building side yard setback distances are measured from the side yard property line. Building rear yard setback distances are measured from the rear yard property line.
g. complies with applicable requirements for installation of an on-site septic system.
h. Buildable area and accessway must be joined as a single lot deeded to the lot owner and duly recorded in the Office of the Medina County Recorder. (An easement of necessity or right-of-way is not permitted to meet the requirement of the accessway.)

302.06.02: A Rear Lot shall have an accessway which complies with the following:
a. frontage of at least 30 feet
b. width of at least 30 feet over its entire length
c. no buildings or structures are permitted in the accessway
d. no more than two (2) accessways for separate rear lots shall be platted abutting one another.

302.06.03: A Permitted or conditional use may be located on a Rear Lot.

302.06.04: Prior to approval of a Rear Lot, conformance with these regulations shall be demonstrated by submitting to the Zoning Inspector a drawing of the proposed Rear Lot (prepared and stamped by a Surveyor registered in the State of Ohio. The drawing shall indicate compliance with all provisions of this Section including dimensions and locations of accessway, buildable area, and minimum setbacks.

REAR LOT ILLUSTRATION



Note: PLEASE CHECK 302.07 AND 302.08

302.07: Township Plat Approval.

No proposed plat of a new subdivision of land located in whole or part in Litchfield Township whether an exchange of land between adjoining landowners, a minor subdivision or a major subdivision, shall hereafter be authorized by Medina County officials unless the exchange or subdivision complies with the minimum requirements set forth in the various districts of this Resolution.

Review and approval of a proposed minor subdivision plat for conformance with the Litchfield Township Zoning Resolution shall be indicated by the signatures of either (a) one Township Trustee and the Zoning Inspector or (b) two Trustees.
Review and approval of a proposed major subdivision plat for conformance with the Litchfield Township Zoning Resolution shall be indicated by the signatures of three Trustees.

302.08: No lots shall be consolidated in a manner which results in two (2) dwellings located on a single lot.

303: SETBACKS REQUIREMENTS

303.01: Setbacks
Front, side and rear setbacks shall be parallel to and measured from the respective front, side and rear lot lines or as otherwise provided in Table 301.

303.02: Multiple District Lots
On a lot located in more than one zoning district, rear yard setback distances are measured from the District line for all Permitted or Conditionally Permitted buildings or structures other than dwellings.

303.03: Existing Structures
Existing structures that were legally approved with lesser building setback line requirements may use those structures' setback lines for any addition or new structure.

303.04: Nonconforming Parcel in Industrial District.
Placement shall follow the setbacks, of the previous building, structure, driveway, and parking area. Where none exists, or previous clearances are unknown, an area variance is required.

303.05: Road Right-of-Way.
The road right-of-way line shall be as shown on the recorded parcel records of Medina County. The road right-of-way area shall be maintained free from physical above the ground obstructions as possible. No permanent building or structures are permitted within the road right-of-way unless otherwise permitted by the Medina County Engineer's Office, Ohio Department of Transportation and U.S. Postal Service.

304: BUILDINGS; ACCESSORY BUILDINGS AND STRUCTURES

304.01: General Standards for All Buildings
304.01.01: Principal Building. Only one (1) Principal Residential; Principal Commercial; or Principal Conditional Use; building/structure except residential use ADU is permitted on one (1) parcel.

304.01.02: Lot Frontage Required for Building. No principal building shall be erected on a lot which does not abut on a public road.

304.01.03: Maximum Height of Buildings.

a. Any building that is to be erected, converted, enlarged, reconstructed, or structurally altered, shall be less than thirty-five (35) feet in height unless otherwise provided in this Resolution.
b. Fire and/or parapet walls, flagpoles, chimneys, exhaust stacks, storage tanks or similar structures may not be more than fifteen (15) feet above the building height limit; nor shall such structure be used for any purpose other than a use incidental to the principal use of the building unless otherwise stated in this Resolution.

304.01.04: Building Permits or Zoning Certificates. No building permit or zoning certificate shall be issued without evidence that the Medina County Health Board has approved the proposed sanitary sewerage disposal for the use for which the zoning certificate has been requested.

304.01.05: Except as otherwise provided in this Resolution, prior to beginning any new construction, enlargement, or alteration of a building/structure, application for and issuance of a Zoning Certificate must be obtained from the Zoning Inspector.

304.01.06: Construction Begun Prior to Zoning Changes. Nothing contained in these regulations shall hinder the construction of buildings or structures or prohibit its use where construction has started before the effective date of these regulations provided that a valid Zoning Certificate has been obtained. (See Section 603 of this Resolution).

304.02: Standards for Principal, Commercial, Industrial, and Conditional Use Buildings

304.02.01: Table of Standards

<table>
<tr><th>LOCATION</th><th>MAXIMUM FLOOR AREA</th><th>ZONING CERTIFICATE</th><th>MAXIMUM HEIGHT</th></tr>
<tr><td>Residential District</td><td>5000 sq. ft</td><td rowspan="4">Approved site plan required for buildings over 200 sq. ft.</td><td rowspan="4">35 feet</td></tr>
<tr><td>Circle District</td><td>3000 sq ft</td></tr>
<tr><td>Commercial District</td><td rowspan="2">No maximum sq ft restriction</td></tr>
<tr><td>Industrial District</td></tr>
</table>

304.02.02: Principal Building or Structure Restrictions

a. Unless otherwise stated in this Resolution, only one (1) Principal commercial use building/structure is permitted on a parcel.
b. Other buildings/structures located on the parcel shall be classified as accessory or incidental to the principal commercial use.
c. Multiple businesses are permitted to be separately operated in a principal commercial use building.

304.02.03: Enlargement of a Building or Structure

External modification of an existing building or structure including the adjoining of, another building or structure, which thereby increases the total square footage to two hundred (200) square feet or greater is subject to review and approval of a Site Plan and issuance of a Zoning Certificate unless otherwise specifically stated in this Resolution.

304.02.04: Screening Requirements
Any building, structure, parking area, outdoor use or storage area of equipment, machinery, products or material shall be screened from view on each side adjacent to or abutting a principal residential use building or Residential District parcel and as provided in Section 305.01.

304.02.05: Refuse and Storage Areas
All outdoor refuse and storage areas shall be screened from view from adjacent properties. Refuse and storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents, or other pests by use of appropriate means including rodent-proof containers or dumpsters. Such containers or dumpsters shall be located in compliance with the minimum yard clearances and setbacks established for the applicable District.

304.02.06: Temporary Business Use Unit
No more than one (1) travel trailer, motor coach or mobile home may be used as a temporary business unit on a parcel while a permanent Commercial, Industrial or Conditional Use building is under construction. A Zoning Certificate is required for the first six months and is renewable every three (3) months for a maximum of one (1) year.

304.02.07: Dwelling Units Accessory to Commercial Use

a. Accessory dwelling units (ADU) are limited to a maximum of one (1) per parcel and only one (1) dwelling unit may be located within a principal commercial use building.
b. The utilities and sanitary system for an ADU the dwelling unit shall not be separate from that of the principal building.
c. Establishing an ADU within a principal building requires a site plan review. A zoning certificate subject to zoning district requirements is required.

304.03: ACCESSORY BUILDINGS/STRUCTURES

304.03.01: Accessory Buildings or Structures Generally

a. Any use of an accessory building or structure shall be subordinate, incidental to and be located on the same parcel and zoning district occupied by the Principal Building.
b. Accessory buildings or structures constructed on site or pre-manufactured shall comply with the minimum yards/setbacks set forth in Table 301.
c. One (1) Permanent Portable Carport which may be located on a permanent parking area or driveway directly adjacent to a residential garage or house on a parcel with nonconforming existing building setbacks, but not closer than twenty-five (25) feet to the public road right-of-way.
d. Accessory buildings or structures shall only be issued a zoning certificate in conjunction with the principal use building or after the principal use building on the lot has been built, but not before. The zoning certificate for an accessory building or structure shall only be valid when a Zoning Certificate for a dwelling is in effect.

304.03.02: Accessory Building or Structure Accessory to a Dwelling Only

FLOOR AREA	MAXIMUM HEIGHT	ZONING CERTIFICATE
Less than 200 sq. ft.	Less than 35 ft.	Not Required
200 sq. ft. or greater		Required

a. A Zoning Certificate is required, unless otherwise stated in this Resolution, for an accessory building/structure and the enlargement of an existing accessory building or structure including the adjoining of another building or structure which thereby increases the total square footage to two hundred (200) square feet or greater.
b. The locations of all accessory buildings and structures on a lot (including any for which Zoning Certificates are not required) shall comply with the Minimum Yards/Setbacks in Table 301 Dimensional Standards.

304.03.03: Accessory Building or Structure for Commercial, Industrial or Conditional Use

FLOOR AREA	MAXIMUM HEIGHT	ZONING CERTIFICATE
Less than 200 sq. ft.	Less than 35 ft.	Not Required
200 sq. ft. or greater		Approved site plan and zoning certificate required

An Approved Site Plan and Zoning Certificate is required, unless otherwise stated in this Resolution, for an accessory building/structure and any enlargement of an existing accessory building or structure including the adjoining of, another building or structure, which thereby increases the total square footage to two- hundred (200) square feet or greater.

305: ADDITIONAL SITE STANDARDS

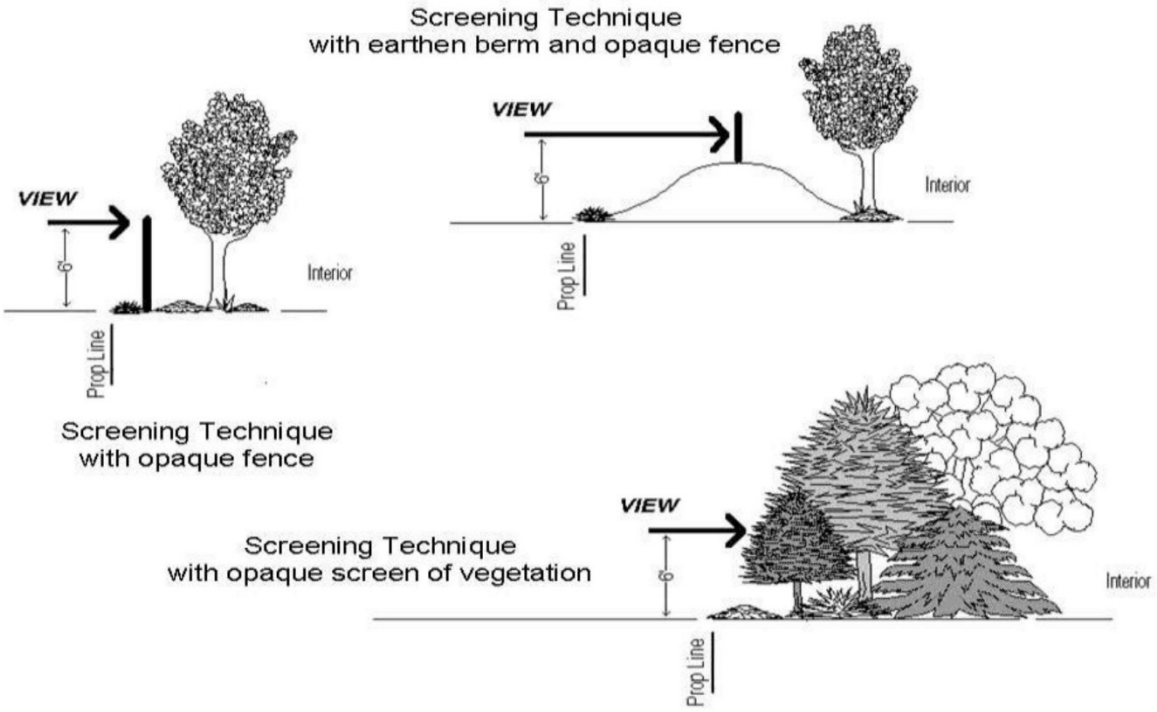
305.01: SCREENING REQUIREMENTS

305.01.01: All Permitted or Conditionally Permitted uses other than dwellings shall install and continuously maintain screening in the following locations.

a. Residential District: Along the side lines and rear line of any lot where a conditional use is located.
b. Commercial District or Industrial District: Along the side lines and rear line of any lot where a side or rear line abuts a lot in the Residential District or in the Circle District.
c. Circle District. Along the side lines and rear lines of any lot where a use other than a dwelling or Accessory Dwelling Unit is located.

AREA	PLACEMENT
Front Yard Screening	Screening is not required in the front yard except as required for front yard parking below.
Side Line Screening	Screening shall be installed beginning from the front yard building setback line and running the entire length of the side line where development features (buildings, structures, parking areas, outdoor use or storage areas). are visible to the abutting lot. Screening may be placed in any location between the side lot line and the features to be screened.
Rear Line Screening	Screening shall be installed along the entire length of the rear yard property line. Where the lot is in two Districts, screening shall be installed along the District line. District line if mixed District parcel. Screening may be placed at the rear yard building setback line, within the buffer area or rear yard property line.
Parking Area Screening	Beginning from the front yard parking setback line and running the entire side yard length. Screening of the parking area. Screening may be placed at side yard parking setback line, within the side yard buffer area or side yard property line.
Refuse Area	Screened from view from all adjacent parcels.

Screening Techniques. All screening shall be permanent and compatible with the adjacent development through the use of techniques such as landscape mounds, deciduous and/or coniferous shrubs or trees, natural vegetation, fences or walls, in any combination that will provide an obscuring screen of not less than six (6) feet and not more than eight (8) feet in height and width in order to obtain a minimum of fifty (50%) percent or less in transparency during twelve (12) months of the year. Combination screening techniques as shown in the examples below are examples only. (For standards applicable to fences; See Section 206.01 of this Resolution)



305.02: BUFFER AREA REQUIREMENTS

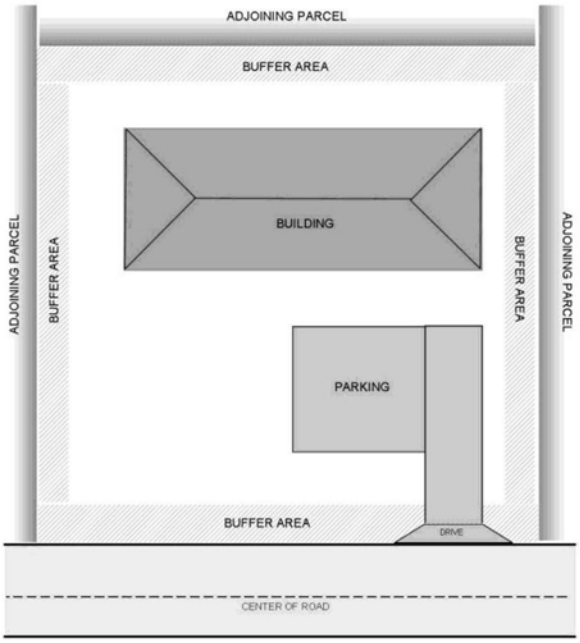
305.02.01: All non-residential Permitted or Conditionally Permitted use parcels shall have a buffer area consisting of a landscaped and planted strip running continuous with the property line using techniques such as natural vegetation, grass or lawn in any combination. No building, structure, vehicle, equipment, machinery, product, or materials, whether permanent or temporary are permitted in the buffer area unless otherwise stated in this Resolution.

305.02.02: In the following locations, buffer areas shall be maintained as required in this Section:

a. Along the front, side and rear of any lot in the Commercial District or Industrial District.
b. Along the front, side and rear of any lot in the Residential District where a conditional use is approved and established.
c. In the Circle District, (on a lot where a use other than a dwelling is located), buffer areas shall be maintained in every front, side or rear yard which abuts a lot on which an existing dwelling is located.

305.02.03: Buffer Area Placement

AREA	MINIMUM DIMENSIONS
Front Yard Buffer Area; Beginning at the road right-of-way	20 feet in width and running the entire frontage of the parcel except curb cuts and driveways.
Side Yard Buffer Area; Beginning at the side yard property line	20 feet in width and running the entire length of the buildable area for each side yard (15 feet in width for Circle District only).
Rear Yard Buffer Area; Beginning at the rear yard property line	20 feet in width and running the entire length of the buildable area rear yard.



"Example" buildable parcel for reference points only.

305.03: EXTERIOR LIGHTING

Exterior lighting shall be permitted in all Zoning Districts to the extent necessary for the normal use, function and enjoyment of property for Permitted Uses and Conditionally Permitted uses as necessary for purposes of safety provided all other requirements of this Resolution have been met in addition to the following requirements:

305.03.01: Exemptions.

Lighting fixtures and standards required by federal, state or county agencies, including street lights within the public right-of-way. Seasonal use Holiday lighting fixtures.

305.03.02: Architectural and Landscaping Lighting.

Outdoor lighting used to illuminate flags, statues, signs or other objects mounted on a pole, pedestal or platform, all spotlighting or floodlighting used for architectural or landscape purposes, must use cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light is substantially confined to the object intended to be illuminated.

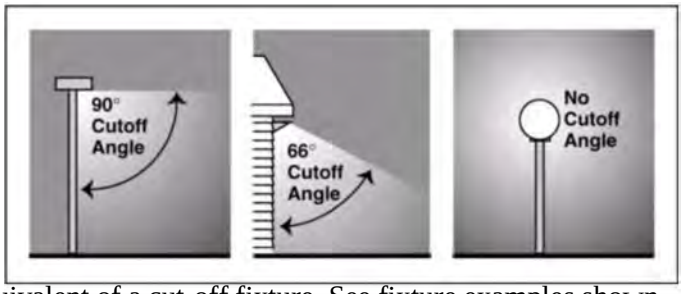
305.03.03: High Intensity Light Beams. Outdoor searchlights, lasers or strobe lights are prohibited.

305.03.04: Shielding & Height Requirements.

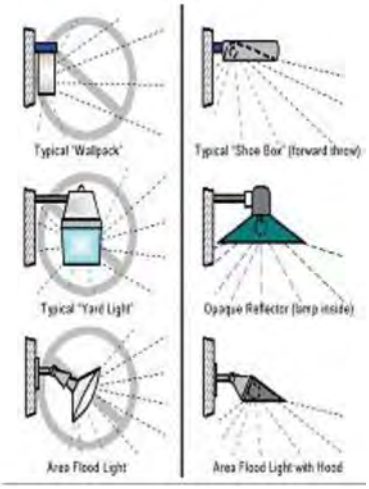
All lighting shall be directed away from adjacent streets or roads so as not to impair safe movement of traffic. Shielding shall be used when necessary to prevent light from shining directly onto adjacent properties. Total height of pole, building or wall mounted outdoor lighting fixtures shall not exceed thirty-five (35) feet in height from grade level.

305.03.05: Commercial, Industrial or Conditional Use Additional Requirements

a. Cut-Off Lighting Fixtures. Cut-off lighting fixtures are required for all outdoor walkway, parking lot, canopy, building, roof or wall mounted lighting. Cut-off fixtures are not required for lights that are properly installed in an architectural space (such as under a porch roof or a roof overhang) that provide the functional equivalent of a cut-off fixture. See fixture examples shown.



b. Setback or Shielding Requirement. On parcels which adjoin a Residential District or a lot with a dwelling, where the height of the fixture is greater than two (2) times the distance to the adjacent property line, "house-side shielding" must be used on the residential property side of the lighting fixture. A house-side shield typically consists of a visor or shielding panel that attaches to a lighting fixture. This provision is applicable for both light poles and lighting fixtures mounted on the side and/or top of a building or structure. *See examples shown.*



c. Parking Lot Lighting Curfews. Parking lots which contain three (3) or more parking lot light poles, parking lot lighting levels for ground surface parking lots must be reduced by at least fifty (50) percent of full operational levels within sixty (60) minutes after the close of business.

305.04: COMPLIANCE WITH REGULATIONS OF OTHER AGENCIES

305.04.01: Driveway and/or Ditch Permit Requirements

Construction of driveway/drive pipes/ditch enclosures and the installation of drive pipes within the right-of-way of state, county and township-maintained highways and roads must be approved by the Medina County Engineer's Office or Ohio Department of Transportation. A copy of the driveway permit issued by the Medina County Engineer's Office, or the Ohio Department of Transportation shall be furnished to the Zoning Inspector before a Zoning Certificate will be issued.

305.04.02: Erosion Control Requirements

A Storm Water Management and Sediment Control Permit must be obtained from the Medina County Engineer's Office for any non-farm soil disturbance activity over five thousand (5,000) square feet.

305.04.03: Septic System Requirements

Any dwelling, building or structure requiring the use of indoor plumbing shall not be constructed unless reasonable provision is made for an adequate sanitary sewage disposal system as required by the Medina County Health Department. A Zoning Certificate will be issued by the Zoning Inspector with evidence that the sanitary sewage disposal system based on the maximum occupancy and /or square feet and use of the building/structure has been approved by the Medina County Health Department or the Ohio EPA and

furnished with the application for said Certificate.

305.04.04: Water Supply Requirements
No dwelling, building or structure requiring the use of indoor plumbing shall be constructed unless reasonable provision is made for an adequate, dependable, pure water supply from a public system, drilled well, cistern, dug well, spring, or a pond/lake in accordance with the Medina County Health code.

ARTICLE IV: SIGNAGE

401 Purpose
402 Compliance
403 Zoning Certificate Required
404 Zoning Certificate Exemptions
405 General Requirements
406 Enforcement
407 Signs Permitted in Residential Districts
408 Signs Permitted in Circle District, Commercial District, and Industrial District
409 Sign Types and Examples

401: PURPOSE

The purpose of this article is to provide a guide to control the use, size, type and location of all allowable signage within the Township so as to protect and preserve the appearance, character and value of adjacent properties and thereby promote the general welfare and safety by providing for the installation of signage of a unified and consistent appearance. It is further intended to reduce the sign or advertising distractions and obstructions that may contribute to traffic accidents.

402: COMPLIANCE

Unless specifically exempted in the Article, a sign permit shall be required for each sign in accordance with the Resolution to assure compliance with the following regulations. A sign for which a permit has been issued, cannot be modified, altered, and/or replaced without first securing another permit. The repainting, repairs and/or preventive maintenance of a sign for which a permit has been issued, shall not be considered an alteration requiring a permit. The provisions of this resolution shall not amend or in any way interfere with other rules or regulations governing traffic or public safety signs.

403: ZONING CERTIFICATE REQUIRED

403.01: A zoning certificate issued by the Zoning Inspector shall be required prior to the erection, display, relocation, replacement, reinstallation or alteration of any sign, including temporary signs. In addition to the standard requirement regarding applications for zoning certificates, application for signs shall also be accompanied by detailed information regarding the design of the sign including dimensions, materials, method of attachment or support, source of illumination, and the relationship to any building, structure, or road right of way to which it is or is proposed to be installed or affixed.

403.02: ODOT Permits - All signs within six hundred and sixty (660) feet of the right-of-way of Routes 18 and 83 are also subject to regulation by the Ohio Department of Transportation (ODOT) under Ohio Revised Code, Chapter 5516 and the regulations adopted pursuant to Chapter 5516. Zoning certificates for signs within six hundred and sixty (660) feet of the right-of-way shall not be issued without evidence that a permit has first been issued by ODOT; or notice from ODOT that a state permit is not necessary. Unless the sign meets the exception in Ohio Revised Code 5516.06.

404: ZONING CERTIFICATE EXCEPTIONS

No zoning certificate shall be required for:

404.01: Periodic repairs, repainting or maintenance provided the sign is not altered, including but not limited to, the sign face, design or structure.

404.02: Changing the lettering, graphics or information on a sign specifically approved as a changeable copy sign, whether automatic or manual, or an electronic message sign and changing the face of any sign (provided such change does not alter the dimensions of the sign).

404.02.01: An electronic message sign is permitted in the Commercial District in compliance with the following:

a. One (1) electronic message sign may be incorporated into a permitted wall or freestanding sign provided it does not exceed 40% of the allowable sign area for each sign face.
b. Changes to messages, copy, or images shall be accomplished in not more than three (3) seconds.
c. No sign shall be of such intensity as to create a distraction or nuisance for motorists.
d. Displays shall not emulate traffic control devices.
e. Signs shall contain a default design function that will freeze the display in one position or cause it to go dark if a malfunction occurs.
f. A sign located within one hundred feet (100') of a Residential District shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.
g. All electronic message signs shall be equipped with sensors or other devices that automatically determine the ambient illumination and are programmed to automatically dim according to ambient light conditions.

404.03: Non Permitted Signs

a. All signs erected and maintained by a government body or otherwise erected pursuant to law shall be exempt from requiring a zoning certificate.
b. 404.04: Signs not exceeding four (4) square feet in area.
c. 404.05: A sign(s) as permitted in Section 407.
d. 404.06: A maximum of three (3) temporary signs not exceeding 4 square feet per sign in area per lot or parcel.

GENERAL REQUIREMENTS

405.01: Height
The height of a free-standing sign shall be measured from the finished grade at the base of the sign to the highest point or element of the sign.

405.02: Frontage
For the purposes of calculating permitted sign area, the frontage of a building shall be the number of linear feet of the facade facing the principal street or containing the main entrance. The frontage of a lot shall be the number of linear feet that the lot abuts on the principal street.

405.03: Illumination
Signs in the Residential districts shall not be illuminated. Signs in the Circle, Commercial, and Industrial districts may be illuminated. Permitted illuminated signs shall conform to the following requirements.

405.03.01: All illuminated signs shall comply with the requirements of the National Electric Code.

405.03.02: Electrical wiring serving any sign shall be installed underground, or on, or within the structure to which the sign is attached.

405.03.03: Any illuminated sign shall employ only light(s) emitting a light of constant intensity. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving light(s). Permitted functions of electronic message signs shall not be subject to the provisions of this section.

405.03.04: Any illuminated sign shall be shielded so as to prevent direct light and/or glare from being cast into any adjoining residential area or at vehicles traveling on a public right of way.

405.04: Signs are prohibited in All Districts in the following locations:
405.04.01: No sign shall be attached to or supported by a utility pole, street sign, or traffic control pole.

405.04.02: No sign shall be located within or shall obstruct any public right of way, traffic control device or street identification sign at intersections.

405.04.03: No sign shall be located so as to obstruct sight distance for vehicles.

405.04.04: No sign shall be located or maintained in which any portion of its surface or its supports will interfere in any way with a fire lane, exit or standpipe.

405.05: Prohibited Signs
Unless otherwise specifically permitted herein, the following signs are prohibited in all districts: 405.05.1 No signs may be placed on parked vehicles or trailers on business premises, residential premises and/or lot for the purpose of advertising a business, product, service or the like, except an identification sign which is affixed to a vehicle regularly operated in the pursuance of the day-to-day business or activity of an enterprise.

405.05.02: No sign visible from a road shall contain any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.

405.05.03: No signs shall hang less than eight and one-half (8.5) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path.

405.05.04: No sign shall obstruct the egress from any building.

405.05.05: Signs that employ any parts or elements which revolve, rotate, whirl, spin, or otherwise make use of motion to attract attention in a commercial or industrial district.

405.05.06: Signs or parts containing or consisting of flags, pennants, ribbons, streamers, spinners, or balloons in a commercial or industrial area.

405.05.07: Beacons or searchlights.

405.06: Signs, Measurement of:
The dimensions of a sign shall be calculated based upon the area normally visible from any one direction. The area shall be measured by the smallest square, rectangle, circle or combination thereof, which will encompass the entire advertising device including decorative border, trim cutout and extension. Frames and other structural members, not including advertising matter, shall not be included in calculation of the surface area. A logo, however, is to be considered part of the sign. (For example, a rectangular sign measuring four (4) feet by six (6) feet with a display of both sides shall be considered twenty-four (24) square feet, as would four (4) feet by six (6) feet sign with a display on only one (1) side.) When separate elements are organized to form a single sign, but the elements are separated by open space, the area shall be calculated by determining the geometric form or combination of forms, which comprise all the display area including the space between the elements. (See drawings at end of section.)

406: ENFORCEMENT

406.01: Maintenance
The Zoning Inspector may order any sign to be painted or refurbished at least once each year, if needed, to keep the sign in a neat and safe condition. All supports, guides, braces and anchors for such signs shall be maintained in a safe condition. The Zoning Inspector may order removal of any such sign that is not so maintained, and it shall be unlawful for the owners or persons having charge of such sign not to remove the same after receiving notice from the Zoning Inspector to do so.

406.02: Removal
If the Zoning Inspector finds that any sign or other advertising structure is unsafe of insecure to the public, or has been constructed or erected or is being maintained in violation of the provisions of this Resolution, notice shall be given in writing by the Zoning Inspector, to the owner, agent or person having beneficial use of said sign, who shall thereafter immediately correct the condition for which said notice was given. Upon receipt of written notice of the Zoning Inspector, the owner thereof or the person maintaining the same, shall proceed, at once, to put such sign in a safe, secure and/or presentable condition or remove the sign within thirty (30) days.

406.03: Violation
If the Zoning Inspector shall find that any sign or other advertising structure regulated herein is unsafe or insecure or a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of the Resolution, notice shall be given in writing by the Zoning Inspector. If the structure

is not removed or altered so as to comply with the standards herein set forth within the time set by the Zoning Inspector, except for portable or temporary signs which must be removed immediately upon notice, in addition to any other lawful remedy, the Trustees then shall have the right to order removal of said sign according to the authority granted to the Trustees by State Legislature.

407: SIGNS PERMITTED IN (R) RESIDENTIAL DISTRICTS

407.01: Permanent Signs:

407.01.01: One non-illuminated sign not exceeding four (4) square feet. If Freestanding, such sign shall not be located closer than ten (10) feet from the right of way.

407.01.02: One free-standing sign at each entrance to a residential development not to exceed twenty-four (24) square feet in area and not to exceed six (6) feet in height. Such sign shall not be located closer than twenty-five (25) feet to any road right of way and fifteen (15) feet to any property line. The base and foundation of any sign shall be landscaped.

407.02: Temporary Signs

407.02.01: Three temporary signs, which may be either a wall, or freestanding sign, not to exceed twelve (12) square feet in area shall be permitted for each lot or parcel.

407.02.02: One temporary freestanding sign may be erected on a site during construction or reconstruction of a building for which a valid building permit has been obtained. Such sign shall not exceed twenty-four (24) square feet in area or eight (8) feet in height. Such sign shall not be located closer than ten (10) feet from any right of way or closer than fifteen (15) feet from any property line and shall be removed within five (5) days after permanent occupancy of the lot or structure.

408: SIGNS PERMITTED IN CIRCLE DISTRICT, COMMERCIAL DISTRICT, AND (I) INDUSTRIAL DISTRICT

The following signs shall be permitted in the above Districts and shall conform with the regulations set for herein:

408.01: Freestanding Signs

408.01.01: Ground or Pole Signs

a. On a lot where one (1) business or multiple businesses are located, these regulations permit one (1) freestanding sign that shall not exceed fifty (50) square feet in area nor twenty (20) feet in height.
b. Parcels that have frontage on two (2) or more streets may have a second free-standing sign provided the second ground sign is located on a different street and does not exceed thirty (30) square feet in area nor eight (8) feet in height.
c. Ground signs shall not be located closer than ten (10) feet from any road right of way or closer than twenty-five (25) feet for Commercial/Commercial side lot line or seventy-five (75) feet for Commercial/Residential side lot line. The placement of the ground sign shall be located in the required landscaping or buffer strip, if one is required.
d. Portable signs shall conform to 42 square feet and shall not be located closer than ten (10) feet from any road right of way or closer than twenty-five feet for Commercial/Commercial side lot line or seventy-five (75) feet for Commercial/Residential side lot line.

408.02: Affixed Building Signs
In addition to the other signs permitted by this section, each business shall be permitted only one (1) each of the following:

408.02.01: Wall Signs:
The dimensions of a wall sign shall be based on the linear measurement of the amount of the front of the building or unit(s) utilized by the business. One square foot of sign for each linear foot of this exterior measurement is allowed up to a maximum of eighty (80) square feet per business. For instance, a business utilizing thirty-four (34) feet of the linear front of a given structure would be permitted up to a thirty-four (34) square foot sign regardless of the building's overall dimensions. All signs shall not project more than 18 inches from the building wall to which they are attached nor shall more than 20% of the signs total height be extended above the top of the wall.

408.02.02: Awning Signs:
Awning signs shall conform to the dimensional restrictions described in the preceding paragraph (408.02.1) of this section. No awning shall extend above the building wall. Posts or columns beyond the building lines shall not be permitted for awnings. Every awning shall be securely attached to and supported by the building.

408.02.03: Projection sign shall be 8 ½ feet above a walkway and not to exceed four (4) feet from the building and to not exceed twelve (12) square feet in size.

408.03: Billboard Signs:
Billboards shall be permitted only in commercial and Industrial districts and land used for agriculture, as required by Section 519.20 of the Ohio Revised Code and shall require a zoning certificate. Such signs shall be located to maintain the same minimum front, side and rear yard requirements as for buildings in that district, except that no such sign shall be located closer than five hundred (500) feet to a dwelling. Nor shall any such sign be permitted closer than five hundred (500) feet to a public park, public or parochial school, library, church, hospital or similar institution. The maximum area of such sign shall be three hundred (300) square feet. The maximum height of such sign shall be thirty-five (35) feet. Such signs visible to approaching traffic on either or both sides of a right of way shall have a minimum spacing of at least five hundred (500) feet.

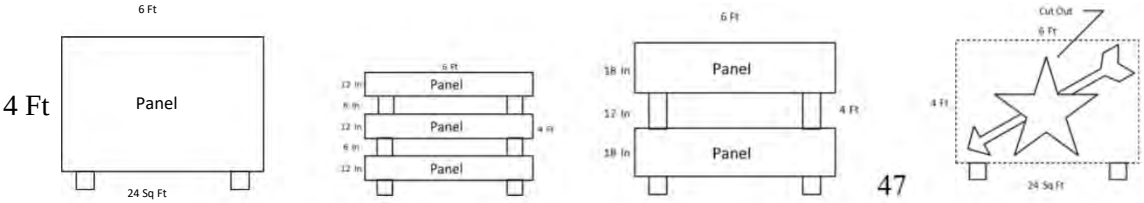
408.04: Service Station Signs
In addition to the other signs permitted in this section, gasoline filling stations may have more than one unlighted, double-faced accessory sign per pump island. Such signs shall have a maximum total area of five (5) square feet and shall be attached to the pump island.

408.05: Flag Sign
One three (3) foot by five (5) foot flag sign per business is permitted with no permit required.

408.06: Temporary Signs:
One sign per business, which may be a wall, banner, poster or free-standing, not exceeding thirty-two (32) square feet in area, shall be permitted for not more than 90 days per calendar year. Free-standing temporary signs shall not exceed six (6) feet in height nor shall such signs be located closer than ten (10) feet from the front or any side lot line and must conform with permanent sign placement requirements.

408.06.02: One temporary free-standing sign may be erected on a site during construction or reconstruction of a building for which a valid building permit has been obtained. Such sign shall not exceed thirty-two (32) square feet in area not eight (8) feet in height. Each sign shall be located a minimum of fifteen (15) feet from any street right of way or property line and shall be removed within five (5) days after permanent occupancy of the building.

409: SIGN TYPES AND EXAMPLES



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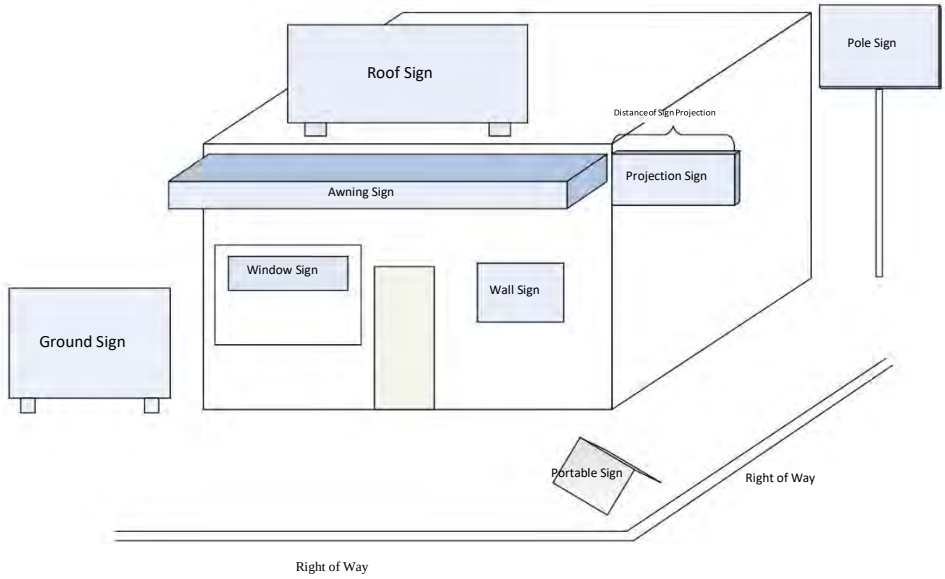


8 ½ feet from bottom of Projection Sign to walkway.

ARTICLE V: NON-CONFORMING

501 Purpose
502 Nonconforming Use
503 Nonconforming Building or Structure
504 Nonconforming Parcel
505 Completion of Approved Construction
506 Jurisdiction
507 Legal Status of Uses

501: PURPOSE

The purpose of this Article is to provide for the regulation of uses, buildings, structures, and parcels lawfully established prior to the enactment of this Zoning Resolution and amendments hereto, but which do not conform to the existing provisions of this Resolution.

Lawfully established uses, buildings, structures, and parcels may be continued, despite their nonconforming conditions, subject to the provisions of this 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 Resolution to permit nonconforming conditions to continue until abandoned, removed, or abated, a nonconformity is deemed incompatible with currently Permitted uses and requirements in the zoning District in which it exists and with the adopted plans of the Township and shall be discontinued, especially where the nonconformity constitutes a nuisance or hazard.

502: NONCONFORMING USE

502.01: Continuance of Lawful Nonconforming Use

The lawful use of any building, structure or land existing at the effective date of this Resolution or amendments may be continued, although the use does not conform with the provisions of this Resolution subject, however, to the provisions in Article V of this Resolution.

502.02: Discontinuance or Abandonment

Whenever a nonconforming use has been voluntarily discontinued for a period of two (2) years or more, any further use shall be in conformity with provisions of this Resolution. A nonconforming use which has been abandoned shall not be replaced by a nonconforming use.

502.03: Change in Use

A nonconforming use may be changed to another nonconforming use, provided that the changed nonconforming use is similar or in less conflict with the character and use of the district than the existing nonconforming use as determined by the Board of Zoning Appeals.

502.04: Displacement

Except as provided in Sections 502.05 & 503.01 of this Resolution, no nonconforming use shall be enlarged or extended to displace an existing conforming use.

502.05: Enlargement of Use
A nonconforming use may be altered or enlarged to expand the area of the use in one or more additions, provided that the total area of the expansions does not exceed twenty-five percent (25%) of the area of the use as it existed at the time the use became nonconforming, and provided that the area or intensity, nature or character of the 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 or the community.

502.06: District Changes
Whenever the boundaries of a District are changed so as to transfer an area from one District to another of a different classification, the foregoing provisions shall also apply to any nonconforming use existing therein.

503: NONCONFORMING BUILDING OR STRUCTURE

503.01: Alterations or Enlargements
A nonconforming building or structure may be altered or enlarged to extend such building or structure to a total area not to exceed twenty-five percent (25%) more than the area of the building or structure as it existed at the time it became nonconforming.

503.02: Restoration of Damaged Building or Structure
Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding, and continued use of any nonconforming building or structure damaged by fire, collapse, explosion, demolition or acts of God, subsequent to, or after the date of this Resolution.

503.03: Unsafe Buildings or Structures
Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.

503.04: Repairs and Maintenance
Repairs and maintenance work as required to keep a nonconforming building or structure in sound condition are permitted.

504: NONCONFORMING PARCEL

504.01: When a nonconforming parcel of record can be used in conformity with all applicable provisions of this Zoning Resolution, except that the area of the parcel is nonconforming, then the parcel may be used as a buildable parcel.

504.02: When conforming building, structure or use of a nonconforming parcel of record cannot reasonably be established due to the yard or setback requirements of the district in which the parcel is located, the Board of Zoning Appeals may grant variances to yard or setback requirements as necessary to establish a Permitted use of the District;

504.03: Building Setbacks
For a single parcel of record conforming to the Resolution at the time it was recorded, the placement of a new building or structure shall follow the setback, side yard and rear yard requirements of the previous building, structure, driveway and parking area. Any new accessory structure shall follow the setback requirements established by the principal structure having a nonconforming setback. Any change of the setbacks, building or structure area requires a variance from the Board of Zoning Appeals.

504.04 Any nonconforming, legally created unimproved buildable parcel of record, prior to the effective date of this amendment, shall be reviewed by the Zoning Inspector for placement of buildings or structures. (See Section 603 of this Resolution)

505: COMPLETION OF APPROVED CONSTRUCTION

Nothing in this Resolution shall prohibit the completion of construction and the use of a nonconforming building or structure for which a zoning certificate has been issued prior to the effective date of this Resolution, or any amendment, if construction is completed within two (2) years after the zoning certificate was issued. (See Section 603.06 of this Resolution)

506: JURISDICTION

506.01: Whenever an application for a Zoning Certificate is submitted to the Zoning Inspector for a use, building or structure which displaces a nonconforming use, building or structure; or the use of a nonconforming parcel in a manner which is in compliance with the provisions of this Zoning Resolution; or an alteration to a dwelling which does not increase the nonconformity of the dwelling, the Zoning Inspector shall take action upon the application as provided in this Resolution.

506.02: Except as provided in Section 506.01 above, whenever an application is submitted to the Zoning Inspector for a zoning certificate for the alteration, expansion, substitution, reconstruction, or replacement of a nonconforming use or of a nonconforming building or structure, or for a use or construction upon a nonconforming parcel, the land owner shall submit the application to the Zoning Inspector for review and action.

507: LEGAL STATUS OF USES

507.01: Conforming Use
The use meets all applicable standards and regulations as established in this Zoning Resolution.

507.02: Nonconforming Use
The use does not meet all applicable standards and regulations as established in the Zoning Resolution, but the use or property received the required Township approval through a variance; or was legally instituted prior to the adoption of this Resolution; or predated Zoning Resolution standards.

507.03: Illegal Use
A use which may or may not conform to zoning, but never received the appropriate Township approval.

ARTICLE VI: METHODS AND PROCEDURES

601 Site Plan Review
602 Conditional Zoning Certificates 603 Zoning Certificate
603 Schedule of Fees, Charges and Expenses
604 Enforcement and Penalty

601: SITE PLAN REVIEW

601.01: Purpose

The purpose of this Section is to provide adequate review of proposed developments where the uses are of such a nature, because of their size, scale, or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety and welfare of the community. Further, the purpose of this Section is to provide for the planning of land and the design of buildings as a coordinated process and for the integration of new developments with the surrounding environment.

A Site Plan shall be reviewed by the Zoning Commission to ensure that the general requirements of this Section and the specific requirements of the Zoning Resolution are complied with in the interest of the community and objectives of the Litchfield Township Comprehensive Plan.

601.02: Review Required or Waiver of Review

601.02.01: Review Required

Site plan review and approval by the Zoning Commission shall be required before a Zoning Certificate is issued for the items listed below.

a. Conditional Use or Variance. Any use proposed to be permitted as a conditional use in any district. When an application for a Conditional Zoning Certificate or Variance or other matter that will be presented to the Board of Zoning Appeals also requires Site Plan Review, the applicant is shall submit the site plan to the Zoning Commission prior to or at least concurrently with submission of the matter to the Board of Zoning Appeals.
b. Commercial, industrial, and conditional use buildings over 200 sq ft in the Residential, Circle, Commercial or Industrial District
c. Accessory building or structure with floor area over 200 square feet in a Commercial or Industrial District and for any Conditional Use.
d. A Change of Use as defined in this Resolution for which the Zoning Inspector has determined that a site plan review and approval by the Zoning Commission is required.

601.02.02: Waiver of Site Plan Review
Minor external changes to an existing site development or building may not require a formal Zoning Commission Site Plan Review when the Zoning Inspector determines that the proposed external change is a minor external change and does not have an effect on any of the site plan review criteria in Section 601.06. Minor external changes include but are not limited to:

a. Expansion of an existing building floor area not greater than 200 additional square feet and consistent in exterior design with existing building.
b. Expansion of parking areas by not greater than 20% of existing parking area provided not closer to property lines than existing approved setbacks.
c. Widening of existing drives.
d. Addition of sidewalks.
e. Additional screening of parking, drives, service areas, refuse storage…such as landscaping, walls or fences.
f. Addition to or alteration of exterior lighting that complies with lighting standards.
g. Relocation or expansion of waste storage areas screened as required.
h. A change of the principal use or accessory use of a building or site which:
    1. Does not change the category of any of the uses existing on the site.
    2. Does not add a new category of use to the site.
    3. Does not require a variance to comply.
    4. Does not involve exterior changes such as additional vehicular drives or building additions and parking increases complying with a and b above.

601.03: Optional Informal Review of Site Plan
601.03.01: It is recommended, but not required, that prior to incurring the expense of preparing and submitting a Site Plan Application for formal review by the Zoning Commission, a prospective applicant meet for an informal non-binding review with the Zoning Inspector or the Zoning Commission. The purpose is to discuss early and informally the intent and effect of the Zoning Resolution on the proposed development.

601.03.02: Application for Informal Review.
To request an informal review with the Zoning Commission, the applicant shall submit an application and five (5) copies of a discussion site plan. Application and plans shall be submitted to the Zoning Inspector at least ten (10) days prior to the Commission meeting for which informal review is requested. The discussion plan shall illustrate the relationship of the development to surrounding properties, locations of buildings and parking areas, internal drives and connections to roads, proposed sizes of buildings and proposed vehicle doors and loading facilities, type and locations of proposed outdoor storage areas, and proposed uses to be included in the development.

601.03.03: The informal review is non-binding on either party. No commentary, opinions, suggestions, or recommendations at the informal review meeting shall be relied upon by either party as to indicate subsequent approval or disapproval of the plan.

601.04: Formal Application; Review for Completeness

601.04.01: Application and Submission Requirements for Site Plan Review include the following and shall be submitted to the Zoning Inspector:

a. Completed Application for Site Plan Review
b. Copies of drawings and supporting documents in quantity stated on the application.
c. Fee as set by Township Trustees. (See Section 604 of this Resolution).

601.04.02: Existing, proposed or revised site plan development features shall be drawn to a legible scale, including topographical features of the lot, building placement, accessory buildings, signs, and screening for trash or other outdoor storage areas, activity areas, circulation and parking plan, planting and landscape plan, and drawings of the exterior of structures. A description of the proposed development features and operation shall be provided in sufficient detail to include adjacent properties as well as existing structures and/or new building placement in proportion to these adjacent properties. A complete application shall include all items required by this Resolution and shall include all information required to determine conformance with applicable provisions.

601.04.03: If the application is deemed to be incomplete by the Zoning Inspector, the Zoning Inspector shall not accept the application for transmittal to the Zoning Commission until applicant has corrected the deficiency to the satisfaction of the Zoning Inspector.

601.04.041: Within ten (10) calendar days of receipt by the Zoning Inspector of the satisfactorily completed Application for Site Plan Review as described above including all required copies as specified on the application, the Zoning Inspector shall forward the application and supporting documentation to the Secretary of the Zoning Commission for distribution to the Zoning Commission members.

601.05: Review Meeting Scheduled; Notice.

601.05.01: After receipt of the complete application from the Zoning Inspector, the Secretary of the Zoning Commission shall set the review meeting date. A Site Plan shall be reviewed by the Zoning Commission at one or more of its regular public meetings. The Site Plan Review date shall be at least twenty (20) calendar days, but not more than forty (40) days, from the date the application is received by the Commission Secretary.

601.05.02: Application and supporting documentation shall be distributed to all members of the Zoning Commission at least ten (10) calendar days prior to the Site Plan Review date.

601.05.03: Notice to Property Owners. Written notice shall be sent ten (10) days before the Site Plan Review to the applicant and to all owners of property within five hundred (500) feet from the corner pin on both corners of the road frontage including all owners of property contiguous to, directly across from, and directly behind the property in question.

601.06: Review Meeting and Action by the Zoning Commission.

601.06.01: The Commission shall review the site plan at the meeting set for review utilizing the criteria set forth in Section 601.10.

601.06.02: Within forty-five (45) days after the initial meeting set for review of the site plan, the Zoning Commission shall approve, approve with modifications or conditions, or disapprove the Site Plan.

601.06.03: Meeting Continuance. Site Plan Continuance for a period longer than the initial forth-five (45) days set forth above may be necessary if during the review deficiencies are discovered in the Site Plan Application or supporting documentation that prevents the Zoning Commission from completing the review at one or more of its regularly scheduled meetings. The applicant will be notified by the Zoning Commission of the deficiencies, specific corrective measures and mutually agreed time allotted to complete the Site Plan Review.

601.06.04: Meeting continuance may be required by the Commission if Technical Review Assistance as provided below is determined necessary.

601.06.05: If only a Commission quorum of three (3) members is present and the Commission is prepared to make a decision, the applicant may request a continuance until the next regular meeting of the Commission when a full Commission of five (5) members is present.

601.06.06: Technical Review Assistance. The extent and complexity of certain Site Plan Applications may require that the Zoning Commission and/or Township Trustees obtain review assistance, statements of opinion, and reports from qualified professionals including but not limited to civil engineers, planners, appraisers, architects, and attorneys.

601.07: Effect of Site Plan Approval

601.07.01: An approved Site Plan, together with any conditions, additions or deletions required by the Commission, shall become a binding commitment upon the applicant and property owner of the specific elements approved for the development.

601.07.02: The approved Site Plan may be transferred to another person, corporation, or group of individuals or corporations who shall be subject to all requirements set forth in the approved site plan.

601.07.03: Except as otherwise provided for in Modifications below, all construction and development shall be in accordance with the approved Site Plan. Any departure from such plan shall be a violation of this Zoning Resolution.

601.07.04: Any changes in an approved Site Plan shall be resubmitted to the Zoning Commission for consideration in accordance with the Zoning Resolution and accompanied by the required documentation.

601.08: Modification of Site Plan

Modifications and/or alterations during construction where the Zoning Inspector determines that the development does not adhere to the approved Site Plan and that the changes are not minor external changes will result in the issuance of a stop work order by the Zoning Inspector. Sufficient documentation supporting the modifications and/or alterations shall be submitted to the Zoning Inspector for review and action by the Zoning Commission at one or more of its scheduled public meetings.

601.09: Zoning Certificate; Failure to Proceed; Project Completion or Expiration.

601.09.01: After approval of the Site Plan, the Zoning Inspector shall issue a Zoning Certificate as provided in Section 603.

601.09.02: At the expiration of one (1) year where construction has not been undertaken, any deposit of a performance bond or financial guarantee shall be returned to the depositor and each reapplication

thereafter shall be accompanied by the required documentation and fees. (See Section 603 of this Resolution)

601.09.03: All site improvements and conditions specified in an approved Site Plan shall be completed within two (2) years after Zoning Commission approval of the Site Plan. Failure to complete any approved site improvement or failure to comply with any condition shall result in expiration of the Site Plan approval and the applicant shall be required to resubmit the site plan application for review and approval.

601.10: Site Plan Review Criteria

During the Site Plan Review process, the Zoning Commission shall determine that the Site Plan complies with the applicable requirements, provisions and purpose of this Zoning Resolution and the Litchfield Township Comprehensive Plan, including but not limited to the following review criteria:

601.10.01: General Compliance

a. The application and its attachments shall provide evidence of compliance with all requirements of this Zoning Resolution.
b. The overall development concept shall reflect the intent and consideration of the Litchfield Township Comprehensive Plan.

601.10.02: Site Disturbance, Grading.

a. Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.
b. Grading shall be designed to minimize adverse effects on abutting properties, streams, and public roads and to minimize the possibility of erosion. The Zoning Commission may require that such grading plans be reviewed by the proper Medina County authority with any costs borne by the developer.

601.10.03: Site Planning; Impact on Surrounds

a. All the development features including the principal buildings, open spaces, service roads, driveways, and parking areas shall be so located and related as to minimize the possibility of adverse effects upon adjacent development.
b. Screening of parking areas, service areas, and refuse storage areas from surrounding properties shall be provided through landscaping, ornamental walls, or fences where necessary to promote harmony with adjacent development.
c. All lighting shall be directed away from adjacent roads so as not to impair safe movement of traffic. No lighting shall shine directly on adjacent properties. Lighting shall comply with applicable lighting standards of this Resolution.

601.10.04: Buildings.

a. The design of buildings shall be developed with consideration given to the relationship of adjacent development in terms of building height, mass, line and pattern, and character.

601.10.05: Access, Roads, Parking, Walks and Related Features.

a. The Site Plan shall show that a proper relationship will exist between public roads, service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands. Access from the site to adjacent roads shall meet the plan of the applicable road authority. In the absence of such authority, the number and location shall be designed to maintain the traffic movement function of arterial and collector roads.
b. On-site traffic circulation shall be designed to make possible adequate fire and police protection according to the Ohio Fire Code and the Ohio Building Code.

SECTION 602: CONDITIONAL USE ZONING CERTIFICATES

602.01: Purpose

When a proposed use is designated in any District as a Conditional Use, as set forth in the District regulations, a Conditional Use Zoning Certificate is required and the application for such Conditional Use Zoning Certificate shall be submitted and reviewed according to the guidelines outlined in this chapter. The purpose of this Section is to provide adequate review of proposed developments where the uses are of such a nature, because of their size, scale, location, design, operation, or effect on surrounding property, that review of specific plans is deemed necessary to protect the public health, safety, and welfare of the community. Further, the purpose of this Section is to provide for the planning of land and the design of buildings as a coordinated process and for the integration of new developments with the surrounding environment.

602.02: General Procedures

Application requirements, procedures, and review standards of a Conditional Use Zoning Certificate are established below. A Conditional Use Zoning Certificate shall be reviewed by the Board of Zoning Appeals to ensure that the general requirements of this Section and the specific requirements of the Zoning Resolution are complied with in the interest of the community and surrounding development

602.03: Application Requirements; Review for Completeness

Application for a Conditional Use Zoning Certificate include the following.

602.03.01: Completed application for Conditional Use Zoning Certificate including sufficient copies of drawings and supporting documents as stated on the application are to be submitted to the Zoning Inspector.

602.03.02: Fee as set by Township Trustees. (See Section 604 of this Resolution)

602.03.03: The application shall include a site plan indicating development feature, present, proposed or revised, drawn to a legible scale, and shall show topographical features of the lot, building placement, accessory buildings, signs, and screening for trash or other outdoor storage areas, activity areas, and shall include a circulation and parking plan, planting and landscape plan, and drawings of the exterior of structures. A description of the proposed development features and operation shall be provided in sufficient detail to include adjacent properties as well as existing structures and/or new building placement in proportion to these adjacent properties.

602.03.04: The application shall include a written statement or other evidence addressing compliance of the proposal with the General Standards Applicable to All Conditional Uses and any Specific Standards set forth in this Resolution for the use applied for. (See Section 208).

602.03.05: Review for Completeness and Transmittal. The complete application, including all supporting documentation for Conditional Zoning Certificate uses shall be submitted to the Zoning Inspector. The Zoning Inspector shall not accept the application for review by the Board of Zoning Appeals until the Inspector determines that the application is complete and until the applicant has corrected any deficiencies to the satisfaction of the Zoning Inspector.

602.04: Public Hearing; Notice

602.04.01: Within ten (10) calendar days of receipt by the Zoning Inspector of the completed application and supporting documentation as described above, the Zoning Inspector shall provide a copy of the application and supporting documentation to the Secretary of the Board of Zoning Appeals to be placed on the agenda of the Board of Zoning Appeals.

602.04.02: Date of Public Hearing. After receipt of a complete application for a conditional zoning certificate, the Secretary of the Board of Zoning Appeals shall set a date for a public hearing on the application. The date of the Public Hearing shall be at least twenty (20) calendar days, but not more than forty (40) calendar days from the date the application is received by the Secretary of the Board of Zoning Appeals.

602.04.03: Notice to Property Owners. At least ten (10) calendar days prior to the date of the public hearing, notice of such public hearing shall be given by first class mail to the owners of property within and contiguous to and directly across the street from the property on which the use is proposed, including property that is in an adjoining community. Failure of delivery of such notice shall not invalidate action taken on such application.

602.04.04: Notice to Public. Further notice shall be given in one or more newspapers of general circulation in the Township at least ten (10) calendar days before the date of said public hearing. All notices shall set forth the time and place of the public hearing and the nature of the proposed Conditional Use.

602.04.05: Distribution to and Review by Township Trustees and Zoning Commission. The Secretary

of the

Board of Zoning Appeals shall provide a copy of the application and supporting documentation to the Fiscal Officer of the Township Trustees and to the Secretary of the Zoning Commission to be distributed to the appropriate members for their review and comment. The Township Trustees may, at its discretion, review the application for Conditional Zoning Certificate at its next regularly scheduled meeting, or convene a special meeting, in order to prepare written comments and suggestions that will be submitted to the Secretary of the Board of Zoning Appeals to be read aloud for consideration during the Board of Zoning Appeals public hearing on the Conditional Zoning Certificate.

602.04.06: Public Hearing. The Board of Zoning Appeals shall conduct the public hearing in the manner provided by applicable law. The Board of Zoning Appeals may recess such hearing and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required. Any person may appear before the Board of Zoning Appeals at the public hearing and state their reasons for or against the proposal.

602.06: Review Criteria for Conditional Zoning Certificate

The Board of Zoning Appeals shall review the proposed Conditional Use, as presented on the submitted plans and specifications, to determine whether the proposed use shall conform with the purpose and intent of this Zoning Resolution and the Litchfield Comprehensive Plan. In making such a determination, the Board of Zoning Appeals shall find that both the general criteria established for all Conditional Uses and the specific requirements established for that particular use, as set forth in this Resolution, are satisfied by the establishment and operation of the proposed use.

602.06.01: Shall review any request for Variance of any regulation set forth in this Zoning Resolution pertaining to the proposed Conditional Use, provided the request for Variance has been submitted in compliance with the procedures set forth in the Zoning Resolution.

602.06.02: May require the applicant to submit such additional information as deemed necessary including the carrying out of special studies and the provisions of expert advice. The cost, if any, of such additional information shall be borne by the applicant, as stated in the schedule of fees. (See Section 604 of this Resolution)

302.06.03: On-Site Review. The Board shall review applications and take action based upon the information made available to them provided that, if the Board deems necessary an on-site review of property subject to a conditional zoning certificate application, the Board shall set a date and give notice regarding the scheduled on-site review. A record shall be made of the proceedings of the review and persons in attendance. The record shall be read publicly at the subsequent public hearing.

602.07: Action by Board of Zoning Appeals

After the conclusion of the public hearing, the Board of Zoning Appeals shall take one of the following actions:

602.07.01: Approval of Application for Conditional Zoning Certificate.

a. If the proposed Conditional Use meets the general requirements of this Section and the specific requirements set forth in the Zoning Resolution for that particular use, the Board of Zoning Appeals shall approve the application for a Conditional Zoning Certificate. The Board of Zoning Appeals shall set such conditions of operation, as it deems necessary to ensure that the Conditionally Permitted Use shall operate in strict accordance with what was accepted by the Board of Zoning Appeals based on the application and the on-site review. The conditions of operation set by the Board of Zoning Appeals together with the Application for Conditional Zoning Certificate and supporting documentation approved by the Board of Zoning Appeals,

shall become a part of the Certificate.

b. Zoning Certificate Required. After approval of a Conditional Zoning Certificate, a Zoning Certificate issued by the Zoning Inspector shall be required to ensure that all requirements established by the Board of Zoning Appeals and all other requirements of this Zoning Resolution are met.

602.07.02: Denial of Application for Conditional Zoning Certificate. If the proposed use is found to not be in compliance with the specifications of this Zoning Resolution, or to not conform with the purpose, policies and intent this Resolution, the Board of Zoning Appeals shall reject the application and provide written notice to the applicant.

602.08: Modification of Conditional Zoning Certificate
Any change in the Conditionally Permitted Use from that set forth in the Certificate shall require application to the Board of Zoning Appeals for review.

602.09: Terms of Conditional Zoning Certificate
A Conditional Zoning Certificate shall authorize a particular Conditional Use only on a specific parcel for which it was approved.

602.09.01: Term of Conditional Certificate. The Conditional Zoning Certificate shall expire one (1) year after the date of issuance unless construction has begun. If the construction described in any Conditional Certificate has not been completed within two (2) years of the date of issuance, the Certificate shall expire and the Zoning Inspector shall send written notice to the persons affected, together with notice that further construction as described in the expired Certificate shall not proceed until a new Conditional Zoning Certificate has been obtained or an extension has been granted. Construction is deemed to have begun for the purpose of the Conditional Zoning Certificate, upon the start of any excavation, setting of piers, footers, or foundation of the building or structure as described on the Conditional Zoning Certificate application.

602.09.02: Conditional Certificate Extension. Upon showing valid cause, the Zoning Inspector may grant a one (1) time extension of the conditional Zoning Certificate for a period up to, but not to exceed one hundred and eighty (180) days.

602.09.03: Violation and Enforcement of Conditional Use Certificate. A Conditional Zoning Certificate issued pursuant to this Section shall be valid only for the use and the operation of such use as specified on the Certificate. The breach of any of the terms, conditions or requirements of the Conditional Certificate shall constitute a violation of the Zoning Resolution and of the Zoning Certificate. Repeated violations, or failure to correct a violation, may result in revocation of the Zoning Certificate such violation shall be punishable as permitted by the Ohio Revised Code and this Resolution. (See Section 606 of this Resolution)

602.10: Review of Conditional Use Operations
Whenever the operation of the approved Conditional Use is regulated either by conditions set forth in this Section or by conditions, stipulations, safeguards and limitations prescribed by the Board of Zoning Appeals, the Conditional Zoning Certificate issued by the Zoning Inspector shall indicate that the operation of the Conditional Use shall be reviewed regularly from the date of issuance to determine if the use has been, and is being operated in compliance with the conditions stipulated on the Conditional Zoning Certificate. If Conditional Use has been discontinued or abandoned for a period of at least two

(2) years, said Certificate shall expire and the Zoning Inspector shall send written notice to the persons affected.

602.11: Reapplication Procedure
No application for a Conditional Zoning Certificate which has been denied wholly or in any part by the Board of Zoning Appeals of the Township shall be re-submitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions which a majority of the Board of Zoning Appeals determine sufficient to justify reconsideration. The original application including all supporting documentation shall be submitted to the Zoning Inspector for review by the Board of Zoning Appeals.

SECTION 603: ZONING CERTIFICATES

603.01: Zoning Certificate Required.
Before locating, erecting, enlarging, constructing, reconstructing, or altering any sign, fence, structure, or building, or utilizing any land or change of use, application shall be made to the Zoning Inspector for a Zoning Certificate. A Zoning Certificate 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.

603.02: Zoning Certificate Application and Submission Requirements
The completed Application Form for a Zoning Certificate including sufficient copies of drawings and supporting documentation as stated on the application, and the following requirements listed in Table 603 when applicable, are to be submitted to the Zoning Inspector.

TABLE 603: ZONING CERTIFICATE REQUIREMENTS									
DOCUMENTATION REQUIREMENTS									
Category	**Fee (b)**	**Site Drawing (c)**	**Approved Site Plan (d)**	**Scale Drawing of Building (e)**	**Street Address Verification (f)**	**Sanitary Sewage Information (g)**	**Apron/Culvert/Ditch Permit (h)**	**Stormwater Permit (i)**	**Additional Requirements**
Residential Use Principal Building	X	X		X	X	X	X	X	
Residential Use Accessory Building or Structure, Additions, and Structural Alterations	X	X		X				X	No Zoning Certificate shall be issued for any accessory building/structure unless a legal Principal building exists on the same parcel within the same Zoning District, or unless an unexpired Zoning Certificate for a proposed Principal building is in effect.
Commercial Permitted Use	X	X	X		X	X	X	X	Application is requited for Zoning Certificate for Commercial Permitted uses with or without building construction.
Conditional Permitted Use	X	X	X		X	X	X	X	
Structural Alteration of Addition or Commercial Use Building	X		X	X					
Business Use Occupancy	X								
Fence	X	X							
Lake or Pond	X	X							Submit copy of Lake or Pond Permit issued by the Medina County Engineer's Office of Medina County Soil and Water conservation District.

TABLE 603: ZONING CERTIFICATE REQUIREMENTS

DOCUMENTATION REQUIREMENTS

Category	Fee (b)	Site Drawing (c)	Approved Site Plan (d)	Scale Drawing of Building (e)	Street Address Verification (f)	Sanitary Sewage Information (g)	Apron / Culvert / Ditch Permit (h)	Stormwater Permit (i)	Additional Requirements
In ground Swimming Pool (Non-Commercial)	X	X						X	
Alternate Energy		X	X		X				
Sign	X	X	X						
Temporary Trailer	X	X							

a) Fee. Submit fee as set by Township Trustees.
b) Site Drawing. Submit a legible scale drawing, aerial photo, or copy of the recorded plat of lot, showing all lot dimensions, total acreage, property boundaries, including all existing
c) Improvements, and showing placement of proposed building, structure, fence, swimming pool, sign, lake or pond with distances to property lines and road right-of way.
d) Approved Site Plan. See Section 601.07 Of Zoning Resolution.
e) Scale Drawing of Building. Submit a scale drawing (front and side views) of the proposed building showing length, width, height to the roof peak and floor plan. For a fence permit, submit a scale drawing (front and back views) or description of the proposed fence showing length, width, and height.
f) Street Address Verification. Submit documentation from the Medina County Tax Map Office verifying the street address of recorded property parcel.
g) Sanitary Sewage Information. Submit evidence that sanitary sewage disposal facilities based on the maximum occupancy and/or square feet and use of building have been approved by the Medina County Health Department, Medina County Sanitary Engineer, or Ohio EPA as appropriate.
h) Apron/Culvert/Ditch Permit. Submit copy of Driveway Apron and Culvert Permit, and/or Ditch Enclosure Permit from the Ohio Department of Transportation, the Medina County Engineer, or the Township Trustees, whichever is applicable, specifying the grade of pipe, diameter, length, backfill and covering.
i) Stormwater Permit. Submit copy of Medina County Stormwater Management & Sediment Control Permit issued by the Medina County Highway Engineer for any non-farm soil disturbance activity over five thousand (5,000) square feet. (Examples include but are not limited to: basement/foundation excavation, driveway, utility trenching, grading or clearing, landscaping or lawn.)

603.03: Exceptions for Zoning Certificate
The following do not require a Zoning Certificate:

a. driveway resurfacing
b. additional driveway and culvert placement
c. walkways
d. concrete pads or patio
e. children's play set or treehouse
f. wheelchair ramp
g. boat dock
h. temporary portable car port
i. door, window, siding or roof replacement
j. landscape or holiday decorations
k. above ground pools
l. solar panels mounted on structure
m. windmill for pond aeration
n. exempt agricultural structures
o. conex boxes
p. as stated in other sections of this Zoning Resolution and as provided by law.

603.04: Issuance of Zoning Certificate
The Zoning Inspector shall, within ten (10) days of receiving a submitted application, review the application to determine accuracy and compliance with the applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Inspector shall notify the applicant of necessary changes. When the application is deemed complete and the application fee has been paid, the Zoning Inspector shall officially accept the application for consideration of the action(s) requested on the date such determination is made.

The Zoning Inspector shall approve and issue the Zoning Certificate after determining that the application meets all requirements of this Resolution, including the application requirements specified herein. In conducting a review of the 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, if any, of such additional consultation shall be borne by the applicant, as stated in the schedule of fees. (See Section 604 of this Resolution)

603.05: Denial of Zoning Certificate Application
A Zoning Certificate shall not be issued if any aspect of the development 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 send one copy thereof to the applicant along with one copy of the Site Plan, signed, dated and noted as disapproved.

603.06: Term of Zoning Certificate

603.06.01: The Zoning Certificate shall expire one (1) year after the date of issuance unless construction has begun or a valid County building permit is in effect.

603.06.02: Construction is deemed to have begun for the purpose of the Zoning Certificate upon the start of any excavation, setting of piers, footers, or foundation of the building or structure as descried on the Zoning Certificate application.

603.06.03: If the construction described in any Zoning Certificate has not been completed within three (3) years of the date of issuance and no valid County building permit is in effect, the Certificate shall expire and the Zoning Inspector shall send written notice thereof to the property owner, together with notice that further construction as described in the expired Certificate shall not proceed until a new Zoning Certificate has been obtained or an extension has been granted.

603.06.04: Zoning Certificate Extension. Upon showing valid cause, the Zoning Inspector may grant a one time extension of the Zoning Certificate for up to but not to exceed one hundred eighty (180) days.

604: SCHEDULE OF FEES, CHARGES AND EXPENSES

The Township Trustees shall by Resolution establish a schedule of fees, charges, and expenses and a collection procedure for Zoning Certificates, Amendments, Appeals, Variances, Conditional Use Certificates, Site Plan Approvals, and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

605: ENFORCEMENT AND PENALTY

605.01: Zoning Inspector to Enforce Resolution

It shall be the duty of the Zoning Inspector to enforce the regulations found in this Resolution. In performing this duty, the Zoning Inspector may take any reasonable action necessary to substantiate the existence of a zoning violation including entering onto the site of a possible violation.

605.02: Zoning Violation

Any person or persons who participates in a violation of this Resolution, or supplement or amendment thereto, shall be responsible for that violation and subject to the actions and penalties described herein or as otherwise provided by law.

605.03: Actions to Comply with Zoning Resolution

605.03.01: Notification of Zoning Violation. The Zoning Inspector shall, upon inspection and identification of each zoning violation, deliver a written notice of each violation to the landowner or responsible party requiring him/her to remedy each violation.

605.03.02: Correction Period. All violations shall be corrected within a period of thirty (30) days after the written notice is issued or a longer period of time as indicated by the Zoning Inspector. Any violations not corrected within the specified time period shall be referred to the County Prosecutor who shall initiate prosecution procedures.

605.03.03: Action by Township and/or other parties. In case any building or development feature is or proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or proposed to be used in violation of any provisions of this Zoning Resolution, the Township Trustees, the Prosecuting Attorney of the County, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, stop work order, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use. The Township Trustees may employ special counsel to represent the Township in any proceedings or to prosecute any actions brought under this section. The Zoning Inspector shall have the majority approval of the Board of Township Trustees before referring violations to the Medina County Prosecutor for legal actions.

605.04: Penalty

Whoever violates any of the provisions of this Resolution or fails to comply with any of the provisions shall be fined not more than five hundred (500) dollars for each offense as stipulated in Chapter 519.99 of the Ohio Revised Code. Each day such violation or failure exists shall constitute a separate violation.

ARTICLE VII: ADMINISTRATION

701 Zoning Inspector
702 Zoning Commission
703 Board of Zoning Appeals; Variances; Procedures
704 Amendments

701: ZONING INSPECTOR

701.01: General

For the purposes of enforcing the zoning regulations, the Township Trustees shall establish and fill the position of Township Zoning Inspector, together with such assistants as the Trustees deem necessary. The term of employment, rate of compensation, and other such conditions shall be set by the Township Trustees. The Zoning Inspector shall keep records of all applications for zoning permits and the action taken thereon.

701.02: Bond

The Township Zoning Inspector, before entering upon the duties of his office, shall give bond, signed by a bonding or surety company authorized to do business in Ohio or, at his option, signed by two or more freeholders having real estate in the value of double the amount of the bond, over and above all encumbrances to the state, in the sum fixed by Ohio Statute and the Township Trustees. Such surety company or real estate bond shall be approved by the Township Trustees and the bond shall be conditioned upon the faithful performance of such Zoning Inspector's official duties. Such bond shall be deposited with the Township Clerk.

702: ZONING COMMISSION

702.01: Powers

The Zoning Commission shall have the following duties:
702.01.01: Initiate proposed amendments to the text or map of this Resolution.

702.01.02: Review all proposed amendments to this Resolution including amendments to the Zoning Map or to the text and make recommendations to the Township Trustees.

702.01.03: Review all site plans as specified in the section on Site Plan Review and assist the Board of Zoning Appeals in reviewing conditional use applications as specified in the section on Conditional Zoning.

702.01.04: Make recommendations to the Township Trustees on all matters concerning planning, zoning and development in Litchfield Township.

702.02: Members

702.02.01: The Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Litchfield Township, to be appointed by the Township Trustees.

702.02.02: The terms of the members shall be of such length and so arranged that the term of one member will expire each year on December 31st. Members shall serve until their successors are appointed and qualified.

702.02.03: Members shall be removable for non-performance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees; after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least thirty (30) days prior to the hearing. The member shall be given an opportunity to be heard and answer such charges.

702.02.04: Vacancies shall be filled by the Township Trustees and shall be for the unexpired term.

702.03: Procedures

702.03.01: The Zoning Commission shall annually elect officers from its members. The Zoning Commission may prescribe rules for the conduct of its affairs as are not in conflict with this Resolution or Ohio statute. Three (3) members of the board shall constitute a quorum at all meetings. A concurring vote of three (3) members shall be necessary to affect an order, take action, make decisions, or act on any authorization. The Zoning Commission shall keep records of its proceedings and shall meet at least quarterly or as the need arises.

702.03.02: Site Plan requirements and conditions are valid only if they are made part of a motion to approve a Site Plan and/or if denoted on the Site Plan.

702.03.03: The Zoning Commission requires that any application for a zoning map change be submitted together with an accurate map illustrating the area proposed to be changed. Any application for a zoning text change shall be submitted together with a statement of the proposed changes detailing proposed text additions or deletions. The map and/or text will be forwarded to the Medina County Department of Planning Services.

702.04: Conduct

702.04.01: The chairperson shall request all Board members and the general public to please turn off or place on vibrate any type of electronic device, cell phone, pager and/or laptop computer.

702.04.02: It is the responsibility of regular Board Members to keep current when absent from a meeting, especially if discussion of subject matter is continuing to the next month’s meeting. Staying current and informed will reduce the unnecessary revisiting of previously discussed topics.

702.04.03: The chairperson shall initially determine whether or not a particular matter previously decided can be revisited, but a majority vote of the Board can override the decision of the chairperson. A previously decided matter shall not be reconsidered unless it is determined that significant new information or changed conditions justify the reconsideration.

702.04.04: In the event that a regular member has been absent for two consecutive meetings concerning the same matter and the same alternate has been present for both meetings, said alternate shall be seated with the Board as a voting member addressing that subject until that subject is concluded.

702.04.05: Alternate member(s) shall remain on the Board for the entire meeting once the chairperson strikes the gavel and calls the meeting to order regardless of if or when regular member arrives. If regular member arrives, he or she will be counted as present but will not be seated with the Board as a voting member.

702.04.06: If any regular member is absent for four meetings in a calendar year and absenteeism is not health related, it shall be grounds for dismissal at the discretionary will of the Trustees.

703: BOARD OF ZONING APPEALS; VARIANCES; PROCEDURES

703.01: General

A Board of Zoning Appeals is hereby created and shall have all the powers and duties prescribed by law and by this Resolution.

703.02: Composition and Appointment

The Board shall consist of five (5) members appointed by the Township Trustees. The members shall be residents of the unincorporated area of Litchfield Township. The term of office shall be five (5) years and the terms shall be so arranged that the term of one member will expire each year on December 31st. Members shall serve until their successors are appointed and qualified. Members shall be removable for the same causes and in the same manner as provided for in ZONING COMMISSION (Refer to Section 702.02) Members. Vacancies shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term.

703.03: Organization

703.03.01: Officers, Rules. The Board shall elect a Chairman from its membership and shall prescribe rules for the conduct of its affairs. The Township Trustees shall appoint a Recording Secretary annually.

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

703.03.03: Meetings. The Board shall meet at the call of its Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public.

703.03.04: Witnesses. The Board Chairman or Acting Chairman may administer oaths and the Board may compel the attendance of witnesses in all matters coming within the purview of the Board.

703.03.05: Proceedings. 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 legible records of its examinations and other official actions all of which shall be immediately filed in the office of the Township Trustees and shall be a public record.

703.04: Powers

The Board of Zoning Appeals shall have the following powers:
703.04.01: Appeals - Both Administrative Appeals and Variance Appeals

703.04.02: Conditional Zoning Certificates

703.04.03: Such other powers as described in this Resolution.

703.05: Administrative Appeals

The Board shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution. Administrative appeals shall be reviewed in the manner further specified below in Section 703.06-Procedure for Administrative and Variance Appeals.

703.06: Variance Appeals

The Board of Zoning Appeals shall have the power to authorize, upon appeal in specific cases, variances from the terms of the Zoning Resolution.

703.06.01: Supplementary Conditions. In granting a variance, the Board may impose such conditions as it may deem necessary to protect the public health, safety, and morals and, in furtherance of the purpose and intent of this Resolution, including a requirement of a bond guarantee that insures compliance with special conditions imposed by the Board.

703.06.02: Use Variance.

The Board of Zoning Appeals may authorize, upon appeal in specific cases, a use variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed, and substantial justice done.

a. Limitation. The Board of Zoning Appeals shall not grant a use variance for any use expressly prohibited by the terms of this Resolution.
b. The Board of Zoning Appeals may grant a use variance for any use not expressly prohibited by the terms of this Resolution in the district involved upon a finding that the conditions of Section 519.14(B) of the Ohio Revised Code and Number 2 of this section have been met. No non-conforming use of the neighboring land, structures, or buildings in the same district and not currently permitted on non- conforming use of the land, structures, or buildings in other districts shall be considered grounds for the issuance of a use variance.
c. Standards for Consideration of a Use Variance. In determining whether to approve or deny an application for a use variance, the Board shall consider the following:
    1. Whether the property can be put to any economically viable and appropriate use under any of the permitted or conditionally permitted uses in the zoning district.
    2. Whether the requested variance is a result of conditions particular to the subject property and are not generally applicable to other properties within the same zoning classification.
    3. Whether the hardship condition was created by actions of the applicant.
    4. Whether granting of the variance will adversely affect the rights of adjacent property

owners and residents.

5. Whether granting of the variance will adversely affect the community character, public health, safety or general welfare.
6. Whether the variance will be consistent with the general spirit and intent of the Zoning Resolution.
7. Whether the variance sought is the minimum that will afford relief to the applicant.

703.06.03: Area Variance

The Board of Zoning Appeals may authorize, upon appeal in specific cases, an area variance from the terms of the Zoning Resolution where it determines that practical difficulties exist. In determining that practical difficulties exist, the Board shall consider, but is not limited to, the following factors:

a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
b. Whether the variance is substantial;
c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
d. Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage);
e. Whether the property owner purchases the property with the knowledge of the zoning restriction;
f. Whether the property owner's predicament feasibly can be eliminated through some method other than a variance; and
g. Whether the spirit and intent of the Zoning Resolution will be observed and substantial justice done by granting the variance.

General Findings - In order to approve any variance, the Board shall make specific finding that:

a. The literal interpretation of the provisions of the Resolution deprives the applicant of the rights commonly enjoyed by properties in the same district under the terms of this Resolution.
b. That the granting of the variance will not be detrimental to the public interest or to the property or improvements in the district in which the variance is sought and will not materially impair the purpose of this Resolution.

703.07: Procedure for Administrative and Variance Appeals

703.07.01: General - Appeals to the Board of Zoning Appeals concerning the powers specified for administrative appeals and variance appeals may be taken by any person or corporation or by any officer of Litchfield Township adversely affected by any decision of the Zoning Inspector. The appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector, a notice of appeal specifying the grounds upon which the appeal is taken. Within five (5) days the Zoning Inspector shall transmit to the Secretary of the Board of Zoning Appeals the notice of appeal and all papers constituting the record of the action, which is appealed.

703.07.02: Stay of Proceedings - An appeal shall stay all proceedings in furtherance of the action appealed, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of the appeal has been filed, that a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed by other than a restraining order granted by the Board or by a court having lawful jurisdiction.

703.07.03: Public Hearing and Notices - The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after the receipt of an appeal from the Zoning Inspector. Notice of the hearing shall be published in a newspaper at least ten (10) days before the date of the public hearing. The notice shall state the time, place and subject of the public hearing. Notices shall be sent at least ten (10) days before the hearing to all parties involved in the appeal and to all property owners adjacent to or across the road from the subject property. The Board may recess such hearing, and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.

703.07.04: Assistance - Applications for appeals may be submitted by the Board to the Zoning Commission for review and comment. The findings of the Zoning Commission shall be submitted in writing to the Board prior to its public hearing and shall be included in the minutes of the hearing. The Board may also seek assistance from any other appropriate source.

703.07.05: Decisions - Within twenty (20) days after the public hearing, the Board of Zoning Appeals shall either approve, approve with supplementary conditions, or disapprove the request for appeal. A certified copy of the Board's decision shall be transmitted to the applicant or appellant and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and shall be incorporated in the terms and conditions of the Zoning Permit whenever a Permit is authorized by the Board. Any appellant, having been denied his appeal by the Board, may appeal to the Court of Common Pleas.

704: AMENDMENTS

The Trustees of Litchfield Township may, from time to time, amend by resolution the number, shape, area, or regulations of districts established on the Zoning Map) or the regulations set forth in this Resolution. All amendments shall be made according to the procedures required by Section 519.12 of the Ohio Revised Code and this Article, and only after receipt of recommendations from the Zoning Commission.

704.01: Initiation of Amendments

Amendments to the Zoning Resolution, either regulations or map, may be initiated by one of the following:

704.01.01: Motion of the Township Zoning Commission.

704.01.02: Passage of a resolution by the Township Trustees and certification to the Zoning Commission.

704.01.03: Filing of an application with the Zoning Commission by one or more owners of property within the area proposed to be changed or affected by the proposed amendments to the Zoning Resolution.

704.02: Applications

Applications for zoning amendments shall be made in a form prescribed by the Township, payment of the appropriate fees and shall include at least the following:

704.02.01: For Amendment of the Zoning District Map:

a. Name, address, and phone number of applicant.
b. Location and description of property, including size and permanent parcel number.
c. Plat map showing property to be changed and adjoining properties.
d. Present use
e. Present zoning district
f. Proposed use
g. Proposed zoning district
h. If ten (10) or less parcels are to be rezoned, a list of all property owners and their mailing addresses who are within, contiguous to, or directly across the road from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case.
i. A statement on how the proposed amendment relates to the comprehensive plan.

704.02.01: For Amendment of the Zoning Regulations:

a. Name, address, and phone number of person offering proposal.
b. Section number and exact wording of proposed Regulation amendment.
c. Statement of the intended purpose and effect of the proposed amendment.
d. Statement on how the proposed amendment relates to the comprehensive plan.

704.03: Referral to Medina County Planning Commission

Within five (5) days after initiation of a zoning amendment, the Zoning Commission shall transmit a copy of the amendment to the Medina County Planning Commission. The Medina County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit the recommendation to the Zoning Commission. The recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed amendment.

704.04: Referral to Ohio Department of Transportation

The Director of the Ohio Department of Transportation shall be notified concerning proposed zoning amendments affecting any land within three hundred (300) feet of the centerline of a certified (journalized) new highway or highway improvement or within five hundred (500) feet from the intersection of an existing public road with said centerline. Upon receipt of an application for rezoning in this area, the Zoning Commission shall notify the Director by registered or certified mail and shall then proceed with the requirements of this Article. However, the Township Trustees shall not approve the amendment for a period of one hundred twenty (120) days from receipt of the notice by the Director. During the one hundred twenty (120) day period, or any extension agreed to by the Director and the property owner, the Director shall proceed to acquire the land required for the highway improvement, or to determine that acquisition at that time is not in the public interest. Upon receipt of notice from the Director that the property will be acquired, the Trustees shall refuse to rezone the land that the Director intends to acquire. If the Director provides notice that acquisition at that time is not in the public interest or at the expiration of the 120-day period or any extension, the Trustees shall proceed to approve or disapprove the amendment in the manner specified below.

704.05: Public Hearing by Zoning Commission
Upon the initiation of an amendment to the Zoning Resolution, the Zoning Commission shall set a date for a public hearing. The hearing shall be held more than twenty (20) but less than forty (40) days from the date of initiation of the amendment.

704.06: Notice
Notice of the Zoning Commission public hearing shall be given as follows:

704.06.01: Newspaper. Notice shall be given by publication in one or more newspapers of general circulation in the Township at least ten (10) days before the date of the hearing. The notice shall state the time and place of the public hearing, the nature of the proposed amendment or supplement, and a statement that after the conclusion of the hearing the matter will be referred for further determination to the Township Trustees. The time limitation stated above shall be changed as necessary to remain in compliance with the Ohio Revised Code.

704.06.02: Property Owners. If the proposed amendment or supplement intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission by first class mail, at least twenty (20) days before the date of the public hearing, to all owners of property within, contiguous to, and directly across the road from the area proposed to be rezoned. The notice shall include the same information required above for newspaper notices.

704.07: Action of the Zoning Commission
The Zoning Commission shall, within thirty (30) days after the hearing, recommend the approval, denial, or the approval of some modification of the proposed amendment. The Zoning Commission shall submit the recommendation, together with the application and the recommendation of the Medina County Planning Commission, to the Township Trustees.

704.08: Public Hearing and Notice by Township Trustees
The Township Trustees shall, upon receipt of the recommendation, set a time for a public hearing on the proposed amendment or supplement. The hearing shall be held within thirty (30) days from the date of the receipt of the recommendation from the Zoning Commission. Notice of the public hearing shall be given by the Township Trustees by one publication in one or more newspapers of general circulation in the Township, at least ten (10) days before the date of the hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment. The time limitation stated above shall be changed as necessary to remain in compliance with the Ohio Revised Code.

704.09: Action of Township Trustees
Within twenty (20) days after the public hearing, the Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Trustees deny or modify the recommendation of the Zoning Commission, the majority vote of the Trustees shall be required.

704.10: Effective Date, Referendum

Amendments adopted by the Township Trustees shall become effective in thirty (30) days after the date of such adoption unless within that period a referendum petition is presented to the Trustees. The petition must be signed by a number of qualified voters residing in the unincorporated area of the Township equal to at least fifteen percent (15%) of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected. The petition shall request the Township Trustees to submit the amendment to the electors of such area for approval or rejection at the next primary or general election.

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

ARTICLE VIII: DRIVEWAY & PARKING REGULATIONS

801 General Parking Requirements
802 Parking Space Requirements
803 Schedule of Parking Space Minimums

801: GENERAL PARKING REQUIREMENTS

No structure shall be erected, substantially altered, or its use changed unless an adequate permanently maintained off-street parking area outside of the public right-of-way has been provided in accordance with the provisions of this Section and applicable District Regulations.

801.01:
All required driveway and parking spaces shall be located on the same lot as the use for which they are required unless otherwise specifically stated in this Resolution.

801.02:
All permanent access driveway and parking surface areas shall be located on an all- weather improved surface such as; stone or gravel, asphalt, brick, bituminous, concrete or other equivalent material. Driveway and parking areas shall be graded and drained to dispose of all surface water in a manner designed to minimize adverse effects on abutting properties, streams, and public roads.

801.03:
All lighting used to illuminate such driveway and parking areas shall be directed away from adjoining properties or roads. (See Section 212 of this Resolution)

801.04:
Entrances and exits to parking or loading/delivery areas shall be located and designed to avoid undue interference of off-site and on-site vehicular and pedestrian traffic.

801.05:
All non-residential Permitted and Conditionally Permitted use permanent parking areas adjacent to a Residential use or Residential District are required to provide screening on the side which adjoin the Residential use or Residential District. (See Sections 220 fences, 224 screening, of this Resolution)

801.06:
Driveways and parking areas shall comply with the parking setbacks in Table 801.06.

Table 801.06: PARKING STANDARDS					
Residential District	**Residential District**	**Residential District** *(Buildable Rear Parcel)*	**Circle District**	**Commercial District**	**Industrial District**
Front yard setback	60	30	15	20	20
Side yard setback	5	5	5	20	20
Side yard setback	20	20	15	20	20
Rear yard setback	15	15	15	20	20
Rear yard setback	20	20	15	20	20

802: PARKING SPACE REQUIREMENTS

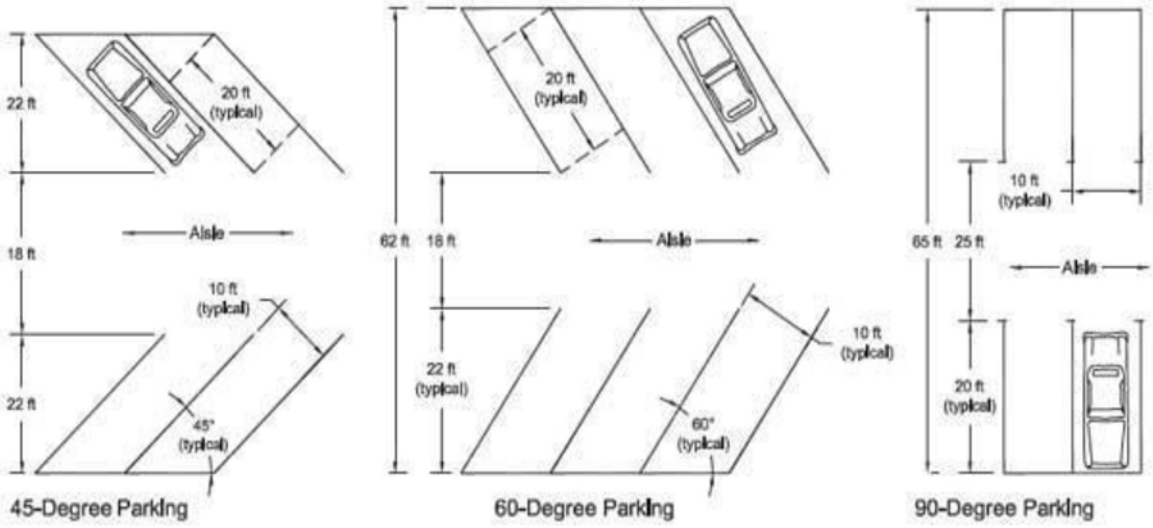
802.01:
The minimum parking spaces for uses listed in Section 803 shall be required whenever such use is permitted by the applicable District regulations. The inclusion of a use listed below shall not be construed as permitting that use, nor is the exclusion of a use to be construed as prohibited unless otherwise stated in this Resolution.

802.02:
All vehicles shall be parked or stored in designated parking areas. Parking or storage of any vehicle, equipment, machinery, product or material that encroaches into the minimum required District side yard or rear yard setback area requirement is prohibited. Off-street parking and loading/delivery requirements for a use shall be developed as to be sufficient to meet all of the parking and loading/delivery needs of the proposed use. No parking, loading, delivery or servicing shall be done on the right-of-way of any public road, block vehicular access of or to a public road, or cause undo interference on or to a public road, otherwise said condition may be considered a nuisance under Section 203 of this Resolution.

802.03:
Where two (2) or more uses are located on the same parcel, the total number of minimum spaces required for each use shall equal the total requirements for the parcel.

802.04:
Where evidence is presented that a Permitted use will require fewer parking or loading spaces than required by this Resolution, the Zoning Commission may approve initial construction of fewer spaces than required, provided that conditions are established reserving or 'banking' space on the site where additional parking or loading can be constructed in compliance with this Resolution.

802.05:
Off road indoor or outdoor parking areas for all uses shall provide individual parking spaces of not less than ten (10) feet in width, and not less than twenty (20) feet in length, exclusive of access driveways or aisles, unless otherwise stated in this Resolution. (See examples below.)



803: SCHEDULE OF PARKING SPACES REQUIRED

USE	OFF-STREET SPACES REQUIRED
Adult day/respite care facility or center.	1 space per 5 adults, plus 1 space per 2 employees.
Assisted living, nursing, residential care facility.	1 space per 2 beds, plus 1 space per 2 employees.
Automotive fueling stations including associated retail store.	2 spaces for each gasoline pump and/or service bay, plus 1 space per 2 employees, plus 1 space for loading/delivery area.
Bed and breakfast.	1 space per bed plus 1 space per 2 employees.
Car wash facility.	1 space for each bay.
Cemeteries.	Driveways shall be wide enough to accommodate parking while allowing normal on-site circulation.
Child day-care facility, center or camp.	1 space per 10 children, plus 1 space per 2 employees.
Churches or other places of worship.	1 space for each 3 seats.
Event/conference/wedding or party center.	1 space per 3 attendees and/or participants based on the maximum attendance that the building, facility or center was designed to accommodate.
Food and beverage retail or wholesale store or business such as; restaurant, tavern, bar, pub, specialty food or beverage store, bakery, delicatessen, juices, confectionary, dairy, health foods, food or beverage preparation and related processing retailed on or off premises including carry-out or delivery.	Non-dine-in business; 1 space for each 400 sq. ft of floor area, plus 1 space for loading/delivery area. Dine-in business; 1 space for each 200 sq. ft. of dining floor area, plus 1 space for loading/delivery area.
Funeral home.	1 space for each 100 sq. ft. of parlor floor area.
Golf course or golf driving range.	1 space per 3 attendees and/or participants based on the maximum attendance that the course, clubhouse or range was designed to accommodate plus 1 space for loading/delivery area.
Hospital, emergency and urgent care facilities.	1 space for each exam room or bed plus 1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Libraries or museums; public or private.	1 space for each 5 seats in assembly halls or auditoriums.
Manufacturing processes.	1 space per 2 employees based on the maximum shift for which the building or facility is designed plus, 1 space for loading/delivery area.

USE	OFF-STREET SPACES REQUIRED
Offices such as; financial, legal, accounting, real estate, insurance, engineering, architectural, technology, healthcare specialist, medical doctor, dentist, travel agencies, marketing or sales, counseling.	1 space for each 400 sq. ft. of floor area.
Recreational sports fields or facilities (non-motorized).	1 space per 3 attendees and/or participants based on the maximum attendance that the building, facility, center or park was designed to accommodate.
Recycling facilities.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.
Residential dwelling.	1 space per dwelling unit.
Retail or wholesale store or business such as; general merchandise, grocers, pharmacy, clothing or apparel, furniture, appliances, florist, gifts, hardware, sporting goods, antiques, electronics, specialty goods, convenience store, discount merchandise, resale or consignment store, art gallery, artisan/craftsman goods or merchandise, collectible or hobby items, parts store.	1 space for each 200 sq. ft. of floor area, plus 1 space for loading/delivery area.
Sanitation waste services.	1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Salvage motor vehicle yard.	1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Schools; public, private and parochial.	1 space for each 5 seats in assembly halls or auditoriums.
Scrap metal processing facility.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.
Service store or business such as; healthy & beauty, barber shop, hair salon, nail and tanning salon, tailor or dressmaker, pet grooming (no outdoor kennel), photography, fitness or personal training, dance studio, martial arts.	1 space for each 200 sq. ft. of floor area.
Sexually oriented business and adult entertainment establishments.	1 space for each 200 sq. ft. of floor area.
Shops such as; repair or restoration, installation or retrofitting, contractors, technicians, artisan/craftsman, machinist, tool & die.	1 space for each 200 sq. ft. of floor area, plus 1 space for loading/delivery area.

USE	OFF-STREET SPACES REQUIRED
Sporting clubs (non-firearms).	1 space per 3 attendees and/or participants based on the maximum attendance that the building, facility, center or park was designed to accommodate.
Storage building.	1 space.
Transportation; towing, trucking, cartage or rigging.	1 space per 2 employees based on the maximum shift for which the building or facility is designed.
Vehicle, equipment, RV; sales or rental lot, new or used.	1 space for each 400 sq. ft. of indoor floor area, plus 1 space per 2 employees, plus 1 space for loading/delivery area.
Veterinary clinic or other related service.	1 space for each exam room, plus 1 space for each 2 employees.
Warehousing and storage facilities including outdoor storage yards.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.
Wholesaling and distribution facilities.	1 space per 2 employees based on the maximum shift for which the building or facility is designed, plus 1 space for loading/delivery area.

ARTICLE IX: DEFINITIONS

901 Definitions
902 Rules of Construction

901: DEFINITIONS

Access/Access-way/Permanent Access: A strip of land providing ingress and egress: See rear lot as described in Rear Lot Development.

Accessory Dwelling Unit (ADU): A dwelling unit permitted as an accessory use and located in a building which also contains a principal commercial use.

Activity Area: The area of outdoor land use within a lot or parcel.

Adult day/respite care: A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

Agriculture: A use of a building or land as defined by the Ohio Revised Code. See Ohio Revised Code Section 519.01 and 519.21.

All Weather Improved Surface: A non-vegetative dirt surface improved with stone, gravel, asphalt, brick bituminous, concrete, or other equivalent material for the purpose of vehicular or pedestrian movement or outdoor vehicular storage.

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

Alternative Energy Utility System: Energy producing systems authorized by this Resolution including Solar Voltaic (PV) Systems and Wind Energy Turbines.

Assisted Living Facility: A residential facility that provides a combination of housing, personal care services, and health care for individuals who need assistance with normal daily activities, but not including skilled nursing care.

Attic: An unfinished space located between the roof and the ceiling of a finished room below.
Automotive Fueling Station; A place where gasoline, kerosene, or any other motor fuel, lubricating oil, or grease for operating motor vehicles is offered for sale to the Public; including the sale of snack food, tobacco, drinks, newspapers and similar convenience goods as accessory or appurtenant to the principal use.

Bar or Tavern: Any premises where alcoholic beverages are sold at retail for consumption on the site, but not a premises where beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of such beverages is not more than twenty-five percent (25%) of gross receipts. (See also “Restaurant”).

Basement: A story having more than one half of its height below average grade.

Bed and Breakfast: An establishment in a private dwelling occupied by the property owner that provides temporary accommodations to overnight guests for a fee with or without meals.

Buffer Area: A neutral space between adjacent parcels that help minimize disturbances of neighboring land uses.

Buildable Area: The area of developable land use within a lot or parcel.

Building, Height of: The vertical distance from the finished grade to the highest point of the ridge of gable, hip, or gambrel roof.

Building Line: A line parallel to the centerline of the road to which the lot has access and intersecting the nearest point of the foundation of the principal building to that centerline. On a rear lot, the building line is located at the shortest distance between the rear line of the abutting frontage lot and the nearest point of the foundation of the principal building and parallel to that rear property line.

Building Setback Line, Minimum: A line parallel to the centerline of the road right of way or a line parallel to a side lot line or rear lot line at a distance from the centerline or lot line equal to the minimum required depth of the front yard, side yard, or rear yard respectively. The front and rear setback lines extend across the full width of the lot. The side building setback lines extend from the front to the rear setback lines.

Building, Principal: The building on a parcel used to accommodate the primary use of the property.

Car Wash: A facility consisting of self-service bays or automatic lines for the washing of passenger vehicles and may include vacuuming and associated vehicle cleaning activities.

Carport, Permanent: A permanent portable automobile parking structure with a roof, but not enclosed on all sides by walls or doors.

Carport, Temporary: A temporary use portable canvas shelter supported by a frame for storing a vehicle. Cemetery: Land used for the burial of the dead and dedicated for cemetery purposes.

Child Day Care:
NOTE – Proposed Table 204 Use Table may require amendment to reflect these child care uses. Type B must be permitted where residential uses are permitted.
Child Day-Care Center: As regulated by the Ohio Revised Code, any place that is not the permanent residence of the licensee or administrator in which childcare or publicly funded childcare is provided for seven or more children at one time.

Child Day-Care Home, Type A Family: As regulated by the Ohio Revised Code, the permanent residence of the administrator in which childcare or publicly funded childcare is provided for seven to twelve children at one time or a permanent residence of the administrator in which childcare is provided for four to twelve children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted.

Child Day-Care Home, Type B Family: As regulated by the Ohio Revised Code, a permanent residence

of the provider in which care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted.

Defined in ORC Section 5104.01 as follows:
"Child Day Camp" means a program in which only school-age children attend or participate, that operates for no more than twelve hours per day and no more than fifteen weeks during the summer. For purposes of this division, the maximum twelve hours of operation time does not include transportation time from a child's home to a child day camp and from a child day camp to a child's home.

Church or Other Place of Worship: A facility used for regular organized religious worship and related activities. The facility may include living quarters for church ministry who carry out their duties on site, religious education, and limited recreation facilities.

Co-Locate: To locate and share an appropriate location on the telecommunication facility (monopole) with other telecommunication carriers in order to provide service.

Cultural or Public Use: A public or private non-profit facility for the benefit of and service to the general public including but not limited to community centers, cultural facilities such as libraries or museums, police and fire stations, and township and government uses.

Development Features: Any present, proposed or revised item located on a parcel or lot such as; buildings, structures, signs, screening, outdoor use areas, parking, landscaping, and /or lighting.

Distribution Facility: A use where goods are received and/or stored or repackaged for delivery to customers.

District, Zoning District: An area or areas within the Township as designated on the Litchfield Township Zoning Map for which the regulations and requirements governing uses, lots, and other features are uniform, for example, the Residential District, Circle District, Commercial District, or Industrial District.

Drive Thru Facility; Drive Up Facility: A physical facility, accessory to a principal use, which permits customers to receive a service, obtain a product, or use or consume a service or product while remaining in an automobile or other vehicle. Examples include but are not limited to food service, car wash, bank teller, and book or tape drop-offs.

Driveway: An all weather improved surface used for parking and/or storing vehicles.

Driving Range: A limited area on which golf players drive golf balls from a central driving tee and may include incidental uses such as a putting green, snack bar, and pro shop. See also “Golf course”.

Dwelling: Any building, or portion thereof, which is designed or used primarily for residential purposes but not including hotels, motels, boarding houses, lodging houses, or tourist homes.

Dwelling, Single-Family: A principal building that is usually occupied by just one household or family and consists of just one dwelling unit and does not share an inside or outside wall with any other house or dwelling.

Dwelling Unit: A space within a building designed or used exclusively as living quarters for a single household and including living, sleeping, cooking, bathing, and toilet facilities.

Dump: Any lot or land or part thereof 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.

Event/Conference/Wedding or Party Center: An establishment whose principal business is providing a location where an organized public or private gathering takes place for compensation.

Farm Market: A farm market, which is a location where a producer offers fruits, vegetables, and other items for sale, or a location where producers congregate to offer fruits, vegetables, and other items for sale or a farm product auction, which is a location where agricultural products, including food products, are offered for sale at auction, and where fifty per cent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. See also “Roadside Stand”.

Fence: A linear structure, typically in the form of a panel, wall, or screen, mounted onto the ground by posts and used to divide areas of land, contain uses or activities, or create a visual obstruction.

Fence, Barbed Wire: A fence made with wire having points or barbs spaced along its length.

Fence, Chain Link: A fence consisting of loops of wire interconnected in a series of joining links.

Fence, Decorative: A fence providing an unobstructed opening, such as, but not limited to, open board, split rail, and rail but not chain link, barbed wire, woven wire, or privacy fences as defined in this Resolution.

Fence, Electric: A single or multi-strand wire fencing having an electric charge with relationship to the ground.

Fence, Living: A fence consisting of the growth or placement of hedges, trees, bushes, plants, or a combination thereof so as to prevent public view or provide seclusion.

Fence, Partition: A fence that is located on the side yard or rear yard property line and used to separate the parcel or District from an adjoining parcel or District.

Fence, Privacy: A fence constructed so as to prevent public view or provide seclusion. Fence, Razor Wire; A fence with flat drawn wire, razor sharp on both edges.

Fence, Snow: A temporary fence used to control blowing/drifting snow. Fence, Woven Wire; A fence constructed of woven wire.

Floor Area: The sum of the gross horizontal areas of the floors of a building, measured from the exterior faces of exterior walls or from the center line of common walls separating two (2) buildings. Floor area, for the purpose of this Resolution, shall not include basement, garage, elevator and stair bulkheads, attic space,

terraces, breezeways, open porches, and uncovered steps, but may include utility areas when part of the main floor.

Food/Beverage Retail or Wholesale: A retail or wholesale establishment where food is sold primarily for off-site consumption, including but not limited to sales of general groceries, specialty foods, beverages, baked goods, meats, and confections.

Funeral Home: An establishment engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals.

Garage, Detached: An accessory building not connected to the main building, enclosed on all sides and designed or used for storage and located on the same lot as the dwelling to which it is accessory.

Golf Course: An area of land laid out with at least nine holes for playing a game of golf and may include a club house and shelters as accessory uses. See also "Driving range."

Government Uses and Facilities: Uses or facilities owned and operated by the township, county, state, or federal government or their agencies for the purpose of providing services to the public.

Grade, Finished: The finished grade is the elevation of the finished surface of the ground adjoining the building or structure within a distance of ten (10) feet of the foundation wall.

Grade, Natural: The natural grade is the elevation of the undisturbed natural surface of the ground adjoining the building or structure.

Home-Based Business, Type 1: A non-residential use conducted entirely within a dwelling and carried on by the inhabitants thereof which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the exterior character of the dwelling.

Home-Based Business, Type 2: A non-residential use utilizing one (1) accessory building on a property having a dwelling as its principal use and is carried on by the property's residents and a maximum of one employee, which use is clearly incidental and secondary to the use of the property for residential purposes.

Hospital: Any building devoted to the medical diagnosis, treatment or other care of human beings and containing beds for patients where overnight stays may occur. See also "Medical Clinic".

Junk: All garbage, refuse, litter and debris such as; scrap metals, glass, plastic, Styrofoam, wood, shingles, concrete, bricks, and all broken discarded and damaged furniture, household appliances, outdoor play equipment and toys, building materials, inoperable vehicles, vehicle parts, trailer parts, lawn mowing equipment, non-agricultural or agricultural use farm equipment; bones, used and discarded rags, cloth, paper, cardboard, wood, rubber, ropes, foils, bottles, cans, containers, barrels, chemicals, petroleum products; old or used inoperable machinery, tools, commercial equipment, industrial equipment, fixtures, utensils, crates, pallets, pipes, pipe fittings, vehicle tires, bicycle tires, farm tractor or equipment tires, airplane tires, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition, but are subject to being dismantled.

Junk Motor Vehicle: Any unlicensed motor vehicle over three (3) years old which is apparently inoperable and extensively damaged such as: missing wheels, tires, motor or transmission, glass, lights and sheet metal.

Junk Yard: A property or place of business, which is maintained or operated for the purpose of storing, keeping, buying or selling junk or for the maintenance or operation of an automobile graveyard. The term junk yard shall also include scrap metal processing facilities and any site, location or premises on which are kept two or more junk motor vehicles, whether or not for a commercial purpose.

Land Banking, Area: To reserve, designate or allocate a portion or section of a lot or parcel for future use.

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

Lot: An area of land legally recorded by deed.

Lot Area: The total area within the lot lines of a parcel.

Lot, Buildable: A lot of sufficient size for a building or structure to meet the minimum zoning requirements in effect at the time the deed was recorded with the Medina County Recorders Office.

Lot, Corner: A lot at the junction of and abutting two or more intersecting roads.

Lot Depth: The distance measured from the road right-of-way to the rear lot line.

Lot Frontage: The distance between side lot property lines measured along the centerline of a public or private road. Lot Lines; The property lines defining the limits of a parcel.

Lot Line, Rear: The lot line opposite and most distant from the front lot line.

Lot of Record: A lot, which is a part of a subdivision, the map of which has been recorded in the office of the Recorder of Medina County; or a parcel of land, the deed to which was of record on or prior to the effective date of these regulations.

Lot Line, Side: A side lot line separating the parcel from another parcel.

Lot Width: The width measured along the minimum building setback line. from one side lot line to the other.

Manufactured Home, Permanently Sited: As defined by the Ohio Revised Code. Only permanently sited manufactured homes are permitted for residential dwelling Use and shall be affixed to a permanent foundation and connected to appropriate water and septic facilities. NOTE: This definition relocated from Permanently Sited Manufactured Home.

Manufacturing Processes, Indoor: A manufacturing establishment whose operations are conducted only indoors and may include storage of materials, processing, fabrication, or assembly of products, or loading and unloading of new materials and finished products.

Medical Clinic: A building devoted to the medical diagnosis, treatment, or other care of human beings on an outpatient basis only and where overnight stays are not permitted. See also “Hospital”.

Mixed District Parcel: A parcel having parts classified in more than one zoning district.

Mobile Home/Trailer Coach: A movable or portable structure designed and constructed to be towed as a unit or units, on its or their own chassis and running gear, on the public roads and designed, constructed, and equipped with the necessary service connections for human occupancy and habitation.

Monopole: A single slender and typically cylindrical vertical structure to which antenna(s) and support structures are affixed.

Nonconforming: A building, structure, use of land or lot legally existing at the time of the enactment or amendment of the Resolution, and which does not conform to the current zoning regulations of the district in which it is located. Non-Residential Use: A business or commercial use, including hobby activities conducted on the property or parcel.

Nuisance: Anything offensive or obnoxious to the health and welfare of the inhabitants of the township; or any act or thing repugnant to, or creating a hazard to, or having a detrimental effect on the property of another person or to the community.

Nursing facility, Residential Care Facility: A facility providing rooms, personal care and nursing or rehabilitative care where overnight care may be provided.

Office: A room or group of rooms used for conducting a business profession, service, or government, including but not limited to the offices of attorneys, engineers, architects, physicians, dentists, accountants, finance companies, real estate companies, insurance companies, technology, health specialist, travel agencies, marketing or sales, counseling, or corporate offices.

Ordinary High-Water Mark: A line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Outdoor Display of Goods or Merchandise: The placement of materials, goods, merchandise, vehicles, equipment or other objects or matter for the purpose of commercial display, demonstration, sale, rental. Lease, storage or other commercial purpose. This term does not mee buildings, signs, fences, other structures, or parking otherwise defines or regulated in this Resolution.

Outdoor Storage: The storage of any materials or goods outside of a building.

Parcel: For the purposes of this Resolution the word “parcel” shall include the word “lot.” (Refer to “Lot” definition above)

Performance Bond: An agreement by a sub-divider, builder, contractor or developer with the Township for the amount of the estimated site improvement cost guaranteeing the completing of physical improvements according to plans and specifications within the time prescribed and in the manner set forth by the applicant's permit.

Permanent Parking Area: An all-weather improved surface used for parking and/or storing vehicles.

Personal Service Establishment: An establishment primarily engaged in providing services of a personal nature related to the care, hygiene, or appearance of the human body or the maintenance of items worn or carried by persons. Examples include health & beauty, barber shop, hair salon, nail and tanning salon, tailor or dressmaker, watch repair.

Place of Assembly: A facility for public assembly including but not limited to arenas, auditoriums, conference facilities, banquet facilities, theaters, or any other use where people gather for recreational, charitable, or commercial purposes.
Pond/Lake: Public or private pond(s) or lake(s) with a water depth of 1.5 feet or more. For the sake of definition, there will be no distinctions made between pond(s) or lake(s).

Public Utility: Any person, firm, corporation, governmental agency or board fully authorized to furnish to the public electricity, gas, steam, telephone, telegraphy, or transportation of water.

Public View: "Public View" means visible from a public right-of-way at a viewing height of plain sight.

Rear Lot: A lot located behind another lot in relation to the right-of-way and having permanent access to the right- of-way via a strip of land with frontage on the same public right-of-way.

Recreational Camping Vehicle: A motorized vehicle, trailer or other wheeled vehicle equipped with living space and amenities found in a home.

Recreational sports fields or facilities(non-motorized): Outdoor facilities such as baseball diamonds and fields for football, soccer, and similar sports.

Residence, Single-Family: See Dwelling; single-family.

Restaurant: A place of business dedicated to the preparation and sale of food and beverage for immediate consumption on or off site. A restaurant may sell alcoholic beverages for consumption on the site as an incidental use.

Retail or Wholesale Establishment: Any generally recognized retail business that supplies commodities on the premises to the general public where all sales and display of goods shall occur entirely indoors. Commodities may include groceries and similar food products for consumption off the site, general merchandise, pharmacy, clothing or apparel, furniture, appliances, florist, gifts, hardware, sporting goods, antiques, electronics, specialty goods, convenience store, discount merchandise, resale or consignment store, art gallery, artisan/craftsman goods or merchandise, collectible or hobby items.

Retail Sales, Outdoor: The keeping or display outside of a building or structure of any goods, material, or merchandise in the same place for more than 24 hours. Common examples include garden supplies, burial monuments, building and landscape materials and lumber yards.

Right-of-Way: Strip of land used or dedicated for public utility or roadway use. In addition to the roadway, it normally incorporates sidewalks and drainage facilities.

Riparian Setback: The distance from the edge of any river, stream, creek, channel or designated wetland as measured from the ordinary high-water mark.

Road, Private: A thoroughfare which affords principal means of access to abutting property, but which has not been deeded to the public or subject to public easements.

Road, Public: A thoroughfare which has been dedicated or deeded to the public for public use or is subject to public easements and which affords principal access to abutting property.

Roadside Stand: A stand, structure, or vehicle used for the sale of seasonal agricultural products. *See also "Farm Market"*.

School Public Private or Parochial: A facility providing educational activities such as pre-school, kindergarten, elementary or high school.

Scrap Metal Processing Facility: An establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron and steel or nonferrous scrap for sale for remelting purposes.

Setback: The distance between a building or other structure and any lot line.

Setback Line: The line that is located the required minimum distance from any lot line or right-of-way line and that establishes the area within which a structure shall not erected or placed.

Shop, Major Repair; Contractor Shop: A business establishment which provides repair, refurbishment, restoration, or refinishing services to vehicles, construction or maintenance equipment or other types of mechanical devices. Shops of machinists and tool and die makers is included in the meaning of this phrase.

Shop, Small Repairs, Artisans/Crafts Studio: A business establishment conducted wholly indoors which provides repair, refurbishment, restoration, or refinishing services to furniture or home appliances, electronic or other small consumer goods, or to office equipment. Also, the shops and studios of artists, photographers, crafts persons, and pet grooming (but not outdoor or overnight kenneling). Work of any kind on vehicles, large construction or maintenance equipment is not included in the meaning of this phrase.

Sign: Any structure, natural object or device which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business or which shall display or include any letter, word, banner, flag, other than governmental or noncommercial flags, balloon pennant, search light badge or insignia. The word sign shall include a writing representation or other figure of similar character located on the interior of a building when illuminated and located so as to be viewed from the exterior of the building. (See Signage Article IV for types)

Sign Area: The area measured by the smallest square, rectangle, circle, or combination thereof which will encompass the entire advertising device including border, trim, cutout, and extension.

Sign, Awning: A sign that is mounted on, painted on, attached to, or incorporated within an awning.

Sign, Billboard: A sign which directs attention to a business, goods and services, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, Changeable Copy: "Changeable copy sign" means a sign such as a bulletin board or

announcement board, where the message or graphics is not permanently affixed to the structure, framing, or background allowing the message or graphics to be periodically replaced or covered over manually or by mechanical devices. An electronic message display is not included in the meaning of changeable copy sign. A changeable message sign is permitted complying with all other applicable sign regulations.

Sign, Electronic Message: "Electronic message sign" means a sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include but are not limited to displays using incandescent lamps, LEDs, and LCDs.

Sign, Flashing: Any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever, but not an electronic message sign that complies with this Resolution.

Sign, Governmental: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance, or other governmental regulation.

Sign, Ground: Any freestanding sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.

Sign, Illuminated: A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

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 permanently affixed to a building, structure, or the ground, with or without permanent lettering.

Sign, Projection: A sign that is hung and can be seen from both directions of approach.

Sign, Roof: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof or the cove line of a building with a gambrel, gable, hip, or mansard roof.

Sign, Temporary: A sign intended to be displayed for 90 days or less in a calendar year. Sign, Wall; A sign fastened to, or painted on, or incorporated into a building or structure.

Sign, Window: A sign that is applied or attached to the interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.

Site Plan: A written plan of development features, present, proposed or revised, drawn to a legible scale, showing topographical features of the lot, building placement, signs, outdoor storage areas, parking and landscaping in sufficient detail, including distances within and from property lines and/or adjacent parcels.

Sporting Club: For the purpose of this Resolution - is a club for the purpose of playing one or more sports or recreational activities; excluding any firearms-based activities.

Solar Photovoltaic (PV) System: A power system designed to supply usable solar power by means of photovoltaics'. It consists of an arrangement of several components, including solar panels to absorb and directly convert sunlight into electricity.

Storage Use: Placement of personal belongings located on property that will not be used for 30 days or more.

Structure: Anything constructed or erected, which requires location on the ground, such as: signs, walls, fences, gates, swimming pools, decks, pavilions, carports, and buildings.

Structure, Accessory: A structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

Studio Instruction: Indoor facilities for instruction including but not limited to fitness or personal training, dance studio, martial arts, and visual arts instruction.

Swimming Pool: A structure, whether above or below grade level, designed to hold water more than 30 inches deep to be used for recreational purposes.

Telecommunication: Technology permitting the passage of information from the sender to one or more receivers in a usable form by means of any electromagnetic system.

Telecommunication Antenna: An antenna system designed to transmit or receive communications as authorized by the Federal Communications Commission (FCC), excluding amateur radio operator antennas.

Telecommunication Equipment Building: A structure in which the electronic receiving and relay equipment for a telecommunication facility is housed.

Telecommunication Facility: A facility consisting of the equipment and structures involved in receiving telecommunication or radio signals from a mobile radio communication source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

Telecommunication Tower: A tower including, but not limited to, self-supporting lattice or monopole which elevates the communication antenna and may include accessory transmission and receiving equipment.

Tower Height: The tower height is defined as the distance from the top surface of the ground at the tower foundation to the highest possible vertical position of the turbine.

Trailer: Any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle and does not include a manufactured home or travel trailer.

Trailer, Temporary: A trailer approved for temporary occupancy on a lot in a Residential District or a trailer placed for temporary use on an active construction site.

Transportation Business: An establishment which conducts towing, trucking, cartage or rigging work utilizing large trucks, trailers, and other equipment with vehicle parking, storage, or work activity occurring

outside of a fully enclosed building.

Use: The principal purpose for which a lot, and/or the main building thereon, is designed, arranged or intended and for which it may be used, occupied or maintained.
Use, Abandonment; When a nonconforming Use has been discontinued or abandoned for a period of at least two years.

Use, Accessory: Use of land or building customarily incidental and subordinate to the principal use of land or building, located in the same zoning district and on the same parcel as the principal use or building.

Use, Change of: The replacement in whole or part of a previous or existing type of use on a lot or in a building by a type of use described or defined as a different use in this Resolution. Also, "change of use" means the addition of a type of use not currently existing on a lot or in a building. Change of ownership or occupancy shall not be construed as a change of use provided the type of use remains the same.

Use, Conforming: The use meets all applicable standards and regulations as established in this current Zoning Resolution.

Use, Conditional: A use permitted within a district other than a principally permitted use, requiring a conditional zoning certificate and approval of the Board of Zoning Appeals.

Use, Nonconforming: A use that does not meet all applicable standards and regulations as established in the current Zoning Resolution, but the Use or property received the required Township approval through the variance process; or was legally instituted prior to the adoption of this Resolution; or predated Zoning Resolution standards.

Use, Illegal: A use which may or may not conform to zoning, but never received the appropriate Township approval or issuance of a zoning certificate.

Use, Incident to Agricultural Purpose: A use directly and immediately related to and usually or naturally and inseparably dependent upon agriculture.

Use, Principal: The main or primary purpose for which a structure or lot is designed, arranged, or intended or for which it may be used, occupied, or maintained.

Variance, Area: A modification of the strict terms of the regulations of the Zoning Resolution in specific cases relating to size and area requirements because of practical difficulties to compliance.

Variance, Use: A variance authorizing a use of land that is not otherwise permitted in the district in which the property is located.

Vehicle: Everything on wheels or runners, including motorized bicycles, but does not include: electric personal assistive mobility devices, low-speed micromobility devices, vehicles that are operated exclusively on rails or tracks or from overhead trolley wires, and vehicles that belong to any police department, municipal fire department, or volunteer fire department, or that are used by such department in the discharge of its functions.

Vehicle, Dismantled: A disabled vehicle being kept for its parts.

Vehicle or Equipment Sales or Rental: An establishment which sells, rents, or leases vehicles of any king, trailers, other wheeled vehicles, construction equipment, or agricultural implements with display or storage of these products outside of a fully enclosed building.

Vehicle, licensed: A vehicle, other than an agricultural tractor or traction engine that displays current, valid license tags.

Vehicle, Motor: Any vehicle, including mobile homes and recreational vehicles, that are propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. Motor vehicle does not include: motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, and farm equipment.

Vehicle, Motor Inoperable: An unlicensed motor vehicle that exhibits one or more of the following conditions; Unable to be driven under its own power due to any mechanical/electrical system failure; missing glass and/or lights; missing mechanical component or body part making the vehicle inoperable for use on the public roadway.

Vehicle Repair Establishment: An establishment where repairs and/or servicing of motor vehicles is conducted.

Vehicle, Storage of: An operable vehicle in good repair that is parked or positioned in the same location or place and has not been used or operated as originally manufactured or designed for a consecutive period of thirty-one (31) days or more.

Vehicle, Wrecked: An extensively damaged nonfunctional crashed vehicle that cannot be use for its intended purpose.

Vehicle, Salvage Yard: An establishment where a motor vehicle salvage dealer engages in business primarily for the purpose of selling salvage motor vehicle parts and secondarily for the purpose of selling at retail salvage motor vehicles or manufacturing or selling a product of gradable scrap metal.

Veterinary Clinic and Related Services: A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals and may include overnight accommodations on the premises for treatment, observation, or recovery. This term does not include a kennel or kennel services.

Warehouse, Storage: A use engaged in storage, wholesale or distribution of manufactured products, supplies, and equipment including outdoor storage yards.

Wholesale Establishment: An establishment primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying and selling merchandise to such companies.

Wind Energy Turbine: A system of components which converts the kinetic energy of the wind into electricity or mechanical power, and which comprises all necessary components, including energy storage, power conditioning, control systems, and transmission systems, where appropriate, to provide electricity or mechanical power for individual, residential, agricultural, commercial, industrial, utility, or governmental

Winery: A building or other structure used primarily for vinting and selling wine and located on a lot on which viticulture is conducted. As used in this definition, "primarily" means use of more than 50% of the floor area of the building or structure.

Yard: An open space on the same lot with a building, unoccupied and unobstructed, by any portion of a structure from the ground upward except as otherwise provided herein.

Yard, Front: A yard extending across the full width of a lot and being the perpendicular distance between the street right-of-way line and the nearest portion of any principal building or structure on said lot.

Yard, Rear Lot: On a rear lot, the front yard is a yard extending across the full width of the lot at a distance measured from the rear line of the abutting frontage lot and the nearest portion of the principal building on the rear lot.

Yard, Rear: A yard across the full width of a lot between the side parcel lines and being the perpendicular distance between the rear lot line and the nearest portions of any principal building or structure on said lot.

On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension.

On both corner lots and interior lots, the rear yard shall be, in all cases, at the opposite end of the lot from the front yard.

Yard, Side: A yard between the nearest portion of any principal building or structure on said lot and the side line of the lot and extending from the front yard to the rear yard.

Zoning Certificate: The document issued by the zoning inspector authorizing use within the regulations of the zoning resolution.

Zoning Map: The Zoning Districts Map of Litchfield Township as amended, duly adopted by the Litchfield Township Trustees, identifying areas designated by the Zoning Resolution as being Residential, Circle, Commercial, or Industrial districts. The Official Zoning Map is maintained in the office of the Zoning Inspector.

902: Rules of Construction

Certain terms or words used in this Zoning Resolution shall be interpreted as follows:

a. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
b. The present tense includes the future tense, the singular includes the plural, the plural includes the singular, and the masculine includes the feminine.
c. The word "shall" is a mandatory requirement; the word "should" is preferred; the word "may" is permissive.
d. The words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied."
e. In the case of any difference of meaning or implication between the text of this Zoning Resolution and any caption, illustration, summary table or illustrative table, the text shall control.
f. The word "will" indicates a strong inclination towards a desired result and is not a legal mandate.
g. The word "road" will be synonymous with the word "street".

REVISION DATES

This page is not part of the Zoning Resolution. While the Township endeavors to maintain this Resolution up to date with all legally adopted amendments, the full record of amendments is reflected in the minutes of the Litchfield Township Board of Trustees.

REVISION	DATE