

ZONING RESOLUTION
OF
BRONSON TOWNSHIP
HURON COUNTY, OHIO

PREAMBLE

A RESOLUTION providing for the zoning of the unincorporated area of Bronson Township by regulating the location, size, and use of buildings and structures, the area and dimensions of lots and yards, and the use of lands. Also, for such purposes of dividing the said area into zones or districts as residential, commercial, and industrial, providing for a method of administration, and prescribing penalties for the enforcement of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Commission of Bronson Township,

ADOPTED: Voted by the people, November, 1968
 In effect January 1, 1969

AMENDED: July 17, 1971
 January 21, 1978
 November 16, 1978
 April 8, 1994
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TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
I PURPOSE	3
II DISTRICTS	3
III LAND USES IN DISTRICTS	3
A) AGRICULTURAL USES.....	3
B) "R" - RESIDENTIAL	4
C) "B" - BUSINESS AND COMMERCIAL.....	5
D) "I" - INDUSTRIAL AND MANUFACTURING.....	7
E) "R-3" - HIGH DENSITY RESIDENTIAL.....	7
F) SPECIAL DISTRICTS	12
G) OFFICIAL ZONING MAP.....	14
IV PROHIBITED USES	15
V OUTDOOR ADVERTISING.....	16
VI NON-CONFORMING USES.....	18
VII PUBLIC UTILITIES AND RAILROADS.....	19
VIII WIND TURBINES AND CELLULAR TELEPHONE TOWERS	19
IX ZONING CERTIFICATE.....	25
X MINIMUM LOT AREA.....	26
XI MINIMUM LOT WIDTH	26
XII SIDE YARDS	26
XIII CORNER LOTS	27
XIV REAR YARDS	27
XV BUILDING SITE	27
XVI BUILDING STANDARDS	28
XVII PARKING FACILITIES	28
XVIII ENFORCEMENT/FEES/PENALTIES	29
XIX BOARD OF APPEALS	32
XX AMENDMENTS	34
XXI INTERPRETATION	37
XXII VALIDITY	37
XXIII DEFINITIONS	37

SECTION I - PURPOSE

This Resolution is enacted to preserve and promote the Public Health, Morals, Safety, and General Welfare, and for the following more particularly specified purposes:

- 1. To protect the character and stability of residential, commercial, industrial, and recreational areas within the Township; and to promote the orderly development of such areas;
- 2. To prevent overcrowding the land and undue congestion of population;
- 3. To regulate the location of buildings and the use of buildings and land adjacent to streets and thoroughfares;
- 4. To guide and regulate future growth and development of the Township in accordance with the comprehensive plan contained herein.

SECTION II - DISTRICTS

The unincorporated area of the Township is hereby divided into the following districts:

- 1. RESIDENTIAL, which shall be designated “R” districts and shall be deemed Agricultural or Residential unless otherwise classified on the map.
- 2. BUSINESS and COMMERCIAL, which shall be designated as “B” districts.
- 3. INDUSTRIAL and MANUFACTURING, which shall be designated as “I” districts.
- 4. HIGH DENSITY RESIDENTIAL, which shall be designated as “R-3” districts.
- 5. Special districts, which will be designated as “MH” - Mobile Home Park District, “RD” - Recreational District, and “F” - Flood Plain District

No building shall be erected except in conformity with the regulations prescribed herein for the district in which it is located.

SECTION III - LAND USES IN DISTRICTS

A. AGRICULTURAL USES

Land in any district may be used for agriculture purposes. No zoning certificate shall be required for the construction of buildings incident to the use for agricultural purposes of the land on which the buildings shall be located.

"Agriculture" shall include farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the

production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Roadside stands and farm markets for the sale of products grown on your own land in Bronson Township shall conform to the following regulations:

1. Such stands are not in the road right-of-way.
2. Such stands are at least thirty (30) feet back from the traveled portion of the road.
3. Adequate facilities are maintained for off-the-road parking of customers' vehicles.

B. “R” DISTRICT - RESIDENTIAL

The following uses and no other shall be deemed class “R”, and permitted in Class “R” Districts:

1. Single family and multi-family houses and buildings accessory thereto, apartments, Tourists homes, rooming houses, and boarding houses, not accepting more than six (6) guests.
2. Churches, schools, college universities, public libraries, community centers, parks, playgrounds, fire stations, and township buildings.
3. Any person may maintain an office or may carry on a customary home occupation, i.e law offices, tax services, or other similarly situated single employee occupations, in the dwelling house used by him/her as his/her private residence, providing such use does not involve any extension or modification of said dwelling which will alter its outward appearance as a dwelling, providing such use does not involve any outward evidence of such use other than a sign as authorized in other sections of this Resolution, and in accordance with the following restrictions:
 - a) Machinery that causes noises or other interference in radio or television reception shall be prohibited.
 - b) Only Residents of the dwelling may be engaged in the customary home occupation.
4. A visitor's permit may be issued without charge for thirty (30) days to park a trailer in a residential area. A permit may be issued for a period of one (1) year to anyone building a house and wishing to park a trailer on the same lot. The trailer to be used by them as a residence.
5. Time limit on permit - A permit shall become void unless construction is started within six (6) months and completed within one (1) year. Extensions may be granted on a case by case basis at the discretion of the Zoning Inspector.

6. Private Swimming Pools:

- a) Permits: No swimming pool or appurtenances thereto shall be constructed, installed, enlarged, or altered until the appropriate zoning permit has been obtained.
- b) Fences or an automatic pool cover: All private residential swimming pools shall be completely enclosed by a fence along the periphery of the pool or an automatic pool cover. All fence openings or points of entry into the pool area enclosure shall be equipped with gates or an automatic pool cover. The fence and gate shall not be less than four (4) feet in height above ground level. All gates shall be self-closing. The Zoning Inspector will be notified that an automatic pool cover is being installed. An authorize dealer/installer must install the automatic pool cover.

An automatic powered safety pool cover is a barrier which can be placed over the water area and removed with a motorized mechanism actuated by a suitable control mechanism. The automatic pool cover shall provide a high level of safety for humans (children/adults) and intruders by inhibiting their access to the water.

An automatic safety pool cover shall:

- a) provide a continuous connection between the cover and the deck, so as to prohibit access to the pool when the cover is completely drawn over the pool.
- b) be mechanically operated by a key, keypad and/or switch such that the cover cannot be drawn open or retracted without the use of a key/code.
- c) be capable of supporting a four hundred fifty (450) pound imposed load upon a completely drawn cover.
- d) have the open-close switch be spring-loaded or of the momentary contact type, so that when released, the cover stops operation immediately at any point in the open cycle or closed cycle period.
- e) be reversible in direction from a full stop at any point in its travel without having to complete the full open cycle or closed cycle.
- f) be in a fixed location is in the line of sight of the complete pool cover, or by its operating process. This ensures that the operator shall be in complete view of the cover at all times during the closing or pool covering process.

If an automatic pool cover fails to meet these regulations, or fails to be in good working order, then a fence shall be required.

7. Private Stable(s) (not for hire, enumeration, or sale).

The above uses shall be permitted only providing such use is not obnoxious, dangerous, or offensive by reason of odor, dust, smoke, gas, noise, fumes, flame, or vibration.

C. “B” DISTRICT - BUSINESS AND COMMERCIAL

The following uses and no other shall be deemed Class “B” uses and permitted in all “B” Districts:

1. Any use permitted in an "R" district shall be permitted in a "B" district.
2. Apartment house, rooming house, hotel/motel cabins (transient only), living quarters over business establishments, restaurant, lunch room, or garage.
3. Retail store or shop, repair shop, beauty parlor, funeral home, mercantile establishment, bank, office or office building, studio, dairy, lodge hall, and offices for health care professionals licensed/certified/registered by the State of Ohio.
4. Gasoline, filling, and service station provided storage tanks are underground.
5. Indoor or outdoor theater, bowling alley, dance hall, golf course, public and private recreation areas.
6. Job printing, newspaper printing plant, ice storage and sales, plumbing and heating supply, drug stores, flower shops, professionals, hospital or rest home other than for contagious diseases, insane mental cases, drug or liquor addicts.
7. Private and commercial television and radio towers, public utility microwaves, and public utility TV transmitting.

Towers: Water towers, radio and television towers, public utility microwaves and public utility TV transmitting towers, and their attendant facilities shall be permitted in "B" and "I" Districts provided said use shall be located centrally on a continuous parcel of not less than one (1) times the height of the tower measured from the base of said tower to all points on each property line.

8. Housing developments and/or public buildings are required to have adequate drainage approved by the County Engineer.
9. Adult businesses as defined in Section XXIII - Definitions. All adult businesses shall comply with all applicable Regulations of the Board of Trustees of Bronson Township as those regulations may be adopted and amended from time to time.
 - 9.1 No adult business shall be operated on a parcel of real estate within one thousand (1,000) feet from the boundaries of another parcel of real estate having situated on it a school, church, cemetery, library, public park, tavern, bar, residence, or another adult business.
 - 9.2 No adult business shall be operated on a parcel of real estate within one thousand (1,000) feet from the boundaries of any parcel of real estate within a Mobile Home Park District or a Recreational District.
 - 9.3 For the purposes of this Section III, Subsection C, ¶ 9., distances shall be measured in a straight line, without regard to intervening structures, from property line to property line, using the closest property lines of the parcels of land involved.

9.4 No employee of an adult business, in the performance of the employee's duties, shall appear on the premises in a state of nudity except where the employee is appearing on a stage that is at least twenty-four (24) inches above the main floor level of the adult business, and the employee is at least six (6) feet from the nearest other employee and/or customer.

D. “I” DISTRICT - INDUSTRIAL AND MANUFACTURING

The following uses and no other shall be deemed Class “I” uses and permitted in all “I” Districts:

1. Any uses permitted in “B” district shall be permitted in an “I” District.
2. Any normal industrial or manufacturing use.

The above uses shall be permitted only providing such use is not obnoxious, dangerous, or offensive by reason of emission of odor, dust, smoke, gas, noise, fumes, flame, or vibration, except specifically prohibited herein.

E. “R-3” DISTRICT - HIGH DENSITY RESIDENTIAL

The following uses and no other shall be deemed class “R-3”, and permitted in class “R-3” Districts:

Single family and multi-family housing on compact lots or in condominium ownership lots consisting of town houses, apartments, separate single family homes, or clustered single family homes, either attached or detached.

All “R-3” housing is subject to review and approval of a site plan by the Bronson Township Zoning Commission and subject further to the following:

1. The district must be adequately supported with necessary public utilities.
2. The Zoning Commission may require modifications in terms of building location, parking and driveway location, screening and landscaping techniques to lessen potential nuisance problems with adjoining district.
3. Minimum set back from right-of-way no less than twenty-five (25) feet.
4. Minimum side yard of no less than ten (10) feet.
5. Minimum rear yard of no less than fifteen (15) feet.
6. Maximum density of no more than six (6) units, either single family or multi-family, per acre, with each separate living quarters in multi-family housing counting as one (1) unit.
7. Maximum height of three (3) stories.

8. Minimum floor space of “R-3” units shall be as follows:

- a) One-bedroom unit: 800 square feet.
- b) Two-bedroom unit: 1000 square feet.
- c) Three-bedroom unit: 1200 square feet.

*Plus 80 square feet for each bedroom over three.

9. Minimum of two (2) off street parking spaces for each unit in “R-3” district.

Provided the above listed requirements are met, “R-3” districts shall not be subject to the requirements contained in Sections X, XI, XII, XIII, and XIV of this Resolution.

SITE PLAN REVIEW:

1. **PURPOSE:** It is the intent of this section to protect the health, safety, convenience and general welfare of the inhabitants of the Township. The Site Plan Review regulates the development of structures and sites in a manner which considers the following concerns and, where necessary, requires modification of development proposals to eliminate or minimize potential problems and nuisances. The principal areas of concern are:

- a) The balancing of landowners’ rights to use their land, with the corresponding rights of abutting and neighboring landowners to live without undue disturbances (e.g. noise, smoke fumes, dust, odor, glare, storm water runoff, etc.);
- b) The convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;
- c) The adequacy of waste disposal methods and protection from pollution of surface or groundwater; and
- d) The protection of historic and natural environmental features on the site under review and in adjacent areas.

2. **PROCEDURE:**

- a) An application for Site Plan Review under this section shall be filed with the Township Zoning Inspector who shall forward the application to the Zoning Commission at least ten days (10) prior to a scheduled meeting. Seven (7) copies each of the site plan documents shall be submitted to the Township Fiscal Officer to be kept on file.
- b) The Zoning Commission shall deliver its decision in writing to the Zoning Inspector within thirty (30) days after determining that the application is complete and indicating either:

- i) Approval of the site plan based upon a determination that the proposed plan will constitute a suitable development and is in compliance with the standards set forth in this Resolution;
- ii) Disapproval of the site plan based upon a determination that the proposed project does not meet the standards for review set forth in this Resolution or;
- iii) Approval of the site plan subject to any conditions, modifications and restrictions as required by the Zoning Commission which will ensure that the project meets the standards for review.

3. **SUBMISSION REQUIREMENTS:** The site plan shall include the following data, details and supporting plans. The number of pages submitted will depend on the proposal's size and complexity. All of the requirements must be met in each plan with notations explaining the reasons for any omissions.

The Zoning Commission may, based on the size and complexity of the development, require site plans prepared by a registered professional engineer, architect, or landscape architect at a scale of one (1) inch equal 20 feet, on standard 24" x 36" sheets, with continuation of 8½" x 11" sheets as necessary for written information.

ITEMS REQUIRED FOR SUBMISSION INCLUDE:

- a) Survey plan of the development area.
- b) Name of the project, boundaries and location map showing site location, north arrow and scale of the plan.
- c) Name and address of the owner of record, developer and seal of the engineer, architect, or landscape architect.
- d) Names and addresses of all owners of record of abutting parcels and those within three hundred (300) feet.
- e) All existing lot lines, easements, and right-of-ways, including area in acres or square feet, abutting land uses and the location and use of structures within three hundred (300) feet of the site.
- f) The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area.
- g) The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs, fences, paths, landscaping, walls, and fences. Location, type, and screening details for all waste disposal containers shall also be shown.

- h) The locations, height, intensity, and bulb type (e.g. fluorescent, sodium, incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
- i) The location, height, size, materials, and design of all proposed signage.
- j) The location of all present and proposed utility systems including:
 - i) sewage or septic system;
 - ii) water supply system;
 - iii) telephone, cable, and electrical systems; and
 - iv) storm drainage system including existing and proposed drain lines, culverts, catch basins, head walls, end walls, hydrants, manholes, and drainage swales.

The Zoning Commission may also request the submission to the County Engineer of storm run-off calculations for large or environmentally sensitive developments.

- k) Plans to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table and flooding of other properties, as applicable.
- l) A landscape plan showing all existing natural land features, trees, forest cover and water sources and all proposed changes to these features including size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains and drainage retention area.
- m) Zoning district boundaries of adjacent properties shall be drawn and identified on the plan.
- n) Traffic flow patterns within the site, entrances, and exits, loading and unloading areas, curb cuts on the site and within one hundred (100) feet of the site.

The Zoning Commission may require a detailed traffic study for large developments or for those in heavy traffic areas to include:

- i) The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
- ii) The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and
- iii) The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be given.

- o) For new construction or alterations to any existing building, a table containing the following information must be included:
 - i) Area of building to be used for a particular use such as retail operation, office, storage, etc.;
 - ii) Maximum number of employees;
 - iii) Maximum seating capacity, where applicable; and
 - iv) Number of parking spaces existing and required for the intended use.
- p) Elevation plans when required by the Zoning Commission.

4. STANDARDS FOR REVIEW:

The Zoning Commission shall review the site plan and supporting documents, taking into consideration the reasonable fulfillment of the objectives listed below. Detailed design guidelines and performance standards shall be adopted by the Zoning Commission to guide decisions with respect to these objectives, and to help ensure consistency in the review of all applications.

- a) Legal
Conformance with the provisions of the regulations of the Township and all applicable rules and regulations of state and federal agencies.
- b) Traffic
Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
- c) Parking
Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate parking, adequate lighting, and internal traffic control.
- d) Pollution Control
Adequacy of methods for sewage and refuse disposal and the protection from pollution of both surface waters and ground water. This includes minimizing soil erosion both during and after construction.
- e) Nuisances
Protection of abutting properties and Township amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, dust, odors, glare, storm water runoff, hazardous materials, etc.

- f) Existing Vegetation
Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting or replacement trees.
- g. Amenities
The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings and the retention of open space and agricultural land.

F. SPECIAL DISTRICTS

The intended purpose of the special districts is to designate areas where, due to unique circumstances or development requirements building and land use activities cannot be carried on without subjecting the property to certain restrictions and exceptions that would not be applicable to the properties in any other districts. The special districts contained in this Zoning Resolution are:

- “F” - Flood Plain District
- “MH” - Mobile Home Park District
- “RD” - Recreational District

1. “F” - Flood Plain District

For the purpose of protecting lives and property, a Flood Plain District is hereby created, which district shall be superimposed over such other zoning districts as may be adopted in those areas where a regional flood could be expected to occur on the average of once every 100 years. Such 100-year flood prone areas shall be identified on the basis of data collected and published by the Federal Insurance Administration, on a flood hazard boundary map of Huron County, with Panel Number 390770-0001-0009 and any officially published revisions to this map. All applicable regulations of the regular zoning district shall apply, but within the “F” District all buildings shall be constructed to the standards of the flood proofing regulations of the U.S. Army Corps of Engineers. In addition, no use will be permitted which will adversely affect the efficiency or unduly restrict the capacity of the channels or flood ways of any drainage facility.

2. “MH” - Mobile Home Park (manufactured home park) District

a) Purpose:

The Mobile Home Park (MH) District is established in recognition of mobile homes which are of such a nature as to warrant individual consideration and regulations due to the unique demands they place upon the public health and welfare, and the requirements of location and development that generally are peculiar to these uses.

It is the intent of this section to allow mobile homes to be suitably located and

developed in unified areas having all necessary services and facilities comprehensively provided in accordance with a predetermined site plan.

All manufactured homes (mobile homes) shall be located within manufactured home parks (mobile home park), except in cases of hardship and with the prior approval of the Board of Zoning Appeals. When the hardship is terminated, the manufactured home (mobile home) shall be removed from the property within sixty (60) days.

b) Permitted uses:

Mobile Home Park developments developed in accordance with the following regulations and subject further to the review and approval of a site plan by the Township Zoning Commission and the Township Trustees:

- i) The Mobile Home Park shall include at least ten (10) acres of land and at least ten (10) mobile home stands, with no less than twenty (20) mobile home lots completed as ready for occupancy before the first occupancy is permitted. Average park density shall not exceed seven (7) mobile homes per gross acre.
- ii) The Mobile Home Park shall provide a twelve (12) foot wide greenbelt together with a six (6) foot high obscuring screen on those side or rear yards of the park which abut onto another District. The obscuring screen shall be a continuous, year-around screen.
- iii) Access from Mobile Home Parks to the nearest public thoroughfare shall be by means of a public right-of-way not less than sixty (60) feet in width. No access shall be permitted through an "R" Residential District.
- iv) An adequate road and walkway system shall be provided throughout the park to serve each mobile home stand. Four (4) foot sidewalks must be provided on each side of a road unless an internal sidewalk or walkway system is provided. The road and walkway system shall be constructed in accordance with the required improvement specifications of the subdivision regulations of the applicable jurisdiction.
- v) Each mobile home stand shall be served by centralized water and sewer facilities of the type approved by the Ohio Department of Health, and Huron County Health Department.
- vi) Each Mobile Home Stand shall be furnished with power and heating fuel hook-ups.
- vii) Each mobile home to be equipped with individual trash receptacles adequately protected from spillage. The owner of the mobile home park

shall be responsible for furnishing each lot with trash receptacles.

- viii) The Mobile Home Park shall further comply with any other county and state health department regulations, and any other Resolution of Bronson Township.
- ix) A centralized radio or television tower or cable hook up shall be provided to service all of the mobile home units in the Mobile Home Park. Such tower shall be located in a convenient area and shall be located at least twenty-five (25) feet away from any lot line.
- x) The occupant of the mobile home unit shall provide a continuous opaque skirting consisting of non-flammable material around the entire base of the unit to the finished grade of the stand.
- xi) Automobile parking spaces as regulated in Section XVI of this Resolution.

3. “RD” - Recreational District

- a) Camp grounds may be permitted in Bronson Township, zoned according to purpose of use, decision by the Bronson Township Zoning Commission, and site approval by the Huron County Department of Health.
- b) All camp grounds shall comply with regulations HE-25-01 through HE-25-25, inclusive, regulations relative to the location, layout, construction, drainage, sanitation, safety, and operation of camps of the State of Ohio Department of Health.
- c) No construction of any street or part of any camp shall be started prior to issuance of a zoning certificate and no zoning certificate shall be issued prior to the Huron County and State Department of Health approval.

G. OFFICIAL ZONING MAP:

The districts established in Section II of this Resolution are shown on the official Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Resolution.

1. Identification of the Official Zoning Map:

The official Zoning Map shall be drawn and identified by the signatures of the Board of Township Trustees of Bronson Township, and attested by the Township Clerk, with the date of adoption of this Resolution. The Zoning Map shall be kept as part of the Bronson Township official records.

2. Amendments:

If in accordance with the provisions of this Resolution and Chapter 519, Ohio Revised Code, changes are made in district boundaries or other matters portrayed on the official Zoning Map, such changes shall be entered on the official Zoning Map promptly after the Amendment has been approved by the Board of Township Trustees, with an entry indicating the Resolution number and date of adoption.

SECTION IV - PROHIBITED USES

The following uses shall be deemed to constitute a nuisance and shall not be permitted in any “R”, “B”, “R-3” or “I” Districts:

1. Chemical Plant.
2. Distilling of fat or glue, glue or gelatin manufacturing, or manufacturing of fertilizer.
3. Manufacturing or storage of explosive, gun powder, or fireworks.
4. Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish, offal or dead animals, except such as a result from normal use of premises, unless such dumping is done at a place provided by the Township Trustees for such specific purpose.
5. Storage of junk motor vehicles not in an enclosed structure.
6. Junk yards, automobile grave yards, or places for collection of scrap metal, paper, rags, glass, or junk for salvage or storage purposes.
7. Slaughter houses, except in industrial zone.
8. Hospital for contagious diseases, psychiatric hospital, drug or alcohol rehabilitation center, or sanitarium.
9. Aviation fields (commercial).
10. Coaches, bus and bodies, vans and street cars, and railroad cars. Any of said excluded buildings that are not occupied or become unoccupied from a period of ninety (90) days must be torn down and removed from premises.
11. Cabins for transient use shall be permitted only when occurrence is limited to not more than fourteen (14) days in any calendar year by the same person.
12. No mobile homes as defined herein shall be permitted to be used as a dwelling or for any other purpose in any residential, commercial, or industrial area or district; except in those areas currently designated and used as mobile home parks, except on a temporary basis as provided herein.

This section shall not apply to those mobile homes currently in use as residential dwellings on non-mobile home park areas, provided that said mobile homes may not be moved off the existing site nor may said mobile homes be sold or rented by the current owner for use by another on the existing site.

SECTION V - OUTDOOR ADVERTISING

For the purpose of this Resolution, outdoor advertising shall be classified as a business use and shall be permitted in all “B” and “I” Districts subject to the regulation contained in the Resolution:

A. GENERAL PROVISIONS

1. No sign shall be constructed which resembles any official marker erected by a governmental entity, or which by reason of position, shape, or color would conflict with the proper functioning of any official traffic control device.
2. Signs shall be constructed in accordance with local and state building and electrical codes. Stamped structural engineering plans shall accompany sign permit applications and shall be subject to wind speed requirements as set forth in the latest edition of the Uniform Building Code.
3. Signs shall be regularly maintained in good and safe structural condition.
4. No off-premise sign shall be located on a property without the consent of the landowner or owner’s legal representative.
5. The general area in the vicinity of any freestanding sign on undeveloped property shall be kept free and clear of sign materials, debris, trash and refuse.

B. SIZE OF SIGNS

1. The maximum sign area for any one face of a sign shall not exceed 300 square feet, excluding the base or apron, trim supports, and other structural elements. Temporary embellishments shall not exceed 20% of the maximum area allowed.
2. The sign area shall be measured by the smallest square, circle, rectangle, or combination thereof which will encompass the entire sign face.
3. Signs may be back-to-back, double-faced, V-type, and multiple-faced with not more than two faces to each facing and such structure shall be considered as one sign.
4. A sign not larger than fifteen (15) square feet in area shall be permitted in a Residential District. Not more than one (1) on-premise sign per residence on a parcel of real estate shall be allowed in a Residential District.

C. HEIGHT OF AN OFF-PREMISE SIGN

1. An off-premise sign shall maintain a minimum clearance of ten (10) feet measured from the ground level at the base of the sign to the bottom of the sign face.
2. An off-premise sign shall have a maximum height not to exceed fifty (50) feet above grade level of the roadway to the bottom of the sign face, as measured from the centerline of the roadway to which the sign is oriented.

D. SPACING FOR OFF-PREMISE SIGNS

1. No off-premise sign may be established within 500 feet of any other off-premise sign, measured along the same side of the street or highway to which the sign is oriented.
2. The spacing between off-premise signs does not apply to structures separated by buildings or other obstructions in such a manner that only one sign located within the spacing distance is visible from the street at any one time.
3. Spacing from directional and official signs, on-premise signs, or any other sign which does not constitute an off-premise sign shall not be counted nor shall measurements be made from such signs for the purpose of determining compliance with these spacing requirements.
4. The minimum distance between off-premise signs shall be measured along the nearest edge of the pavement between points directly opposite the center of the signs along each side of the highway and shall apply to structures located on the same side of the same street or highway.
5. No outdoor advertising sign, more than three (3) square feet in size shall be located within one hundred fifty (150) feet of any intersection unless affixed to a building and not extending beyond or above the same more than three (3) feet.

E. SETBACK REQUIREMENTS

1. Front: A minimum setback of ten (10) feet is required from front lot line for any off-premise sign, regardless of zone.
2. Side: A minimum setback of five (5) feet is required from side lot line for any off-premise sign, regardless of zone and sign must be no closer than 100' from residence structure.
3. Rear: A minimum setback of five (5) feet is required from rear lot line for any off-premise sign, regardless of zone.
4. In no case shall any portion of any sign overhang into or be placed in the public right-of-way, unless allowed by the public entity. A sign may overhang into the property on which it exists up to the point of the public right-of-way or adjacent public or private property.

F. LIGHTING

Signs may be illuminated subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited if such signs interfere with traffic safety. Reflective surfaces or devices on sign faces, and multiple-faced signs, with illumination, are permitted, provided such signs do not interfere with traffic safety and comply with Subsections 3 and 4 of this Section.
2. Electronic variable message signs giving public information such as, but not limited to, time, date, temperature, weather, or other similar information, and commercial electric variable-message signs which function in the same manner as multiple-faced signs are permitted, provided such signs do not interfere with traffic safety and do not resemble or simulate traffic control or safety devices or signs.
3. Signs must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver's operation of a motor vehicle.
4. No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

G. SIGN PERMITS

No sign shall be erected without securing a permit from Bronson Township Zoning Inspector and payment of the appropriate permit fee. Before such permit is issued, an inspection shall determine that the sign complies with the provisions of this Resolution. No sign permit shall be required for YARD signs that are six (6) square feet or less in size. YARD signs must comply with this Section V.

H. YARD SIGNS

Yard signs, including, but not limited to, campaign, real estate, estate sale and other signs of a temporary nature, must be at least thirty (30) feet off of the center of the road.

SECTION VI - NON-CONFORMING USES

1. A non-conforming use existing at the time this Resolution takes effect may be continued, except that if it is voluntarily discontinued for two (2) years or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such districts.
2. A building, structure, or land devoted to a non-conforming use at the time this Resolution takes effect may not be altered or enlarged so as to extend said non-conforming use.

3. Whenever a non-conforming use has been changed to a more restricted use, such use shall not thereafter be changed to a less restricted or non-conforming use.

SECTION VII - PUBLIC UTILITIES AND RAILROADS

The regulations shall not apply to public utilities or railroads.

SECTION VIII – WIND TURBINES AND TELECOMMUNICATIONS TOWERS

I. TELECOMMUNICATIONS TOWERS

A. Purpose

The purpose of this Section is to provide regulations for the installation, maintenance, and removal of wireless telecommunication facilities within Bronson Township, Huron County, Ohio and to provide telecommunications providers with adequate and reasonably equivalent opportunities to provide telecommunications services within the Township and surrounding communities. It is the intent of these regulations to:

1. Protect the health and safety of Township residents by minimizing any potentially adverse health and/or safety impacts;
2. Minimize adverse visual impacts on adjacent properties;
3. Protect property values within the Township;
4. Ensure to the greatest extent possible that wireless telecommunications facilities are compatible with surrounding land uses; and
5. Promote co-location as a means of maximizing the use of existing and proposed towers and minimizing the need for separate wireless telecommunication facilities.

B. Definitions: As used within this section the following mean:

Co-location: The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

Lattice tower: A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.

Monopole: A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

Telecommunications: The technology which enables information to be exchanged through the transmission of voice, video or data signals by means of electrical or electromagnetic systems.

Wireless telecommunications antenna: The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

Wireless telecommunications facility: A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile

unit with the land-based telephone lines.

Wireless telecommunications tower: A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed, and lattice construction steel structures.

C. Permit Required

Except in accordance with Ohio Revised Code Section 519.211 and the provisions of this section, no person shall in an area zoned Residential or Commercial, locate, erect, construct, reconstruct, change, alter, use or enlarge any wireless telecommunication tower. Whenever a notice has been received or an objection has been lodged, in the manner prescribed in Ohio Revised Code Section 519.211, regarding a wireless telecommunication tower in an area zoned Residential or Commercial, the Board of Zoning Appeals, shall, upon proper application and hearing as set forth in Section XIX of this Zoning Resolution, have the power to issue at its discretion a Conditional Zoning Certificate allowing the construction, location, erection, reconstruction, change, alteration or enlargement of such wireless telecommunication tower if it finds that the applicant has satisfied all of the applicable requirements of Section XIX and Subsection C hereof.

D. Application Requirements

Requests for a Special Use Zoning Certificate to install a wireless telecommunication facility in an area zoned Residential or Commercial, shall be filed through the Zoning Inspector to the Board of Zoning Appeals in conformance with the provisions of Section XIX of this Zoning Resolution. In addition to the application requirements set forth in Section XIX, the following additional requirements shall apply to all applications for wireless telecommunication facilities:

1. A locator map which shall contain the following:
 - a. The location of all the applicant's existing facilities within a radius of one (1) mile of the proposed location of the telecommunications tower.
 - b. The general location of planned future facilities within a radius of one (1) mile of the proposed location of the telecommunications tower.
 - c. For each location of the applicant's existing facilities within a radius of one (1) mile of the proposed location of the telecommunications tower, there shall be listed:
 - i. the type and size of tower at each location
 - ii. the type of equipment located or proposed on each tower;
 - iii. the space available on the tower for additional equipment; and
 - iv. a site plan depicting any parcels on which any existing or proposed tower(s), antenna(s) or equipment is currently or is proposed to be located.
2. A scaled and dimensioned site plan for the facility that is being proposed, containing the following:
 - a. the location, type and size of existing and proposed towers, antennas and equipment located or to be located at the site;
 - b. the location of existing and proposed buildings and structures, access drives, circulation and parking areas;
 - c. detailed drawings of the landscape screening plan and related design standards;

- d. on-site land uses, structures and zoning district, and adjacent land uses, structures and zoning districts;
 - e. setbacks from property lines and dwellings within 600 feet of the proposed tower;
 - f. legal description of the lot on which the tower is to be sited; and
 - g. any other information necessary to assess compliance with this section.
3. A written certification from a Professional Engineer stipulating:
 - a. that the tower's design is structurally sound and in compliance with all applicable federal, state and local building codes;
 - b. that the equipment placed on the tower and at the site complies with all current FCC regulations; and
 - c. that the tower will, to the extent possible, accommodate co-location of additional wireless communication antennas for future use, with a statement as to the number of antennas capable of being accommodated and the ultimate height needed for the stated co-location capacity; or, alternatively, an explanation as to the reasons why the tower will not be constructed to accommodate co-location.

E. Special Use Procedure By Board of Zoning Appeals Upon Receipt of Application

Consistent with the procedures set forth in Section XIX of this Resolution, the Board of Zoning Appeals shall provide notice of, conduct a public hearing and render a decision on the special use requested in the application.

F. General Requirements for All Telecommunication Towers

1. The applicant or tower provider shall demonstrate that the proposed tower location in a residential area is essential to service the applicant's service area and that there are no alternative sites in any other commercial, industrial or exclusively agricultural areas. If another tower or tall structure is technically suitable, the applicant must show that a reasonable request to co-locate was made and that such request was rejected. "Tall structures" shall include smoke stacks, water towers, electric transmission towers, existing antenna support structures or other telecommunications towers, utility buildings and structures over forty-eight (48) feet in height.
2. The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued.

G. Development Standards for All Telecommunications Towers

1. No telecommunications tower shall be permitted to be located in any platted subdivision approved under Sections 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, when at least thirty-five percent (35%) of the lots within such subdivision or area are developed with at least one (1) dwelling unit.
2. The maximum height of a tower proposed for one (1) antenna facility for use by a single

telecommunications provider shall be 100 feet. The maximum height of a tower proposed for multiple antenna facilities for shared use by multiple telecommunications providers shall be as follows:

- a. Towers proposed for and designed to support the co-location of a total of two antenna facilities – 115 feet;
 - b. Towers proposed for and designed to support the co-location of a total of three antenna facilities – 130 feet; and
 - c. Towers proposed for and designed to support the co-location of four or more antenna facilities – 145 feet.
3. Tower height shall be the distance measured from the base of the tower, at grade, to the highest point on the tower, including any antenna. Grade shall be determined as the elevation of the natural or existing topography of the ground level prior to construction of the tower.
 4. The tower base shall not be placed closer than the sum of height of the tower plus forty feet from any existing residential dwelling unit located on a lot contiguous to or directly across the street from the lot on which the tower is proposed to be constructed.
 5. A tower base shall be located no closer to any lot line than the distance equal to the height of the proposed tower. Any stabilization structures or guide wires shall be located no closer to any lot line than 50 feet.
 6. The tower base shall be located no closer to a street right-of-way than the height of the tower plus ten feet.
 7. Reasonable and safe access and circulation shall be provided to the tower. The location and design of the access drive and circulation areas shall be subject to review and comment by the Fire Chief (or the Chief's designee) of the fire department providing primary fire service to that area of the Township and shall be constructed of suitable width and road materials as determined by the Board of Zoning Appeals to allow emergency vehicles year round access to the area and to prevent mud deposits on public roads.
 8. Security fencing shall be provided to prevent uncontrolled access to the tower site. The tower shall be screened by an eight (8) foot high fence or barrier. A continuous evergreen hedge, trees or similar natural landscape materials of a size, type, area and design deemed appropriate by the Board of Zoning Appeals shall be placed outside of and along the fence or barrier. Any solid fence or barrier shall contain no advertising, but may contain one small identification sign not to exceed three square feet in size showing the names of companies with facilities at the site and their respective twenty-four (24) hour emergency telephone numbers.
 9. The tower and related screening shall, to the extent practicable, be designed to be aesthetically and architecturally compatible with the surrounding environment. The tower shall not contain, or be illuminated by artificial lights, beacons or strobes, unless otherwise required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC). Any required illumination shall be fully disclosed on the site plan and any lighting for security purposes shall be permitted only with the prior approval of the Board of Zoning Appeals to insure that it will not disturb adjoining properties.
 10. Unless otherwise approved by the Board of Zoning Appeals, the tower shall be of a monopole design, as opposed to a lattice or guy wire design.
 11. No advertising is permitted anywhere on the tower.
 12. Where the tower is located on a property which is not owned by the tower operator, the applicant shall present documentation that the owner of the property has approved the application.

13. The applicant shall provide a signed statement indicating that he or she agrees to allow for the potential co-location of other antenna facilities to the extent possible, until said tower has reached full antenna capacity.
14. A telecommunications antenna may be attached to a nonresidential building or structure that is permitted in the district, provided that the tower's height does not exceed twenty (20) feet above the existing building or structure to which the tower is attached.
15. If the applicant proposes to construct a separate equipment shelter on the site, the equipment shelter shall be shown on the site plan, be designed to be aesthetically and architecturally compatible with the surrounding environment, be located completely within the fenced area of the site, and be in compliance with the accessory building regulations of the district in which it is to be located.
16. All disturbed areas are to be fine-graded, seeded and mulched upon completion of construction.
17. Towers and sites shall be so designed so as to permit co-location by at least two (2) additional providers of telecommunications services.
18. The minimum lot area for installation of a wireless telecommunications facility shall be five (5) acres.
19. Wireless telecommunications facilities shall be considered a principal permitted building and/or use and shall not be located on the same parcel as another principal permitted building and/or use.
20. The minimum separation between wireless telecommunications towers shall be one thousand feet (1,000').
21. No wireless telecommunications tower shall be located less than five hundred feet (500') or 110% of the height of the tower, which ever is greater, from an existing residential dwelling.

H. Abandonment and Removal Agreement

The owner or operator of the wireless telecommunication facility shall submit an agreement to notify the Township Zoning Inspector within thirty (30) days of permanently ceasing operation of a permitted facility and to remove a nonfunctioning facility within six (6) months of ceasing its use. All costs associated with demolition and/or removal of the tower and associated equipment and buildings shall be borne by the most recent tower operator of record unless such costs are the contractual or legal responsibility of another party. If the owner fails to remove a tower in the time provided in this section, the said agreement shall authorize the Zoning Inspector to cause the demolition and removal of the tower and recover the costs of demolition and removal from the applicant and/or property owner. The owner or operator of the wireless telecommunication facility shall provide for a cash or surety bond at the minimum rate of \$100.00 per vertical foot from the natural grade in order to assure that funds are available for the demolition and the removal of the tower if it should become necessary.

II. SMALL WIND FARMS

A. Purpose

The purpose of this Section is to promote the safe, efficient use of small wind farms, and to establish standards and procedures for the installation and operation of these systems within the Township.

B. Definitions: as used within this section, the following mean:

Small Wind Farm: wind turbines and associated facilities that are not subject to the jurisdiction of the power siting board under sections 4906.20 and 4906.201 of the Revised Code.

Turbine: The parts of a wind system including the blades, generator, and tail.

Tower Height: The height above grade of the fixed portion of the tower, excluding the wind turbine and blades.

C. Permitted Use

Small Wind Farms shall be a permitted use in any zoned district, however, any such Small Wind Farm shall be subject to the following additional requirements:

1. NOTICE: Notice of an application for installation of a small wind farm shall be provided to the property owners within 300 feet of the property on which the wind farm is to be located by regular mail, with certificate of mailing. Said notice shall be made within five (5) days of the submission of the zoning permit application, and copies of the same shall be submitted to the zoning inspector or the permit application will be deemed to be incomplete.
2. TOWER HEIGHT: Tower heights of not more than 150 feet shall be allowed on parcels of not less than five acres. For property sizes of five acres or more, tower heights may exceed 150 feet at the discretion of the Board of Zoning Appeals, except as imposed by the FAA regulations, provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. Furthermore, all towers and turbines shall be certified for safety and operational capacity to withstand 100 mph winds.

The system shall comply with all applicable Federal Aviation Administration requirements, including but not limited to, Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports.

3. SETBACKS: No part of the small wind farm, including guy wire anchors and structures, may extend closer than the height of the tower plus ten percent (10%) including the wind turbine and blades. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of six feet above the guy wire anchors. The setback for the tower and wind turbine shall be the combined height of the tower and wind turbine plus ten percent of the height of the tower.
4. COMPLIANCE WITH NATIONAL ELECTRIC CODE: All small wind farm installations shall comply with the National Electric Code.
5. COMPLIANCE WITH THE OHIO BUILDING CODE OR UNIFORM BUILDING CODE: All zoning applications for small wind farms shall include standard drawings and an engineering analysis of the wind turbine structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the Ohio Building Code or Uniform Building Code and certified by a licensed professional engineer shall also be

submitted. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the most stringent wind requirements.

All small wind farms shall be sited in such a manner as to minimize the effect of ice throw upon neighboring properties and public roads.

6. NOISE: Decibel levels for the system shall not exceed 60 dB(A) or in excess of 5dB(A) above the background noise, whichever is greater, as measured at each property line, except during short-term events such as utility outages and severe windstorms.
7. UTILITY NOTIFICATION: No small wind farm shall be installed until evidence has been given that the utility company has been informed of the property owner's intent to install a small wind farm.
8. AESTHETICS: Wind turbines and towers shall be painted white, off-white, or light gray to minimize visual impact upon the surrounding property owners. Neither the wind turbine nor the tower shall be used as a billboard or as an advertising device. All small wind farms shall be installed in such a way as to minimize flicker effects upon neighboring properties and public roads to prevent a safety distraction to vehicular and pedestrian traffic.

In addition, access to the wind turbine tower shall be restricted by one of the following:

- a) Tower climbing apparatus shall not be located within twelve (12) feet of the ground;
- b) A locked anti-climb device shall be installed and maintained; or
- c) A tower capable of being climbed shall be enclosed by a locked, protective fence at least ten (10) feet high with barbed wire fence.

All applications shall show a site plan for the wind turbine tower illustrating the fencing, signage, and color of the tower and wind turbine.

SECTION IX - ZONING CERTIFICATE

The position of Township Zoning Inspector is hereby created. The Township Trustees shall appoint a Zoning Inspector who shall be a resident of the unincorporated area of Bronson Township and appropriate the Zoning Inspector's compensation. The Zoning Inspector shall keep records of all applications for zoning certificates.

A zoning certificate is required for all uses and buildings, including residences, except as exempted by section 519.21 of the Ohio Revised Code. Any building one hundred (100) square feet or more, whether on a permanent foundation or not, shall require a zoning certificate. For example, storage barns 100 sq.ft. or larger will require a certificate, but lawn ornaments will not.

Where a use or building involves the disposal of sanitary wastes, a permit for such disposal from the Huron County General Health District, or Ohio EPA, as applicable, shall be required before the issuance of a zoning certificate.

In developing a lot for private or public use, the natural drainage of surface run-off water may not

be impeded from nor accelerated to adjoining properties. Owners are required to have a site assessment from the Huron County Soil and Water Conservation District for each proposed home or public building to determine if a floodplain is on the property and how it would affect buildings on such property before being granted a zoning certificate.

SECTION X - MINIMUM LOT AREA PER FAMILY

1. No single-family dwelling shall be erected, or building altered to accommodate one family as a residence on less than a one (1) acre lot area, unless such lot is designated on a recorded plot or separately owned at the time this Resolution takes effect and cannot practicably be enlarged to conform with this requirement.
2. No two-family or multiple dwelling shall be erected or building altered for dwelling purposes to accommodate more than one (1) family on less than a one (1) acre area lot.
3. No living quarters over a business establishment shall be erected or building altered into apartment to accommodate more than one family.
4. In computing lot areas, the said areas must be in the clear of all public right-of-way.

SECTION XI - MINIMUM LOT WIDTH

No dwelling shall be erected in any district on a lot having a frontage of less than one hundred fifty (150) continuous feet on a public thoroughfare unless such lot was designated on a recorded plot and separately owned at the time this Resolution took effect and cannot practicably be enlarged to comply with this requirement. No minimum lot width shall be required in a "B" or "I" District for uses other than dwellings except such as is necessary to comply with the requirements for yard and lot areas or parking facilities. Lots fronting on a cul-de-sac shall be required to have a minimum of sixty (60) foot frontage on a public thoroughfare and shall be a minimum one hundred fifty (150) feet in width at the set back line.

No building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in width shall be erected within forty-five (45) feet from State, Federal, County, or Township roads or the right-of-way side line of any road or street. If there is no established right-of-way side line for any road or street, the said right-of-way side line shall be established as thirty (30) feet from the center of the road.

SECTION XII - SIDE YARDS

For every building, including dwellings, erected in any district, there shall be a minimum side lot clearance on each side of said building of not less than ten (10) feet, which space shall remain open and unoccupied by any building or structure. Attached garages or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be part of the main building for the purpose of this section. All other accessory buildings except garages shall be at least twenty (20) feet from any dwelling. An accessory building is a subordinate building customarily incident to and located on the same lot with the main building.

SECTION XIII - CORNER LOTS

The set-back building line on a corner lot shall be in accordance with the provisions governing the road or street on which the building faces.

No corner lot shall be less than one hundred eighty (180) feet on either right-of-way unless such lot was designated on a recorded plot or separately owned at the time this Resolution took effect and cannot practicably be enlarged to conform with this requirement.

SECTION XIV - REAR YARDS

For all buildings erected in any district, there shall be a minimum rear lot clearance at the rear of said building of at least fifteen (15) feet, which space shall remain open and unoccupied by any building or structure.

SECTION XV - BUILDING SITE

1. No single family dwelling shall be erected or building altered to accommodate one family as a residence with less than twelve hundred (1200) square feet with a minimum of eight hundred (800) square feet on the first floor, exclusive of breezeway or attached garage whether one story, one and a half story, or two story.
2. No two or more family dwelling shall be erected or building altered with less than nine hundred (900) square feet of floor space per family or not less than six hundred (600) square feet of first floor living space.
3. Any lot more than two hundred fifty (250) feet off of a paved road must be a minimum of one acre excluding driveway. Drives used for property behind existing property must have a minimum thirty-five (35) foot wide strip of land with a twelve (12) foot wide drive on an improved hard surface and to be part of the lot. All off-set parcels under this section shall have two hundred fifty (250) feet of continuous and contiguous 'frontage' on the side facing/closest to the road of ingress and egress to the off-set parcel.
4. The size of the driveway pipe used in new and replacement driveways shall be determined by the Bronson Township Trustees, but in no event to be less than 8" wide (inside diameter) and 20' long. Although Zoning recommendation is 30' in length. Pipe shall conform to AASH to M294S specifications.
5. **CONCRETE DRIVEWAYS:** No concrete shall be constructed closer than five (5) feet of the edge of the paved surface of the road.
6. **REAR ACCESS:** No more than five (5) continuous lots shall be permitted along any public road within a distance of two thousand (2000) feet unless there is reserved for future street construction a strip of land no less than sixty (60) feet wide to allow future access to interior parcels of land.

7. FENCES:

- a) Corner lot restriction: On any front and side yards of a corner lot, no fence, wall, nor hedge row above the height of two and one half (2.5) feet shall be permitted which materially impedes vision across such yard back a distance of twenty (20) feet from all adjoining roads. Property owners must maintain a clear line of vision for three hundred (300) feet.
- b) All lots: Fencing shall not be located on any public right-of-way. With mutual notarized and properly recorded consent of adjacent property owners, the fence may be built on the legally established property line, otherwise, it shall be set off the property line by at least two (2) feet. A zoning certificate is required.
- c) Snow Fences: The construction of snow fences shall be permitted only during the timeframe of November 1st through April 30th the following year. A zoning certificate is required.
- d) Electric Fences: Any electric fence which is not constructed for agricultural purposes shall comply with and adhere to the same standards for the construction of a non-electric fence as stipulated above in Section XIV(7)(b).

SECTION XVI - BUILDING STANDARDS

- 1. A dwelling shall be placed on a foundation of masonry construction or other approved material by B.O.C.A. or traditional building material. Footers are to be a minimum of sixteen (16) inches wide, 8" thick and shall extend below the frost line, being a minimum of thirty-two (32) inches deep.
- 2. Electrical wiring in all buildings shall meet the requirements of the National Electrical Code.
- 3. Chimneys and vents for heating devices shall be constructed of materials approved by the National Board of Fire Underwriters.

SECTION XVII - PARKING FACILITIES

- 1. All dwellings shall provide parking space off the road or street and outside of the public right-of-way, together with means of ingress or egress thereto, for not less than one motor vehicle per dwelling unit or apartment. Not less than two hundred (200) square feet of area shall be deemed necessary for each such vehicle.
- 2. All Class "B" uses shall provide parking space off the road or street outside the public right-of-way and not more than three hundred (300) feet distance from an entrance to said establishment of an area of not less than two hundred (200) square feet for each one hundred (100) square feet of area of the first floor of said establishment which it serves.
- 3. Every theater, auditorium, stadium, arena, building, or grounds used for the assembling of

persons to attend theatrical performances, shows, exhibitions, contests, concerts, lectures, entertainment, and similar activities shall provide off the street or road and outside of the public right-of-way not less than two hundred (200) square feet of space, suitable for parking automobiles and other vehicles, for every four persons to be accommodated. Such parking space shall be within four hundred (400) feet of the main entrance to such use, shall provide adequate means of ingress available for the use of such patrons.

4. All Class "B" and Class "I" uses shall provide adequate parking space off the road or street and outside of the public right-of-way for vehicles delivering to, unloading, loading, or taking away from said user goods, materials, supplies, or waste in connection with said business or use but in no event can they be parked on public right-of-way for loading or unloading.

SECTION XVIII - ENFORCEMENT/FEEES/PENALTIES

1. Zoning Inspector:

The Zoning Inspector shall be employed for the purpose of granting zoning certificates and to make inspections of premises or buildings necessary in carrying out the Zoning Inspector's duties in compliance with the provisions of this Resolution. The Zoning Inspector shall be appointed by Bronson Township Trustees, and shall receive such compensation as the Trustees may provide. It shall be unlawful for the Zoning Inspector to issue zoning certificates or approve any plans until the Zoning Inspector has inspected such plans in detail and found them to conform with the provisions of this Resolution. The Zoning Inspector shall also be responsible for submitting to the Board of Zoning Appeals all applications for conditional zoning certificates. The Zoning Inspector shall not refuse to issue a zoning certificate when the provisions or conditions of this Resolution are complied with by the applicant.

2. Duties:

- a) Inform applicants of requirements of this Resolution, check sewage disposal permit issued by the Huron County Department of Health for use of site, and check site assessment to be required of each owner from Huron County Soil and Water Conservation District for each home or building to determine if a flood plain is located on the property. To issue requested zoning certificate, or to refuse to issue same in the event of non-compliance.
- b) Collect the designated fees for zoning certificates, amendments, appeals, conditional uses, lot splits, and exceptions.
- c) Make and keep records on all applications, issuance and denial of all zoning certificates, and on all complaints of violations.
- d) Enforce this Resolution and take all necessary steps to remedy any condition found in violation by ordering in writing the discontinuance of illegal uses or illegal work

in progress, and request the county prosecutor to commence appropriate legal action when necessary.

- e) Keep the Zoning Commission advised of all matters other than routine duties pertaining to the enforcement of this Resolution and to transmit all applications and records pertaining to amendments.
- f) Keep the Board of Zoning Appeals advised of all matters pertaining to appeals, variances, and conditional uses, exceptions, and lot splits, transmit all applications and records pertaining thereto.

3. Zoning Certificates Required:

Before construction, changing the use of, or structurally altering any building or sign, including accessory buildings, or changing the use of any premises; application shall be made to the Zoning Inspector for a zoning certificate. This requirement shall not include interior remodeling if the type of use is not changed and shall not include exterior upkeep and maintenance.

If proposed use shall require a sewage disposal system, the permit issued by the proper authorities, shall be verified as a requirement for a zoning certificate. The zoning certificate shall also include the following information:

- a) A plot plan drawn to scale showing the actual shape, location, and exact dimensions of the property to be built upon;
- b) The shape, size, and location of all buildings and other structures to be erected, altered or moved and of any building or other structures already on the property;
- c) The existing and intended use of the property and the building structure;
- d) The yard, open area and parking dimensions;
- e) Any other pertinent data as may be necessary to determine and provide for the enforcement of this Zoning Resolution.
- f) Before construction or altering any sign or outdoor advertising device in a “B” or “I” District, a zoning certificate shall be secured.

Within twenty (20) days the Zoning Inspector shall issue a zoning certificate, if the request complies with the requirements of this Resolution and the request is accompanied by the proper permit fee. If such certificate is refused for cause, the applicant shall be notified of such refusal and cause within twenty (20) day period.

The zoning certificate shall become void at the expiration of six (6) months after date of issuance unless construction is started. If no construction is started or use changed within

six (6) months of date of certificate, a new zoning certificate shall be required. Exterior construction shall be completed within eighteen (18) months of certificate issuance, unless a renewal certificate is issued and the permit fee paid. Only two renewal certificates are allowed per project.

4. Fees and Compensation:

The Township Trustees shall by resolution establish a schedule of fees, charges, and expenses and a collection procedure for zoning certificates, amendments, appeals, variances, lot splits, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the Township Hall and home of the township 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 request or appeal.

5. Violations:

Buildings or signs erected, altered, moved, razed or converted, or any use of land or premises carried on in violation of any provision of this Resolution are declared to be a nuisance per se and shall be subject to the penalties stated in this Resolution. Any building or land use activities considered possible violations of the provisions of this Resolution which are observed by the residents of Bronson Township shall be reported to the Zoning Inspector.

6. Inspection:

The Zoning Inspector shall inspect each alleged violation and shall in writing, order correction of all conditions which are found to be in violation of this Resolution.

7. Abatement:

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

8. Penalties:

The owner or owners of any building or premises or part thereof where anything in violation of the Resolution shall be placed or shall exist, and any tenant or occupant of such building or premises, and any architect, builder, or contractor, or any other person who shall assist in the committing of any such violation or noncompliance shall be fined not more than \$100.00. Each day such violation or failure to comply shall exist, shall constitute a separate offense. The fine is to be paid to the Bronson Township Treasury.

SECTION XIX - BOARD OF APPEALS

A. DUTIES:

There is hereby created a Township Board of Zoning Appeals of five (5) members, who shall be residents of the unincorporated area of the Township included in the area zoned. The term of each member shall be five (5) years beginning January 1st, except that the terms of the original members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until a successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term.

The Township Board of Zoning Appeals shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning laws or of this Resolution or any amendments thereto.
2. To authorize, upon appeal, in specific cases, such variance/exception from the terms of this Zoning Resolution as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Resolution or any amendments thereto will result in unnecessary hardship, and so that the spirit of the Resolution shall be observed and substantial justice done.
3. To hear and decide all conditional use applications which present unique or special characteristics in relation to location, design, size, traffic generation, and method of operation.

In exercising the above mentioned powers, such Board may, in conformity with the provisions of law and this Resolution and amendments thereto, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have all powers of the office from whom the appeal is taken.

The Township Board of Zoning Appeals shall organize, and adopt rules in accordance with the provisions of this Zoning Resolution. Meetings of the Board of Zoning Appeals shall be held at the call of the Chair, and at such other times as the Board may determine. The Chairman, or in its absence, the acting Chair, may administer oaths and the Township Board of Zoning Appeals may compel the attendance of witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions; all of which shall be immediately filed in the office of the Board of Township Trustees and shall be a public record.

Appeals and requests for Conditional Uses to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Township affected by any decision of the administrative officer. Such appeal shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken and with the Board of Zoning Appeals a notice of appeal

specifying the grounds thereof. The officer from whom the appeal or request is taken shall forthwith transmit to the Township Board of Zoning Appeals all of the papers constituting the record upon which the appeal or request is based.

Parties requesting Exceptions, Conditional Uses, and/or Variances must provide proof that they have made a reasonable attempt to give notice to one hundred (100%) per cent of Bronson Township Residents within a one-half (1/2) mile radius by either petition, registered, or certified letter stating the proposed exception, conditional use, and/or variance with the meeting date, and parties to give proof by acquiring a signature of an adult in each household on the statement of request or returned signature on the registered or certified mailing. The party may also get a certificate of mailing from the post office. The purpose of signature is not to agree/disagree, rather to alert neighbors of parties of the request for a hearing.

The Township Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give ten (10) days notice to the parties in interest, publish once in newspaper of general circulation at least ten (10) days prior to hearing, and decide the same within thirty (30) days after it is submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of the Township Board of Zoning Appeals may appeal to the Court of Common Pleas of this County on the ground that such decision was unreasonable or unlawful.

B. ZONING EXCEPTIONS AND VARIANCES:

EXCEPTIONS: An exception is a use permitted only after review of an application by the Zoning Commission or the Board of Appeals other than the Administrative Official (Zoning Inspector), such review being necessary because the provisions of the Resolution covering conditions, precedent, or subsequent, are not precise enough to all applications without interpretation, and such review is required by the Resolution.

VARIANCES: Is a modification of the literal provisions of the Zoning Resolution granted when strict enforcement of the Zoning Resolution would cause undue hardship owing to circumstances unique to the individual property on which the Variance is granted.

The crucial points of Variances are:

1. Undue hardship,
2. Unique circumstances, and
3. Applying to property.

A variance is not justified unless all three (3) elements are present in the case.

The "Exception" differs from the "Variance" in several respects. An Exception does not require "undue hardship" in order to be allowable. The Exceptions that are found in this Resolution appear as "conditional uses" requiring review by the Zoning Commission. These land uses could not be conveniently allocated to one zone or another, or the effects of such uses could not be definitely foreseen as of a given time. The general characteristics of these uses include one or more of the following:

1. They require large areas;
2. They are infrequent;
3. They sometimes create an unusual amount of traffic;
4. They are sometimes obnoxious or hazardous; and
5. They are required for public safety and convenience.

In the event an Exception is granted for a use, or a Variance is granted for a use; said properties shall be limited solely to the use specified in the application and which is the basis for the granting of the Variance or Exception.

C. CONDITIONAL USES:

The Board of Zoning Appeals shall hear and determine all conditional use applications which possess unique or special characteristics relating to location, design, size, traffic generation and method of operation. Conditional uses although often desirable, will more intensely affect the surrounding area in which they are located, than the permitted uses of such districts. Since this is the case, the Board shall approve an application for a conditional use only when the following conditions are met:

1. The conditional use is in general accord with the Bronson Township general land use plan.
2. The proposed development will be in keeping with the existing land use character and physical development potential of the area and will not have undesirable effects on the surrounding area.
3. If necessary, to accommodate certain projects, special conditions may require a greater amount of open space, entrance or exit drives, special lighting, noise control requirements, and fencing and landscaping.

In granting a conditional use the Board of Zoning Appeals may impose such conditions as it may deem necessary to protect the public health, safety, and welfare and to further the purpose and intent of this Zoning Resolution.

In the event said Exception or Variance is granted, said property must be in operation and devoted to said use within a two (2) year period from the date of granting said Exception or Variance; and if said use is not in effect, then said zoning certificate for the Exception or Variance shall lapse and be null and void, and said premises shall revert to their former status.

SECTION XX - AMENDMENTS

1. Amendments or supplements to Zoning Resolution, procedure, referendum.

Amendments or supplements to the Zoning Resolution may be initiated by motion of the Township Zoning Commission, by the passage of a resolution therefor by the Board of Township Trustees

or by the filing of an application therefor by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Township Zoning Commission. The Board of Township Trustees shall upon the passage of such resolution certify it to the Township Zoning Commission.

Upon the adoption of such a motion, the certification of such resolution, or the filing of such application, the Township Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than twenty (20) days nor more than forty (40) days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the Township Zoning Commission by one publication in one or more newspapers of general circulation in the Township at least fifteen (15) days before the date of such hearing.

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 and continuous to and directly across the street from such area proposed to be re-zoned or re-districted to the addresses of such owners appearing on the County Auditor's current tax lists or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of County Commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement, and a statement that after the conclusion of such hearing the matter will be referred for further determination to the County or Regional Planning Commission and to the Board of Township Trustees as the case may be.

Within five (5) days after the adoption of such motion, the certification of such resolution, or the filing of such application, the Township Zoning Commission shall transmit a copy thereof together with text and map pertaining thereto to the County or Regional Planning Commission if there is such a Commission.

The County or Regional Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Township Zoning Commission on such proposed amendment or supplement.

The Township Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the County or Regional Planning Commission therein to the Board of Township Trustees.

The Board of Township Trustees shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Township Zoning

Commission. Notice of such public hearing shall be given by the Board by one publication in one or more newspapers of general circulation in the Township, at least fifteen (15) days before the date of such hearing.

The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment or supplement.

Within twenty (20) days after such public hearing, the Board shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board denies or modifies the recommendation of the Township Zoning Commission, the unanimous vote of the Board shall be required.

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

No amendment or supplement for which such 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.

2. Fees

Each application for a zoning amendment, except those initiated by the Zoning Commission or Township Trustees shall be accompanied by a check payable to the Clerk of Bronson Township, or a cash payment sufficient to cover the costs of publishing, posting, and/or mailing notices of hearing, but in no event shall it be less than one hundred fifty dollars (\$150.00).

Any person, firm, or corporation violating this Resolution or any regulation, provision, or amendment thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars (\$100.00). Each and every day during which such illegal erection, construction, reconstruction, enlargement, change, or use continues may be deemed a separate offense.

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, or used or any land is or any amendment thereto, the Board of 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 proceeding or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change or use.

For the purpose of this Resolution certain terms, words, and phrases are hereby defined. Words used in the present tense include the future, words used in the future tense include the present. The singular number includes the plural, and the plural the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed" or "arranged to be used or occupied", the word "building" includes the word "structure", and the word "dwelling" includes the word "residence", the word "lot" includes the words "parcel" or "plot".

Terms not herein defined shall have the meaning customarily assigned to them.

SECTION XXI - INTERPRETATION

In interpretation and application, the provisions of this Resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, morals, comfort, and general welfare.

Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision 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 a 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.

SECTION XXII - VALIDITY

Each section, sub-section, provision, requirement, regulation, or restriction established by this Resolution or any amendment thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid, or ineffective for any cause shall not affect nor render invalid the Resolution or amendments thereto as a whole or any other part thereof except the particular part so declared to be invalid.

XXIII - DEFINITIONS

ACCESSORY USE OR BUILDING: Is a use or building on the same lot with, and of a nature customarily incident and subordinate to the main use or building.

ADULT BOOKSTORE means an establishment which utilizes fifteen percent (15%) or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or token-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, or both, books, magazines, other periodicals, films, tapes, cassettes, and compact discs which are distinguished by their emphasis on adult materials.

ADULT BUSINESS includes an adult bookstore, adult cabaret, adult motion picture theater, adult-oriented business, and massage establishments.

ADULT CABARET means a nightclub, bar, restaurant, supper club, lounge, or similar establishment in which persons appear in a state of nudity in the performance of their duties.

ADULT MATERIAL means material that is distinguished or characterized by its emphasis on sexually oriented material that is harmful to juveniles or obscene.

ADULT MOTION PICTURE THEATER means an enclosed or open air motion picture theater which is regularly used or utilizes fifteen percent (15%) or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material.

ADULT-ORIENTED BUSINESS means an establishment having as its primary stock and trade material that is distinguished or characterized by its emphasis on sexually oriented material that is harmful to juveniles or obscene.

ALLEY: Any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

APARTMENT: (living unit) A dwelling unit in a multiple dwelling, providing complete living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

AUTOMOBILE REPAIR -- MAJOR: General repair, rebuilding or reconditioning of motor vehicles or trailers, collision service including body repairs, and frame straightening, painting, and upholstering.

AUTOMOBILE REPAIR -- MINOR: Minor repairs, incidental replacement of parts and minor service to passenger automobiles and trucks, but not including any operating specified under "Automobile Repair--Major".

AUTOMOBILE REPAIR STATION: General repair, rebuilding and reconditioning of engines, transmissions, differentials and running gear in conjunction with a Service Station, excluding collision service, body, frame, or fender straightening or repair, overall painting or paint shop.

AUTOMOBILE SERVICE STATION OR GASOLINE STATION: A place where gasoline, kerosene, or any other motor fuel or lubricating oil and grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, on the premises, including greasing, oiling, and minor repairs and manual washing.

AUTOMOTIVE GRAVEYARD: A premise on which is found more than one (1) unlicensed motor vehicle in a residential area, and shall constitute a violation to this Resolution.

BUILDING: Is any permanent structure either pole construction, on footers, or on a concrete slab

having a roof and intended for shelter or housing property of any kind. Lawn ornaments are not considered buildings and are excluded from requiring a permit.

BUILDING HEIGHT: The vertical distance from the established sidewalk grade at the center of the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, and the mean height between the eaves and the ridge for gable, hip and gambrel roofs, penthouses, towers, cupolas, steeples, antennas, and other roof structures used only for mechanical operating of the building shall not be included as the height of the building. Where a building is located on a sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

BUILDING LINE: Is a line formed by the face of the building, and for the purpose of this Resolution, a building line is the same as a front setback line.

CHURCH means any church, synagogue, mosque, temple, or building which is used primarily for religious worship, religious services, and related religious activities.

DRIVE-IN RESTAURANT: A business establishment for the serving of food and/or beverages so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve persons while in the motor vehicles rather than within the building or structure; or to permit patron self-service and return to the vehicle.

DWELLING, MULTIPLE-FAMILY: Is a building, or a portion thereof, designed exclusively for occupancy by three (3) or more families, living independently of each other.

DWELLING, ONE-FAMILY: Is a building designed exclusively for and occupied exclusively by one (1) family.

DWELLING, TWO-FAMILY: Is a building designed exclusively for occupancy by two (2) families, living independently of each other.

DWELLING UNIT: Any building or part thereof, occupied in whole or in part, as the home, residence, or sleeping place of one or more persons, either permanently or temporarily and having cooking facilities.

ESSENTIAL SERVICES: Is the erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, service, or overhead gas, electrical, steam, fuel, or water transmission or distribution systems, collection, communication, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm, and police call boxes, traffic signals, hydrants, and similar accessories in connection therewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, or welfare.

FAMILY: Is one or two persons or parents, with their first lineal descendants and adopted children (and including the domestic employees thereof) together with not more than two persons not so related, living together in the whole or part of a dwelling comprising a single housekeeping

unit. Every additional group of two or more persons living in such housekeeping unit shall be considered a separate family for the purpose of this Resolution.

FENCE: Any fence, wall, masonry barrier, hedge row/wall, or any other structure or vegetation used to demark the whole of or a portion thereof any parcel. Prior to the construction of any fence/wall, or the planting of any hedges, a zoning permit shall be required.

FLOOR AREA: For the purpose of computing the minimum allowable floor area in a residential dwelling unit, the sum of the horizontal areas of each story of the building shall be measured from the exterior faces of the exterior walls. The floor area measurement is exclusive of area of basements, unfurnished attics, attached garages, breezeways, and enclosed and unenclosed porches.

HARMFUL TO JUVENILES means any material or performance if it is offensive to prevailing standards in the adult community with respect to what is suitable for juveniles, and if any of the following apply:

- (a) It tends to appeal to the prurient interest of juveniles;
- (b) It contains a display, description, or representation of sexual activity, masturbation, sexual excitement, or nudity;
- (c) It contains a display, description, or representation of bestiality, or bizarre violence, cruelty, or brutality;
- (d) It contains a display, description, or representation of human bodily functions of elimination;
- (e) It makes repeated use of foul language;
- (f) It contains a display, description, or representation in lurid detail of the violent torture, dismemberment, destruction, or death of a human being;
- (g) It contains a display, description, or representation of criminal activity that tends to glorify or glamorize the activity, and that, with respect to juveniles, has a dominant tendency to corrupt.

JUNK MOTOR VEHICLE: any vehicle that meets all of the following:

1. Three years old, or older;
2. Apparently Inoperable;
3. Extensively damaged, such damage includes but is not limited to; missing wheels, engine, or transmission

LAWN ORNAMENTS: Moveable and/or temporary structures placed in lawn for decoration/ornamentation. Not to be considered a building requiring a permit; for example, gazebo, dog house, bird houses, etc.

LOT: A parcel of land occupied, or to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, together with such open spaces as are required under the provisions of this Resolution and fronting upon a public street. A lot may or may not be specifically designated as such on public record.

LOT AREA: Is the total horizontal area within the lot lines of the lot.

LOT, CORNER: A lot of which two adjacent sides abut for their full length upon a street, provided that the interior angle at the intersection of such two sides is less than 135 degrees. A lot abutting upon a curved street shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the corner. In the case of a corner lot with curved street line, the "corner" is that point on the street lot line nearest to the point of intersection of the tangents above described.

LOT DEPTH: Is the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

LOT, DOUBLE FRONTAGE: A lot, other than a corner lot, with frontage on more than one street.

LOT, INTERIOR: A lot other than a corner lot, with only one frontage or a street other than an alley.

LOT LINES: The lines bounding a lot as defined herein:

1. Front Lot Line: is a lot line separating a lot from an adjacent street.
2. Rear Lot Line: is a lot line other than a side lot line or a street or road line.
3. Side Lot Line: is a line connecting with a street or road line.

LOT OF RECORD: Is a parcel of land, the dimensions of which are shown on a recorded plat on file with the County Register of Deeds at the time of adoption of this Resolution or in common use by Municipal or County Officials and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

LOT WIDTH: Is the horizontal distance between the side lot lines, measured at the two points where the building line, or setback, intersects the side lot lines.

MAIN BUILDING: Is a building in which is conducted the principal use of the lot upon which it is situated.

MAIN USE: Is the principal use to which the premises are devoted and the principal purpose for which the premises exist.

MAJOR THOROUGHFARE: Is an arterial street which is intended to serve as a large volume traffic way for both the immediate Municipal area and the region beyond, and may be designated as a major thoroughfare, parkway, freeway, expressway, or equivalent term to identify those streets comprising the basic structure of the street plan.

MASSAGE means any method of exerting pressure on, stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external soft tissue of the body with the hands, or with the aid of any mechanical or electrical apparatus or appliance.

MASSAGE ESTABLISHMENT means any fixed place of business where a person offers massages, either in exchange for something of value, or in connection with providing another legitimate service. For the purposes of this Zoning Resolution, "massage establishment" does not include those businesses practicing any limited branch of medicine or surgery by persons certified to practice under Ohio Revised Code sections 4731.15 and 4731.16, or providing therapeutic massage by a licensed physician, chiropractor, podiatrist, nurse, or other health professional licensed, certified, or registered to practice in Ohio.

MATERIAL means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other thing capable of arousing interest through sight, sound, or touch.

MOBILE HOME PARK: A parcel of land under single ownership, improved and licensed for the placement of mobile homes for nontransient use.

MOTOR VEHICLE means any vehicle, including house or travel trailers, recreational vehicles, motorcycles, and motorized bicycles, propelled or drawn by power, other than muscular power, or power collected from overhead electric trolley wires.

NON-CONFORMING BUILDING: A building lawfully existing at the time of the adoption of this Resolution, or any amendment thereto, which does not conform to the provisions of this Resolution for the District in which it is situated.

NON-CONFORMING USE: A use which lawfully occupied a structure or parcel of land at the time of the adoption of this Resolution, or any amendment thereto, which does not conform to the provisions of this Resolution for the District in which it is located.

NUDITY means the showing, representation, or depiction of any of the following:

- (a) The human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; or
- (b) The female breast with less than a fully opaque covering on any part of the areola and nipple; or
- (c) The covered male genitals in a discernibly turgid state.

OBSCENE means any material or performance, when considered as a whole, and judged with reference to ordinary adults or, if it is designated for sexual deviates or other especially susceptible group, judged with reference to that group, if any of the following apply:

- (a) It tends to appeal to the prurient interest;
- (b) Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite;
- (c) Its dominant tendency is to arouse lust by displaying or depicting bestiality or extreme or bizarre violence, cruelty, or brutality;
- (d) Its dominant tendency is to appeal to scatological interest by displaying or depicting human bodily functions of elimination in a way that inspires disgust or revulsion in persons

with ordinary sensibilities, without serving any genuine scientific, educational, sociological, moral, or artistic purpose;

(e) It contains a series of displays or descriptions of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose.

OCCUPANCY - CHANGE OF: The term "Change of Occupancy" shall mean the discontinuance of an existing use and the substitution there-for of a different use.

PARKING SPACE: Is hereby determined to be an area of one hundred and eighty (180) square feet, said area shall be exclusive of drives, aisles, or entrances giving access thereto, and shall be fully accessible for the storage or parking of permitted vehicles.

PRIVATE GARAGE: Is a garage with a capacity for not more than two (2) self-propelled vehicles. A zoning certificate may be issued by the Zoning Commission to erect a larger private garage.

PUBLIC GARAGE: Is a garage with a capacity for more than two (2) self-propelled vehicles.

PUBLIC PARK means public land which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis court, pedestrian or bicycle paths, baseball diamond, open space, wilderness areas, or similar public land within the Township which is under the control, operation, or management of the Township, County, or State.

SCHOOL means any public or private educational facility including, but not limited to, child day care facility, nursery school, preschool, kindergarten, elementary school, primary school, intermediate school, junior high school, middle school, high school, vocational school, secondary school, special educational school, junior college, and university. School includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.

SEXUAL ACTIVITY means sexual conduct or sexual contact, or both.

SEXUAL CONDUCT means vaginal intercourse between a male and female, anal intercourse, fellatio, and cunnilingus between persons regardless of gender, and the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal cavity of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

SEXUAL CONTACT means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttocks, pubic region, or if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

SEXUAL EXCITEMENT means the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

SIGN: Is the use of any words, numerals, figures, devices, designs, or trademarks by which anything is made known, such as is used to show an individual firm, profession, or business and is visible to the general public.

SIGN-ACCESSORY: A sign which is accessory to the principal use of the premises.

SIGN-NO ACCESSORY: A sign which is not accessory to the principal use of the premises.

SOLAR FIELD: A freestanding solar array which is not connected to any other structure or appurtenance thereto on any parcel. A "solar field" does not include solar panels or other apparatus thereto which are installed on an existing structure or appurtenance thereto.

STORY: Is the part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor, or if there is not floor above, and the ceiling next above. A story thus defined shall not be counted as a story when more than fifty per cent (50%), by cubic content, is below the height level of the adjoining ground.

STORY-HALL: Is an uppermost story lying under a sloping roof, the unusable floor area of which, at a height of four feet above the floor does not exceed two-thirds (2/3) of the floor area in the story directly below, and the height above at least two hundred (200) square foot of floor space is seven feet six inches (7'-6").

STREET: A right-of-way dedicated to public use which provides vehicular and pedestrian access to adjacent properties whether designated as a street, highway, thoroughfare, parkway, road, avenue, lane, or however otherwise designated.

STRUCTURE: Is anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, except fences, walls, or pavement.

TEMPORARY USE OR BUILDING: Is a use or building permitted to exist during periods of construction of the main building, or use, or for special events, or as otherwise permitted in this Resolution.

TRAVEL TRAILER: A vehicle designed as a travel unit for occupancy as a temporary or seasonal vacation living unit.

USEABLE FLOOR AREA: (For the purposes of computing parking) is that area used for, or intended to be used for the sale of merchandise, services, for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, or for utilities shall be excluded from this computation of "useable floor area". Measurement of floor area shall be the sum of the gross horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

USE: Is the purpose for which land or building is arranged, designed, or intended; or for which land or a building is or may be occupied.

YARDS: The open spaces on the same lot with a main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this Resolution, and as defined herein:

1. Front Yard: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.
2. Rear Yard: Is an open space extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the main building.
3. Side Yard: Is an open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the main building.