

# Camden Township

# Zoning Resolution

Amended  
September 5, 1990  
June 3, 1992  
December 15, 2003  
August 7, 2007  
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PREAMBLE

ZONING RESOLUTION OF CAMDEN TOWNSHIP  
LORAIN COUNTY, OHIO

A resolution providing for the zoning of the unincorporated area of Camden Township by regulating the location, size, height, and use of buildings and structures, the area and dimensions of lots and yards, and the use of lands, and for such purposes dividing the unincorporated area of the Township into zones or districts of such number, size, and shape as are deemed best suited to carry out said purposes, providing a method of administration, and prescribing penalties and proceedings for the administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Camden Township deems it in the interest of the public health, safety, morals, comfort, general welfare, and economic stabilization of said Township and its residents to establish a general plan of zoning for the unincorporated area of said Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Camden Township.

September 5, 1990

BOARD OF TRUSTEES:

Edward Matthew Shaw  
Frederick W. Lewis Sr.  
James Woodrum



## Camden Township Land Use and Objectives

### TOWNSHIP GOALS

1. Goal: To encourage the protection of existing development as well as the potential for suitable development for the area through good design and planning.  
Objective: 1. Develop a land use policy plan, which is reflective of the Township needs and desires.
2. Goal: To encourage development opportunities which are consistent with sound planning, good design, and free enterprise.  
Objective: 1. Establish a zoning plan which relates to the future land use policy plan and provides adequate land area capable of meeting the short range needs of the Township.
3. Goal: To recognize the historical significance of the Township.  
Objective: 1. Preserve identified historic structures and land sites through careful institution of land use plans and regulatory measures.
4. Goal: To encourage the wise and efficient utilization of available resources including the diminishing land supply.  
Objective: 1. Develop those areas served by public facilities or in those areas, which can be economically served by public facilities in the future.  
2. Maintain controlled growth in those areas identified as agricultural lands.  
3. Minimize the conflict of land uses.

### HOUSING

1. Goal: To attract and maintain a variety of housing arrangements and a high quality of housing stock.  
Objective: 1. Protect and preserve existing property values.  
2. Discourage residential development in Commercial and Industrial growth areas.

### COMMERCIAL

1. Goal: To encourage development and availability of the supply of goods and services in the most convenient locations to serve all the residents of the Township with a minimum conflict between these and other land uses.  
Objective: 1. Consolidate commercial areas.  
2. Identify the commercial needs of the Township and develop specific growth areas to meet these needs.  
3. Commercial growth areas shall be located adjacent to major transportation routes and systems in a manner which permits ease of access for the people and goods.

ENVIRONMENT

a. Goal: To encourage the improvement and protection of the physical and aesthetic environmental and land values within the Township.

- Objective:
1. Encourage the proper care and maintenance of the Township's environment.
  2. Wetlands, woodlands, and scenic areas should be preserved.
  3. Floodplain zoning should be established to protect those areas subject to frequent flooding from the encroachment of urban development
  4. Conflict of land uses shall be minimized and/or eliminated.

## **Article I**

### **General Provisions**

#### **101: Title**

This Resolution shall be known and may be cited to as the "Zoning Resolution of the Township of Camden," except as referred to herein, where it shall be known as "this Resolution."

#### **102: Purpose**

For the purpose of promoting public health, safety, morals, comfort, convenience, and general welfare; to conserve and protect property values; to secure the most appropriate use of lands; and to facilitate adequate but economic provisions of public improvements, all in accordance with a comprehensive plan, the Board of Trustees of the Township finds it necessary and advisable to regulate the location, height, bulk, number of and size of building and other structures, including tents, cabins, modular homes, and trailer coaches, percentages of lot areas which may be occupied, set-back building lines, size of yards, courts and other open spaces, the density of population, the use of buildings and other structures including tents, cabins, modular homes, and trailer coaches, and the uses of land for trade, industry, residence, recreation or other purposes, and for such purposes divide the unincorporated area of the Township into districts or zones.

#### **103: Interpretation**

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

#### **104: Validity**

If any section, clause, provision, or portion of the Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or impair any other Article or part thereof.

#### **105: Effective Date**

This Zoning Resolution shall take effect and be in force at the earliest date permitted by the Ohio Revised Code.

#### **106: Repeal**

The current Resolution of Camden Township and any subsequent resolution amending the same and all other resolutions or parts of resolutions in conflict herewith or contrary here to are repealed.

## Article II

### DEFINITIONS

#### 201: INTERPRETATION OF TERMS OR WORDS

For the purpose of this Resolution, certain terms or words used herein shall be interpreted as followed.

- a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b. The present tense includes the future tense; the singular number includes the plural and the plural number includes the singular.
- c. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- d. The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."
- e. The word "lot" includes the words "plot" or "parcel."

#### 202: DEFINITION

**ACCESSORY USE or STRUCTURE:** A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

**AGRICULTURE:** The use of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory use for packing, treating or storing the produce, provided, however, that:

- a. The operation of any such accessory uses shall be secondary to that of normal agricultural activities; and
- b. The above uses shall not include the feeding or sheltering of animals or poultry in pended enclosures within 100 feet of any side or rear lot line. Agriculture does not include the feeding of garbage to animals or operation or maintenance of a commercial stockyard or feedlot.

**AIRPORT:** Any runway, land area or other facility designed, used publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage, and tie-down areas, hangars and other necessary buildings, and open spaces.

**ALLEY:** see **THOROUGHFARES**

**ALTERATIONS, STRUCTURAL:** Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

**ARTERIAL STREET:** see **THOROUGHFARES**

**AUTOMOTIVE REPAIR:** The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

**AUTOMOTIVE, MOBILE HOME, TRAILER and FARM IMPLEMENT SALES and SERVICE:** The sale, rental, or service of new and used motor vehicles, mobile homes, trailers, or farm implements.

**BASEMENT:** A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

**BOARDING HOUSE, ROOMING HOUSE, LODGING HOUSE, or DORMITORY:** A building or part thereof, other than a hotel, motel or where meals and/or lodging are provided for compensation for three (3) or more unrelated persons where no cooking or dining facilities are provided in individual rooms.

**BUILDING:** Any structure designated or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

**BUILDING, ACCESSORY:** A subordinate building detached from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

**BUILDING HEIGHT:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to be the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between the eaves and ridge for gable, hip, and gambrel roofs.

**BUILDING LINE:** see **SETBACK LINE.**

**BUILDING, PRINCIPAL:** A building in which is conducted the main or principal use of the lot on which said building is situated.

**BUSINESS, GENERAL:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend to, in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses includes, but are not limited to, such activities as supermarkets; stores that sell hardware, apparel, footwear, appliances and furniture; department stores; and discount stores. Highway business uses include, but need not be limited to, such activities as service stations; truck and auto sales and services; restaurants and motels; and commercial recreation.

**BUSINESS SERVICES:** Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or business.

**CAPABILITY:** The ability of the land to accommodate certain land uses without creating significant problems for either the inhabitants of the area or its environment.

**CEMETERY:** Land used or intended to be used for the burial of the animal or human dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

**CLINIC:** An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.

**CLUB:** A building, portion thereof, or premises owned or operated by person(s) for social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

**CONDITIONAL USE:** A use requiring a Conditional Use Permit and approval by the Board of Appeals, as set forth in Section 1306 in order to determine its affect upon adjacent existing uses.

**CONDITIONAL USE PERMIT:** A permit issued by the Zoning Inspector upon approval by the Board of Appeals to allow a use other than a normally permitted use to be established within the district.

**CORNER LOT:** See **LOT TYPES**.

**DEBRIS:** Shall mean, but not be limited to, broken and worthless chunks, bits, pieces or parts of stone, wood, concrete, glass, metal, plastics, rubbish, litter and shall include **Demolition Materials, Disabled Vehicles, and Junk** as defined in Article II of this Resolution.

**DEMOLITION MATERIALS:** Means material from construction operations and from demolition operations including, but not limited to, those items that are affixed to a structure, including driveways and highways, being constructed or demolished such as brick, concrete, stone, glass, wallboard, framing, and finishing lumber, roofing materials, plumbing fixtures, wiring, and insulation materials.

**DISABLED VEHICLE:** Any vehicle meeting the following two conditions:

1. Extensively damaged, such damage including but not limited to any of the following: A broken or missing window, windshield, wheels, tires, motor, transmission, or other integral parts.
2. Apparently inoperable and unfit to operate on roadways in the manner prescribed by the State of Ohio Motor Vehicle Code.

**DUMP:** Any area of land used for dumping of rubbish, garbage, trash, waste, and refuse.

**DWELLING:** Any building or structure (except a house trailer or mobile home as defined by the Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

**DWELLING – UNIT:** Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one family and its household employees.

**DWELLING – FARM:** Any building or portion thereof, which is designated as the primary dwelling structure on the farm and designed for human habitation

**DWELLING – FARM RELATED:** Any dwelling which is designed for and occupied by one family, other than the primary residence, which is occupied by either the owner or operator; or an employee who derives the majority of his or her gross income from the agricultural operation and/or said family head is a retiree (or spouse) of the same agricultural operation such as a father retiring and turning over the farming to one of his children and which exists as a separately deeded property, whether by the same owner of the farm or separate owners, conforming to the County Subdivision Regulations, County Health Code and this zoning text.

**DWELLING – SINGLE FAMILY:** Any group of rooms located within a residential building (#1, below) which is utilized by one family as opposed to two families for its living, sleeping, cooking and eating needs.

1. **RESIDENTIAL – BUILDING:** Any structure consisting of foundations, walls, columns, girders, beams, floors, and roof, or a combination of any of these parts, with or without other parts of appurtenances which is designed for occupancy as a dwelling and conforms to all applicable codes.

**DWELLING – TWO FAMILY:** A building consisting of two (2) dwelling units which may be either attached side by side or one above the other, and each unit having separate or combined entrance or entrances.

**ENTERTAINMENT FACILITY:** Any profit making activity, which is generally related to the entertainment field.

**ESSENTIAL SERVICES:** The erection, construction, alteration, or maintenance, by public utilities or municipal of other governmental agencies, of underground gas, electrical, steam or water transmission, or distribution systems, collection, communications, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

**FAMILY:** A person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel or hotel, dormitory, fraternity or sorority house.

**FARM:** Includes tracts, lots, and/or parcels of land totaling not less than five (5) acres, which are devoted exclusively to commercial agricultural production.

**FINANCIAL INSTITUTION:** Those institutes engaged in receiving, exchanging, lending, and safeguarding monies.

**FIREWORKS:** Shall mean any combustible or explosive composition, or any substance or combination of substances, or article or any devices containing any explosive or flammable compound or substance prepared and used for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, such as but not limited to firecrackers, skyrockets, roman candles and cherry bombs.

**FIRING RANGE:** A place or area used for practice target shooting and firing of weapons, including but not limited to rifles, shotguns, pistols, guns, crossbows and bows and arrows.

**FLOODING:** A general and temporary condition of partial or complete inundation of normally dry land area.

- a. **Base Flood:** Means the flood having one (1) percent chance of being equaled or exceeded in any given year.
- b. **Floodplain:** Means any land area susceptible to being inundated from any source.

- c. Floodway Fringe: Is that portion of the base flood plain located outside the regulatory floodway.
- d. Regional Floodplain: Is the area inundated by the base flood. This is the floodplain area, which shall be regulated by the standards and criteria of this resolution.
- e. Regulatory Floodway: The channel of a river or the watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one-half (0.5) foot.

**FLOOR AREA of a RESIDENTIAL DWELLING:** The sum of the gross horizontal area of the several floors of a residential dwelling, excluding basement floor areas, roofed porches and roofed terraces, attics and decks and attached garages. All dimensions shall be measured between exterior faces of the exterior walls.

**FLOOR AREA OF A NONRESIDENTIAL DWELLING** (to be used in calculating parking requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts, and rooms, storage spaces, display windows and fitting rooms, and similar areas.

**FLOOR AREA, USABLE:** Measurement of the usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

**FOOD PROCESSING:** The preparation, storage or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

**GARAGE, PRIVATE:** A detached accessory building or portion of a principle building for the parking or temporary storage of automobiles, travel trailers and/or boats of the occupants of the premises, providing that not more than one (1) commercial vehicle per dwelling unit is parked or stored.

**GARAGE, PULBIC:** A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles and in which no service shall be provided for remuneration.

**HAZARDOUS WASTE:** Means materials as are described in Ohio Revised Code Section 3734.01 (J) or in such statute as it may hereafter be amended.

**HIGHWAY, MAJOR:** A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among large areas.

**HOME OCCUPATION:** An accessory use of a dwelling unit or accessory building, or an outside storage area, which may involve the manufacture, provision, or sale of goods and/or services for profit.

1. Accessory Use, Type I: Home occupation within a dwelling. Such occupation shall be clearly incidental and subordinate to its use for residential purposes, and not more than twenty (20) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.



2. Accessory Use, Type II: Home occupation within an accessory structure. Such occupation shall be carried on entirely within a structure and shall be clearly incidental and subordinate to the land use for residential purposes. Maximum size to be 800 square feet in Residential Districts.
3. Accessory Use, Type III: Home occupation outside of dwelling. Such occupation shall be contained within a limited outside storage area and shall not involve a manufacturing process.

**HOTEL or MOTEL or APARTMENT HOTEL:** A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through the inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contrast to a boarding house, a lodging house, or an apartment, which are herein separately defined.

**INCINERATOR:** A furnace or other device used for burning any kind of waste materials.

**INDUSTRIAL, LIGHT:** Manufacturing or other industrial uses which are usually controlled operations, relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust, operating and storing within enclosed structures and generating little industrial traffic and nuisances.

**INFECTIOUS WASTE:** Means such materials as are described in Ohio Revised Code Section 3734.01 (R), or in such statute as it may hereafter be amended.

**INSITUITION:** Building and/or land designed to aid individuals in need of mental therapeutic, rehabilitative counseling or correctional services.

**JUNK:** Any worn out, cast-off, or discarded article or material, broken or damaged or inoperable machinery, equipment, appliances, disabled motor vehicles or other vehicles or parts thereof, or wreckage of any kind, which is or may be salvaged for reuse, resale, or reduction or similar disposition, or which is possessed, transported, owned, collected, accumulated, dismantled or assorted for the aforementioned purposes. Any article or material which unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.

**JUNK YARD:** The use of more than two hundred (200) square feet of any land or structure whether for private and/or commercial purposes, for the storage, keeping, abandonment, salvage or resale of junk, or the dismantling, demolition, parking or abandonment of broken, deteriorated or inoperable machinery or equipment. Two (2) or more licensed or unlicensed disabled motor vehicles or other vehicles, or a combination of any of the aforementioned, or parts thereof, shall constitute a junk yard.

**KENNEL or CATTERY:** Any lot or premises on which four (4) or more dogs or cats more than four (4) months of age are housed, groomed, bred, boarded, trained or sold for profit.

**LANDFILL:** An area of land used for disposal of garbage, rubbish, trash, waste, and refuse by burying underground.

**LOADING SPACE:** A space within the main building or the same lot therewith, providing for the standing, loading or unloading of trucks, and having a minimum dimension of twelve (12) by forty (40) feet and vertical clearance of at least fourteen (14) feet.

**LOCAL STREET:** see **THOROUGHFARE.**

**LOT:** For the purpose of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, and may consist of:

1. A single lot of Record.
2. A portion of a Lot of Record
3. A combination of complete Lots of Record, or complete Lots of Record and portions of Lots of Record, or of portions of Lots of Record.

**LOT COVERAGE:** The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

**LOT FRONTAGE:** The front of a lot shall be construed to be the portion bounded by the street or road. For determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets are classed as frontage.

**LOT, MINIMUM AREA OF:** The area of a lot is computed exclusive of any portion of the right-of-way of any public street.

**LOT MEASUREMENTS:** A lot shall be measured as follows:

1. Depth: The distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width: The distance between straight lines connecting from the front and rear lot lines at each side of the lot.

**LOT OF RECORD:** A lot, which is part of a subdivision, recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

**LOT TYPES:** Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

1. A corner lot is defined as a lot located at the intersection of two (2) or more streets.
2. An interior lot is a lot other than a corner lot with only one frontage on the street.
3. A through lot is a lot other than a corner lot with frontage on more than one street. Through lots, abutting two (2) streets may be referred to as a double frontage lot.
4. A reversed frontage lot is a lot on which frontage is at right angles to the general pattern in the area.

**MAJOR THOROUGHFARE PLAN:** The plan adopted by the Regional Planning Commission indicating the general location recommended for arterial, collector and local thoroughfares within the unincorporated areas.

**MAINTENANCE and STORAGE FACILITIES:** Land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and materials.

**MANUFACTURING – EXTRACTIONS:** Any mining, quarrying, excavating processing, storing, separating, cleaning, or marketing of any mineral natural resource.

**MANURE PONDS, LAGOONS, and TANKS:** Any man-made enclosure in the form of a pond, lagoon, or tank designed and constructed to be used for disposal and containment of farm animal excrement or manure.

**MINERAL EXTRACTION:** see **EXTRACTIONS.**

**MOBILE HOME:** A large detached trailer designed to be used as a dwelling unit meant to be parked more or less permanently, with or without a foundation, when connected to the required utilities and sewage disposal system.

**MODULAR UNITS:** Any portable structure which is an assembly of material or products comprising all or part of a total structure which, when constructed, is self-sufficient, and when installed constitutes the structure or part of a structure, except for its preparations for placement and so designed and constructed as to permit occupancy for dwelling or sleeping purposes and which is approved and complies with the Department of Housing and Urban Development Regulations (Parts 208 and 3282 of the Federal Register) as authorized by the National Mobile Home Construction and Safety Standards Act of 1974, Public Law 93-383 as amended, and the Ohio building Code (OBC) BB-51 and BB-75, as applicable.

**MORE RESTRICTIVE:** In reference to a nonconforming use, the changing of a use to more nearly conform to the permitted use, thus increasing the requirements such as side yards, etc., or generally increasing compatibility of a nonconforming use to the requirements of the district in which it is located.

**NONCONFORMITIES:** A building, structure or use of land or use of structures and land in combination lawfully existing at the time of enactment of this Resolution, and which does not conform to the regulations of the district or zone in which it is situated.

**NURSERY, NURSING HOME:** A home or facility for the care and/or treatment of babies, children, pensioners, or elderly people.

**OFFICE:** A room, set of rooms or building where the business of a commercial or industrial organization or of a professional person is transacted.

**OPEN SPACES:** An area substantially open to the sky, which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools and tennis courts, any other recreational facilities that the zoning commission deems permissive. Streets, parking areas, structures for habitation and the like shall not be included.

**OWNERS:** Includes but is not limited to any person owning a fee simple, fee title, life estate, or a buyer on a land installment contract.

**PARKING SPACE, OFF-STREET:** For the purpose of this Resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

**PERSONAL SERVICES:** Any enterprise conducted for the gain, which primarily offers services to the general public such as a shoe repair, watch repair, barbershop, beauty parlors, and similar activities.

**PLANNED UNIT DEVELOPMENT:** An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and set-backs, than those restrictions that would normally apply under those regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans.

**PONDS and LAKES:** Means any man-made earthen enclosure designed and constructed for the impoundment of water.

**PRINTING and PUBLISHING:** see **INDUSTRIAL<sup>1</sup>, LIGHT.**

**PROFESSIONAL ACTIVITIES:** The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers and similar professionals.

**PUBLIC SERVICE FACILITY:** The erection, construction, alteration, operation or maintenance of buildings, power plants or substations, water treatment plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

**PUBLIC USES:** Public parks, schools, administrative and cultural buildings and structures, not including public lands or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

**RECREATIONAL CAMPGROUND:** An area of land on which two (2) or more travel trailers, campers, tents or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

**RECREATIONAL FACILITIES, COMMERCIAL:** Recreational facilities established and operated for profit such as commercial golf courses, swimming pools, and similar commercial enterprises.

**RECREATIONAL FACILITIES, NONCOMMERCIAL:** Private and semi-public recreation facilities which are not operated for commercial gain, including private country clubs, riding clubs, golf courses, game preserves, hunting and trapping and other private noncommercial recreation areas and facilities or recreation centers including private community swimming pools.

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<sup>1</sup> Adopted Amended December 15, 2003, previously "INDUSTRIAL MANUFACTURING, LIGHT".

**RECREATIONAL VEHICLE:** A vehicle regardless of its size, which was not designed to be used as a permanent dwelling, and in which the plumbing, heating, electrical, and air conditioning systems included within the structure may be operated without connection to outside utilities and which are self-propelled or towed by a light duty vehicle for use as a temporary dwelling for travel, recreation and vacation use such as travel trailers, folding tent trailers, pickup campers and motorized homes.

**RIGHT-OF-WAY:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curb, lawn strips, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.

**ROAD:** see **THOROUGHFARE**.

**ROADSIDE STAND:** A temporary structure designed or used for the display or sale of agricultural and related products.

**SEASONAL COMMERCIAL:** Sale of produce in season, a majority of which was raised on the land owned or leased by the same organization as where the sale is occurring.

**SEAT:** For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, for each twenty-four (24) lineal inches of benches, pews or spaces for loose chairs.

**SEMI-PUBLIC USE:** Churches, Sunday schools, parochial schools, colleges, hospitals and other structures of an educational, religious, charitable or philanthropic nature.

**SERVICE STATION GARAGE:** Any building, structure, or land used for the dispensing, sale or offering for sale at retail of any automobiles fuels, oils, or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories and major repair work, but not including body and fender repair or spray painting.

**SETBACK BUILDING LINE:** A line parallel to the centerline of any road or street or highway and located at a distance from the centerline of any street, road or highway, equal to the minimum required setback for each district and extending across the full width of the lot.

**SEWAGE SLUDGE:** Means the stabilized sludge end product of a sewage treatment plant.

**SEWERS, CENTRAL OR GROUP:** An approved sewage disposal system, which provides a collection network and disposal system and central sewage treatment facilities for a single development, community, or region.

**SEWER, ON-SITE:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

**SIGN:** Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

1. Sign, On-Premises: Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
2. Sign, Off-Premises: Any sign unrelated to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
3. Sign, Illuminated: Any sign illuminated by electricity, gas or other artificial light including reflecting or phosphorescent light.
4. Sign, Lighting Device: Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. Sign, Projecting: Any sign which projects from the exterior of a building.

**SLAUGHTERHOUSES:** An establishment where animals are butchered.

**SOLID WASTE:** Means such materials as are described in the Ohio Revised Code Section 3734.01 (E) or in such statute as it may hereafter be amended.

**STABLE, PRIVATE:** A building for the feeding and lodging of domesticated animals, especially having stalls for horses.

**STORY:** That part of a building between the surface of a floor and the ceiling immediately above.

**STREET:** see **THOROUGHFARE.**

**STRUCTURE:** Anything constructed or erected, use of which requires location on ground or attachment to something having a fixed location on the ground. Among other things, structures shall include but are not limited to buildings, mobile homes, signs, pools, ponds, satellite dishes and antennas, carports, pavilions, porches or decks excluding fences and walls.

**SWIMMING POOL:** A pool or open tank designed and constructed or erected as a permanent structure that remains in place the year round containing at least one and a half (1 ½) feet of water at any point and maintained by the owner or manager.

1. Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household or community, the members and guests of the club or the patrons of a motel or hotel; an accessory use.
2. Community: Operated with a charge for admission; a primary use.

**THOROUGHFARE, STREET or ROAD:** The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volumes of traffic usually on a continuous route.

3. **Collector Street:** A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. **Cul-de-sac:** A street of relatively short length with one end open to traffic and the other terminating in a vehicular turnaround.
5. **Dead End Street:** A street temporarily having one (1) outlet for vehicular traffic.
6. **Local Street:** A street primarily for providing access to residential or other abutting property.
7. **Loop Street:** A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degrees system of turns are not more than one thousand (1,000) feet from said arterial or collector street, providing access to abutting properties and protection for arterial or collector streets (also called Frontage Street).

**TRAILER PARK or MOBILE HOME PARK:** An area with required utilities, designed to accommodate mobile homes for use as a permanent or seasonal residence.

**TRAILER, SMALL UTILITY:** Any trailer drawn by passenger automobile, used for occasional transport of personal effects.

**TRANSPORTATION and TRUCKING:** The business or process of conveying goods or passengers by bus, van, automotive truck, or semi-tractor and trailer.

**USE:** The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

**VARIANCE:** A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

**VEHICLE:** Any conveyance such as, but not limited to, motor vehicles, trailers, boats, aircraft or spacecraft and collector's vehicles.

**VETERINARY ANIMAL HOSPITAL or CLINIC:** A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

**WAREHOUSING:** Any building or structure used for the storage of goods, raw or finished materials.

**YARD:** A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level or the graded lot upward; provided accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the road right-of-way to the front of the principal building.
2. Yard, Rear: A yard extending between the side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front yard and the rear yards.

**ZONING CERTIFICATE:** See **Zoning Permit**.

**ZONING PERMIT:** The document issued by the Zoning Inspector authorizing the use of the land or building.

## **Article III**

### **GENERAL REGULATIONS**

#### **301: PURPOSE**

The general regulations as set forth herein shall apply to all districts. Where the requirements of a general regulation and a district regulation differ, the more restrictive requirement shall prevail.

#### **302: CONFORMANCE REQUIRED**

No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or structure or land be used, designed or arranged for any purpose other than that specifically permitted in the district in which said building or land is located. The Zoning Board of Appeals may issue conditional zoning certificates for any of the conditionally permitted uses listed under the conditionally permitted use section of any district.

#### **303: DISABLED VEHICLES**

The parking of a disabled vehicle within any district for a period of more than two (2) months shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building. More than one disable vehicle unfit to operate on the highways in a manner prescribed or permitted by the State of Motor Vehicle Code shall constitute a junk yard.



**304: UNLICENSED VEHICLES**

No more than one vehicle ungaraged that does not display current valid license tags or is unfit to operate on highways in the manner prescribed or permitted by the State of Ohio Motor Vehicle Code shall be allowed in any district on any parcel of land or lot of record.

**305: PROHIBITED USES**

The following uses shall be deemed to constitute a nuisance and shall not be permitted in any district:

1. Junk yards, automobile graveyards, or places for the collection of disabled or scrap vehicles, scrap machinery, scrap metals, paper, rags, glass, white goods or junk for salvage or storage purposes, or for dismantling used vehicles.
2. Sewage Sludge Disposal or application of sewage sludge on any land within Camden Township is prohibited unless such land application of sewage sludge is approved and permitted by the Lorain County Board of Health and the Ohio Environmental Protection Agency.
3. Slaughterhouses.
4. Bulk Petroleum or Propane Facilities.
5. Distilleries.
6. Mobile Homes except for Temporary Dwelling when permitted.
7. Trailer Parks or Mobile Home Park.
8. Landfills.
9. The dumping, storing, disposing of or burning of solid wastes, hazardous wastes, garbage, refuse, scrap metal, tires, rubbish, offal, demonization materials, and infectious wastes.
10. Manufacturing, storage or sale, whether wholesale or retail, of explosives, and fireworks.
11. Basements, wholly or partially below grade of the lot upon which located, for permanent dwelling purposes.
12. Storage, piling or accumulation of new or used building materials on a vacant lot unless a zoning permit has been issued for construction on said lot involving the use of such materials and the materials are used within two years from the date of the zoning permit.
13. Hospitals, sanitariums and rest homes for drug or liquor addicts, insane or mental cases.
14. Penal institutions.
15. Firing Ranges, except as a conditional use as a part of a sportsman's club.
16. Acid manufacturing.
17. Asphalt manufacturing.
18. Crematory.
19. Metallic powder manufacturing.
20. Reversed frontage lots.
21. Planned unit developments.
22. Semi-trailer, trailer, recreation vehicle, moving van, bus, truck body or truck bed for use as an accessory building.

**306: PERMANENT SWIMMING POOLS (R-1)**

- a. Shall be located on a lot, which has a residential dwelling as its main use.
- b. The setback from the road right-of-way shall not be less than that of the existing residential dwelling.
- c. Side lot line and rear lot line clearances shall be the same minimums as the yard requirements in the R-1 district for building or structures.
- d. All pumping and filtration equipment shall be located so as to conform to the yard requirements as set forth in the R-1 district, for building structures.
- e. Above ground or below ground outdoor swimming pools exceeding one-half (1 ½) feet in water depth shall be properly enclosed with a permanent fence, a minimum of four (4) feet in height. The retaining wall of the above ground pool will qualify as the fence requirement.<sup>2</sup>
- f. It shall comply with any Lorain County Health Department regulations for such uses.
- g. A zoning permit shall be required for all permanent swimming pools exceeding one and one half feet in water depth. A fee as set by the Township Board of Trustees shall be charged and the description as to the depth and area size shall be filed with the Township Zoning Inspector.

**307: ROADSIDE STANDS (R-1)**

- a. GENERAL – Roadside stands shall be used for sale of products grown on the property where said stand is located. Said stand shall be portable and shall be moved back to setback building line during the non-growing season.
- b. SETBACK – Said use shall be set back twenty (20) feet from any right-of-way sideline.
- c. PARKING – Adequate off-street parking shall be provided for a minimum of four (4) vehicles. Off-street parking areas shall be maintained in an all-weather, dust-free condition.
- d. SIGNS – The provisions of Article X shall apply.
- e. ZONING PERMIT – Zoning permit shall not be required.

**308: AGRICULTURAL OR RESIDENTIAL PONDS AND LAKES (R-1)**

- a. Agricultural or residential ponds and lakes must be designed by a registered landscape architect, civil engineer or the County Soil Conservation Service to *meet the standards and Specifications of the USDA Natural Resources Conservation Service*<sup>3</sup>.
- b. All designs and plans must be reviewed and approved by the Soil Conservation Service before a Permit can be issued.
- c. The construction of agricultural or residential ponds and lakes shall not adversely affect the drainage pattern of adjacent properties. *On-site and off-site drainage patterns (surface and subsurface) will not be obstructed by pond construction, in compliance with Ohio Drainage Laws. Drainage (ditches, swales, tile, etc.) will be rerouted around the pond and outletted into the original watercourse.*

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<sup>2</sup> Adopted Amended June 3, 1992.

<sup>3</sup> Adopted amended December 15, 2003. All text in italic was added in this amendment.

- d. The overflow from either an embankment type or dug out type lake or pond shall not be discharged so as to affect the required field or any nearby on-site sanitary system. *All ponds will have a spillway system capable of handling storm water overflow from the pond. Overflow, storm water will be discharged into the natural watercourse. Ponds used as primary water supply will be a minimum of 50 feet from the septic system leach field. Otherwise, ponds will be a minimum of 25 feet from the nearest point of the sanitary system.*
- e. In the opinion of the Township Trustees, the ponds shall be managed and maintained so as not to create a nuisance. In the opinion of the County Health Department, the ponds shall be managed and maintained so as not to create health hazard. If a pond is determined to be a nuisance by the Township Trustees or a health hazard by the County Health Department, the property owner will be sent written notification of the violation and given 90 days to correct the problem. The location of a pond shall not cause a hazard to nearby residents<sup>4</sup>.
- f. The construction of a pond or lake and its continued use shall not cause any additional erosion, either on-site or on adjacent properties.
- g. Agricultural or residential ponds and lakes shall not raise the ground water table through infiltration so as to render ineffective any on-site sanitary system.
- h. The areas surrounding the pond or lake shall be appropriately landscaped to aide in surface drainage and minimizing erosion.
- i. Setback Requirements will be a minimum of 50 feet from all property lines and 100 feet from all right-of-way lines<sup>5</sup>. *This is measured from the high water mark of the pond, the outside toe (edge) of the embankment (dam) and the outside edge of the spoil disposal area.* None of these three points can be closer than 50 feet to the property line or 100 feet from the right-of-way lines (see Exhibit A).
- j. The minimum size will be one-fourth of an acre in surface area (approximately 100 feet by 110 feet). Minimum depth: 8 feet in 25-50% of the pond with 3 to 1 side slopes (3 feet horizontal to 1 foot vertical rise)<sup>6</sup>.
- k. Ponds or lakes used for drinking water supply or for swimming must meet the Lorain County Health Department's standards for such use.
- l. Any required pumping or filtration equipment shall be located so as to not extend into any required yard in the district in which located.
- m. *The use of dry hydrant systems or other fire department approved water systems are encouraged<sup>7</sup>.*
- n. A zoning permit shall be required for all ponds and lakes. Ponds or lakes for agricultural use shall be exempt from any permit fees.
- o. Liability for the pond is the responsibility of the landowner.

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<sup>4</sup> Adopted amended December 15, 2003, duplicated by "f".

<sup>5</sup> Adopted amended December 15, 2003, previous setback requirement: no closer than 100 feet to any right-of-way line and no closer than 80 feet to any side and rear property lines.

<sup>6</sup> Adopted amended December 15, 2003, previously referred to setback requirements.

<sup>7</sup> Adopted amended December 15, 2003, previously referred to public hazard.

**309: GENERAL LOT AREA REGULATIONS**

No parcel of land shall hereafter be so reduced or divided so as to provide less than the minimum lot size required in the district in which such land is situated.

**309.01: LOT AREA EXCEPTION FOR EXISTING CERTAIN SUBSTANDARD LOTS**

Any lot or parcel of land on record at the time of adoption of this Resolution may be used as a building site even when of less area or width than that required by the regulations for the district in which located.

**309.02: CORNER LOTS**

The setback building line on the corner lot shall be in accordance with the provisions governing the road or street on which the building faces. The side yard clearance or setback from the side road or street shall not be less than the setback building line for the side road or street.

**309.03: STREET CONSTRUCTION**

No new streets or roads shall be permitted to be constructed, neither shall the same be accepted as public roads, in a residential district which will permit any already existing structure to remain in noncompliance with the setback building requirements outlined in this or any other section of the Zoning Resolution.

**310: GENERAL YARD REQUIREMENTS**

Except as herein provided, every required yard shall be open and unobstructed and shall not be reduced or diminished in area so as to be smaller than prescribed by this Resolution.

**310.01: YARD FOR SINGLE BUILDING**

No required yard or other open space around a building shall be considered as a yard or open space for any other building. No required yard or other required open space on an adjoining lot shall be considered as providing the yard or open space on the lot where on a building to be erected or established.

**310.02: CLEAR VIEW OF INTERSECTING STREETS**

In all zones which require a front yard, no obstruction in excess of three (3) feet in height shall be placed on any corner lot within a triangular area formed by the intersection of the street right-of-way lines and a line connecting points twenty-five (25) feet, measured each way from the intersection, to the projected point on each right-of-way line.

**311: YARD EXCEPTIONS****311.01: FENCES, HEDGES AND WALLS**

In all districts, except industrial districts, fences, hedges, and walls may be constructed to a maximum height of six (6) feet in any required side or rear yard beginning at the building lot line and to the height of three (3) feet in any required yard abutting a street.

**311.02: SIDE AND REAR YARDS FOR ACCESSORY USES<sup>8</sup>**

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<sup>8</sup> Struck December 15, 2003 to make consistent with Article VI: 604.

**311.03: SIDE AND REAR YARD PLANTINGS**

Side and rear yard planting must be maintained at least four (4) feet from the lot line on side and rear yards for small hedge planting and/or shrubbery. There shall be a ten (10) foot clearance maintained for all deciduous and evergreen trees.

**312: BUFFERING****312.01: INTENT**

The intent of this section is:

- a. To extend space or screen undesirable views to reduce the *impact*<sup>9</sup> of the one land use upon another.
- b. To increase soil water retention through landscaping requirements.
- c. To protect and preserve the appearance and property values of residential uses from adverse effects of adjoining nonresidential uses and certain development uses.
- d. To supplement land use planning and not be considered as its substitution.

**312.02: PURPOSE: BUFFERING**

Buffering shall be provided for one or more of the following purposes:

- a. A visual barrier to partially or completely obstruct the view of structures, vehicles, and activities.
- b. An acoustic screen to aid in absorbing and deflecting sound.
- c. A physical barrier to contain debris and litter.
- d. To promote the health, safety, morals and the general welfare of the residents of Camden Township.
- e. To remove, reduce, lessen, or absorb the shock of impact of incompatible uses of real properties between one use or zone district and another.

**312.03: DEFINITIONS**

- a. **LANDSCAPING:** Living material including, but not limited to, grass, ground covers, shrubs, vines, hedges, trees and nonliving durable material commonly used in landscape development.
- b. **SCREEN:** Plant material or other nonliving durable material including, but not limited to, walls, berms or fencing of a decorative type.
- c. **SHRUBS:** Self-supporting, deciduous and/or evergreen species, normally branched near the base, bushy, less than fifteen (15) feet in height, as normally grown in Lorain County.
- d. **TREES:** Self-supporting woody, deciduous, and/or evergreen plants with a well-defined central stem or species, which normally grow to a height of fifteen (15) feet or more in Lorain County.
- e. **VINE:** Plants, which normally require physical support to reach mature form.

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<sup>9</sup> Adopted Amended December 15, 2003.

**312.04: GENERAL PROVISIONS**

- a.** Materials - Landscaping buffering may include, but shall not be limited to, trees, shrubs, bushes, grass cover, earth berms or a combination thereof.
- b.** Screening – Screening shall consist of plant material or other nonliving durable landscape material.
- c.** Buffered Areas
  - 1.** Location and Width – Buffering areas shall be located on those less restrictive portions of land bordering or abutting a more restrictive zone or use district and shall be a minimum of thirty (30) feet in width.
  - 2.** Use – Designated buffering areas shall be used for no other purpose than plantings or screening except necessary ingress to or egress from the buffered area.
  - 3.** Design – A buffered area shall be designed to permit access to easement tracts to the grantees to perform the functions for which such easements were granted and facilitate use of such easement area for fire protection purposes.
- d.** Fences and Walls – Fences shall be acceptable as part of a landscape buffer, where traffic noise and light create a need for a buffer. When used, they shall have a decorative style or type. Walls and berms should be used only in most unusual cases, as one of several options to the developer to fulfill the buffering requirements.
- e.** Natural Plantings Requirements – Where natural plantings are used to provide a landscape buffer, such plantings shall be a minimum of four (4) feet in height at the time of planting.
- f.** Buffering Effect – The desired buffering effect shall be achieved no later than twelve (12) months after the initial installation. The Zoning Commission may extend this period of time where a hardship would be created because of expected growth or material storages, but in no event shall the Zoning Commission extend such period beyond two years from the time initial installation was to have been installed.
- g.** Modification of Requirements - The Zoning Commission may modify or change the location of a buffered area contiguous to side or rear property lines where topographical problems prevent the installation thereof the buffer materials or plantings.

**312.05: APPLICABILITY**

Landscape buffering shall be mandatory for any permitted or conditionally permitted uses, other than residence dwellings, which abut any residential district. No existing building, structure, or land use abutting any residentially zoned area shall be expanded, altered, or modified until plans are submitted by the owner or developer to the Zoning Commission. The Zoning Commission shall review such plans to determine if the changes adversely affect any properties in a single area. The Zoning Commission after its review shall require, where necessary, the establishment of a landscape buffering area or a revision of a previously established buffered area.

Owners or developers of off-street parking areas shall be required to include a plan for buffering the parking area where such plan shall be submitted to the Zoning Commission for approval. The buffering plan may be included as a part of the development plot plan when a submission of a development plot plan is required.

**312.06: PROCEDURES**

- a. When an application for Zoning Permit is made, the Zoning Inspector shall determine if the buffering requirement might be applicable. If he determines that the requirement comes under the buffering requirements, the Zoning Inspector shall advise the applicant of this fact and shall submit a request to the Zoning Commission that the matter be reviewed once the applicant has furnished the Zoning Commission with the following.
  1. A copy of the site Plan.
  2. Topography of the building site and surrounding area.
  3. A complete description of the area to be constructed or modified.
- b. The applicant shall provide the Zoning Commission with a detailed description and sketch of the landscape buffer, preferably prepared by a landscape expert, which visually and verbally outlines the nature and effect of the proposed landscape buffer.
- c. Where buffering is required, a Zoning Permit shall not be issued by the Zoning Inspector until an agreement has been reached with the applicant and the Zoning Commission as to the buffering requirements. The agreement between the Zoning Commission and the owner and/or developer shall include among other requirements, the following:
  1. Provisions for maintenance of the landscape buffer on the part of the applicant.
  2. Replacement procedures for any portion of the landscape buffer that is for any reason no longer viable.
  3. Provisions for replacement of the landscape buffer involving plant material that does not extend beyond the next growing season.
  4. Provisions for the replacement of landscape material such as fences and the like.
  5. Replacement of landscape material within sixty (60) days from the date of notification by the Zoning Inspector of noncompliance.

**313: EXCEPTIONS TO HEIGHT LIMITS**

The height limitations of the Resolution shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, water towers, transmission towers, chimneys, conveyors, grain legs, silos and grain storage bins. Other exceptions shall be subject to approval of the Zoning Board of Appeals.

**314: GENERAL BUILDING REGULATIONS**

No building or other structures shall hereafter be erected or structurally altered:

- a. To exceed the height required.
- b. To accommodate or house a greater number of families than that permitted by the provisions of this Resolution.
- c. To occupy a greater percentage of lot area than permitted.
- d. To have a narrower or smaller rear yards, front yards or lot width at the building line than those permitted in this Resolution.

**314.01: TEMPORARY HOUSING**

- a. DURING CONSTRUCTION – Any structure, temporary basement home or not more than one trailer or mobile home may be temporarily used as a residence on a lot while a permanent dwelling is being constructed. Such excluded use shall not be continued for more than eighteen (18) months. A separate zoning permit shall be required for the use of temporary dwelling quarters. Such permit shall not be renewed or extended. A performance bond or other surety in no event less than 1,000 dollars shall be filed with the application for such permit. Approved sanitary facilities must be provided.
- b. LIMITED USE WITH OCCUPIED DWELLING ONLY – A visitor's travel trailer or motor home shall be permitted for a period not to exceed six (6) months in any calendar year. Approved sanitary facilities must be provided.
- c. EMERGENCY USE - When a dwelling on any lot is destroyed or rendered *uninhabitable*<sup>10</sup> by fire, explosion, act of God or act of public enemy, not more than one motor home or travel trailer or mobile home may be used as a temporary residence while the permanent dwelling is repaired or reconstructed. Such temporary use shall not be continued for more than eighteen (18) months. A separate zoning permit shall be required for such emergency use. Approved sanitary facilities must be provided.
- d. OTHER REQUIREMENTS – The temporary use of any structure, travel trailer, mobile home or motor home shall be subject to all regulations of this zoning Resolution, including yard requirements.

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<sup>10</sup> Adopted Amended December 15, 2003.



**314.02: PRINCIPAL BUILDING**

No more than one principal building shall be permitted on any lot.

**314.03: BUILDINGS UNDER CONSTRUCTION PRIOR TO ENACTMENT**

Nothing in this Resolution shall be deemed to require any change in plans, construction or designated uses of any building upon which actual construction has lawfully begun prior to the adoption of this Resolution, provided construction is prosecuted diligently and provided further that such building shall be completed within one (1) year from the date of passage of this Resolution.

**314.04: REAR HOUSES**

Rear Houses shall not be permitted in any districts.

**314.05: HEALTH BOARD APPROVAL**

No Zoning Certificate shall be issued without evidence that the applicable County or State agencies have approved the proposed sanitary sewage disposal and waste facilities for the use for which the Zoning Certificate has been requested.

**314.06: AIRPORT HAZARD ZONES**

The provisions for the Lorain County Regional Airport Zoning Regulations are in full effect when applicable.

**314.07: FLOOD PLAIN ZONES**

A permit may be issued with evidence that the Lorain County Soil Conservation Department or other applicable agency has certified that site is not subject to predictable flooding.

**314.08: MUNICIPAL PLANNING COMMISSION AUTHORITY**

The authority of village or city planning commissions shall be observed where applicable.

**314.09: SUBMISSION TO STATE HIGHWAY DIRECTOR**

The provisions of Section 1201.04 are in full effect where applicable.

**314.10: FRONTAGE REQUIRED FOR BUILDING**

No principal building shall be erected on a lot, which does not have required frontage on a dedicated street of record.

**314.11: EROSION AND SEDIMENTATION CONTROL DURING CONSTRUCTION**

A plan for erosion and sedimentation control during and after construction shall be included with other plans upon application for a zoning permit for subdivision of five (5) acres or more. The following principles shall be followed in developing and carrying out the plan.

- a. The smallest practical area of land should be exposed at any one time during development.
- b. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
- c. Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.

- d. Provisions shall be made to effectively accommodate the increased runoff cause by changed soil and surface conditions during and after development.
- e. Sediment basins (debris basins, desilting basins or silt traps) shall be installed and maintained to remove sediment from run-off waters from land undergoing development.
- f. The permanent final vegetation and structures shall be installed as soon as practical in the development.
- g. The development plan shall be fitted to topography and soils so as to create the least erosion potential.
- h. Whenever feasible, natural vegetation should be retained and protected.

**315: NONCONFORMITIES**

**315.01: CONTINUANCE**

The lawful use of building or parcel of land existing at the time of the adoption of this Resolution may be continued, although such use of a building or parcel of land does not conform to the provisions hereof, provided no structural alterations are made other than those ordered by an authorized public officer to assure the safety of the building or structure and provided further, than such extension does not displace any resident use in any residential district.

**315.02: NONCONFORMING LOTS OF RECORD**

In any R-1 District, notwithstanding limitations imposed by other provisions of this Resolution, a single family dwelling may be erected on any single lot of record existing at the effective date of the adoption or amendment of the Resolution, provided that yard requirements of the lot shall conform to the regulations for the district in which such lot is located.

**315.03: DISCONTINUANCE**

If any nonconforming use of land is discontinued or abandoned for any period of two (2) years, said use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located. Whenever a nonconforming use of a building or structure or portion thereof has been discontinued for a period of at least two (2) years, such nonconforming use shall comply with the provisions of this Resolution.

**315.04: CHANGE**

Whenever a nonconforming use of a building or land has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted area.

**315.05: EXTENSIONAL, ENLARGEMENT, REMOVAL**

No Nonconforming use shall be enlarged, increased or extended to occupy a greater area of building or land than was occupied at the effective date of the adoption or subsequent amendment of this Resolution. No nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel of land occupied at the effective date of adoption or amendment of this Resolution.

**315.06: DESTRUCTION, DAMAGE, AND RECONSTRUCTION**

Any nonconforming building or structure damaged by fire, explosion, act of God or act of public enemy, may be reconstructed and used as before such calamity, provided such building or structure is not damaged to the extent of more than fifty (50) percent of its replacement cost at the time of destruction. A zoning permit for such reconstruction must be obtained. Nonconforming building or structure damaged to the extent of more than fifty (50) percent of replacement cost shall not be reconstructed except in conformity with the provisions of this Resolution, or with a variance from the Board of Zoning Appeals. Any damaged or burned-out homes, which are not repaired, must be torn down and debris cleaned up within two (2) years.

**315.07: MAINTENANCE**

On any building or structure devoted in whole or in part to a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repairs or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding thirty (30) percent of the current replacement value of the building or structure, provided that the cubic content of such building or structure as it existed at the time of passage or amendment of this Resolution not be increase as it existed at the time of passage or amendment of this Resolution.

**316: SUBMISSION OF PLANS****316.01: APPLICABILITY**

This procedure is to be applied when specified in the District Regulations and on development of five (5) acres or more. Depth of lots shall not be greater than twice the width of each lot.

**316.02: ACTION BY ZONING COMMISSION AND APPLICANT**

Application for developments in all agricultural residential, commercial (business,) and industrial districts shall be reviewed by the Zoning Commission in four (4) stages.

- a. Application submission of general plan including sketches.
- b. Submission of preliminary development plans and preliminary architectural drawings and site plans.
- c. Submission of final development plans and final architectural drawings and site plans.
- d. Decision of Zoning Commission given in writing to Zoning Inspector.

**316.03: RE-ZONING**

Re-zoning from another district to the proposed classifications shall be considered during the submission of the preliminary site development plans. No zoning permits shall be issued and no building shall be permitted within the designated districts until the final site development plans and the final architectural drawings and plans have been submitted to and approved by the Zoning Commission. Prior to the granting of the permit, the Zoning Inspector shall receive from the Zoning Commission and the State Building Inspector an Advisory report approving the proposed development plans as presented in final form as required herein.

**316.04: CONSTRUCTION AND USE TO BE PROVIDED IN APPLICATIONS**

Zoning permits and health permits issued on the basis of applications and plans including site development plans and architectural drawings and plans approved by the Zoning Commission and the Building Inspector of the State, or other applicable agencies as designated by the Zoning Commission, authorize only the use and arrangement set forth in such approved plans and applications and amendments thereto, and no other use, arrangements, or construction. Use, arrangement or construction at variance with that authorized shall be deemed a violation of this Resolution and punishable as provided herein.

**316.05: APPLICATION PROCEDURE**

- a. The developer shall meet with the Zoning Commission prior to the submission of the preliminary plans of the development. The purpose of the meeting is to discuss early and informally the purpose and effect of these regulations and the criteria and standards contained in the applicable district regulations; and to familiarize the developer with all plans and regulations of the community. The general plans should indicate the types of units to be used; approximate the locations of public and private streets; location, type and approximate acreage of all required open spaces. Three copies of the general plan shall be submitted. Specific plans are not required. The intent here is for both the developer and the Zoning Commission to clarify their general intentions in regard to the applicable zoning district regulations before a considerable amount of time and expense has been invested. A formal application and an application fee are required.
- b. The Zoning Commission shall discuss with the developer the changes, if any, that will be required and the procedures for submitting the preliminary development plans. The Zoning Commission's approval at this stage shall not be binding, but should indicate a general willingness to approve the final plan if the developer meets the necessary requirements.
- c. All application submissions shall be submitted to the Zoning Commission not less than two weeks prior to the regularly scheduled meeting.

**316.06: PRELIMINARY SUBMITTAL PROCEDURE AND REQUIREMENTS**

After the application stage, the developer shall submit preliminary development plans to the Zoning Commission. These plans shall include site development and architectural plans and drawings in preliminary form, which shall conform to the requirements set forth in this Resolution.

**316.07: SUBMITTAL OF PRELIMINARY ARCHITECTURAL DRAWINGS**

- a. The preliminary drawing for each type of structure shall be submitted for the purpose of the portraying conceptually the intended uses within the development. The submittal shall contain the height of the structures, number of units, number of square feet and elevations.
- b. All architectural drawings must be prepared by a licensed registered architect. Such drawings must be affixed with the seal of said architect, indicating that the design of buildings or structures meets the State Building Code Standards.

**316.08: PRELIMINARY SUBMITTAL TO THE ZONING COMMISSION**

- a. The Zoning Commission shall submit in writing to the applicant the necessary revisions to be shown prior to approval of the preliminary plan, whereupon, the applicant will submit the revised site plan and architectural drawings to the Zoning Commission on or before the last day of the month if it is to be reviewed the following month at the next regular meeting.
- b. Upon approval of the preliminary plans by the Zoning Commission, the final plan may be prepared and submitted.
- c. Approval of the preliminary plan shall be conditional upon compliance with all other applicable statutes, resolutions and regulations of the Township, County and State.

**316.09: FINAL SUBMITTAL PROCEDURES AND REQUIREMENTS**

If the final site plans and architectural drawings are to be reviewed the following month by the Zoning Commission, they shall be submitted on or before the last day of the preceding month. The final site plans and architectural drawings, if not submitted in consecutive months, shall be submitted fifteen (15) days prior to any regular meetings of the Zoning Commission. All final plans must be filed in triplicate.

**317: PERFORMANCE STANDARDS FOR ALL DISTRICTS**

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

**317.01: FIRE HAZARDS**

Any activity involving the use of flammable or explosive material shall be protected by adequate firefighting and fire suppression equipment and by such safety devices as are normally used in the handling of any such material.

**317.02: RADIOACTIVITY OR ELECTRICAL DISTURBANCES**

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of the equipment other than that of the creator of such disturbance.

**317.03: NOISE**

Noise which is objectionable as determined by the Commission due to volume, frequency or beat shall be muffled or otherwise controlled except during construction operations. Air raid sirens and related apparatuses used solely for public purpose are exempt from this requirement.

**317.04: VIBRATION**

No Vibration shall be permitted except during construction operations, which is discernible without instrument on any adjoining lot or property.

**317.05: SMOKE**

Smoke shall be controlled as much as economically possible as determined by the County Health Department or Ohio Environmental Protection Agency.

**317.06: ODORS**

No malodorous gas or matter or liquid shall be permitted which is discernable on any adjoining lot or property.

**317.07: AIR POLLUTION**

No pollution of air by fly ash, dust vapors, or other substances shall be permitted which is harmful to health, animals, vegetation or other property or which can cause soiling.

**317.08: GLARE**

No direct or reflected glare shall be permitted which is visible from any property or from any public street, road or highway.

**317.09: WATER POLLUTION**

Pollution of water shall be subject to the requirements and regulations established by the Ohio Water Commission and EPA.

**317.10: SLUDGE DISPOSAL**

Any land application of sewage sludge shall be considered a land use and must be approved by the Lorain County Board of Health before a zoning permit can be issued.

**318: ENFORCEMENT PROVISIONS**

All uses existing on the effective date of this Resolution shall conform to these performance requirements within one (1) year, provided, that an extension of up to six (6) months may be granted by the Zoning Board of Appeals. Extensions may be granted by the Zoning Board of Appeals if the owner or operator of the use can demonstrate that compliance would create an unreasonable hardship.

The Zoning Inspector shall refer any proposed use, which is likely to violate performance requirements to the Zoning Board of Appeals.

**319: ENVIRONMENTAL AND ECONOMIC ASSESSMENT**

These are factors to be considered by developers when preparing development plans:

**319.01: EXISTING DEVELOPMENT**

- a. Existing Land Use
  1. Comparisons made between the proposed use and those existing land uses adjacent to it to determine compatibility.
- b. Zoning Districts
  1. Is the range of zoning uses proposed in the change compatible with the range of uses allowed in the adjacent zones?
  2. Is the proposed change continuing a desirable pattern of zoning?
  3. Does the proposed change grant special privileges to the detriment of adjacent land owners?
- c. Existing Residential Densities
  1. Evaluation of the proposed parcel in relation to density of proposed area vs. density of surrounding land. Take into consideration that a four (4) unit building on one (1) acre maintains the same density as four (4) single-family homes on ¼ acre lots.
- d. Impact Areas and Vacant Land
  1. Comparison of proposed change with regard to development commitments of adjacent vacant land.
  2. The effects of proposed development on the development potential of adjacent vacant land.

**319.02: DEVELOPMENT IMPACT ON THE TOWNSHIP'S GOALS AND OBJECTIVES**

- a. Land Use Plan
  - 1. Compatibility of proposed changes in relation to Land Use Plan and the Township's long-range objectives.
  - 2. Conditions may change over time thus justifying the proposed change but which is not indicated in the Plan.
- b. Transportation Plan
  - 1. The degree to which the change would help to realize or hinder the Transportation Plan.
  - 2. Determination of the ability of the change to be served adequately by future improvements.

**319.03: DEVELOPMENT IMPACT ON PUBLIC SERVICES AND UTILITIES**

- a. Sanitary Sewers and Water Lines
  - 1. Impact of change on sewage system through study of lift station capacity. If change causes lift station to exceed capacity thus requiring additional pumping and force main capacity or use of an alternative method for getting waste water to treatment plant.
  - 2. Evaluation of location and size of lines serving the proposed area, to determine compatibility of handling change.
- b. Fire Protection
  - 1. The need for additional fire hydrants.
  - 2. Depending on the size of development, water pressure may have to be increased to handle high-rise building.
  - 3. The addition of more or special fire equipment.
- c. Traffic Flow
  - 1. Review of road design capacities and location of major traffic generators.

**319.04: IMPACT ON ENVIRONMENTAL FACTORS**

- a. Preservation of Natural Areas.
- b. Insurance that water supply is not degraded by pollutants including those transported in storm water.
- c. Identification of areas suitable for development.
  - 1. Areas presently developed.
  - 2. Current vacant land suitable for development.
- d. Soils and Flooding
  - 1. Review of soil maps to determine the limitations of the local soils.
  - 2. Enlisting the use of site planning to insure building relates harmoniously to terrain and existing building and roads and nearby residences.

## **Article IV**

### **CONDITIONALLY PERMITTED USES**

#### **401: GENERAL REQUIREMENTS**

- a. **ZONING BOARD OF APPEALS**: The Zoning Board of Appeals may allow conditionally permitted uses subject to: The Provisions of Article III, Section 312, Buffering; The general conditions as set forth in Article XIII; The Submission of Plans as set forth in Article III, where applicable and the specific conditions set forth herein.
- b. **CONDITIONAL USE PERMIT**: A conditional use permit shall be renewed annually and a fee, as set forth in the fee schedule, shall accompany such application for said permit, unless otherwise specified herein. Conditional Use permits shall not be transferable.

An application for the conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals and the Chairman of the Zoning Commission by at least one owner or lessee of property for which such conditional use is proposed. Said application can be obtained from the Zoning Inspector.

- c. **INSPECTION**: The Zoning Inspector may inspect the premises at any reasonable time. Failure to comply with the regulations as established herein and others as the Zoning Board of Appeals may add will be considered reason for revocation of the conditional permit.
- d. **VIOLATIONS**: Conditional use permits shall be revoked after thirty (30) days from dates of written notice of violation unless said violation has been corrected.



**402: AUTOMOBILE AUTOMATIC WASH STATIONS (B-1)**

- a. OFF-STREET RESERVE SPACE: Reserve space for not less than five (5) automobiles per washing lane shall be provided.
- b. REQUIRED OFF-STREET PARKING: One space for each two (2) employees plus one space for the owner or manager.
- c. LIGHTING: All outside lighting shall be shielded from adjacent properties.
- d. FRONTAGE and DEPTH: A minimum frontage of three hundred (300) feet and an area of two (2) acres are required.
- e. SAND TRAP: A sand trap for wastewater with a minimum capacity of one hundred twenty (120) cubic feet shall be provided within the building for protection against ground water pollution. Said wastewater shall be handled according to accepted County Health Board practices. Said use shall be located one hundred (100) feet from any lot in a residential district.
- f. RETAIL SALES: Retail sales of related commercial products shall be permitted.
- g. REPAIR WORK: Repair work shall not be permitted.
- h. SERVICES: Services shall be performed wholly within a totally enclosed building, with the exception that finishing of vehicles may be conducted outside the building.
- i. HOURS OF OPERATION: Facilities located adjacent to a residential area shall be used only during the hours of 7 a.m. to 10 p.m.
- j. DISTANCE FROM SIDE AND REAR LOT LINES: The building shall be a minimum of forty (40) feet from the side and rear lot lines.
- k. FENCING: A permanent screening fence or wall not less than six (6) feet in height shall be constructed along any property line that abuts property zoned for residential use.

**403: AUTOMOBILE REPAIR GARAGES (B-1)**

- a. FENCING: When such use abuts a lot in any residential district, a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from a street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition, a row of shrubs or hedges shall be incorporated which will attain a maximum height of not more than three (3) feet from the street right-of-way to the building line and a minimum of six (6) feet along the remainder of the property lines.
- b. DISTANCE FROM RESIDENTIAL AREAS: Buildings used for such purposes shall not be nearer than 75 feet from any residential district.
- c. REPAIRS: Automobile, truck, and trailer repairs shall be conducted completely within an enclosed building.
- d. ACCESS: no more than two driveway openings shall be permitted directly from any major thoroughfare or more than one driveway opening from any minor street, each of which shall not exceed thirty (30) feet in width at the property line at its intersection with the street line. No part of any access way shall be nearer than 100 feet to the intersection of any two street right-of-way

lines, nor shall any such part be nearer than fifty (50) feet to any side or rear property line.

- e. OFF-STREET PARKING: One space for each employee shall be provided in addition to one space for each 250 square foot of floor space to accommodate loading and unloading of materials, customer parking and storage of vehicles.
- f. STORAGE: No overnight or weekend outside storage of trucks or trailers shall be permitted on the premises and no partially dismantled or junked vehicles shall be stored outside the building on the premises.
- g. LOT SIZE: The minimum lot size shall be two (2) acres with three hundred (300) foot frontage.

**404: DAY CARE CENTER (R-1, B-1)**

- a. INTERIOR FLOOR SPACE: No less than one hundred (100) square feet per child.
- b. YARD REQUIRED: Side and rear yards shall be a minimum of fifty (50) feet.
- c. LOT SIZE: A minimum of three hundred (300) foot frontage and a minimum depth of three hundred (300) feet.
- d. PLAY AREA: There shall be provided on the site a usable outdoor play area of seventy-five (75) square feet per child enrolled exclusive of front yard, required side yards, driveways and parking areas.
- e. FENCING: The play area shall be fenced for safety and shall be screened from any adjoining residential land by suitable plant material.
- f. DEVELOPMENT PLAN: A development plan must be submitted at the time of application for a conditional use permit.

**405: EXTRACTION OF STONE, MINERALS AND TOPSPOIL (I-1)**

- a. GENERAL REQUIREMENTS: Any owner, lessee or other person having an interest in mineral land may file with the Zoning Board of Appeals, and application for authorization to mine mineral there from, provided, however, that he shall comply with all requirements of the District in which said property is located and with the following additional requirements.
- b. DISTANCE FROM PROPERTY LINES: No quarrying operation shall be carried on or any stock pile planned closer than fifty (50) feet to any property line, unless a greater distance is specified by the Zoning Board of Appeals where such is deemed necessary for the protection of adjacent property.
- c. DISTANCE FROM PUBLIC RIGHT-OF-WAY: In the event that the site of the mining, quarrying or extraction operation is adjacent to the right-of-way of any public street or road, no part of such operation shall take place closer than 300 feet to the nearest line of such right-of-way.
- d. FENCING: Fencing shall be erected and maintained around the entire site or portions thereof where in the opinion of the Zoning Board of Appeals such fencing is necessary for the protection of the public safety and shall be of a type specified by the Board.
- e. EQUIPMENT: All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatments as may be specified by the County Engineer.

- f. PROCESSING:** Crushing, washing and refining or other similar processes may be authorized by the Zoning Board of Appeals as an accessory use, provided, however, that such accessory processing shall not be in conflict with the use regulations of the District in which the operation is located.
- g. DRAINAGE DAMAGE:** Any party responsible for damage to tile or waterways of record must restore them to their previous condition.
- h. PERFORMANCE BOND:** All persons or groups of persons, corporations, or private contractors wishing to extract minerals or topsoil from land within Camden Township shall submit to the Township Trustees, a bond or a sum to be determined by the Trustees which shall be held during the operation of the extraction process and for a period not to exceed 365 days after removal of equipment from the site. The condition of this bond shall be that the persons or group of persons, corporations or private contractors responsible for the extraction process shall faithfully perform all conditions of the zoning regulations as set forth and shall pay anyone who may perform or cause to be performed any work or labor or furnish or cause to be furnished any skills, labor, equipment or material in the execution of such contract and such bond shall be forfeited upon the failure of the persons, groups of persons, corporations, or private contractors to comply herewith.
- i. APPLICATIONS: Contents, Procedure –** An application for such operations shall set forth the following information:

  - Name of the owner or owners of land from which removal is to be made.
  - Name of the applicant making request for such permit.
  - Name of the person or corporation conducting the actual removal is to be made.
  - Location of processing plant to be used.
  - Type of resources or materials to be removed.
  - Proposed method of removal and whether or not blasting or other use of explosives will be required.
  - Description of equipment to be used.
  - Method of rehabilitation and reclamation of the mined area.
- j. PUBLIC HEARING:** Upon receipt of such application, Zoning Board of Appeals shall set the matter before a public hearing.

**406: FUNERAL HOME (B-1)**

- a. **SITE SIZE:** Minimum site size shall be two (2) acres with a minimum frontage of three hundred (300) feet and a minimum depth of three hundred (300) feet.
- b. **ACCESS:** The proposed site shall front upon a major thoroughfare. All ingress to the site shall be directly from the said thoroughfare.
- c. **YARD REQUIRED:** Each front, side and rear yard shall be at least fifty (50) feet in width and be appropriately landscaped in trees, shrubs and grass. No structures or parking areas shall be permitted in said yards, except that rear yards may be used for parking purposes under the requirements specified in Article XI and except for required entrance drives and those wall and/or fences used to obscure the use from abutting residential districts.
- d. **AREA COVERAGE:** No more than thirty (30) percent of the gross site shall be covered by buildings, including accessory buildings.
- e. **APPEARANCE OF BUILDINGS:** All buildings shall be harmonious in appearance with any abutting surrounding residential area and shall be similar in design and appearance to any other buildings within the immediate vicinity of the proposed site.
- f. **OFF-STREET PARKING:** Off-street parking shall be provided in conformance with the schedule outlined in Article XI. Adequate off-street assembly area for vehicles used in funeral processions shall be provided in addition to any required off-street parking area. Parking and assembly areas shall be screened from surrounding residential areas by a fence at least four (4) feet in height. Shrubs or trees may be used in combination with said structural screens or walls.

**407: GOLF COURSE (FP)**

- a. **SITE SIZE AND FRONTAGE:** The site shall contain a minimum of 35 acres for a par 3, 9 hole golf course, a minimum of eighty (80) acres for a nine hole golf course and one hundred and one sixty (160) acres for an eighteen-hole golf course. Lot frontage shall be a minimum of three hundred (300) feet.
- b. **DISTANCE FROM ROAD RIGHT-OF-WAY:** All principal and accessory buildings shall be located not less than one hundred (100) feet from the road right-of-way side line.
- c. **ACCESS:** Access to and from the site shall be located so as to minimize traffic hazards and congestion. All access drives shall be a minimum of twenty (20) feet in width and constructed of a hard-surfaced material.
- d. **HEIGHT:** No structure shall be erected in excess of thirty-five (35) feet in height.
- e. **COURSE LAYOUT:** Course layout shall be directed away from all surrounding residential areas and roads. All detailed plans for the layout of golf courses, structures and accessory buildings shall be submitted to the Township Zoning Board of Appeals for review. The Township may request review of the Lorain County Regional Planning Commission if desired prior to the issuance of a conditional zoning permit. Such review by the Commission shall be advisory to the Township Board of Appeals.
- f. **DISTANCE FROM RESIDENTIAL AREAS:** Buildings and parking areas shall be not less than two hundred (200) feet from any property line of abutting residentially zoned land.

- g. LIGHTING:** Lighting of any type shall be directed away from or shielded from any abutting properties.
- h. PARKING:** Ten parking spaces per hole shall be provided in addition to one space for per thirty-five (35) square feet of floor area for public assembly. All parking spaces shall be located not less than seventy-five (75) feet from any residential district and fifty (50) feet from the road right-of-way side line.
- i. FENCING:** A minimum of six feet in height shall be provided around all recreation areas (tennis courts, swimming pools and shuffle board courts), thereby permitting access only to members or users of the golf course.
- j. RETAIL SALES:** Pro shops and sale of goods incidental to the principal use shall be permitted. The sale of food and beverages shall be permitted if contained within the principal building or structure.

#### **408: HOME OCCUPATION (R-1)**

##### **Type 1**

Accessory use within a dwelling unit provided that:

1. Such use shall be conducted by a member(s) of the family residing on the premises with no more than one (1) employee who is related.
2. Such occupation shall be carried on entirely within the dwelling.
3. Such occupation shall be clearly incidental and subordinate to its use for residential purposes, and no more than twenty (20) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
4. No activity, materials, goods or equipment indicative of the occupation shall be visible from the public way or adjacent property.
5. The proposed use shall not constitute primary or incidental storage facilities for a business, industrial or agricultural activity conducted elsewhere.
6. No commodity shall be sold thereon, unless it was produced on the premises or unless it is incidental to the services rendered or the articles produced on the premises.
7. No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood. Any need for parking generated by the home occupation shall meet the off-street parking requirements as specified in this Resolution and be provided for on-site.
8. No alteration to the exterior of the residential building shall be made which changes the character thereof as a dwelling.
9. No equipment or process shall be used in such home occupation, which would cause a nuisance to neighbors such as noise, vibration, glare, fumes, odors or electrical interference.
10. The principal structure of the dwelling or garage shall not be expanded for this use.
11. One sign may be permitted as specified under Home Occupation, Type 2, Item 8.

##### **Type 2**

Accessory use within a structure provided that:

1. Such use shall be conducted by a member(s) of the family residing on the premises with no more than one (1) employee who is not related.

2. Such occupation shall be carried on entirely within an accessory structure not larger than eight hundred (800) square feet. **Amended:12-18-17 Res. 17-94** not larger than two thousand four hundred (2400) square feet.<sup>11</sup>
3. Such occupation shall be clearly incidental and subordinate to the land use for residential purposes.
4. No activity, materials, goods or equipment indicative of the occupation shall be visible from any public way or adjacent property except for such material, goods, and equipment that would be normally visible in the district.
5. Such occupation shall not produce noxious, toxic or offensive materials such as, but not limited to, liquids, gases, solids, smoke, dust, odors, fumes and noise, vibration or electrical interference or otherwise cause a health hazard or nuisance to neighbors.
6. The proposed use shall not constitute primary or incidental storage facilities for a business, industrial or agricultural activity conducted elsewhere.
7. No traffic shall be generated by such occupation in greater volume than would normally be expected in a residential neighborhood. Any need for parking generated by the home occupation shall meet the off-street parking requirements as specified in this Resolution and be provided for on-site.
8. There may be (1) sign advertising the home occupation. A sign mounted flat against the wall of the accessory building not to exceed six (6) square feet in area and non-illuminated, or one (1) yard sign not to exceed six (6) square feet in area and non-illuminated and set back at least twelve (12) feet from the all street right-of-ways, and so placed as to not create a visibility hazard at the point of ingress or egress. All side yard requirements for the applicable district shall be met.
9. Other factors and conditions shall be considered from time to time as deemed appropriate. Population density of the residential area, unique characteristics of a particular business along with the views and opinions of surrounding neighbors will be considerations.

### Type 3

Accessory use outside of the dwelling provided that:

1. No person who is not a resident of the premises may participate in the home occupation as an employee or volunteer.
2. Such use shall be carried on wholly within an outside storage area, shielded from view by neighboring property owners, and may include a building or other accessory structure.
3. Such outside storage area shall not exceed one percent (1%) of the total area of land upon which the use is located or five thousand (5,000) square feet, whichever is less.
4. The total inside area of buildings or accessory structures utilized for the use shall not exceed one percent (1%) of the total land area upon which the occupation is located or three thousand (3,000) square feet, whichever is less.
5. Such outside storage area or building or accessory structure related to the home occupation shall not be located in a required front yard.

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<sup>11</sup> Amended 12-18-17 Resolution 17-94 to increase footage.

6. Sales of commodities not produced on the premise may be permitted, provided that the commodities are specified on the application for the conditional use zoning permit and are reasonably related to the home occupation.
7. Outside storage of commodities used in the home occupation shall not be stacked or piled higher than fifteen (15) feet above ground level.
8. The proposed use shall not constitute primary or incidental storage facilities for a business, industrial or retail activity conducted elsewhere.
9. There may be one yard sign advertising the home occupations not to exceed six (6) feet square in area, non-illuminated and set back at least twelve (12) feet from all street right-of-ways, and so placed as to not create a visibility hazard at the point of ingress and egress.
10. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential district.
11. No equipment, process, materials or chemicals shall be used which create offensive noise, vibration, smoke, dust, odor, heat, glare, x-rays, radiation or electrical disturbances.
12. Such home occupation shall be clearly incidental and subordinate to the land use for residential purposes.
13. Other factors and conditions may be considered from time to time as deemed appropriate. Population density of residential area, unique characteristics of a particular business and opinions of surrounding neighbors will be considerations.

**409: MINIATURE GOLF COURSE (B-1)**

- a. **MINIMUM SETBACK:** One hundred (100) feet from centerline of the road right-of-way, with minimum side and rear yards of at least fifteen (15) feet each. The course shall be located no closer than two hundred (200) feet from any structure used for human occupancy.
- b. **LANDSCAPING:** The lot shall be so landscaped as to screen the use for adjoining properties.
- c. **Noise:** Loudspeakers, which cause a hazard or annoyance, shall not be permitted.
- d. **ACCESS:** All points of entrance or exit should be located no closer than two hundred (200) feet from the intersection of two (2) arterial streets, or no closer than one hundred (100) feet from the intersection of an arterial street and a local or collector street.
- e. **LIGHTING:** No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. No lighting shall shine directly on adjacent properties.
- f. **HOURS OF OPERATION:** 7 a.m. to 11 p.m.
- g. **RETAIL SALES:** The sales of pre-packaged food and beverages and commercial products clearly incidental to the use shall be permitted.
- h. **PROHIBITED ACTIVITIES:** No intoxicating beverages may be sold or permitted. No mechanical amusement devices or games of chance shall be allowed.
- i. **PARKING:** Off-street parking shall be provided in conformance with the requirements of Article XI.
- j. **SITE SIZE:** Minimum frontage of three hundred (300) feet and minimum depth of three hundred (300) feet.

**410: PARKS AND PLAYGROUNDS (R-1, FP)**

- a. PERMITTED USES: Uses permitted shall be softball/baseball fields, multiple-use paved areas, landscape areas, picnic areas, playground apparatus areas and field house.
- b. SITE SIZE: The minimum total site size shall be five acres and the minimum total width shall be not less than three hundred (300) feet. Minimum lot depth shall be three hundred (300) feet.
- c. ACCESS: A minimum of two access points to the site shall be provided maintaining a distance of two hundred (200) feet, centerline to centerline.
- d. PARKING: Ten parking spaces shall be provided for each acre of playground area.
- e. SETBACK REQUIREMENTS: Setback requirements for all buildings and accessory structures shall be seventy-five (75) feet from side and rear lot lines and one hundred (100) feet from all bounding road right-of-way side lines. Setback areas on the site shall be appropriately landscaped to maintain a park-like atmosphere. Playground apparatus must be set back fifty (50) feet from any bounding street right-of-way or side lot line.
- f. LIGHTING: When lighting is provided it shall be shielded from adjacent properties.
- g. NOISE: No amplification equipment shall be permitted.
- h. RETAIL SALES: The sale of food and carbonated beverages shall be permitted provided that it is contained wholly within a field house or enclosed building. No alcoholic beverages shall be permitted, for sale or consumption.
- i. DEVELOPMENT PLAN: A development plan must be submitted at the time of application for a conditional use permit.

**411: PROSPECTING OIL AND GAS (R-1, I-1)**

- a. APPLICABILITY: Those conditions apply to commercial prospecting, exploring for oil and gas, oil and gas wells and service wells accessory thereto, and the storing and transportation of crude oil and gas, oil and gas wells and service wells accessory thereto, and the storing and transportation of crude oil and natural gas.
- b. GENERAL REQUIREMENTS: All operations shall be in accordance with the rules and regulations of the State of Ohio, Division of Mines, Department of Industrial Relations and Provisions, pertaining thereto of the Ohio Revised Code as amended. The operator shall furnish a copy of the Application for permit to Drill (as filed with the Division of Mines pursuant to O.R.C. 1509) to the land owner and to the Zoning Inspector. Drilling operations shall be prosecuted with due diligence in keeping with good oil field practice as determined by the Deputy Gas and Oil Well Inspector of the State of Ohio for the District in which such well is located.
- c. ACCESS ROUTES: Shall be established by the Trustees for ingress and egress to the drilling site.
  - 1. Primary consideration shall be given to the route or routes that will minimize wear and tear on township roads.
  - 2. Entrances to and exits from the drilled site shall be at points which will minimize traffic congestion and hazard.
  - 3. No more than two (2) access points shall be established to any one well.



4. No such access point to the drilling site shall be located nearer than one hundred and twenty-five (125) feet from the intersection of two (2) street lines.
  5. The maximum width of driveways shall be twenty-four (24) feet.
  6. A suitable size culvert pipe, as specified by the Trustees shall be placed in any culvert, trench or ditch under the supervision of the road foreman over which the driveway or driveways will be placed.
  7. All driveways providing ingress or egress for the drilling site shall be maintained to minimize dust and the tracking of mud and debris onto the hard surface pavement.
  8. A turnaround for all vehicles shall be provided which will accommodate the largest vehicles used in connection with the operation or the drilling site, unless otherwise approved by the road foreman.
- d. Suitable firefighting equipment as approved by the township fire chief shall be provided by the operator and kept on the drilling site and maintained in an operable condition during drilling. Such equipment shall be placed in a location to provide ready access in the event of an emergency.
  - e. All storage tanks shall be painted and other equipment that remains at the drilling site shall be screened by either:
    1. An opaque wall.
    2. A uniformly painted fence.
    3. A strip of land at least four (4) feet wide and densely planted with shrubs or trees or a combination thereof. Such screening shall be at least six (6) feet in height and at least as long as that which the screening is designed to screen, and should also be seventy-five (75) feet from the road right-of-way or one hundred five (105) feet from the centerline of the road, whichever is greater.
  - f. All persons drilling and/or exploring for gas and oil must first obtain a special hauling permit from the township at least ten (10) days prior to the initiation of such drilling or exploration. The granting of a special hauling permit is conditioned upon first securing a satisfactory road restoration bond approved by the township trustees.
  - g. SETBACK REQUIREMENTS: All wells, storage tanks and other accessory structures shall be located three hundred (300) feet from any house, barn or other building, road right-of-way line, or property line and shall be equipped with safety devices necessary for the safe handling and storing of oil and gas.
  - h. OPERATING REQUIREMENTS: The operator shall at all times conduct operations and maintain equipment in such a manner so as to maintain property values, provide maximum safety conditions and shall not create any hazard to health nor create a public nuisance. All unnecessary noise, smoke and odors are to be avoided. Accumulation and disposition of waste material shall be in a manner conducive to good sanitation and to the restoration of all ground surfaces to their natural conditions.
  - i. PIPELINES: All pipelines for the transportation of oil and/or gas shall be buried below a depth of forty-eight (48) inches.
  - j. RESTORATION: After prospecting is complete or upon the abandonment of any well, each hole shall be plugged within thirty (30) days in a manner that will protect all fresh water horizons and the surface of the ground used in connection with the drilling and production of such well shall be restored to its

original condition as nearly as practicable. The Zoning Inspector shall be notified by the operator at the time of the plugging of any oil or gas well.

- k. **DUTIES OF ZONING INSPECTOR:** It shall be the duty of the Zoning Inspector to consult with the Deputy Inspector of the Division of Mines relative to good practices relating to the drilling, production or storage of oil and gas. Upon finding conditions, which he determines to be unsafe, unsanitary, or a menace to the health and safety of persons residing in the neighborhood or an oil or gas well, the Zoning Inspector shall order the operator of such well to cease operations until such condition is corrected.

**412: PRIVATE GAS WELLS**

Private gas wells must comply with all State requirements.

**413: RIDING, BOARDING & SHOW STABLES INCLUDING A RIDING ARENA (R-1)**

APPLICABILITY: These conditions shall apply where five (5) or more horses are used, kept, or maintained, for commercial leasing or hiring purposes for remuneration.

- a. **GENERAL:** All riding or exercising of horses shall be conducted solely on the premises of said stable, academy or area. The use of any public road or right-of-way as a part of a stable or riding academy shall be prohibited. All horses shall be adequately housed and fenced so as not to be a nuisance to adjacent properties.
- b. **LOT AREA:** The lot area required for each horse stable in a riding stable or academy shall not be less than one (1) acre and the minimum lot shall be not less than five (5) acres with a lot width of not less than five hundred (500) feet.
- c. **BUILDING LOCATION:** All buildings for the riding, showing, housing or keeping of horses shall be located not less than one hundred and fifty (150) feet from the side or rear property lines and two hundred (200) feet from the road right-of-way side line. Accessory structures such as outside bleachers shall be located no closer than seventy-five (75) feet to any such property line.
- d. **ACCESS AND PARKING:** Adequate off-street parking shall be provided on site to accommodate all vehicles and/or horse trailers. In determining the size of parking area, a minimum design area of 600 square feet shall be used per horse being boarded or kept. All driveways and off-street parking areas shall be maintained in a dust-free, all-weather condition. Parking areas shall be located no less than one hundred fifty (150) feet from the street right-of-way. Entrance to the site shall be of sufficient width (not less than 24 feet) in order to facilitate entering and leaving the property at the same time
- e. **LANDSCAPING:** All outdoor areas including exercising and parking areas shall be adequately landscaped to screen and buffer the use from any abutting residentially zoned property.
- f. **RETAIL SALES:** The sale of commercial products clearly incidental to the intended conditional use shall be permitted. The sale of incidental products shall be conducted wholly within an enclosed building.
- g. **LIGHTING:** All outside lighting shall be shielded and directed away from any adjacent properties and from public roadways.

- h. NOISE:** No outdoor amplification system shall be permitted.
- i. HEIGHT:** No building or structure shall exceed thirty-five (35) feet in height.
- j. SANITATION:** The premises shall be maintained in a sanitary and orderly manner so as to not be harmful to adjacent properties or create a hazard to public health, safety or general welfare.
- k. HOURS OF OPERATION:** All activities shall terminate on or before 11 p.m. each day.
- l. SITE PLAN:** A proposed site plan drawn to scale shall be prepared showing the following:
  - Location of Buildings
  - Location of property lines and adjacent buildings
  - Ingress and egress points
  - Parking areas and driveways
  - All activity areas
  - Landscape buffer areas and the plant material to be used
  - Drainage plan, which includes the topography of the site at five (5) foot intervals.

All other requirements as set forth in the administration and enforcement section of the Zoning Resolution.

#### **414: SERVICE STATIONS (B-1)**

- a. FRONTAGE:** A minimum frontage on the primary street of three hundred (300) feet is required and a minimum depth of three hundred (300) feet.
- b. BUILDING SETBACK:** A minimum setback of 100 feet from all street right-of-way lines is required. A fifteen (15) foot unobstructed buffer strip shall be provided next to the right-of-way and parking in this strip shall be prohibited.
- c. REAR YARD:** A minimum rear yard of seventy-five (75) feet is required where the use abuts a residential area or forty (40) feet where the use abuts a nonresidential area.
- d. SITE:** A minimum of two (2) acres is required.
- e. LOT COVERAGE:** A maximum lot coverage of twenty (20) percent shall be permitted.
- f. ACCESS:** Maximum width of curb openings for stations should be not more than thirty-five (35) feet or less than twenty (20) feet. No driveway or curb cut for a driveway shall be located within twenty (20) feet of any adjoining property line or within twenty (20) feet of an exterior (corner) lot line as extended. Any two driveways giving access to a single street shall be separated by a buffer strip with a minimum depth of twenty (20) feet from the right-of-way line. The angle of the intersection of the centerline of the driveway with the centerline of the street shall be not less than sixty (60) degrees.
- g. FENCING AND LANDSCAPING:** Any unpaved areas of the site shall be landscaped or maintained in dust-free condition and separated from the paved areas by a curb or other barrier. When such use abuts a lot in any residential district, a three (3) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property

lines shall be maintained. In addition, a row of shrubs shall be incorporated which will attain a maximum height of three feet from the street right-of-way line to the building line and a minimum of six feet along the remainder of the property lines.

- h.** There shall be one parking space for each two gasoline pumps and two for each service bay plus one for each employee and one for each restroom provided.
- i.** LIGHTING: Exterior lighting shall be shielded from adjacent properties to prevent possible glare.
- j.** SERVICE EQUIPMENT: Gasoline pump islands, compressed air connections, and other equipment shall be setback a minimum of thirty (30) feet from any right-of-way line. Hydraulic hoists, pits and all lubrications, washing, and repair equipment shall be enclosed entirely within the building.
- k.** REPAIR WORK: No major repair work shall be conducted in a gas station.
- l.** OUTDOOR STORAGE OF VEHICLES: Under any and all conditions, outdoor storage of vehicles shall be limited to 72 hours.

#### **415: VETERINARY HOSPITAL OR KENNELS (R-1, B-1)**

- a.** PARKING AND ACCESS: Parking shall be provided for a minimum of four car and trailer combinations. Five hundred square feet shall be the minimum required parking and access area for each car and trailer or van combination. Three hundred (300) square feet shall be required for parking and access space for each vehicle.
- b.** RUNWAYS, EXERCISE AREAS: All riding or exercising of animals shall be conducted solely on the premises. All outside small animal runways or kennels shall be enclosed by a six foot woven chain link fence, maintained in a clean, orderly and sanitary condition and free from any conditions that would menace the health of the animals enclosed therein, the public or constitute a nuisance.
- c.** BUILDING AND ENCLOSURES: The main building and any buildings housing animals shall be no closer than one hundred (100) feet from any other lot in any direction. Enclosed runways and kennels or outside exercise areas shall be no closer than one hundred (100) feet from any property line.
- d.** MANURE PILES: Manure piles shall be disposed of daily in a sanitary, non-odorous condition. Open manure piles shall not be permitted.
- e.** LIGHTING: All outside lighting shall be shielded from adjacent properties.
- f.** RETAIL SALES: The sale of incidental products is permitted.
- g.** LOT SIZE: Minimum Frontage of three hundred (300) feet and a minimum depth of three hundred (300) feet.

#### **416: AUTOMOBILE, TRUCK & RECREATIONAL VEHICLE SALES & SERVICE (B-1)**

- a.** MINIMUM AREA, MINIMUM FRONTAGE: The minimum area required shall be five acres. Minimum frontage shall be not less than three hundred (300) feet. Minimum depth shall be three hundred (300) feet.

- b. **RELATED COMMERCIAL ACTIVITY:** Commercial activity shall be directly related to those sales, transactions or exchanges, which are directly related to storage, sales or services offered on the premises. Nothing in this section shall be interpreted in such a manner as to supersede or nullify the commercial zoning provisions found elsewhere in these regulations.
- c. **PARKING REQUIREMENTS:** At least one parking space shall be provided for each four hundred (400) square feet of building space. All other provisions of Article XI shall be complied with.
- d. **ENCLOSURE:** All vehicle repairs shall be conducted in an enclosed building. Outside storage and sales are permitted provided the area is properly fenced and landscaped.
- e. **FENCING – BUFFERING REQUIREMENTS:** All vehicle storage and sales areas shall be enclosed at the property line with a farm fence with gates where appropriate. Said fence shall be maintained in good repair. In addition to fencing, the commission may recommend, and the Township Trustees may require suitable landscaping planting or screenings along those sides or portions of lot lines that adjoin residential area.
- f. **SETBACK REQUIREMENTS:** All structures and activity areas shall be located no closer than one hundred (100) feet from any property line.

#### **417: TRANSITION PROVISIONS AND REQUIREMENTS (R-1)**

- a. **INTENT OF TRANSITION PROVISIONS:** In order to provide an added measure of reasonableness and flexibility to the regulations set forth in this Resolution, and in order to accommodate a natural tendency for gradual transition between two distinctly different kinds of land use activities, there are hereby provided transition zones at the periphery of certain commercial and industrial districts. Within these transition zones, restrictions for residential districts are progressively modified within a specified distance to the less restrictive requirements of a commercial or industrial district.
- b. **LIMITS OF TRANSITION ZONES:** Certain B-1 structures and uses, as specified herein, may be permitted in the R-1 Residential Districts within one hundred (100) feet of the B-1 (General Business), and LI (Light Industrial) Districts, PROVIDED that any nonresidential use allowed within the transition zone shall be permitted only by the application for and the issuance of a conditional use permit, and meets the following additional requirements.
  1. In reviewing any such proposed use, the Zoning Board of Appeals shall take every precaution in granting authorizations to achieve the maintenance of the essential residential character and appearance of that portion of a residential district in which transition uses are allowed.
  2. The Zoning Board of Appeals may impose such additional conditions and safe guards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the spirit and objectives of this resolution will be observed.
  3. Comments from the Zoning Commission shall be solicited in sufficient time to be received prior to the hearing.
- c. **USES PERMITTED:** Only the following uses shall be permitted in any transition zone.
  1. All uses permitted by right in the R-1 District.

2. Lodges and clubs, excepting such lodges or clubs, the chief activity of which is a service customarily carried on as a business or primarily for gain.
  3. Tourist homes for the accommodation of transient guests with no more than four (4) rooms.
  4. Personal services such as dressmaking, millinery, hairdressing, hair cutting, beautician and massage services, PROVIDED that there are no resident patients.
  5. Business services and sales not involving handling of merchandise or rendering personal services on the premises.
  6. Offices for occupancy by physicians, surgeons, dentists, attorneys, architects, or engineers PROVIDED that there are no resident patients.
  7. Off-street parking lots, public or private, PROVIDED that all setbacks and other requirements stated in Article XI (Off-Street Parking Requirements) are met.
- d. SITE DEVELOPMENT REQUIREMENTS:
1. Yards: All yard dimensions, height, area, and bulk requirements for the particular residential district shall be complied with.
  2. Off-street parking and loading facilities are required for the particular nonresidential use shall be provided.
  3. Sign regulations for the particular residential district shall be complied with.
- e. ADDITIONAL TRANSITION REQUIREMENTS FOR BUSINESS DISTRICTS OR INDUSTRIAL DISTRICTS THAT ADJOIN A RESIDENTIAL DISTRICT: In order to mitigate the detrimental effect on residential properties immediately adjacent to business or industrial activities, the following regulations shall be complied with:
1. Any of the following land and structure uses shall be no closer than one hundred (100) feet to any residential district:
    - a. Gasoline service of filling station.
    - b. Automotive repair and public garages
    - c. Drive-in food and drink dispensing facilities.
    - d. Drive-in theatres.
    - e. Drive-in golf ranges
    - f. Amusement parks, carnivals, tent shows.
    - g. Music or dancing schools and studios.
    - h. Laundry, dry cleaning establishments.
    - i. Animal hospital, clinic or kennel.

#### **418: RECREATIONAL CAMPGROUNDS (R-1, FP)**

1. Plans of all camps, camping facilities, buildings and additions thereto shall be submitted to and approved by the Board of Zoning Appeals and the Lorain County Board of Health before the zoning certificate may be issued.

2. No intoxicating beverage may be sold or permitted on the campgrounds. The sale of soft drinks shall be permitted.
3. The minimum setback for all building and structures shall be three hundred (300) feet from any road right-of-way line and two hundred (200) feet from all side and rear lot lines.
4. The minimum setback for all campsites, occupied tents, travel trailers or recreational vehicles shall be three hundred (300) feet from any road right-of-way and two hundred fifty (250) feet from side and rear lot lines.
5. No campground shall be developed on a lot of less than twenty five (25) acres.
6. All access roads shall be maintained in an all-weather, dust-free condition.
7. All outdoor lighting shall be controlled to prevent glare.
8. Adequate garbage and rubbish containers with tight fitting lids shall be provided.
9. The campground shall be equipped at all times with adequate fire extinguishing equipment as determined by the fire department, which serves the area.
10. The campgrounds and all permanent facilities and equipment shall be kept in a clean, orderly and sanitary condition and free from any condition that will menace the health of any camper or the public or constitute a nuisance.
11. The general water supply requirements of campgrounds shall be:
  - With showers and flush toilets: 40 gallons per camper per day.
  - With flush toilets only: 25 gallons per camper per day.
  - Without showers or flush toilets: 5 gallons per camper per day.Emergency storage: The capacity of the water storage reservoir or tank should provide for double the expected daily use. If a pressure system is developed, a "stand-by" or emergency supply of water should be provided.  
Distance from drinking water to unit: 300 feet maximum, 100 feet or less optimum.
12. The general criteria for sanitary facilities shall be:
  - Plans for the recreation campground sewage system for all phases of construction and development must be approved by the appropriate health department and subject to the sanitary regulations as revised.
  - Primitive System: Primitive privies, when used, shall be provided according to existing health department regulations.
  - Conventional System: Conventional systems shall conform to existing health department regulations.
13. The following parking space shall be provided: Car – 300 square feet; car and trailer – 600 square feet; one space or hard surface area per camper unit, minimum space for two cars or car and trailer, optimum space for 3 cars at each restroom.
14. The maximum average number of campsites per useable acre shall be no more than six (6).
15. No campground shall be used for permanent occupancy or as a mobile home park.
16. Camping vehicles are limited to only those recreational vehicles registered by a Bureau of Motor Vehicles as such.

17. All occupied camper vehicles shall have the current year license plates affixed.
18. All recreational vehicles and camping units may be occupied only during the period of April 1 to November 1. All occupancy is considered seasonal and for recreational purposes only<sup>12</sup>.
19. Hours of operation – All formal activities shall be concluded by Midnight, 12:00 a.m., local time, and all lights in halls, buildings, outside activity areas and all other lights accessory to the operation shall be turned off, except for necessary protection lights and toilet facilities.
20. All animals or pets must be kept on a leash at all times.
21. Each campsite should be provided with a fire ring and picnic table.
22. Any use of firearms, bows and arrows or other weapons on the premises is prohibited.
23. Every owner or operator of a campground shall maintain a log book showing the campers' names, permanent addresses, campsite, and dates of arrival and departure.
24. If the activities of said campground or club involve property other than that owned or leased by said operator, then a written permit in triplicate shall be secured annually from the owner or resident of property involved. One copy shall be retained by the grantor, one by the campground operator and one copy filed with the local Township Inspector by January 31 of each year.
25. Buffering shall be provided as required in Sections 312 through 312.06.

**419: CONVERSION OF A SINGLE FAMILY DWELLING UNIT TO A TWO FAMILY DWELLING UNIT (R-1, B-1)**

A single-family dwelling may not be converted to a two family dwelling unit unless:

- a. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district;
- b. The lot area per family equals the lot area requirements for new structures in that district; and
- c. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.
- d. The conversion is in compliance with all other relevant resolutions, codes and applicable regulations.
- e. Off-street parking must meet the requirements of article XI.

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<sup>12</sup> Adopted Amended June 3, 1992. Previously: "Camping vehicles shall not be allowed to exceed a stay of seven (7) months, and only between the periods of April 1 and November 1."



**420: MANURE PONDS, LAGOONS AND ABOVE GROUND LEVEL TANKS (R-1)**

- a. Shall be located no closer than three hundred (300) feet to any right-of-way sideline, or side lot line, or rear property line.
- b. Shall meet all Lorain County Soil Conservation Service engineering standards and specifications.
- c. Shall comply with the Lorain County Health Department’s standards for such use.
- d. Manure ponds, lagoons and tanks for agriculture use shall be exempt from zoning certificate fees.
- e. The location, operation and maintenance of a manure pond, lagoon or tank shall not cause a nuisance or health hazard to local residence.
- f. No Pond, Lagoon, Impoundment area or Storage Vessel shall be constructed or used to store sewage, industrial waste or human waste, treated or untreated in a residential, agricultural or business district, except for waste generated on premise either human, animal or industrial. This prohibition shall not apply to sanitary units approved by the Lorain County Board of Health or other agency with authority to approve sanitary unit standard installations. A Conditional Use Permit for such use may be issued in accordance with the standards set forth in Article 4 of this Zoning Resolution.<sup>13</sup>

**421: SPORTSMAN CLUB (R-1, FP)**

a. ISSUANCE OF PERMITS AND INSPECTION

- 1. Conditional zoning certificates for a sportsman club and/or firing range shall be permitted only where, in the opinion of the Board of Zoning Appeals, there will be no adverse effect on the surrounding properties and the area is particularly suited to such use. A plan of the proposed layout of all construction including clubhouses, ranges, parking and other facilities shall be submitted with the application for the conditional zoning certificate.
- 2. Conditional zoning certificates for this use shall be valid for a period of one year only from the date of issuance.
- 3. Such permit may be issued after inspection and finding of conformance with all the requirements herein set forth.
- 4. The Township Zoning Inspector shall be permitted by the applicant to inspect the area covered in the permit at any time the permit is in force.
- 5. If any of the conditions in this certificate or any other section of the Zoning Resolution are violated, the conditional certificate shall be revoked upon written notice by the Board of Zoning Appeals and said use shall be discontinued until the violation has been corrected and another conditional zoning certificate is granted after reapplication to the Board of Zoning Appeals.

b. ACCESSORY USES

- 1. Accessory uses shall be limited to the following: buildings and structures necessary for the primary and accessory uses, snack bar, picnic area,

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<sup>13</sup> f. added 12-18-17 Resolution 17-94

locker room, necessary maintenance equipment, and the sale of products incidental to a firing range.

c. BUILDING HEIGHT

1. No building shall exceed two and one-half (2 ½) stories or thirty-five feet.

d. PARKING

1. Adequate off-street parking shall be provided sufficient to accommodate the anticipated number of members or users of such facilities. Two hundred (200) square feet shall be allowed per car.
2. No parking space, building an accessory building, use or accessory use other than plant material shall be located closer than one hundred (100) feet from any abutting property line or road right-of-way.
3. Driveways shall be maintained in a dust-free condition at all times of operation. Mean of ingress and egress shall have a minimum total width of twenty (20) feet.

e. LIGHTING

1. Illuminated signs of any type shall be prohibited.
2. All permitted lights shall be shielded and directed away from adjacent residences and streets.

f. YARD REQUIREMENTS

1. Front Yard: All buildings, structures or uses except for entrance signs shall be located a minimum of three hundred (300) feet from the road right-of-way line. Entrance signs shall be setback twenty (20) feet from the road right-of-way.
2. Side Yard: All buildings, structures or uses shall be located a minimum of two hundred fifty (250) feet from all side lot lines.
3. Rear Yard: All buildings, structures or uses shall be located a minimum of two hundred fifty (250) feet from the rear lot line. Such space shall remain open and unoccupied by any building, accessory building or use.
4. The minimum lot area shall be sufficient to accommodate all permitted uses including space to comply with the parking requirements of this Zoning Resolution.

g. OTHER REQUIREMENTS

1. No intoxicating beverages may be sold or permitted on the premises.
2. All sanitary facilities and water supplies shall be approved by the Lorain County Board of Health.
3. Public address systems, loudspeakers and other forms of sound amplification incidental to the intended use shall be permitted but shall not create a nuisance to the owners of surrounding properties.
4. The entire firing range area shall be enclosed with a chain link four (4) feet in height fence and properly posted. Other protective devices shall be provided as deemed necessary by the Zoning Board of Appeals.
5. All primary and accessory uses shall be subject to Township or City, County, State, National, and National Rifle Association Regulations and such other conditions as the Zoning Board of Appeals may deem necessary.

6. Under no conditions shall the use of the firing range continue past 8:30 p.m. or sunset.
7. Buffering shall be provided as required in section 312 through 312.06.

**422: INTERNET SWEEPSTAKES CAFÉS (B-1)Res. 12-27<sup>14</sup>**

- a. INTERNET SWEEPSTAKES CAFÉ: An establishment, which sells phone cards or internet access time which can be used to play computer generated games at which there is the possibility of winning a predetermined prize.
- b. PERMIT: No building shall be erected, constructed or developed and no building or premises shall be reconstructed, remodeled arranged for use or used for an Internet Sweepstakes Café unless authorized by the issuance of a Conditional Use Permit by the Camden Township Zoning Board of Appeals.
- c. SIGNAGE: No signs shall be permitted to flash, blink, scroll or involve any type of animation or movement.
- d. PARKING: Minimum of one space per terminal plus one space per employee.
- e. SETBACKS
  1. No Internet Sweepstakes Café shall be permitted in a location, which is within 500 feet of another Internet Sweepstakes Café.
  2. No Internet Sweepstakes Café shall be permitted in a location, which is within 500 feet of a church, public or private school, park or playground, any social services facility, state licensed daycare facility or neighborhood center.
  3. No Internet Sweepstakes Café shall be permitted in a location, which is within 100 feet of a residential district property line.
- f. LIGHTING: All outside lighting shall be shielded and directed away from adjacent properties.
- g. RETAIL FOOD SALES: All food and beverage sales shall be in conformance to Lorain County Health District Regulations. A copy of the current food permit shall be provided to the Township upon application for the conditionally permitted use and annually upon application of renewal of the conditionally permitted use.
- h. SEPTIC CAPACITY: Any location not serviced by sanitary sewers must undergo an evaluation by the Lorain County Health District to determine if the septic system is adequate for the number of patrons. A copy of the sanitary evaluation shall be provided to the Township upon application for the conditionally permitted use.
- i. LOT SIZE: A minimum of three hundred (300) foot frontage and a minimum depth of three (300) feet.

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<sup>14</sup> Adopted Amended 2-2012 Resolution 12-27

## **ARTICLE V**

### **ESTABLISHMENT OF DISTRICTS**

#### **501: PURPOSE**

The purpose of this Article is to create districts of such number and character necessary to achieve compatibility of uses within the Township and to provide opportunities for community growth.

#### **502: DISTRICTS**

For the purpose of this Resolution, the unincorporated land areas in Camden Township are hereby divided into the following districts:

- R-1: Agricultural Residential District
- B-1: General Business District
- I-1: Light Industrial District
- FP: Flood Plain District

#### **503: AGRICULTURE**

Land in any district may be used for agriculture purposes.

A zoning permit for reporting purposes only shall be required for the construction of buildings or structures incident to the use of agriculture purposes of the land on which such building or structures shall be located, and such buildings and structures shall conform to the regulations contained in this Resolution.

No fee shall be required for such permit.

#### **504: ZONING MAPS**

The boundaries of the districts are hereby established as shown on a map entitled, "The Official Zoning Map of Camden Township" adopted and certified by the Clerk, which map accompanies this Zoning Resolution and which map together with all notations, references and other information shown thereon is hereby made part of this Zoning Resolution.

#### **505: INTERPRETATION OF DISTRICT BOUNDARIES**

Where uncertainty exists with respect to the boundaries of any of the districts shown on the Zoning Map, the following rules shall apply:

- a. Where district boundaries are indicated as approximately following the outer line of streets or highways, street lines or highway right-of-way lines, such centerlines, street lines, of highway right-of-way lines shall be considered to be such boundaries.
- b. Where district boundaries are so indicated that they approximately follow the lot lines such lot lines shall be construed to be said boundaries.
- c. Where district boundaries are so indicated that they approximately are parallel to the centerlines or street lines of a street or of the centerlines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and of such distance there from as indicated on the Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said Zoning Map.
- d. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.

- e. Where the boundary of a district follows a stream, lake or other body of water, the boundary line of the body of water shall be deemed to be the boundary of the zoning district unless otherwise indicated.
- f. In unsubsidized property, the district boundary lines on the map accompanying and made a part of this Zoning Resolution shall be determined by dimension notes of the map, or by the use of the scale appearing on the map.

## **ARTICLE VI**

### **AGRICULTURAL RESIDENTIAL: R-1**

#### **601: PURPOSE**

The Agricultural Residential District is designed for the use throughout the Township to:

- a. Reserve and protect for agricultural use those land areas needed and best suited for agriculture.
- b. Prevent the indiscriminate spread of urban uses into rural areas which are incompatible with agricultural pursuits and which contribute to their premature termination.
- c. Provide for single-family residential uses at a density compatible with existing agricultural uses<sup>15</sup>.

#### **602: PERMITTED USES**

- Agriculture (farms)
- Single Family Dwellings
- Accessory Buildings incidental to the principal use that do not include any activity conducted as a business.
- Greenhouses
- Public Schools
- Churches
- Open Space
- Water Impoundment Facilities
- Private Swimming Pools
- Road Side Stands
- Plant Nursery
- Agriculture or Residential Ponds and Lakes

#### **603: CONDITIONALLY PERMITTED USES**

- Day Care Center (see Section 404)
- Home Occupations (see Section 408)
- Parks and Playgrounds (see Section 410)
- Private Gas Wells (see Section 412)
- Manure Ponds, Lagoons or Above Ground Level Tanks (see Section 420)
- Prospecting, Oil and Gas (see Section 411)
- Recreational Campgrounds (see Section 418)

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<sup>15</sup> Zoning Article Changes: August 7, 2007, section “c” added.

- Riding, Boarding and Show Stables (see Section 413)
- Transition Provisions (see Section 417)
- Veterinary Hospital or Kennels (see Section 415)
- Conversion of single family dwelling to two family dwelling (see section 419)

#### **604: LOT AND YARD REQUIREMENTS**

##### SINGLE FAMILY DWELLING

- Minimum Frontage and Width: Three hundred (300) *continuous*<sup>16</sup> feet.
- Minimum Building Lot Depth: Three hundred (300) *continuous*<sup>17</sup> feet.
- Maximum Lot Depth: Shall not be greater than twice the width
- Centerline of any Roadway: One hundred (100) feet.
- Minimum Rear Yard: Twenty-five (25) feet.
- Minimum Side Yard: Twenty (20) feet on each side.
- Percentage of Lot Coverage: All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

##### FARM

- Farm Minimum Lot Area: Five (5) acres
- Minimum Depth: Three hundred (300) feet.
- Minimum Frontage and Width: Three hundred (300) *continuous*<sup>18</sup> feet.
- Minimum Setback from Centerline of any Roadway: One hundred (100) feet.
- Minimum Rear Yard: Twenty-five (25) feet.
- Minimum Side Yard: Twenty (20) feet on each side.
- Percentage of Lot Coverage: All buildings including accessory buildings shall not cover more than thirty (30) percent of the area of the lot.

#### **605: MAXIMUM BUILDING HEIGHT**

No residential building shall hereafter be erected or structurally altered to a height exceeding two and one-half (2 ½) stories or thirty-five (35) feet in height.

#### **606: REQUIRED MINIMUM LIVING AREA**

Single Family Dwelling: Twelve hundred (1200) square feet.

#### **607: PERMITTED SIGNS**

The provisions of Article X shall apply in this District.

#### **608: OFF-STREET PARKING AND LOADING**

The provisions of Article XI shall apply in this District.

#### **609: GENERAL REGULATIONS**

The provision of Article III shall apply in this District.

#### **610: CORNER LOTS**

The building setback on corner lots shall be one hundred (100) feet from the centerline of both streets. The remaining yards shall conform to the provisions contained herein.

#### **611: ZONING PERMITS**

The provisions of Article XII, Sections 1201 through 1205 shall apply in this District.

<sup>16</sup> Zoning Article Changes: August 7, 2007, continuous added.

<sup>17</sup> Zoning Article Changes: August 7, 2007, continuous added.

<sup>18</sup> Zoning Article Changes: August 7, 2007, continuous added.

## **ARTICLE VII**

### **GENERAL BUSINESS: B-1**

#### **701: PURPOSE**

The General Business District is created to provide retailing and personal services. This district is so designed to permit commercial development of permitted uses which will be limited only by standards set forth to protect the abutting districts and as directed against the extension of strip zoning. The General Business District shall be considered for use in limited areas adjacent to the major activity centers and in accessible locations along arterial streets on the major thoroughfare plan. Strip zoning in this district shall be prohibited.

#### **702: TYPICALLY PERMITTED USES**

- Any use permitted in R-1 Districts: Antique Stores, Automobile Accessory Stores
- Adult Entertainment Businesses
- Bakery (goods for sale on premises only)
- Bank (branch office)
- Bar, Grill, Cocktail Lounge, State Liquor Store
- Barber and Beauty Shops
- Bicycle Rental, Sales and Service
- Bicycle Repair Shop
- Bookstore
- Bowling Alley-provided that building uses for such purpose is at least one hundred (100) feet from any residential district.
- Building Materials and Sales, if conducted in an enclosed building
- Café
- Carry-out Store
- Churches
- Cleaners and Laundry (collection and distribution only, custom and self-service)
- Clinics, Medical and Dental
- Clubs (swimming, YMCA, etc.), Lodges
- Convenience Food Stores
- Dairy Products Stores
- Delicatessen
- Discount Stores (variety, drugs, etc.)
- Doughnut Shop
- Drive-in Banks
- Drive-in Ice Cream Store
- Drive-in Restaurants
- Drugstore
- Dry Cleaning, custom and self-service
- Egg and Poultry Store, no killing of fowl on premises
- Exterminator Services
- Farm, Fruit and Produce Stands
- Farm Implement Sales
- Floor Covering

- Food and Grocery Stores
- Food Lockers
- Garden and Nursery Centers
- Gift, Novelty and Souvenir Stores
- Golf Driving Ranges
- Governmental Buildings
- Hardware Store
- Laundry, custom and self-service
- Locksmith
- Lawnmower Service
- Monument Sales, provided that cutting is done in an enclosed building
- Motels, Tourist Cabins and Courts
- Pet Stores, Supplies
- Photostating, Printing, Publishing
- Plant Nursery
- Public Parks and Playgrounds
- Restaurants/Taverns
- Signs, subject to the provisions of Article X
- Sporting Goods Store
- Supermarkets
- Tailor Shop, including pressing
- Tennis Club
- Lawn Mower, Sales and Service
- Accessory buildings incidental to the principal use that do not include any activity conducted as a business.

**703: CONDITIONALLY PERMITTED USES**

- Automobile Automatic Wash Stations (see Section 402)
- Automobile Repair Garages (see Section 403)
- Funeral Homes (see Section 406)
- Auto, Truck, Mobile Home and Recreational Vehicles, Sales and Service (see Section 416)
- Service Station (see Section 414)
- Veterinary Hospital or Kennel (see Section 415)

**704: BUILDING HEIGHT LIMIT**

No building or structure shall be erected to a height in excess of thirty-five (35) feet.

**705: REQUIRED LOT AREA**

The lot area shall be not less than 25,000 square feet and having a lot width and frontage of not less than one hundred (100) feet.

**706: CORNER LOTS**

The building setback on corner lots shall be one hundred (100) feet from the centerline of both streets. The remaining yards shall conform to the provisions contained herein.



**707: YARD REQUIRED**

Front Yard: Setback of one hundred (100) feet from the centerline of any roadway. A twenty (20) foot deep unobstructed open buffer strip shall be provided next to the right-of-way and parking in this strip shall be prohibited.

Rear Yard: Half the height of the building, but not less than fifteen (15) feet.

Minimum Side Yards: Half the height of the building, but not less than fifteen (15) feet.

Side Yards and Rear Yards abutting a Residential Area: A seventy-five (75) foot unobstructed buffer strip suitably landscaped.

**708: PERCENTAGE OF LOT COVERAGE**

No buildings, including accessory buildings shall cover more than thirty (30) percent of the area of the lot.

**709: SUBMISSION OF PLANS**

The provisions of Section 309 shall be in full force and effect in this District.

**710: PERMITTED SIGNS**

The provisions of Article X shall apply in this District.

**711: OFF-STREET PARKING AND LOADING**

The provisions of Article XI shall apply in this District.

**712: GENERAL REGULATIONS**

The provisions of Article III shall apply in this District.

**713: ZONING PERMITS**

The provision of article XII, Section 1201 through 1205 shall apply in this district.

**714: REGULATION OF ADULT ENTERTAINMENT BUSINESSES** Res. 12-27

The Camden Township Zoning Commission and Board of Trustees have determined that numerous impact studies have been conducted pertaining to the effects of adult entertainment business on the neighborhoods and areas in which those businesses are located.

The members of the Camden Township Zoning Commission and Board of Trustees have been provided with, have reviewed, and have considered copies of the "Adult Entertainment Study" Dated November 1994, conducted by the New York Department of Planning; "Adult Entertainment Business in Indianapolis, An Analysis" dated February 1984, conducted by the Department of Metropolitan Development of the City of Indianapolis; and the "Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses" dated June 6, 1989, conducted by the Attorney General of the State of Minnesota.

The "Adult Entertainment Study" of the City of New York contains summaries of impact studied from the cities of Islip, New York; Los Angeles, California; Indianapolis, Indiana; Whittier, California; Austin, Texas; Phoenix, Arizona; Manatee County, Florida; New Hanover County, North Carolina, and the State of Minnesota.

These numerous studies concluded, based on documented evidence, that adult entertainment businesses have negative secondary effects such as increased crime rates, decreased property values, curtailed retail trade, deterioration of the quality of rural and urban life, and the spread of sexually transmitted disease.

The adverse effects of adult entertainment businesses are compounded when such businesses are located in close proximity to each other and have the tendency to create “dead zones.”

The Camden Township Zoning Commission and Board of Trustees desire to minimize and control these adverse effects and thereby protect the health, safety and welfare of the citizens, protect the citizens from increased crime, the spread of sexually transmitted diseases, preserve the quality of life, preserve the property values and character of surrounding neighborhoods, and deter the spread of urban blight.

The Camden Township Zoning Commission and Board of Trustees desire to prohibit the establishment of adult entertainment businesses within close proximity to existing adult entertainment businesses, residentially zoned areas, residences, schools, churches, parks, playgrounds, social service facilities, and neighborhood centers.

It is not the intent of this resolution or any related resolution to suppress any speech activities protected by the First Amendment to the United States Constitution. The intent is to enact a content-neutral resolution, which addresses the secondary effects of adult entertainment businesses.

There is adequate land available in Camden Township, zoned General Business District within which adult entertainment businesses may be located.

It is not the intent of this resolution or any related resolutions to condone, encourage or legitimize the distribution of obscene material or the establishment of adult entertainment businesses.

#### **714.01: DEFINITIONS:**

As used to apply to the regulation of adult entertainment businesses as contained in this resolution.

- a. “Adult entertainment business” means any of the following: Adult arcade, adult bookstore, adult cabaret, adult novelty store, adult video store, adult motion picture theater, adult motel or nude model studio.
- b. “Specified sexual activities” means any of the following:
  1. The fondling or any other erotic touching of the human genitals, pubic region, buttocks, anus, or female breasts.
  2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy; or
  3. Excretory function as part of or in connection with any of the activities set for in (1) or (2) above.
- c. “Specified anatomical areas” means:
  1. The human male genitals in a discernable turgid state, even if completely and opaquely covered.
  2. Less completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the areola.

- d. "Nudity" or "nude" means exposing to view the genitals, public area, vulva, perineum, anus and cleft or cleavage or pubic area with less than a fully opaque covering; exposing to view any portion of the areola of the female breast with less than a fully opaque covering; exposing to view the male genitals in a discernibly turgid state, even if entirely covered by an opaque covering; or exposing to view any device, costume or covering that gives the appearance of or stimulation any of these anatomical areas.
- e. "Semi-nudity" or "Semi-nude" means exposing to view, with less than a fully opaque covering, any portion of the female breast below the top of the areola or any portion of the buttocks. This definition shall include entire lower portion of the female breast, but shall not include any portion of the cleavage of the female breast exhibited by dress, blouse, shirt, leotard, bathing suit or other clothing provided that the areola is not exposed in whole or in part.
- f. "Covering" means any clothing or wearing apparel, including pasties, but does not include any substances that can be washed off the skin, such as paint or make-up, or any substance designed to simulate the appearance of the anatomical area beneath it.
- g. "Parcel of land" means any quantity of land capable of being described with such definiteness that its location and boundaries may be established, and which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.
- h. "Employee" means a person who performs any service or work on the premises of any adult entertainment business including, but not limited to providing entertainment, performing work of a management or supervisory nature, performing function on a full-time, part time or contract basis whether or not the person is denominated as employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage, or other compensation by the operator of said business. Employee does not include a person on the premises exclusively for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.
- i. "Adult arcade" means any place to which the public is permitted or invited where either or both: (1) motion picture machines, projector, video or laser disk player, or other video or image-producing devices are available, run via coin, token, or any other form of consideration to show images to five (5) or fewer persons per machine at any one time; or (2) live entertainment is available in a format designed for viewing by five (5) or fewer persons at one time; and where the images show and/or live entertainment presented are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- j. "Adult bookstore", "Adult novelty store" or "Adult video store" means a commercial establishment which, as one of its principle business purposes, offer for sale or rental for any form of consideration any one or more of the following:
  - 1. Books, magazines, periodicals or printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or
  - 2. Instruments, devices or paraphernalia, other than prophylactics, that are designed for use in connection with specified sexual activities.

A commercial establishment shall be deemed to have a principle business purpose the offering for sale or rental of materials depicting or describing specified sexual activities or specified anatomical areas, or material designed for use in connection with specified sexual activities if: (a) Such commercial establishment devotes more than fifteen (15) percent of its total floor area to such sales or rentals; (b) Such commercial establishment devotes more than fifteen (15) percent of its product display space to such sales or rentals; or (c) On an annual basis, more than fifteen (15) percent of the gross revenues generated by such commercial establishment are attributable to such sales or rentals.

- k.** “Adult cabaret” means a nightclub, bar, restaurant, theater, concert hall, auditorium, or other commercial establishment that, for the purpose of arousing, stimulating, or gratifying the sexual desire or employees or customers, features:

  - 1.** Persons who appear in a state of nudity or semi-nudity;
  - 2.** Live entertainment characterized by the depiction or description of specified anatomical areas; or
  - 3.** Live entertainment of an erotic nature including erotic dancers, strippers, male or female impersonators, or similar entertainment.
- l.** “Adult motel” means a motel, hotel, or similar commercial establishment that:

  - 1.** Offers accommodations to the public for any form of consideration, and provides patrons with closed-circuit television transmission, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a sign visible from the public right-of-way which advertises the availability of the sexually oriented type of photographic reproductions.
  - 2.** Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
  - 3.** Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten (10) hours.
- m.** “Adult motion picture theater” means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- n.** “Nude model studio” means any place where a person who appears nude or semi-nude or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons who pay money or any form of consideration.

“Nude model studio” does not include:

1. A proprietary school licensed by the State of Ohio, or a college, junior college, or university supported entirely or in part by public taxation;
2. A private college or university that offers education programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
3. An establishment holding classes in a structure that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and where no more than one nude or semi-nude model is on the premises at any one time.

#### **714.02: ESTABLISHMENT OF ADULT ENTERTAINMENT BUSINESSES**

Adult entertainment businesses as defined in this Zoning Resolution are permitted only in General Business zoned districts provided further that no adult entertainment businesses as defined in this Zoning Resolution shall be operated or maintained on a parcel of land located within:

- a. A flood plain district.
- b. Three hundred (300) feet from any residence.
- c. Five hundred (500) feet from any church, public library, public or private educational facility that serves persons less than eighteen (18) years of age, elementary school, public park or playground, or state licensed day care facility.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, or public or private elementary or secondary school, or to the nearest boundary of an affected public park or residence.

## **ARTICLE VIII**

### **LIGHT INDUSTRIAL, I-1**

#### **801: PURPOSE**

The purpose of the I-1 District is to Accommodate the development of manufacturing and wholesale business establishments and research activities that are clean, quiet and free of hazardous and objectionable materials and elements, and generate little industrial traffic.

#### **802: PERMITTED USES**

Any use permitted in R-1 and B-1 Districts.

Any normal industrial, manufacturing or research use, provided that such use shall not produce noxious, toxic, dangerous or hazardous or offensive materials such as, but not limited to, liquids, gases, solids, smoke, dust, odors, fumes and infectious and medical wastes and/or noise, vibration, electrical interference or otherwise cause a health hazard or nuisance to neighbors and community.

Any use permitted shall be conducted within an enclosed building or within an area enclosed on all sides with a solid wall or uniformly painted fence not less than eight (8) feet height.

Uses, normally having harmful, objectionably or other nuisance characteristics, shall be permitted only after such evidence as is requested the Zoning Commission has been presented to them and has guaranteed to their satisfaction that the proposed use will be in conformity with paragraph 1 of this section, and will not violate the spirit or intent of this Resolution.

#### **803: CONDITIONALLY PERMITTED USES**

Extraction of Stone, Minerals and Top Soil (see Section 405)  
Prospecting Oil and Gas (see Section 411)

#### **804: BUILDING HEIGHT**

Building shall not exceed thirty-five (35) feet in height.

#### **805: LOT AND YARD REQUIREMENTS**

##### **805.01: LOT AREA**

Every lot in an I-1 District shall contain a minimum area of one (1) acre and a lot frontage and width of two hundred (200) feet provided that central water and sewer facilities or package treatment plants are available, and State and Federal EPA requirements for water and sewer are satisfied.

##### **805.02: CORNER LOTS**

The buildings setback on corner lots shall be one hundred (100) feet from the centerline of both streets. The remaining yards shall conform to the provisions contained herein.

##### **805.03: YARDS REQUIRED**

Yards of the following widths or depths shall be provided for all permitted uses unless otherwise permitted by this Resolution.

- A.** Front Yard: The minimum setback building line shall be one hundred (100) feet from the centerline of any roadway, and shall be appropriately buffered, (see section 312: Buffering). Such minimum space shall remain open and unoccupied by a principal or accessory building or use other than driveways and sidewalks.
- B.** Side Yards: There shall be two (2) side yards, each having a width of not less than twenty-five (25) feet as measured from the side lot lines to the nearest point of any structure. Where the lot abuts any residential district shall be appropriately buffered as per Section 312: Buffering. Such space shall remain open and unoccupied by any principal or accessory building or use.
- C.** Rear Yards: There shall be a rear yard of not less than seventy-five (75) feet. Rear yards used for parking shall be appropriately surfaced with a desirable dust-free material and shall be graded and drained to dispose of all surface water in the area. For those lots with rear lot lines abutting any residential district, there shall be a rear yard of not less than one hundred (100) feet. This area shall be appropriately buffered as per Section 312: Buffering and shall remain open and unoccupied by any principal or accessory building.

**805.04: PERCENTAGE OF LOT COVERAGE**

Buildings together with their accessory uses in an I-1 District shall cover not more than forty (40) percent of the area of any lot.

**806: SUBMISSION OF PLANS**

The provisions of Section 309 shall be in full force and effect in this District in addition to those requirements noted in Section 312.06.

**807: STREETS, SEWERS AND WATER LINES**

All streets, sewers and water lines in any industrial district shall meet County standards. As a condition precedent to the issuance of a zoning certificate, streets, sewers and water lines shall be installed or performance guaranteed in an approved manner and at grades and location in streets abutting lot lines as approved by the County Engineer. Where, however, not all or substantially all of a plot is to be utilized, initially, the Zoning Board shall authorize the postponement, until further improvements are to be made, of as much of the installation of streets, sewers and water lines and other improvements as is reasonable under the circumstances of the uses to be made of the plot and the drainage and traffic problems of the area.

**808: PERMITTED SIGNS**

The provisions of Article X shall apply in this District.

**809: OFF-STREET PARKING AND LOADING**

The provision of Article XI shall apply in this District.

**810: GENERAL REGULATIONS**

The provisions of Article III shall apply in this District.

**811: ZONING PERMITS**

The provisions of Article XII, Sections 1201 through 1205 shall apply in this district.

**ARTICLE IX**  
**FLOOD PLAIN ZONE REGULATIONS: FP**

**901: PURPOSE**

The purpose of these regulations is to protect those areas of the Township which are subject to predictable flooding during the 100 and 500 year floods in the flood plain areas of the major rivers, their branches and tributaries within the Township so that the carrying capacity shall not be reduced, thereby creating danger to the areas previously not so endangered in time of high water. Said regulations, while permitting reasonable use of such properties will help to protect human life, prevent or minimize material and economic losses, and reduce the cost to the public in time of emergency.

**902: PERMITTED USES**

In addition to any other provisions of this Resolution, no building or structure shall be erected, converted, or structurally altered and no land and/or structure shall be used except for one or more of the following uses:

- a. Open spaces uses, such as farms, truck gardens, nurseries. Such other open space uses as: preserves, bridle trails and nature paths, PROVIDED no alteration is made to the existing grade level of the flood plain or structures which may interfere with the flow of the river or its flood plain capacity.
- b. Yard and setback areas required for any district within the flood plain zone.

**903: CONDITIONALLY PERMITTED USES**

The following use of land and structures may be permitted by application for and the issuance of the Conditional Zoning Permit by the Board of Zoning Appeals after recommendation by the County Engineer or other appropriate agency and further provided that the use pattern and the structures proposed shall:

- a. Be so designed as not to reduce the water impoundment capacity of the flood plain or significantly change the volume or speed of the flow of water. Such design may be accomplished by the use of piles, stilts, cantilevering or other such construction methods that will place the desired building and structures above the determined flood elevation in a safe manner. The foundation and structural supports of buildings and structures shall be so designed to withstand the anticipated level, volume and velocity of the floodwaters and to minimize the impeding of the natural free flow of the floodwater.
- b. Be constructed under said conditional use permits so as to have minimum first floor elevation of not less than three (3) feet above the established flood plain.
- c. Be designed so as not to require back filling in the flood plain areas with any material in any manner, unless through compensating excavation and shaping of the flood plain. The flow of natural impoundment of the flood plain shall be maintained or improved so that no significant or measurable change in flow or reduction in impoundment capacity of the flood plain would thereby result.



- d. Be designed to accommodate utilities, roads, off-street parking, railroads, dams, rivers, structures and buildings for public or recreational uses, so as not to increase the possibility of flood or be otherwise detrimental to the public health, safety and welfare.
  - Golf Courses (see Section 407)
  - Parks and Playgrounds (see Section 410)
  - Recreational Campgrounds (see Section 418)

**904: SUBMISSION OF PLANS**

The provisions of section 309 shall apply in this District.

**905: TOWNSHIP LIABILITY**

Camden Township shall incur no liability whatsoever by permitting any use of building within a flood plain within the Township.

**906: PERMITTED SIGNS**

The provisions of Article X shall apply in this district.

**907: OFF-STREET PARKING**

The provisions of Article XI shall apply in this district.

**908: GENERAL REGULATIONS**

The provisions of Article III shall apply in this district.

**909: CONSTRUCTION REQUIREMENTS**

All construction in the Flood Plain shall be done in accordance with local regulations currently in effect as adopted and amended.

**910: ZONING PERMITS**

The provisions of Article XII, Sections 1201 through 1205 shall apply in this district.

**ARTICLE X**

**SIGNS**

**1001: PURPOSE**

To establish a minimum regulation for public and private signs and lights; to encourage signing and lighting and other communications, which aid orientation, identify activities, express local history and character or serve other educational purpose, to preserve local community identity and enhance civic pride in the natural beauty, environmental character and visual quality of the landscape.

**1002: GENERAL SIGN REQUIREMENTS FOR ALL DISTRICTS**

- a. Christmas display lighting shall be exempt from the requirements of the Resolution.
- b. Any number of signs that are attached to a common supporting structure shall be considered one sign for the purpose of number of signs allowed and area requirements.

- c.** The area of a sign shall be determined as follows:
- 1.** For a sign, either free-standing or attached, the area shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. The supporting framework and bracing shall not contain any lettering, wording, or accompanying designs and symbols. The area of any sign containing two parallel surfaces, which are separated not more than one (1) foot, shall be constructed to be the area of one (1) side only.
  - 2.** For a sign painted upon or applied to a building, the area shall be considered to include all lettering, wording and accompanying designs or symbols together with any background of a different color than the natural color of the building.
  - 3.** Where the sign consists of individual letters or symbols attached to or painted on a surface, building, canopy, awning, wall or the surface of a window, the area shall be considered to be that of the smallest rectangular or other geometric shape that encompasses all the letters or symbols.
- d.** Signs shall not be traffic hazards. No sign shall be constructed, located, positioned, or illuminated so as to block from view, imitate, or interfere with the effectiveness of any official traffic sign, signal or light; obstruct the view of a street, intersection, curve, or railroad crossing; or otherwise promote a demonstrated traffic hazard. Freestanding signs (ground signs and pole signs), when located on a public or privately owned traffic island, situated with a street right-of-way, shall be set back a minimum distance of twenty (20) feet from the right-of-way line of the intersected street. No Freestanding sign shall be located within or project over a public right-of-way or other public property, except those of a history design conditionally permitted.
- e.** All signs shall be safely and securely built and installed. Signs must be maintained in good repair at all times by the owner or person in charge thereof. Should any sign be or become unsafe or be in danger of falling, the owner or lessee thereof or maintaining the same, shall upon receipt of written notice from the Zoning Inspector, proceed at once to put such sign in a safe and secure condition or remove the sign. Said notice shall state that unless the owner or lessee thereof shall cause the removal of the sign in question within ten (10) days after service of said notice, the same will be removed by the Township Trustees at the expense of the owner or lessee. If the Township is not reimbursed within (30) days for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against the property on which the sign is located and shall be collected in the manner provided for special assessments.
- f.** One on premise sign for a conditional use shall be constructed and maintained as approved at the time the conditional use is approved by the Zoning Board of Appeals. Signs for conditional uses (except as regulated for home occupations) in any specified "R" District and Flood Plain District shall not exceed nine (9) square feet per face. Signs for a conditional use in any B-1 or I-1 District shall be as specified for that District in which it is located subject to approval for the Zoning Board of Appeals.

- g.** Off-premise directional signs, no larger than four (4) square feet per face, identifying the business and indicating the distance and/or direction but bearing no advertising material, shall be permitted in any district, provided:
- 1.** The owner of the sign shall submit evidence of written permission from the owner of the land on which the sign shall be located, to erect said sign.
  - 2.** No off-premise sign shall be located within one half (1/2) mile from any other, nonconforming or conforming, off-premise sign that is now or may be located within any R-1, agriculture residential district.
- h.** Abandoned Signs
- 1.** If any sign shall become abandoned, in the manner defined herein, such a sign is declared to be a public nuisance by reason that continued lack of use results in lack of reasonable and adequate maintenance, thereby causing deterioration and a blighting influence on nearby properties. An abandoned sign is defined as any sign that meets any one of the following criteria:
    - a.** Any sign associated with an abandoned nonconforming use or an abandoned service station.
    - b.** Any sign that remains after the termination of a business. A business has ceased operation if it is closed to the public for at least ninety (90) consecutive days. Seasonal businesses are exempt from this determination.
    - c.** Any sign that is not maintained in accordance with Section E: "General Sign Requirements for all Districts".

All abandoned signs shall be removed within thirty (30) days. Whenever the Zoning Inspector or his authorized representatives finds upon investigation a sign, which has been abandoned as defined herein, and has not been removed within thirty (30) days of abandonment, he shall hold a hearing on the question of abandonment. A notice of the date of such hearing shall be sent to the owner of the property or sign in question or his agent stating that the sign in question is believed to be abandoned and has not been removed within the thirty (30) day period, and is in violation of the Zoning Resolution sign regulations. It shall be the duty of the Zoning Inspector to maintain a photograph and file of said sign together with a written report of the findings of the aforesaid hearing. The Zoning Inspector shall serve a written notice on said owner or lessee stating the findings of the hearing with respect to the determination if the sign in fact has been abandoned. If it has been determined by the Zoning Inspector at the hearing that the sign in question has been abandoned, said notice shall state that unless the owner or lessee thereof shall cause the removal of the abandoned sign within thirty (30) days after service of said notice, the same will be removed by the Township at the expense of the owner or lessee. If the Township is not reimbursed within thirty (30) days for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against said property on which the sign is located and shall be collected in the manner provided for special assessments.

**i. Illegal Signs**

**1.** Any sign that does not conform with the provisions of this article and cannot be categorized as nonconforming shall be existing illegally. Whenever the Zoning Inspector or his authorized representative finds upon investigation a sign that is existing illegally as defined herein, he shall hold a hearing on the question of illegality in the same manner as that for abandoned signs set forth in Section H, "General Sign Requirements for all Districts".

**j.** Notwithstanding any other provisions of this Resolution, signs within six hundred and sixty (660) feet from the Interstate Highway System and Federal Aid Primary shall be erected and maintained in general accord with Federal and Ohio laws in regard to advertising devices along the Interstate system if such laws are more restrictive than the provisions of this Resolution, they shall apply. The total area of all freestanding signs, pole signs or signs projecting beyond building walls shall not exceed three hundred fifty (350) square feet for any individual business establishment or use in any district.

**1003: RESIDENTIAL DISTRICTS**

- a.** One on premise sign advertising the sale of products raise or produced on the premises shall be permitted provided it does not exceed nine (9) square feet.
- b.** One on premise sign for a home occupation shall be permitted provided such sign shall comply with the sign regulations as established for a HOME OCCUPATION (R-1) under ARTICLE IV, "CONDITIONALLY PERMITTED USES".
- c.** One on premise bulletin board or sign for a church, school, community or other public or semipublic institution shall be permitted provided that such sign does not exceed twenty (20) square feet per face.
- d.** One on premise sign pertaining to a nonconforming use shall be permitted provided the area of such sign does not exceed nine (9) square feet.

No building wall shall be used for display of advertising except pertaining to the use carried on within such building.

**1004: BUSINESS DISTRICTS**

- a.** In a business district, each business shall be permitted on premise fascia or wall signs. Projections of wall signs shall not exceed two (2) feet measured from the nearest part of the building except as specifically permitted within certain districts.
- b.** The erection of outdoor advertising signs shall be permitted in all business districts provided such signs advertise a bona fide business or service conducted on the premises and the size of the sign shall be limited as provided herein.
- c.** The area for all permanent wall signs located on the premises with any business use shall be limited to an area not to exceed seventy (70) square feet<sup>19</sup>.

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<sup>19</sup> Adopted Amended June 3, 1992, previously 50 square feet.

- d. Free standing signs serving an individual business or group of business establishments shall be permitted if they have no more than a total sign area of seventy (70) square feet and are located not closer than either twenty (20) feet or the height of the sign, whichever is greater, to any street right-of-way or adjoining lot line<sup>20</sup>.
- e. Pole Signs of symbolic design shall be permitted for automobile service stations and other similar business establishments provided:
  - No part of such sign shall project into the right-of-way of any street or highway.
  - The support of such sign shall be set back at least twenty (20) feet or the height of the sign, whichever is greater, from any public right-of-way.
  - The maximum area of any one face of such sign located within the front yard shall not exceed fifty (50) square feet.
  - The pole support of the sign shall not be less than fifty (50) feet from any lot in any "R" District nor within twenty (20) feet of the intersecting right-of-way of any state or federal highway and major or secondary street.

**1005: INDUSTRIAL USES**

- a. The erection of outdoor advertising signs shall be permitted in all industrial districts provided such signs advertise a bona fide industry conducted on the premises and the size of the sign shall be limited as provided herein.
- b. The area for all permanent signs located on the premises with any industrial use shall be limited to an area not to exceed fifty (50) square feet and shall not be located closer than either twenty-five (25) feet or the height of the sign, whichever is greater, to any street, right-of-way or adjoining lot line.

**1006: SETBACK REQUIREMENTS**

- a. Signs except as specifically regulated within this Article shall be set back from the established right-of-way line of any street or highway at least ten (10) feet, and no closer than fifty (50) to the intersection of any roads, streets, or highways.

**1007: YARD PROVISIONS**

- a. Signs where permitted shall not be located nearer than twenty-five (25) feet to any side or rear lot line of any lot in any "R" District or within one hundred (100) feet of any public parkway, public square or entrance to any public park, public or parochial school, library, church or similar institution.

**1008: TEMPORARY SIGNS**

No permit is required for temporary signs. Temporary signs are allowed provided the following conditions are met:

- a. No sign shall be erected on public property, nor shall any sign be placed on utility poles, trees, hydrants or fences, nor shall any sign be erected or placed on, over or within a railroad, township, county, municipal, state or U.S. road right-of-way.
- b. No sign shall be erected on vacant lands or open farm fields unless the person responsible for erecting the sign first registers the landowners' name and location of the sign, together with the landowners' written consent to

<sup>20</sup> Adopted Amended June 3, 1992, previously 50 square feet.

erect such sign, with the Township Zoning Inspector.

- c. Construction Signs: One unlighted sign up to nine (9) square feet identifying the party involved in construction on the premises where sign is located shall be permitted not more than thirty (30) days before and removed within fourteen (14) days after completion of construction.
- d. Real Estate Signs: One unlighted sign up to four (4) square feet advertising the sale, rental or lease of the premises on which sign is located, shall be removed within fourteen (14) days after sale, rental or lease is finalized.
- e. Event Sign: One unlighted sign per premise displayed on private property as follows; a garage or yard sale sign, up to nine (9) square feet<sup>21</sup>, a community related drive, campaign or event sign, up to thirty two (32) square feet, shall be permitted not more than thirty (30) days before and shall be removed within fourteen (14) days of the event.
- f. Political Signs: One unlighted sign per premise advocating the election of a candidate or passage or disapproval of an issue, up to nine (9) square feet, displayed on private property, shall be permitted not more than thirty (30) days before and shall be removed within ten (10) days after the completion, passage or defeat of an issue.
- g. Temporary signs shall conform to the SETBACK REQUIREMENTS and YARD PROVISION sections.
- h. Any sign erected shall, at all times, be maintained and replaced, if needed.

#### **1009: ILLUMINATION**

- a. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it; without causing glare for motorists, pedestrians or neighboring premises.
- b. Illuminated signs, including neon signs, shall not produce more than one (1) foot candle of illumination four (4) feet from the sign.
- c. All permanent outdoor lights such as those used for area lighting or building floodlighting shall be steady, stationary, shielded sources directed as to avoid glare for motorists, pedestrians, or neighboring premises. The marginal increase in light, as measured at any property line other than a street line, shall not exceed one (1) foot candle.

#### **1010: PROHIBITED DEVICES**

- a. No sign or light shall move, flash or make noise.
- b. Colored lights and illuminated signs employing colors in use in traffic signal lights are prohibited within view of any signalized intersection.
- c. Any imitation of official traffic signs or signals and the use of such words as, but not limited to, "stop," "look," "danger," "go "slow," "caution," or "warning" are prohibited.
- d. Fluorescent colors in the yellow and red spectrum are prohibited.

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<sup>21</sup> Adopted Amended June 3, 1992, previously 16 square feet.

**1011: ADMINISTRATION**

- a. No sign, except those specifically exempted by this Resolution shall be erected without a permit issued by the Township Zoning Inspector, application for which shall be accompanied by such scale drawings, photographs, and other information by the Zoning Inspector as evidence of the permit.
- b. Fees for sign permits shall be fixed by the Township Trustees.
- c. Appeals may be made to the Zoning Board of Appeals by the same procedure governing other zoning appeals.

**1012: PENALTY, REMOVAL**

- a. Whosoever shall violate the provisions of this Section shall be guilty of a minor misdemeanor and, upon conviction, shall be fined not more than \$100.00 for each offense. Each day that a sign is erected or maintained in violation of this Section shall constitute and shall be deemed a separate offense.
- b. Any sign found erected or placed in a manner contrary to the provisions of this Section may be removed by the Township Zoning Inspector, a Township Trustee, the Township Road Department, or the County Sheriff's Department. The person responsible for such illegal erection or placement shall be liable for the cost incurred in the removal thereof and the board of township trustees is authorized to effect the collection of the said cost.

## **ARTICLE XI**

### **OFF-STREET PARKING AND LOADING ACCOMMODATIONS**

#### **1101: GENERAL REQUIREMENTS**

- a.** All dwellings shall provide parking space off the road or street and outside of the public right-of-way, together with means of ingress and egress thereto, for not less than one motor vehicle per dwelling unit. Not less than two hundred (200) square feet of area shall be provided for each such vehicle.
- b.** All B-1, I-1 uses and Home Occupations shall provide without charge, usable parking space off the road or street, outside of the public right-of-way and not more than three hundred (300) feet distant 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 the first floor of said establishment which it serves.
- c.** Every theater, auditorium, stadium, arena, building or grounds used for semi-public uses or for the assembling of persons to attend or participate in theatrical performances, shows, exhibitions, contests, concerts, lectures, entertainment, recreational, sports 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 seats provided or for every four persons accommodated. Such parking space shall be within four hundred (400) feet of the main entrance to such use, shall provide adequate means of ingress and egress and shall be available for the use of such patrons.
- d.** All B-1 and I-1 uses and Home Occupation uses shall provide adequate parking 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 use and shall not create a safety hazard or cause traffic congestion within the neighborhood. Adequate means of ingress and egress shall be provided for all types of vehicles.
- e.** The parking of a disabled vehicle within any district in Camden Township for a period of more than two (2) months shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building.
- f.** Parking requirements for conditional uses shall be determined by the Zoning Board of Appeals.
- g.** No off-street parking lot or area shall be closer than five (5) feet to any established street or public right-of-way line and no closer than twenty (20) feet to any side or rear lot lines.
- h.** Provisions of Section 312 shall apply to businesses and industrial zoned areas abutting residential districts.



## **ARTICLE XII**

### **ADMINISTRATION: ENFORCEMENT**

#### **1201: ZONING PERMITS**

##### **1201.01: ZONING PERMITS REQUIRED**

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure or land be established or changed in use without a permit therefore issued by the Zoning Inspector that does not conform with the provisions of this Resolution unless he receives a written order from the Zoning Board of Appeals deciding an appeal or permitting a conditional use or variance, as provided by this resolution.

##### **1201.02: CONTENT OF APPLICATION FOR ZONING PERMIT**

The application for a zoning permit shall be signed by the applicant attesting to tell the truth and exactness for all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one (1) year or completed within two and one-half (2 ½) years. The application shall be accompanied by an approved Lorain County Health District Sewage Disposal System Permit and, when applicable, a State of Ohio Building Permit as required for commercial and industrial buildings.

At a minimum, the application shall contain the following information and be accompanied by all required fees:

- a. Name, address and phone number of applicant
- b. Legal description of property.
- c. Existing use.
- d. Proposed use.
- e. Zoning District.
- f. Plans in triplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s), structure(s), alterations and land use.
- g. Building or structure heights.
- h. Number of off-street parking spaces or loading berths.
- i. Number of dwelling units.
- j. Indicate the location of underground fuel tanks.
- k. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution.
- l. Farm building permits application plans shall be submitted in triplicate, drawn to scale, showing the actual dimensions and the shape and location and dimensions of the proposed building(s), structure(s), alterations or land use.

**1201.03: APPROVAL OF ZONING PERMIT**

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall approve, refer or disapprove the application in conformance with the provisions of this Resolution. All zoning permits shall, however, be conditional upon the commencement of work within one (1) year. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One (1) copy of plans, similarly marked, shall be retained by the Zoning Inspector and one (1) copy of plans and one (1) copy of zoning permit to the Board of Appeals. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution.

**1201.04: SUBMISSION TO STATE HIGHWAY DIRECTOR**

Before any zoning permit issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the State Highway Director or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered or certified mail, to the Highway Director. If the Highway Director notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue a zoning permit. If the Highway Director notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension therefore agreed upon by the Highway Director and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this Resolution, issue the zoning permit.

**1201.05: EXPIRATION OF ZONING PERMIT**

If the work described in any zoning permit has not begun within one (1) year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been fully completed within two and one-half (2 ½) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

**1202: FAILURE TO OBTAIN A ZONING PERMIT**

Failure to obtain a zoning permit shall be a violation of this Resolution and punishable under section 1401 of the Township Resolution.

**1203: CONSTRUCTION AND USE TO BE PROVIDED IN APPLICATIONS, PLANS, PERMITS and CERTIFICATES**

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement or construction. Use, arrangement or construction at variance with the authorized shall be deemed a violation of this Resolution and punishable as provided in section 1401 of this Resolution.

**1204: COMPLAINTS REGARDING VIOLATIONS**

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person shall file a written complaint. Such complaint stating fully the causes and basis there of shall be filed with the Zoning Inspector. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this Resolution. The Zoning Inspector shall respond within thirty (30) days to the person filing the written complaint as to the action taken and when.

**1205: SCHEDULE OF FEES, CHARGES AND EXPENSES**

The Township Trustees shall establish a schedule of fees, charges and expenses and a collection procedure for zoning permits, appeals and all other matters pertaining to this Resolution. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only through the Township Trustees. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

**1206: ZONING AMENDMENTS****1206.01: GENERAL**

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may by resolution, after receipt of the recommendation thereon from the Zoning Commission and subject to procedures provided by law, amend, supplement, charge or repeal the regulations, restrictions and boundaries or classification of property.

**1206.02: INITIATION OF ZONING AMENDMENTS**

Amendments to this Resolution may be initiated in one of the following ways:

- a. By adoption of a motion by the Zoning Commission.
- b. By adoption of a resolution by the Township Trustees.
- c. By the filing of an application by at least one owner or lessee of property within the area proposed to be changed or affected by said amendment.

**1206.03: CONTENTS OF APPLICATION**

The application for amendment shall contain at least the following information prepared in triplicate:

- a. Name, address and phone number of applicant.
- b. Proposed amendment to the text or legal description.
- c. Present use.
- d. Present Zoning District.
- e. Proposed use.
- f. Proposed Zoning District.
- g. A vicinity map at a scale approved by the Zoning Inspector showing proposed zoning and such other items as the Zoning Inspector may require.
- h. A list of all property owners within, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned.
- i. A fee as established by the Township Trustees.

**1206.04: TRANSMITTAL TO THE ZONING COMMISSION**

Immediately after the adoption of a resolution by the Township Trustees or the filing of an application by at least one owner or lessee of property, said resolution of application shall be transmitted to the Zoning Commission.

**1206.05: SUBMISSION TO STATE HIGHWAY DIRECTOR**

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Highway Director, or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Commission shall give notice, by registered or certified mail to the State Highway Director. The Zoning Commission may proceed as required by law; however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Highway Director. If the Highway Director notifies the Township that he shall proceed to acquire the land needed, then the Township shall refuse to approve the rezoning. If the Highway Director notifies the Township that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Highway Director and the property owner, the Township Trustees shall proceed as required by law.

**1206.06: PUBLIC HEARING BY THE ZONING COMMISSION**

The Zoning Commission shall schedule a public hearing after the adoption of a motion, transmittal of a resolution from the Township Trustees or the filing of an application for zoning amendment. Said hearing shall not be less than twenty (20) days, nor more than forty (40) days from the date of the receipt of such motion, transmittal of such resolution or the filing of such application.

**1206.07: NOTICE OF PUBLIC HEARING IN NEWSPAPER**

Before holding the public hearing, notice of such hearing shall be given by the Zoning Commission by at least one publication in one or more newspapers of general circulation of the Township at least ten (10) days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and the statement that after the conclusion of such public hearing the matter will be referred to the Township Trustees for further determination.

**1206.08: NOTICE TO PROPERTY OWNERS BY THE ZONING COMMISSION**

If the proposed amendment 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 certified mail, return receipt, at least ten (10) days before the date of the hearing to all owners of property within, contiguous to and directly across the street from such area to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing lists and to such other list or lists as may be specified. The notice shall contain the same information as required of notices published in newspapers as specified in this Article.

**1206.09: SUBMISSION TO LORAIN COUNTY PLANNING COMMISSION**

Within five (5) days after the adoption of a motion by the Zoning Commission, transmittal of a resolution by the Township Trustees or the filing of an application by at least one owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution or application together with the text and map pertaining to the case in question, to the Lorain County Planning Commission. The Lorain County Planning Commission shall recommend the approval or some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

**1206.10: RECOMMENDATIONS BY THE ZONING COMMISSION**

Within thirty (30) days after the public hearing, the Zoning Commission shall recommend to the Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested or it may recommend that the amendment not be granted. The Zoning Commission shall transmit its recommendation to the Township Trustees.

**1206.11: PUBLIC HEARING BY THE TOWNSHIP TRUSTEES**

Upon receipt of the recommendation from the Zoning Commission, the Township Trustees shall schedule a public hearing. Such hearing shall be not more than thirty (30) days from the receipt of the recommendation from the Zoning Commission.

**1206.12: NOTICE OF PUBLIC HEARING IN NEWSPAPER**

Notice of the public hearing shall be given by the Township Trustees by at least one publication in one or more newspapers of general circulation in the Township. Said notice shall be published at least ten (10) days before the date of the required hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment.

**1206.13: NOTICE TO PROPERTY OWNERS BY THE TOWNSHIP TRUSTEES**

If the proposed amendment 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 Township Clerk, by certified mail, return receipt, at least ten (10) days before the day of the public hearing to all owners of property within, contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Township Trustees. The failure to deliver the notification, as provided in this Section, shall not invalidate any such amendment. The notice shall contain the time and place of the public hearing and the nature of the amendment.

**1206.14: ACTION BY THE TOWNSHIP TRUSTEES**

Within twenty (20) days after the public hearing, the Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees deny or modify the recommendation of the Zoning Commission, they must do so by a unanimous vote.

**1206.15: EFFECTIVE DATE AND REFERENDUM**

Such amendment adopted by the Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the passage of the resolution there is presented to the Township Clerk a petition, signed by a number of qualified voters residing in the Township equal to not less than ten (10) percent of the total vote cast in such area at last preceding general election at which a Governor was elected, requesting the Township Trustees to submit the zoning resolution to the electors of the Township for approval or rejection at the next general election. No amendment 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.

## **ARTICLE XIII**

### **ZONING BOARD OF APPEALS**

#### **1301: PURPOSE**

The purpose of the Zoning Board of Appeals shall be to decide any issue involving the interpretation of the provisions contained in this resolution in instances of unnecessary hardship and to authorize conditional uses as herein provided.

#### **1302: ORGANIZATION AND PROCEDURE**

##### **1302.01: APPOINTMENT**

The Board shall be composed of five (5) members, all of whom are residents of the Township. Members shall be appointed by the Trustees for a period of five (5) years. The terms shall be so arranged so that the term of one member shall expire each year. Should any vacancy on the Board occur for any reason, the Trustees shall appoint a successor to serve the unexpired term. The Trustees have the right to remove any members of the Board with due cause.

##### **1302.02: ORGANIZATION AND RULES**

- a.** The Zoning Board of Appeals shall organize annually and elect a chairman, vice chairman and secretary from its membership. The Zoning Board of Appeals shall adopt rules as may be necessary to carry into effect the provisions of this Resolution and to exercise the powers and jurisdiction conferred upon it by this Resolution.
- b.** The chairman shall preside at all meetings of the Zoning Board of Appeals. That person shall decide on all points of order and procedure unless otherwise directed by a majority of the Zoning Board of Appeals. The chairperson may appoint committees deemed necessary to carry out the business of the Zoning Board of Appeals. The chairperson's signature shall be the official signature of the Board and shall appear on all decisions as directed by the Zoning Board of Appeals.
- c.** The vice chairperson shall serve in the absence of the chairperson. That person shall have all the powers of the chairperson during that person's absence, disability or disqualification.
- d.** The secretary shall keep minutes of all meetings and shall be responsible for all official correspondence of the Zoning Board of Appeals.

##### **1302.03: MEETINGS**

Meetings of the Zoning Board of Appeals shall be held at the call of the chairman and at such times as the Board may determine. All meetings shall be open to the public.

##### **1302.04: VOTING**

- a.** All actions of the Zoning Board of Appeals shall be taken by resolution, the vote of each member being recorded. The majority of the Board shall constitute a quorum to do business and the concurring vote of three (3) members shall be necessary to reserve any order, requirement, decision or determination of the Zoning Inspector.

- b. No member of the Zoning Board of Appeals shall vote on any matter in which he is personally or financially invested.

#### **1302.05: MINUTES AND RECORDS**

The secretary of the Zoning Board of Appeals 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 action, all of which shall be certified correct and filed in the Township Office and shall be a public record.

#### **1302.06: WITNESS AND OATHS**

The Zoning Board of Appeals shall have the power to subpoena and require the attendance of witnesses, administer oaths and compel testimony and the production of books, papers and other evidence pertinent to any issue before the Board.

#### **1302.07: DEPARTMENT ASSISTANCE**

The Zoning Board of Appeals may call on any applicable County or State agency for assistance in the performance of its duties, and it shall be the duty of such departments to render assistance to the Board as may be required. In addition, the Zoning Board may make an analysis and present a report on any matter before the Zoning Board of Appeals. Such report shall be considered by the Zoning Board of Appeals at the time of hearing on the matters.

#### **1303: GOVERNING GUIDELINES**

- a. The Zoning Board of Appeals shall be governed by the provisions of all applicable state statutes, local laws, regulations and rules set forth herein.
- b. The Zoning Board of Appeals shall become familiar with all enacted resolutions and laws of Camden Township under which it may be expected to act as well as with applicable state enabling legislation.
- c. The Zoning Board of Appeals shall uphold the Zoning Resolutions and Official Zoning Map of Camden Township as adopted and shall serve primarily as a judicial review in the performance for its duties.
- d. The Zoning Board of Appeals shall become familiar with the community goals, desires and policies. Through the performance of its duties, the Board may not act as a legislative body; or through interpretation, the granting of variances of the setting of conditions; alter the basic intent of the Zoning Resolution to be generally and equally applicable to all persons covered by the zoning district.

#### **1304: JURISDICTION AND POWERS**

The Zoning Board of Appeals shall operate so as to carry into effect the powers and jurisdiction conferred upon it as follows:

- a. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Resolution.
- b. To hear and decide on such conditional uses as the Board is specifically authorized to pass on by the terms of this Resolution.



- c. To hear and decide upon application for variances under the terms provided in this Resolution.
- d. To interpret the provisions of the Zoning Resolution or Map where there is doubt as to meaning or application. The Zoning Board of Appeals shall have the specific power to interpret the precise location of the boundary lines between zoning districts and to interpret the classification of the use which is not specifically mentioned as part of the use regulations of any zoning district so that it conforms to a comparable permitted or prohibited use, in accordance with the intent and purpose of each district.
- e. To exercise such other powers as may be granted to the Zoning Board of Appeals by this Resolution, amendment thereto or by the general laws as set forth in the Ohio Revised Code as amended.
- f. The Zoning Board of Appeals shall not have the power to alter or change the zoning district classification of any property, nor to make any change in the terms or intent of this Resolution, but does have the power to act on those matters where the Resolution provides for judicial review, interpretation, variance or conditional use as defined in this Article.

## **1305: PROCEDURE AND REQUIREMENTS FOR APPEALS AND VARIANCES**

### **1305.01: APPEALS**

Appeals to the Zoning Board of Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing with the Zoning Inspector and with the Zoning Board of Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the paper constituting the record upon which the action appealed from was taken.

### **1305.02: FEES: SEE SECTION 1205**

### **1305.03: STAY OF PROCEEDINGS**

An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Inspector from whom the appeal is taken certifies to the Zoning Board of Appeals after the notice of appeal is filed with him, that by reason of facts stated in the application, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Zoning Board of Appeals or by the court of record on application, with a notice to the Zoning Inspector from whom the appeal is taken.

### **1305.04: VARIANCES**

The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship. No nonconforming use of neighboring lands, structures or buildings in the same district and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for issuance of a variance.

**1305.05: APPLICATION AND STANDARDS FOR VARIANCES**

The variance from the terms of this Resolution shall not be granted by the Zoning Board of Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Zoning Board of Appeals containing:

- a. Name, address and phone number of applicants.
- b. Legal description of property.
- c. Description of nature of variance requested.
- d. A narrative statement demonstrating that the requested variance conforms to the following standards:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or building in the same district.

That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

That special conditions and circumstances do not result from the actions of the applicant.

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures or buildings in the same district.

**1305.06: CONDITIONS FOR GRANTING VARIANCES**

Variations may be granted by the Zoning Board of Appeals where the strict application of any provision of this Zoning Resolution would result in peculiar and exceptional difficulties or undue hardship to the property owner. A request for a variance may be made to the Zoning Board of Appeals through the Zoning Inspector by an aggrieved property owner. A variance from the provisions or requirements of this Resolution shall not be authorized by the Zoning Board of Appeals unless it finds that all the following facts and conditions exist:

- a. That unnecessary hardships would result from the literal enforcement of the provisions of this Zoning Resolution. Alleged hardships, such as theoretical loss or limited possibilities or economic advantage, shall not be considered a sufficient hardship for the granting of a variance. It must be demonstrated that peculiar and special hardships exist which apply only to the property in question and are separate and distinct from the general conditions pertaining throughout the district.
- b. That there are unique physical circumstances or conditions applying to the property in question such as irregularity, narrowness or shallowness of lot size or shape, exceptional topographical or other physical conditions.
- c. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Resolution and that authorization of a variance is, therefore, necessary to enable the reasonable use of the property.

- d. That said variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity and that the granting of such variance will not be injurious to persons working or residing in the neighborhood.
- e. That the granting of such variance will not be contrary to the public interest (health, safety) of the intent and purpose of this Resolution and other adopted plans.
- f. That said variance will not permit the establishment within a district, or any use other than those permitted by the right within that district, or any use for which a conditional permit is required.
- g. That said variance may not be construed to mean a change of use but shall mean only a variation or modification from the strict provisions of this Resolution.
- h. That said variance, if granted, is the minimum modification that will make possible the reasonable use of the land, building or structure.
- i. That in no instance shall a variance be considered for the following reasons:
  - Presence of nonconformities in the zoning district;
  - Previous variances granted in the zoning district;
  - Uses in adjoining districts;
  - The applicant's belief that the intended use would be permitted upon his purchase of the land;
  - The character standing of the applicant; or
  - Hardship being demonstrated beyond the context of zoning; e.g. economics.

**1305.061: AREA VARIANCE: "PRACTICAL DIFFICULTIES" TEST<sup>22</sup>**

The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of his property include, but are not limited to:

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

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<sup>22</sup> Zoning Article Change: August 7, 2007.

**1305.07: VARIATIONS TO NONCONFORMING USES AND BUILDINGS**

The Zoning Board of Appeals shall have no powers to authorize, as a variance, the establishment of a nonconforming building or use, extensions of or changes in nonconforming uses where none previously existed. The substitution of a nonconforming use existing at the time of enactment of the Zoning Resolution for another nonconforming use shall be allowed provided no structural alterations are made except those required by law or resolution. The Board shall adhere to all regulations contained in Section 314 of this resolution in acting upon nonconforming uses and modifications thereto.

**1305.08: CONDITIONS IMPOSED BY THE ZONING BOARD OF APPEALS**

The Zoning Board of Appeals shall have the power to impose additional conditions and safeguards other than those stated in the Zoning Resolution when granting variances and conditional uses. Such additional conditions shall be reasonable and necessary to promote and preserve the public safety, general welfare and economic viability of the neighborhood and community and shall be imposed solely for the purpose of minimizing the effect of the variance or conditional use on surrounding property and the community as a whole. Violations of such conditions and safeguards, when made in part of the terms under which the variance or conditional use is granted, shall be deemed a violation of this Resolution and punishable under Article XIV of this Resolution.

**1305.09: LAPSES OF VARIANCES**

A variance, once granted, shall not be withdrawn or changed unless there is a change of circumstances or if, after the expiration of six (6) months, no construction has taken place in accordance with the terms and conditions for which said variance was granted, the Zoning Inspector shall give a notice in writing, and thirty (30) days thereafter the variance shall be deemed null and void and all regulations governing said premises in question shall revert to those in effect before the variance was granted.

**1305.10: PUBLIC HEARING BY THE ZONING BOARD OF APPEALS**

The Board of Zoning Appeals shall hold a public hearing within thirty<sup>23</sup> (30) days after receipt of an application for an appeal or variance from the Zoning Inspector of an application.

**1305.11: NOTICE OF PUBLIC HEARING IN NEWSPAPER**

Before holding a public hearing, notice of such hearing shall be given in one or more newspapers of general circulation of the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing and the nature of the proposed appeal or variance.

**1305.12: NOTICE TO PARTIES IN INTEREST**

Before holding the public hearing, notice of such hearing shall be mailed by the Chairman of the Zoning Board of Appeals, by first class mail, at least fifteen (15) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified in this Article.

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<sup>23</sup> Zoning Article Changes: August 7, 2007.

**1306: PROCEDURES AND REQUIREMENTS FOR APPROVAL OF CONDITIONAL USES****1306.01: CONTENTS OF APPLICATION FOR CONDITIONAL USE PERMIT**

An application for a conditional use permit shall be filed with the Chairman of the Zoning Board of Appeals and the Chairman of the Zoning Commission by at least one owner or lessee of property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

- a. Name, address and phone number of applicant.
- b. Legal description of property.
- c. Description of existing use.
- d. Present Zoning District.
- e. Description of proposed conditional use.
- f. A plan of proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic areas and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as the Zoning Board of Appeals may require to determine if the proposed conditional use meets the intent and requirement of this Resolution.
- g. A narrative statement evaluating the economic effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive zoning plan.
- h. A buffering plan in compliance with Article III, Section 312.
- i. Such other information as may be required.

**1306.02: GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES**

In addition to the specific requirements for conditionally permitted uses, the Board shall review the particular factors and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

- a. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's Zoning Plan;
- b. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- c. Will not be hazardous or disturbing to existing or future neighboring uses;
- d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers and schools; or that the persons or agencies responsible for the establishment of the proposed uses shall be able to provide adequately any such services;

- e. Will not create excessive additional requirements at public cost of facilities and services and will not be detrimental to the economic welfare of the community;
- f. Will not involve uses, activities, processes, materials, equipment and conditions of the operation that will be detrimental to any persons, property or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors;
- g. Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public streets or roads;
- h. Will not result in the destruction, loss or damage of a natural, scenic, historic feature of major importance.

#### **1306.03: SUPPLEMENTARY CONDITIONS AND SAFEGUARDS**

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

#### **1306.04: ZONING COMMISSION REVIEW AND COMMENT**

The Zoning Commission may study each application for a conditional use permit and make recommendation within twenty (20) days of receipt to the Zoning Board of Appeals.

#### **1306.05: PUBLIC HEARING BY THE ZONING BOARD OF APPEALS**

The Zoning Board of Appeals shall hold a public hearing within forty (40) days from the receipt of the application for a conditional use.

#### **1306.06: NOTICE OF PUBLIC HEARING IN NEWSPAPER**

Before holding the public hearing, notice of such hearing shall be given in one or more newspapers of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing and the nature of the proposed conditional use.

#### **1306.07: NOTICE TO PARTIES IN INTEREST**

Before holding the public hearing, written notice of such hearing shall be mailed by the Chairmen of the Zoning Board of Appeals by first class mail, at least fifteen (15) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified in this Article.

#### **1306.08: EXPIRATION OF CONDITIONAL USE PERMIT**

A conditional use permit shall be valid for a period not to exceed one year from date of issuance. Inspection and payment of a fee as set forth in the fee schedule shall be required prior to renewal of said permit. A conditional use permit shall be deemed to authorize only one particular conditional use; and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than six (6) months.

**1307: DECISIONS OF THE ZONING BOARD OF APPEALS**

The Zoning Board of Appeals shall decide all applications for variances, conditional uses and appeals within thirty (30) days after the final hearing thereon. The applicant shall be notified in writing of the Board's decision and the findings of the fact, which were the basis of the Board's decision, and the finding of fact that were the basis of the Board's determination. The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination of the Zoning Inspector as in its opinion ought to be made on the premises. The decision shall state any conditions and safeguards necessary to protect the public interest. In reading a decision the Board shall be guided by standards specified in this Resolution. A certified copy of the Board's decision including all terms and conditions shall be transmitted to the Zoning Inspector and shall be binding upon and observed by him. The Zoning Inspector shall fully incorporate these same terms and conditions in the permit to the applicant whenever a permit is authorized by the Board. All findings and decisions shall be clearly set forth in the minutes of the board. In rendering a decision, the Board should show that:

- a. It has considered and evaluated all available information and evidence;
- b. It has heard all parties in question;
- c. Any personal knowledge the Board may have of the subject under question has been taken into account;
- d. The Board has received a report on the case based upon an inspection of the parcel in question.

**1308: DUTIES OF ZONING INSPECTOR, ZONING BOARD OF APPEALS, TOWNSHIP TRUSTEES AND COURTS ON MATTERS OF APPEAL**

It is the intent of this Resolution that all questions of interpretation and enforcement shall first be presented to the Zoning Inspector, and that such questions shall be presented to the Zoning Board of Appeals only on appeal from the decision of the Zoning Inspector, and that recourse from the decision of the Zoning Board of Appeals shall be to the courts as provided by Section 1309 of this Resolution and Chapter 713 of the Ohio Revised Code. It is further the intent of this Resolution that the duties of the Township Trustees in connection with this Article shall not include hearing and deciding questions of interpretation and enforcement that may arise; these being the powers of the Zoning Board of Appeals. Under this Article, the Township Trustees shall have only the duties of considering, adopting or rejecting proposed amendments or the repeal of all or part of this Resolution, as provided by law and of establishing a schedule of fees and changes. If, in the course of carrying out the intent of this Article and after review of all appeal cases brought before it, the Zoning Board of Appeals finds a series of similar irregularities or inequalities, it shall be incumbent upon the Board to inform the Township Trustees and Zoning Commission of these inadequacies in order that the Zoning Resolution or Map may be appropriately amended.

**1309: APPEAL TO COURTS**

A person aggrieved by the decision of the Zoning Board of Appeals may appeal to the Court of Common Pleas of Lorain County, Ohio.

## **ARTICLE XIV**

### **PENALTY FOR VIOLATION**

#### **1401: PENALTIES FOR VIOLATION**

Violation of the provisions of this Resolution or failure to comply with any of its requirements (including violations of conditions and safeguards established in various articles of this Resolution) shall constitute a misdemeanor. Any person who violates this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred (\$100.00), and in addition shall supply all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violations.

#### **1402: CIVIL ACTION**

In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of law or of this Resolution or any amendment thereto, the Township Trustees, the County Prosecutor or Township legal advisor, the Township Zoning Inspector or any adjacent or neighboring property owner would be especially damaged by such violation may in addition to other appropriate action, enter proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

#### **1403: REMEDIES CUMULATIVE**

The exercise of this right and remedies granted in this Article and the above paragraphs shall in no way preclude or limit the Township or any person from exercising any other right or remedy now or hereafter granted to them under the laws of Ohio.



## **ARTICLE XV**

### **SUPPLEMENTARY REGULATIONS<sup>24</sup>**

#### **1501: WIRELESS TELECOMMUNICATION FACILITIES 8-6-07 Res. 07-43**

- a.** The applicant shall supply a map of the Township and all contiguous jurisdictions indicating the location of all existing telecommunication facilities within three (3) miles of the proposed site. The applicant must show that it has requested to locate or collocate on the existing tower, building or other technically suitable facility and that the collocation request was rejected by the owner/operator of the tower, building or other technically suitable facility.
- b.** As a condition of issuing a Zoning Certificate to construct and operate a telecommunications tower in the Township, the owner/operator is required to allow, under commercially reasonable terms, collocation until said tower has reach full antenna capacity. Agreement to this provision must be included in the applicant's lease with the property owner, if different from the tower owner/operator.
- c.** The minimum distance from any tower to an existing residential dwelling unit shall be three hundred (300) feet.
- d.** The side and rear yard setbacks shall not be less than half the height of the wireless telecommunication tower. The front yard setback shall have a minimum of three hundred (300) feet from the centerline of any roadway.
- e.** Wireless telecommunications facilities may be located on a lot with another use subject to the following conditions:
  - 1.** The facility will not be considered an addition to the principal permitted use structure or the value of any nonconforming use.
- f.** Security fencing eight (8) feet in height shall surround the tower and equipment shelter either completely or individually. A metal sign of no greater than four (4) square feet shall be posted on the fence showing street address, names of companies with facilities at the sites, and all 24-hour emergency telephone numbers.
- g.** In the event a separate access road is necessary, it shall be constructed of suitable materials to prevent mud deposits on local roads. Access roads shall have a gate with a locking device at or near the public road entrance to prevent unauthorized entry.
- h.** The applicant shall provide evidence of legal access to the facility and maintain that access regardless of other developments that may take place on the site.
- i.** The applicant shall provide a report prepared by a licensed professional engineer describing the height, design, structural loading capacity and compliance with any applicable State or County building and inspection requirements.
- j.** No equipment building shall exceed twenty (20) feet in height.

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<sup>24</sup> Zoning Article Changes: 07-43 August 7, 2007.

- k.** Except as required by law, an antenna or tower shall not be illuminated and lighting fixtures and signs shall not be attached to the antenna or tower. If lighting is required by the Federal Aviation Administration, white strobe lights shall not be permitted unless no alternative is permitted by the FAA. Lighting for security purposes is permitted. Lighting shall be directed downwards and shielded so that the pool of light does not extend more than ten (10) feet outside of the fenced area.
- l.** The applicant shall submit a certification that the facility complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER).
- m.** No advertising will be permitted on the facility.
- n.** The owner/operator of the facility shall agree to remove a non-functioning facility within six (6) months of ceasing its use.
- o.** The owner/operator, as condition of issuance of the Zoning Certificate, shall post a cash or surety bond acceptable to the Board of Trustees of not less than one hundred (\$100.00) dollars per vertical foot from the natural grade of the tower, which bond shall insure that an abandoned obsolete or destroyed facility shall be removed within six (6) months of cessation of use or abandonment. Any collector shall be required to additionally execute such bond as principal based upon the length of their individual antenna.

## **ARTICLE XVI**

### **WIND ENERGY CONVERSION SYSTEMS Resolution 12-28<sup>25</sup>**

#### **1601: INTENT AND APPLICABILITY**

This resolution establishes minimum requirements for Wind Energy Conversion Systems and regulates the placement of such systems within Camden Township. **It does not apply to small roof mounted wind turbines.**

Wind energy is a recognized, renewable and nonpolluting energy source, and its conversion to electricity may reduce dependence on nonrenewable energy sources.

The requirements of this regulation shall apply to all Wind Energy Conversion Systems proposed after the effective date of this regulation. No preexisting system shall be altered in any manner that would increase the degree of nonconformity with the requirements of this resolution and no alterations shall be made to a nonconforming preexisting system during its life, which exceeds 50% of its fair market value. IF such system is destroyed or damaged to the extent of more than 50% of its fair market value at the time of destruction or damage, it shall not be reconstructed except in conformity with this resolution.

#### **1602: DEFINITIONS**

- a.** Wind Energy Conversion System: A machine that converts the kinetic energy in the wind into a usable form for the purpose of generating electricity. The Wind Energy Conversion System includes all parts of the system including but not limited to, the tower; transmission equipment; the turbine and rotor, propeller, which may be a horizontal or vertical axis.
- b.** Site: The physical location of the Wind Energy Conversion System, including the related tower and transmission equipment.
- c.** Swept Area: The largest area of the Wind Energy Conversation System, which extracts energy from the wind stream. In a convention propeller-type Wind Energy Conversion System, there is a direct relationship between the swept area and the rotor diameter.
- d.** Total Height: The height of the tower and the furthest vertical extension of the Wind Energy Conversion System.
- e.** Over speed Control: A mechanism used to limit the speed of blade rotation to below the design limits of the Wind Energy Conversion System.
- f.** Windmill Rotor: Means the portion of the windmill, which includes the blades, hub and shaft.
- g.** Windmill Tower: Means the supporting structure on which the rotor, turbine and accessory equipment are mounted.

#### **1603: ZONING DISTRICTS**

A Wind Energy Conversion System shall only be permitted in the following districts: B-1, I-1 on parcels of more than one (1) acre. It will also be permitted in R-1 district with parcels in excess of two (2) acres of land.

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<sup>25</sup> Resolution 12-28 4-4-2012

A Wind Energy Conversion System shall not be permitted in R-1 zoning district with parcels of two (2) acres or less and in any zone with one (1) acre or less of land.

**1604: APPLICATION REQUIREMENTS**

- a. Site plan to scale showing the location of the proposed Wind Energy Conversion System and the locations of all existing buildings, structures and property lines along with distances.
- b. Site plan to scale showing the property lines and physical dimensions of the site.
- c. Elevations of the site to scale showing the height, design and configuration of the Wind Energy Conversion System and the height and distance to all existing structures, buildings, electrical lines and property lines.
- d. Standard drawings and an engineering analysis of the system's tower including weight capacity and wind resistance.
- e. A standard foundation and anchor design along with soil conditions and specifications for the soil conditions at the site.
- f. Location of all above ground and underground utility lines on site or within one radius of the total height of the Wind Energy Conversion System.
- g. Specific information on the type, size, rotor material, rated power output, performance, safety and noise characteristics of the system including the name and address of the manufacturer and model number.
- h. Show the zoning designation of the immediate and adjacent sites and location of any buildings and improvements that are within the fall zone of the proposed tower.
- i. Evidence that the provider of electrical service of the property has been notified of the intent to install an interconnected electricity generator unless the system will not be connected to the electrical grid.
- j. A description of emergency and normal shutdown procedures.
- k. All Wind Energy Conversion Systems shall be required to meet all building and electrical codes.

**1605: SETBACK DISTANCES**

- a. Wind Energy Conversion Systems shall be set back from any property line, above ground utility line or other Wind Energy Conversion System, a distance not less than one (1) times its total height, including blades plus twenty feet.

**1606: DESIGN STANDARDS AND GENERAL PROVISIONS**

- a. Access: no tower shall have a climbing apparatus within twelve (12) feet of the ground.
- b. Signs: At least one (1) sign shall be posted at the base of the tower warning of electrical shock or high voltage.
- c. Over speed Controls: Every Wind Energy Conversion System shall be equipped with both manual and automatic over speed controls to limit the rotational speed of the blade below the design limits or the rotor. The application must include a statement by a registered professional engineer certifying that the rotor and over speed controls have been designed and fabricated for the proposed use in accordance with good engineering practices. This certification would normally be supplied by the manufacturer

and include the distance and trajectory of the thrown blade from an exploding turbine or propeller according to the Loss of Blade Theory.

- d. **Minimum Blade Height:** The minimum height of the lowest part of the swept area shall be sixteen (16) feet. The overall height of a Wind Energy Conversion System shall be equal to or less than one hundred and twenty (120) feet.
- e. **Engineering Certification:** The engineer should also certify the structural compatibility of the proposed tower and rotor system. This certification would normally be supplied by the manufacturer.
- f. **Noise:** The operation of the Wind Energy Conversion System shall be conducted in a manner that does not create noise measured at the nearest residential lot boundary that exceeds 60dB at the location when a noise measuring device is used otherwise the noise shall be kept within the confines of the property for which it stands under normal weather conditions and no sound shall be objectionable due to intermittence, beat frequency or shrillness.
- g. **Electromagnetic or Signal Interference:** No Wind Energy Conversion System shall cause interference with television or other communication systems.
- h. **Lighting of the Tower:** Light of the tower for aircraft and helicopter will conform to Federal Aviation Administration standards for wattage and color, when required.
- i. **Advertising:** No advertising signs or any kind of nature whatsoever shall be permitted on any Wind Energy Conversion System. Small incidental signs listing the manufacturer of the equipment will be permitted. A sign listing the owner of the facility and the responsible person will be required.
- j. **Electrical Interconnections:** All electrical interconnection or distribution lines shall be underground and comply with all applicable codes and public utility requirements. No Wind Energy Conversion System shall be installed until evidence has been given of a signed interconnection agreement, or letter of intent with the interconnecting utility company.

#### **1607: NONUSE**

- a. **Maintenance:** Wind turbines must be maintained in good working order. Wind Energy Conversion Systems that become inoperable for more than nine (9) months must be removed from the property within ninety (90) days of an issuance of the zoning violation at the property owner's expense.

# CAMDEN TOWNSHIP ZONING MAP

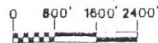
PREPARED BY THE LORAIN COUNTY PLANNING COMMISSION

ADOPTED: *Sept. 5, 1990*

BASE MAP DRAWN: JUNE, 1976

REVISED: JULY, 1978

REVISED: SEPT., 1980  
November, 1989 *gm*



ATTEST: *Delores W. Utterby* *James Woodm*

Districts:

- R-1 Agricultural Residential
- B-1 Business
- I-1 Light Industrial
- FP Flood Plain

