SYLVANIA

TOWNSHIP

"A PLACE TO GROW"

ZONING RESOLUTION

July 5, 2022 revision
February 18, 2026 update

2026

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ARTICLE 1 - TITLE AND ENACTMENT

100 ENACTMENT, TITLE

A. The Board of Township Trustees of Sylvania Township, Lucas County, Ohio, in accordance with enabling legislation for Township Zoning as provided in Chapter 519 of the Ohio Revised Code (ORC), hereby provide as follows: This Resolution shall be known as the "Sylvania Township Zoning Resolution," as originally adopted December 1, 1956, amended May 4, 1974, May 18, 2002, November 8, 2006, April 6, 2021, and effective April 6, 2021, as referred to herein as "Resolution."

101 PURPOSE

A. This Resolution is adopted for the residents of Sylvania Township for the purpose of protecting and promoting public health, safety, comfort, conserving and protecting property, and facilitating adequate but economical provisions of public improvements and with consideration of the 2018 Land Use Plan Update, adopted May 1, 2018, and effective May 31, 2018, and the Zoning Resolution of Sylvania Township, Lucas County, Ohio, effective December 1, 1956, as amended, and to the date of the adoption of this amended Resolution, in each and every part thereof that is inconsistent with this amending Resolution.

102 INTERPRETATION

A. Interpreting and applying the provisions of this Resolution shall be held to be the minimum requirements for the promotion of public safety and health. When the requirements of this Resolution conflict with any lawfully adopted rules, regulations, ordinances, or resolutions the most restrictive requirement imposing the higher standard shall apply.

B. Words used throughout this Resolution shall comply with Article 19 Definitions; in the present tense shall include the future tense; the singular number shall include plural and the plural the singular; the word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," or "intended to be used;" and the word "shall" is mandatory and not directory; and the word "may" is permissive.

103 SEPARABILITY

A. Should this Resolution or any section of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any parts thereof, other than the part declared to be unconstitutional or invalid.

104 REPEAL OF CONFLICTING RESOLUTIONS

A. All resolutions in conflict with this Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

105 EFFECTIVE DATE

A. This Resolution shall become effective from and after the date of its approval and adoption by the Board of Township Trustees, as provided in §519.12 of the ORC.

ARTICLE 2 – GENERAL PROVISIONS

200 COMPLIANCE WITH REGULATIONS

A. All uses and buildings or structures that are constructed, reconstructed, enlarged, located, or structurally altered shall comply with the requirements established in this Resolution for the district in which each use, building, or structure is located.

B. No person shall install, erect, cause, or permit the installation of a permanent structure (such as a garage, building, swimming pool) on or across any easement of record, which will prevent or interfere with the free right or opportunity to use or make accessible such easement for its proper use.

C. No lot or land held under one ownership at the time of the effective date of this Resolution shall be reduced or subdivided in any manner below the minimum area and yard requirements established in this Resolution.

D. No land use may change to another use without first meeting the zoning requirements for the new use.

E. Any structure converted into a dwelling, or the conversion of a dwelling to increase the number of dwelling units or families is permitted only in accordance with the requirements established in his Resolution.

201 EXCEPTIONS

A. Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals (BZA) where there are practical difficulties or unnecessary hardships in carrying out the strict letter of this Resolution, providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Article 16, Board of Zoning Appeals. Hardship shall be based on physical limitations of the land or structures and shall not encompass financial considerations.

202 PUBLIC UTILITIES

A. Pursuant to ORC §519.211, this Resolution does not regulate the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, except telecommunication towers in Residential Districts, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services.

B. Lots proposed without public water and / or sanitary sewer services are subject to written approval from the Toledo-Lucas County Health Department.

203 COMPUTATION OF TIME

A. For the purpose of computing any period of time prescribed or allowed by this resolution, the date of the application, act, decision, or event from which the designated period of time begins shall not be included. The last date of the period of time to be computed shall be included, unless it is a Saturday, a Sunday, or a

legal holiday, in which case the period runs until the end of the next day which is not a Saturday, Sunday, or a legal holiday.

B. When the period of time prescribed is less than seven (7) days, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation.

C. When Township Zoning Offices are closed to the public for the entire day which constitutes the last day of the period of time or when the offices close before its usual closing time on such day, then the application, act, decision, or event may be performed on the next succeeding days which is not a Saturday, a Sunday, or a legal holiday.

D. The word "day" shall include "calendar day"

ARTICLE 3 – ZONING DISTRICTS

300 DISTRICT ZONING MAP

A. The boundaries of the district are shown upon the map, designated as the "District Zoning Map," which is made a part of this Resolution. The District Zoning Map and all of the notations, references and other information shown are a part of this Resolution and have the same force and effect as if the District Map and all of the notations, references and other information shown thereon were fully set forth or described herein. The original of such District Zoning Map is properly attested and is on file with the Sylvania Township Fiscal Officer and available at the Zoning Office.

301 BOUNDARIES

A. The district boundary lines on the District Zoning Map are intended to follow either centerlines of streets or lot lines and where the districts designated on the map are bounded approximately by streets or lot lines shall be construed to be the boundary of the district unless such boundary is otherwise indicated on the map.

B. In the case of an un-subdivided property, the district boundary line shall be determined by the scale appearing on the District Zoning Map or by dimensions. In the case of the vacated street, alley, water course, or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the centerline of said vacated street, alley, water course, or right-of-way.

C. Where boundaries would appear to follow such aforesaid lines that are not more than ten (10) feet there from, such lines shall be construed to be the boundary lines unless specifically noted otherwise.

D. Any questions of interpretation of the District Zoning Map, which cannot otherwise be resolved, shall be referred to the Board of Zoning Appeals for determination.

302 DESIGNATION

A. For the purpose of regulating and restricting the location of buildings, structures, and land use, Sylvania Township is divided into Zoning Districts as shown and illustrated on the District Zoning Map. These districts include the following:

S-1	Special	C-1	Neighborhood Commercial
A-3	Agriculture	C-2	General Commercial
R-A	Low Density Residential	C-4	Professional/Business Office
R-2	Medium Density Residential	M-1	Light Industrial
R-4	High Density Residential	M-2	Restricted Industrial
R-5	Multi-Family Residential	M-3	Heavy Industrial
MU	Mixed Use District	PUD	Planned Unit Development
		MHP	Manufactured Home Park

B. Upon the effective date of this resolution, the following zoning districts have been removed and are subject to the standards and requirements of the comparable zoning district indicated in the table below.

Zoning District Removed	Comparable Zoning District
A-4 Rural Residential	R-A Low Density Residential
R-1 Residential	R-2 Medium Density Residential
R-3 Residential	R-4 High Density Residential

303 PURPOSE STATEMENTS

S-1 SPECIAL. The purpose of the S-1 Special District is to provide areas which are public or semipublic holdings for governmental use, recreation, and conservation purposes.

A-3 AGRICULTURE. The purpose of the A-3 Agriculture District is to provide areas that consist of large parcels of commercially cultivated land, orchards, farms, and single-family dwellings.

R-A LOW DENSITY RESIDENTIAL. The purpose of the R-A Suburban Residential District is to provide areas for relatively low-density residential development, which may or may not have public water and sanitary sewer facilities. *(See Section 202)*.

R-2 MEDIUM DENSITY RESIDENTIAL. The purpose of the R-2 Residential District is to provide areas for medium density residential development served by public water and sanitary sewer facilities.

R-4 HIGH DENSITY RESIDENTIAL. The purpose of R-4 Residential District is to provide areas for higher density residential development served by public water and sanitary sewer facilities.

R-5 MULTI-FAMILY RESIDENTIAL. The purpose of R-5 Residential District is to provide areas for higher density, multi-family, residential development served by public water and sanitary sewer facilities.

MU MIXED USE DISTRICT. The purpose of the MU Mixed Use District is to encourage a mix of medium to high density residential and compatible commercial and office uses.

C-1 NEIGHBORHOOD COMMERCIAL. The purpose of C-1 Neighborhood Commercial District is to provide areas for uses that provide goods and services to the local neighborhood.

C-2 GENERAL COMMERCIAL. The purpose of C-2 General Commercial District is to provide areas along major roads and highways offering goods and services in single or multi-tenant buildings.

C-4 PROFESSIONAL/BUSINESS OFFICE. The purpose of the C-4 Professional/Business Office District is to provide for professional offices, research facilities and related uses.

M-1 LIGHT INDUSTRIAL. The purpose of the M-1 Light Industrial District is to provide areas for general manufacturing.

M-2 RESTRICTED INDUSTRIAL. The purpose of the M-2 Restricted Industrial District is to provide areas for light industrial uses with restricted manufacturing operations.

M-3 HEAVY INDUSTRIAL. The purpose of the M-3 Heavy Industrial District is to provide areas for heavy industrial uses.

PUD PLANNED UNIT DEVELOPMENT. The purpose of the PUD Planned Unit Development District is to promote the quality of the built environment through arrangement of land uses, efficiency in public services, and encouragement of innovation in development projects. See Article 4 for PUD specific standards.

MHP MANUFACTURED HOME PARK. The purpose of a MHP Manufactured Home Park District is to establish areas suitable for the placement of manufactured housing and mobile homes as defined in this Resolution.

304 PERMITTED, CONDITIONAL USES

For Permitted and Conditional Uses applicable in each zoning district see Article 6, Use Table

305 DEVELOPMENT STANDARDS

For Development Standards applicable in each zoning district see Article 7, Development Standards

306 SUPPLEMENTAL REGULATIONS AND STANDARDS

A. Supplemental regulations and standards for the PUD Zoning District are found in Article 4, Planned Unit Development.

B. Properties located within the Central Avenue Overlay are subject to the additional regulations in Article 5, Central Avenue Overlay.

C. Supplemental regulations are applicable in each zoning district. *(See Article 8, Supplemental Regulations)*.

D. Access management is applicable in each zoning district. *(See Article 11, Access Management)*.

ARTICLE 4 – PLANNED UNIT DEVELOPMENT (PUD)

400 INTENT

A. The Planned Unit Development (PUD) District provided herein is established pursuant to the authority granted by the provisions of Ohio Revised Code §519.021(C) and is intended to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in planning and building of all types of development. When the PUD overlay option has been exercised, any area so designated need not be uniform, but may vary in order to accommodate variations in development design which promotes the public health, safety and general welfare of the greater community.

B. The Township by the adoption of the regulations set forth herein, seeks to promote the quality of the built environment or development proposed not only by the general classification of land uses, but also by the specific way in which such land uses are arranged. In order to achieve that goal, it shall be the policy of Sylvania Township to promote greater efficiency by providing public utility services while encouraging innovation in the planning and building of various types of development projects. To that end, the Township shall look favorably upon proposed developments that:

   1. Provide an opportunity for a mix of open space and/or other uses not otherwise permitted or required within the standard zoning district classifications; and

   2. Provides for the creation of development standards that respect the unique characteristics, natural quality and beauty of a site and the immediate vicinity and protects the community's natural resources by avoiding development on, and destruction of sensitive environmental areas; and

   3. Enables more extensive review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development(s); and

   4. Assures compatibility between proposed land uses within the immediate area through appropriate development controls; and

   5. Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through the standard zoning district criteria. Variation in site design should remain consistent with applicable plans for the area while being compatible with adjacent land uses.

C. This PUD overlay process provides for the integration of certain additional requirements and/or modifications upon a zoning district which may modify the permitted use(s). Density will continue to be established by each underlying zoning district's requirement. The PUD may consist of residential, commercial, industrial, or a combination of those uses; however, any additional uses proposed in an overlay may not make up more than 40% of the overall proposal.

401 RESIDENTIAL STANDARDS

A. DENSITY. The maximum number of dwelling units permitted per gross acre of residential development is as follows:

A-3 PUD	R-A PUD	R-2 PUD	R-4 PUD	R-5 PUD
0.8	2.9	4.65	8.7	21.8

B. LOT DIMENSIONS. Lot size, lot width, and setback requirements may be modified based upon substantiated existing conditions of the parcel. Any deviation from the underlying zoning district criteria must be specifically approved by the Board of Township Trustees.

C. IMPERVIOUS COVER. A maximum of forty (40%) percent of the gross parcel acreage shall be devoted to coverage by buildings, structures, street, driveway, or parking.

D. OPEN SPACE. A minimum of fifteen (15%) percent of the gross parcel acreage, none of which shall be part of any yard, shall be allocated to usable, accessible, and consolidated common open space which may include recreational areas, ponds, detention/retention areas, or natural areas. *(See Section 404 for specific Open Space requirements)*

E. ABUTTING COMMERCIAL. When abutting a Commercial or Industrial District, a minimum forty (40') foot wide yard area shall be provided for the perimeter parcels.

F. HEIGHT. Maximum dwelling height shall be forty-five (45') feet. Maximum dwelling height for multi-family dwellings shall be sixty (60') feet. Maximum accessory structure height shall be thirty (30') feet.

G. PARKING. Parking shall be provided pursuant to Article 12, Parking Requirements.

H. SCREENING. Utility structures and waste dumpsters shall be sufficiently screened.

402 COMMERCIAL STANDARDS

A. GENERAL. Development shall be clustered in areas serviced with public water and sewer and adequate roadway capacity and accessibility. Commercial Development Plans should be designed with common parking areas and common points of access whenever possible.

B. IMPERVIOUS COVER. A maximum of sixty (60%) percent of the gross parcel acreage shall be devoted to coverage by buildings, structures, street, driveway, or parking pavement.

C. OPEN SPACE. A minimum of fifteen (15%) percent of the gross parcel acreage, none of which shall be part of any yard, shall be allocated to usable, accessible, and consolidated common open space which may include active or passive recreational areas, ponds, detention/retention areas, or natural areas. (See Section 404 for specific Open Space requirements)

D. LOT DIMENSIONS. Lot size, lot width, or setback requirements may be modified based upon substantiated existing conditions or situations associated with the

parcel. Any deviation from the underlying zoning district criteria must be specifically approved by the Board of Township Trustees.

E. ABUTTING RESIDENTIAL. When abutting a Residential District, a minimum forty (40') foot wide yard area shall be provided for the perimeter parcels.

F. ABUTTING COMMERCIAL. When abutting a Commercial or Industrial District a minimum twenty (20') foot wide yard area shall be provided for perimeter parcels.

G. HEIGHT. Maximum building and accessory structure height shall be sixty (60') feet.

H. LANDSCAPING. Landscaping plans should include all-natural areas on site and all areas to be preserved along with proposed plantings, screening materials or other landscape features proposed shall be as provided for pursuant to Article 13, Landscape, Screening.

I. PARKING. Parking shall be provided pursuant to Article 12, Parking Requirements as determined for each specific use within the PUD.

J. LIGHTING. Lighting shall be directed downward and away from adjacent residential uses.

K. SCREENING. Utility structures and waste dumpsters shall be sufficiently screened.

403 INDUSTRIAL STANDARDS

A. GENERAL. Light industrial, research and development, and related office uses shall be clustered in areas serviced by public water and sewer and an adequate roadway system with capacity and accessibility.

B. IMPERVIOUS COVER. A maximum of sixty (60%) percent of the gross parcel acreage shall be devoted to coverage by buildings, structures, street, driveway, or parking pavement.

C. OPEN SPACE. A minimum of fifteen (15%) percent of the gross parcel acreage, none of which shall be part of any yard, shall be allocated to usable, accessible, and consolidated common open space which may include active or passive recreational areas, ponds, detention/retention areas, or natural areas. (See Section 404 for specific Open Space requirements)

D. LOT DIMENSIONS. Lot size, lot width, or setback requirements may be modified, based upon substantiated existing conditions of the parcel. Any deviation from the underlying zone district criteria must be specifically approved by the Board of Township Trustees.

E. ABUTTING RESIDENTIAL. All industrial uses shall be setback a minimum of seventy-five (75') feet from a property line abutting a residential use.

F. HEIGHT. Maximum building and accessory structure height shall be sixty (60') feet. Maximum building and accessory structure height for an M-3 District use shall be sixty (60') feet.

G. LANDSCAPING. Landscaping plans should include all-natural areas on site and all areas to be preserved along with proposed plantings, screening materials or other landscape features proposed shall be as provided for pursuant to Article 13, Landscape, Screening.

H. PARKING. Parking shall be provided pursuant to Article 12, Parking Requirements, as determined for each specific use within the PUD. Existing parking ratios and standards may be modified where it can be.

I. LIGHTING. Lighting shall be directed downward and away from residential areas.

J. SCREENING. Utility structures and waste dumpsters shall be sufficiently screened.

404 OPEN SPACE

A. The Development Plan for all PUD's shall be sensitive to the natural landscape and existing environmental features of Sylvania Township such as the Ten Mile Creek watershed and the Oak Openings Region. Whenever possible, open space consisting of corridors with adequate buffers along all streams and creeks shall be provided. Open space(s) may be comprised of agriculture, undeveloped floodplain/floodway, wetlands, private open space, public parkland and land within conservation easements.

B. Open space shall be fully integrated into the overall design. The types of uses, buildings and structures proposed to be permitted in the open space shall be specified in the Development Plan. Although designated as open space in the Development Plan, open space areas may be used for public uses such as natural areas and preserves, parks and other recreational activities. In addition, open space areas may also be used for public facilities such as public schools, libraries and community centers, fire stations which shall be accessible by the public.

C. Open space shall be owned by a lot/homeowner's association, Sylvania Township or other governmental entity, a land trust or conservation organization, or some other not for profit entity acceptable to the Township. In the alternative, ownership of open space areas may remain in private ownership if the uses permitted in such areas are appropriately restricted. The ownership of the open space shall be specified in the Development Plan.

405 PROCEDURE

A. The PUD application and Development Plan shall be submitted to the Planning and Zoning Department who shall determine the completeness of the application. Once deemed complete, the date of hearing before the Board of Township Trustees shall be established no sooner than 30 nor more than 60 days from acceptance of the application. The Development Plan shall indicate the proposed zoning and land uses with percentage breakouts, engineering and architectural related design issues in addition to the following:

1. PUD classification, specifically proposed land uses, including location and building size.
2. Vicinity/location map.
3. Gross and net parcel acreage.
4. Proposed gross and net densities, with calculations indicated.
5. Proposed lot dimensions, setbacks, and typical building envelopes.
6. Existing and proposed features of the property including uses, streets, walkways, parking areas, or easements if known.

7. Location of open space(s) with percentage of total parcel acreage indicated.
8. Detention/retention area.
9. Landscape plan; including any natural areas to be preserved and all new plantings or landscape features proposed.
10. Proposed utility locations.
11. Proposed site coverage.

B. The Planning and Zoning Manager shall send referrals to agencies associated with the Sylvania Township's Project Plan Review (PPR) process requesting their comments regarding the proposal. The Planning and Zoning Manager, the Board of Township Trustees or the PPR review team may request additional information be submitted anytime during the review process. Once requested, the hearing shall be re-scheduled to occur thirty (30) days from the date of the request. All costs associated in acquiring said information shall be the responsibility of the applicant.

406 REVIEW PROCESS AND FINDINGS

A. The Sylvania Board of Township Trustees may approve, or approve with modifications, or disapprove the PUD application and the Development Plan. In making that final determination whether or not to approve an application, the Board of Township Trustees shall consider all relevant factors and circumstances of the proposal including the requirements stipulated under Section 1504, Basis of Approval.

407 AMENDMENTS TO APPROVED PLAN

A. Changes or alterations to the Development Plan as approved by the Sylvania Township Board of Trustees will be administratively reviewed and approved by the Planning and Zoning Manager, except in the following circumstances, which require approval from the Sylvania Township Board of Trustees:

1. A change in the overall acreage of the Planned Unit Development.
2. Any change in use in the Planned Unit Development.
3. Substantial alteration of open space areas from originally approved plans.
4. A change in the street pattern, as originally approved, which is determined to impact ingress/egress to adjoining properties or to an existing roadway.
5. A significant change in the design or intent of the landscape plan.
6. An increase in the total number of buildings.
7. A significant change in the proposed building footprint or building envelope location(s).

B. Any changes or alterations approved by the Planning and Zoning Manager or by the Sylvania Township Board of Trustees are administrative in nature and shall not be considered an amendment to the Township Zoning Resolution for the purpose of ORC §519.12.

408 APPROVAL PERIOD AND EXPIRATION

A. If within 5 years of the approval of the Development Plan by the Sylvania Township Board of Trustees, any phase or portion of the Development Plan is recorded as a Final Plat, the PUD and Development Plan shall become vested. Any and all subsequent Final Plats shall be submitted to the Lucas County Planning Commission as they are prepared. In those instances where platting is not deemed necessary by the Planning and Zoning Manager, permits shall be obtained, and construction initiated in order for vesting of rights to occur.

B. The Board of Township Trustees upon the written application and for good cause shown may by an affirmative vote of its members extend the time for submission and approval of the Development Plan and/or submission of a Final Plat to the Lucas County Planning Commission for a period of one year. In determining good cause, the Board of Township Trustees shall consider whether:

   1. Market conditions have changed significantly since the filing of the application.
   2. The applicant's ability, through no cause of its/his/her own, to obtain financing for the project has significantly changed since the filing of the application.
   3. The impact that the delay in commencing construction will have on adjoining landowners and that such extension not be in conflict with the health, safety and general welfare of Sylvania Township or the development standards of the PUD.

C. If no Development Plan is recorded as a Final Plat within 5 years of the approval of the PUD and Development Plan or any extension thereof, then in that event and upon the expiration of such period, no use shall be established and no building, structure or improvement shall be constructed upon the land described in the application until an application accompanied by a new PUD request has been filed and approved in accordance with the provisions set forth above. Upon the expiration of the PUD as previously described and in accordance with ORC §519.12, the Sylvania Township Board of Trustees or Sylvania Township Zoning Commission may initiate a zoning reclassification of the subject property.

ARTICLE 5 – CENTRAL AVENUE OVERLAY

500 PURPOSE

A. The purpose of the Central Avenue Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering Central Avenue in Sylvania Township.

B. Central Avenue (US 20, SR 120) is a designated State Highway and a major corridor in Sylvania Township; therefore, it is the further purpose of the Central Avenue Overlay District to protect the function, capacity, and safety of the highway system and to preserve the aesthetic qualities of those adjacent and bordering properties through the promotion of coordinated parcel development in the District.

501 BOUNDARY

A. The boundaries of the Central Avenue Overlay District are hereby established as shown on the Zoning District Map, which includes those parcels, that front along the right-of-way from McCord Road to the Township line to the west. The District shall include a depth of four hundred (400) feet from the centerline of Central Avenue or the entire depth of the lot, whichever is greater.

502 PERMITTED USES

A. All Permitted Uses, which are allowed in the specified underlying Zoning District as shown in Article 6, Use Table, are permitted within the Central Avenue Overlay District, except those uses expressly excluded by Section 504.

503 CONDITIONAL USES

A. All Conditional Uses in the specified underlying Zoning District as shown in Article 6, Use Table, are conditional in the Central Avenue Overlay District, except those uses expressly excluded by Section 504.

504 EXCLUDED USES

A. The following uses are not permitted within the Central Avenue Overlay District notwithstanding the fact that such uses may be listed as a Permitted Use or Conditional Use in the underlying Zoning District:

1. Salvage Yard.
2. Kennel.
3. Self-Storage.
4. Landfill.
5. Truck Terminal / Wash. *(Exclusion applies to east of King Road)*

6. Dwelling, except Multifamily
7. Outdoor Sales
8. Used Automobile Sales, not in conjunction with New Automobile Sales

505 ACCESSORY BUILDINGS, USES

A. All Accessory Uses in the specified underlying Zoning District as shown in Article 6, Use Table, are Permitted or Conditional in the Central Avenue Overlay District, except those expressly excluded by Section 504.

B. Detached accessory buildings on any lot shall have the same architectural features on all sides or shall be architecturally compatible with the principal building(s) in which it is associated.

506 DEVELOPMENT STANDARDS

A. All buildings, structures, lots and land uses within the Central Avenue Overlay must meet the requirements of Article 7, Development Standards, specifically - Setbacks for Major Roadways, and the following minimum lot and building setback requirements and standards:

1. Height limits: as specified in the underlying Zoning District.
2. All lots shall meet the following minimum lot and building requirements and standards:

Front Setback	120 feet minimum from centerline of Central Avenue or 50 feet from property line, whichever is greater.
Corner Side Setback	25 feet measured from the right-of-way line of the secondary street.
Interior Side Setback	10 feet
Rear Setback	30 feet
Lot Width & Lot Area	As specified in Zoning District
Maximum Building Height	45 feet
Maximum Accessory Height	45 feet
Landscape Area	20 feet depth on Central Avenue frontage 10 feet depth on secondary street frontage of corner log

507 ABUTTING RESIDENTIAL

A. Zone change requests located within the Central Avenue Overlay District and contiguous to an existing Commercial or Industrial District or use shall meet the following requirements:

1. SETBACKS. Where a proposed zone change request is abutting a single-family dwelling or use, the following minimum setback shall be provided for main building, accessory building, access drive, parking, loading docks, and dumpsters:

   a. One hundred feet (100) minimum for a proposed commercial or industrial use.

   b. Fifty feet (50) minimum for a proposed multi-family dwelling(s).

2. SCREENING. A minimum thirty (30) foot wide landscape strip shall be required along the perimeter parcel that is abutting a single-family residential dwelling or use. *(See Article 13, Landscape, Screening)*

508 Access to Individual Parcels

A. New access along U.S. 20 shall be reviewed relative to the distance from other drive approaches and from roadway intersections and shall conform to ODOT's State Highway Access Management Manual.

B. Access shall be reviewed by the Lucas County Engineer and ODOT prior to approval. When deemed appropriate by the Lucas County Engineer or ODOT, the developer may be required to prepare a traffic impact study. Left and right turn lanes are encouraged and may be required as conditions of approval by the controlling jurisdiction (Lucas County Engineer or ODOT).

C. Access Permits. All access permits shall be reviewed and approved by the Lucas County Engineer and ODOT. Design and location of access driveways must comply with applicable ODOT guidelines and regulations. An approved permit shall be presented to the Township prior to approval of any development plans.

D. Access Options. The preferred method of providing access to parcels is to reduce or eliminate driveways and curb cuts by using front access drives (frontage roads), rear access drives, cross access easements and shared drive approaches. When parcels abut more than one roadway, the preferred access option is to locate access points on a county or township road.

509 Other Requirements

A. POLE SIGNS. No new pole signs shall be permitted in the Central Avenue Overlay District.

B. SEMI TRUCK LOADING AREAS. Semi-truck loading berths or bays which face U.S. 20 shall be fully screened by landscaping or fencing so that they are not visible from the street.

C. LIGHTING. In reviewing the lighting proposed for a development, factors to be considered include the following: safety, security, prevention of light spillage or glare onto adjoining residential properties or streets, and height/placement of lighting based on the use. At no time shall development in the Central Avenue Overlay cause a nuisance to any abutting residential district.

D. LANDSCAPING. Properties within the Central Avenue Overlay District shall comply with the highest standards for Landscaping. *(See Article 13, Landscape, Screening)*

ARTICLE 6 –USE TABLE

600 USE TABLE

The following table indicates permitted, conditional, and prohibited uses in each zoning district based on the following:

P = Permitted by Right – uses with an * are Permitted with additional standards found in Article 8, Supplemental Regulations

C = Conditional Uses approved by BZA pursuant to Article 9, Conditional Use

Blank = Prohibited

	Zoning Districts													
	S-1	**A-3**	**R-A**	**R-2**	**R-4**	**R-5**	**MU**	**C-1**	**C-2**	**C-4**	**M-1**	**M-2**	**M-3**	**MHP**
ACCESSORY USES														
Accessory Dwelling Unit*		P	P	P										
Accessory Structure/Use*	P	P	P	P	P	P	P	P	P	P	P	P	P	P
AGRICULTURAL USES														
Agriculture*		P												
Grain Elevator / Grain Storage Structure											C			
Farm Sales and Service									P					
Feed Mill											C			
Roadside Stand, Farm Market*		P												
Stabling, Private		P												
RESIDENTIAL USES														
Dwelling, Multi-Family					P	P	P							
Dwelling, Single Family		P	P	P	P									
Dwelling, Two Family				C	P		P							
Home Occupation*		P	P	P	P	P	P							
Manufactured Home														
Manufactured Home, Permanently Sited		P	P	P										P
Mobile Home		P	C											P
Residential Care Facility		C	C		C	C	C	P	P					
Seasonal Residence		C					C							
Special Residence							P	C	C	C				

	Zoning Districts													
	S-1	**A-3**	**R-A**	**R-2**	**R-4**	**R-5**	**MU**	**C-1**	**C-2**	**C-4**	**M-1**	**M-2**	**M-3**	**MHP**
COMMERCIAL USES														
Animal Boarding*		C						P	P		C	C		
Animal Day Care		C	C					C	P					
Auction Facility		C							P					
Automated Teller Machine (ATM)							P	P	P	P				
Automobile Repair									P		P			
Automobile Sales									P				P	
Automobile Storage Lot									P		P			
Automobile Wrecking / Salvage Yard													C	
Bakery, Retail							P		P					
Bakery, Wholesale									C					
Bank / Financial Institution							P	P	P	P				
Banquet Hall								P	P					
Barber Shop / Beauty Salon / Hairdressing Establishment							P	P	P					
Bed and Breakfast / Inn*		C	C			C		C						
Boarding or Rooming House			C											
Business Service							P		P					
Campground		C												
Clinic Medical / Dental					C	C	P	P	P	P				
Club / Country Club	C	C	C	C	C	C			C					
Day Care Facility*					C	C	P	P	P	P	P	P	P	
Entertainment Facility							C		P					
Forestry	P	P												
Funeral Home			C		C	C	C	P	P					
Gas Station / Automobile Service Station								P	P					
Golf Course, Public or Private	C	C	C	C	C	C			C					
Greenhouse		P												

	Zoning Districts													
	S-1	**A-3**	**R-A**	**R-2**	**R-4**	**R-5**	**MU**	**C-1**	**C-2**	**C-4**	**M-1**	**M-2**	**M-3**	**MHP**
COMMERCIAL USES CONT.														
Hospital								P	P					
Hotel, Motel								P	P					
Internet Sweepstakes Café									C					
Kennel											C	C		
Landscape Business		C						P	P	P	P	P	P	
Laundromat							P	P	P					
Market, Open Air / Open Sales Lot	C	C							P					
Massage Establishment							P							
Nursery, Commercial		C												
Outdoor Sales							C		P	C				
Outdoor Storage*	P	P							C		P	P	P	
Parking Garage														
Personal Services							P	P	P					
Plant Cultivation	P													
Print Shop							P		C					
Professional Office					C	C	P	P	P	P	P	P		
Publishing														
Recreational Facility	C	C		C	C	C		C	P		C		C	P
Recreational Vehicle Sales									P		P	P	P	
Restaurant							C		P	C	C			
Restaurant, No Drive-Thru							P	P	P					
Retail Sales							P	P	P					
Sexually Oriented Business													P	
Short Term Rental							C							
Special Event Venue							C							
Tavern							P		P					
Trucking Terminal											P		P	
Truck Wash									C		P	C	P	

	Zoning Districts													
	S-1	**A-3**	**R-A**	**R-2**	**R-4**	**R-5**	**MU**	**C-1**	**C-2**	**C-4**	**M-1**	**M-2**	**M-3**	**MHP**
COMMERCIAL USES CONT.														
Utility Trailer / Equipment Sales									P		P			
Veterinarian							C	P	P					
INDUSTRIAL USES														
Base Metal Processing													C	
Industrial, Light (Manufacturing, General)									C		P	P	P	
Industrial, Heavy (Manufacturing, Heavy)												C	P	
Industrial, Restricted (Manufacturing, Restricted)												C		
Distribution Center											P	C	P	
Landfill	C										C	C	C	
Extraction Industry											C	C	P	
Food Processing									C		C	P	P	
Fuel Storage Tank Farm	C	C									C	C	P	
Metal Salvaging and Storage											C	C	P	
Mineral Processing*												C	P	
Oil Well, Gas Well		C									C		C	
Reclamation													C	
Recycling Center	C								C		P	C	P	
Research Facility									P	P	P	P		
Salvage Yard*													C	
Self Service / Mini-Storage Facility / Mini Warehouse					C	C		P	P		P	P		
Shooting Range	C										C	C	C	
Storage Yard											P			
Topsoil Removal													P	
Utility Trailer or Equipment Manufacturing											P	P	P	
Warehouse										C	P	P		

	Zoning Districts													
	S-1	**A-3**	**R-A**	**R-2**	**R-4**	**R-5**	**MU**	**C-1**	**C-2**	**C-4**	**M-1**	**M-2**	**M-3**	**MHP**
INDUSTRIAL USES CONT.														
Wholesale Trade											P		P	
Waste Disposal													C	
Wholesale Business									P			P		
PUBLIC USES														
Airport		C												
Cemetery	P	C												
Conservation Area	P													
Essential Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Service Facility	C	P	C	C	C	C			P		P	P	P	
Public Use including: Public Educational Institution, Public Institution	P	P	P	P	P	P		P	P					
Semi-Public Use including: Place of Religious Worship, Private Educational Institution	C	C	C	C	C	C			P					
Station, Radio or Television		C												
Telecommunication Tower*	C	C	C	C	C	C		P	P	P	P	P	P	C
Wind Turbine / Windmill	C	C							C	C	P	P	P	

ARTICLE 7 – DEVELOPMENT STANDARDS

700 DEVELOPMENT STANDARDS TABLE

The following development standards shall apply to all zoning districts except as noted.

	Zoning Districts													
	S-1	**A-3**	**R-A**	**R-2**	**R-4**	**R-5**	**MU**	**C-1**	**C-2**	**C-4**	**M-1**	**M-2**	**M-3**	**MHP ***
A. MAIN BUILDING														
FRONT SETBACK MIN.	35′	60′	30′	30′	30′	30′	30′	30′	35′	35′	40′	40′	50′	50′
REAR SETBACK MIN.	35′	60′	35′	30′	30′	30′	20′	20′	20′	20′	30′	30′	40′	10′
SIDE SETBACK MIN.	10′	20′	10′	7′	10′	10′	10′	10′	10′	10′	15′	15′	30′	10′
HEIGHT MAX.	45′	45′	45′	45′	45′	60′	60′	45′	45′	45′	60′	60′	60′	-
1-STORY FLOOR AREA MIN. (square feet)	-	900	1,000	800	-	-	-	-	-	-	-	-	-	-
2+ STORY FLOOR AREA MIN. (square feet)	-	1,200	1,200	1,100	-	-	-	-	-	-	-	-	-	-
AREA MAX. SQ. FT.	-	-	-	-	-	-	-	10,000	-	-	-	-	-	-
B. ACCESSORY BUILDING														
REAR SETBACK MIN.	6′	6′	6′	6′	6′	6′	6′	6′	6′	6′	6′	6′	6′	-
SIDE SETBACK MIN.	3′	3′	3′	3′	3′	3′	3′	3′	3′	3′	3′	3′	3′	-
HEIGHT MAX.	30′	30′	30′	30′	30′	30′	45′	45′	45′	45′	45′	45′	60′	-
C. LOT STANDARDS														
WIDTH MIN.	-	150′	80′	60′	50′ 1-family 70′ 2-family 100′ multi-family	-	60′	60′	60′	60′	100′	100′	100′	40′
AREA MIN. SQ. FT. (per unit for residential)	-	43,560	12,000	7,500	3,000	1,400	-	5,000						3,000
AREA MIN. SQ. FT. (per unit for residential w/ garage)	-	-	-	-	4,000	1,600	-	-	-	-	-	-	-	-

D. GENERAL TO ALL
1. **SETBACKS TO MAJOR ROADWAYS.** The construction, reconstruction, or enlargement of any structure shall not be permitted closer to the centerline of the right-of-way and shall meet the required setbacks on the following streets: a. 75 feet – Corey Road (South of Sylvania Avenue), Laskey Road, Talmadge Road, Whiteford Road. b. 100 feet – Brint Road (Silica Drive to West Township Line), Bancroft Street, Centennial Road, Crissey Road, Holland-Sylvania Road, King Road, McCord Road, Mitchaw Road, Sylvania Avenue, Sylvania-Metamora Road. c. 120 feet – Alexis Road, Central Avenue, Monroe Street, Reynolds Road.
2. **CENTRAL AVENUE OVERLAY SETBACKS.** See Article 5, Section 506 for additional setbacks in the overlay district.
3. **CORNER LOTS** shall have the required front setback on both street frontages.
4. **COMMERCIAL ABUTTING RESIDENTIAL.** Where a commercial use or zoning district abuts a residential use or zoning district, the following shall apply: a. For main buildings, parking, or access drives a 30-foot side and rear setback shall apply. b. Both a solid privacy fence and landscape shall be installed to effectively shield the higher intense use. Landscape shall be installed on both sides of the privacy fence. Said privacy fence shall be eight (8) feet in height or six (6) feet in height when incorporated with a mound that is a minimum two (2) feet in height. c. The provisions of this section 4 shall apply for uses permitted in the C-2 zoning district which are located in an M-1 or M-2 zoning district.
5. **INDUSTRIAL ABUTTING RESIDENTIAL.** Where an industrial use in an M-1 or M-2 zoning district abuts a residential use or zoning district, the following shall apply, except as noted in Section D.4.c. above: a. For main buildings, parking, or access drives a 40-foot side and 100-foot rear setback shall apply. b. Both a solid privacy fence and landscape shall be installed to effectively shield the higher intense use. Landscape shall be installed on both sides of the privacy fence. Said privacy fence shall be eight (8) feet in height or six (6) feet in height when incorporated with a mound that is a minimum two (2) feet in height. c. The provisions of this section 5 shall apply for uses permitted in the M-1 and M-2 zoning districts which are located in an M-3 zoning district.
6. **HEAVY INDUSTRIAL ABUTTING RESIDENTIAL.** Where a use only permitted in the M-3 zoning district abuts a residential use or zoning district, the following shall apply, except as noted in Section D.5.c. above: a. For main buildings, parking, or access drives a 200-foot side and rear setback shall apply. b. Both a solid privacy fence and landscape shall be installed to effectively shield the higher intense use. Landscape shall be installed on both sides of the privacy fence. Said privacy fence shall be eight (8) feet in height or six (6) feet in height when incorporated with a mound that is a minimum two (2) feet in height.
7. **MHP*** See Section 815 for additional mobile home park standards

ARTICLE 8 – SUPPLEMENTAL REGULATIONS

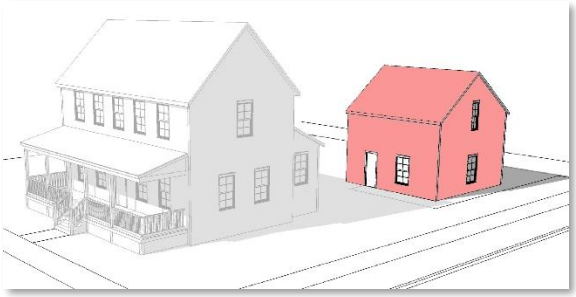
800 GENERAL

A. In addition to the Zoning District requirements, the following Supplemental Regulations shall regulate uses and structures in Sylvania Township.

B. The word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," or "intended to be used."

801 ACCESSORY BUILDING or STRUCTURE

A. Accessory Buildings and Structures shall meet the following requirements:



1. Accessory buildings and structures, such as car tents or shade canopies, shall be permitted for no more than 30 consecutive days. A front setback of one-half of the required principal building setback applies.
2. An accessory building or structure shall not be located in the required front setback area in the district in which it is located.
3. Lots measuring less than one (1) acre in size.
   a) The total combined area of all accessory buildings or structures on the lot shall not exceed ten (10%) percent of the calculated square feet on the lot.
4. Said structure(s) shall not be constructed within any easement.
5. A Zoning Permit is required.
6. Setbacks shall comply with the Development Standards in Article 7.

802 ACCESSORY DWELLING UNIT

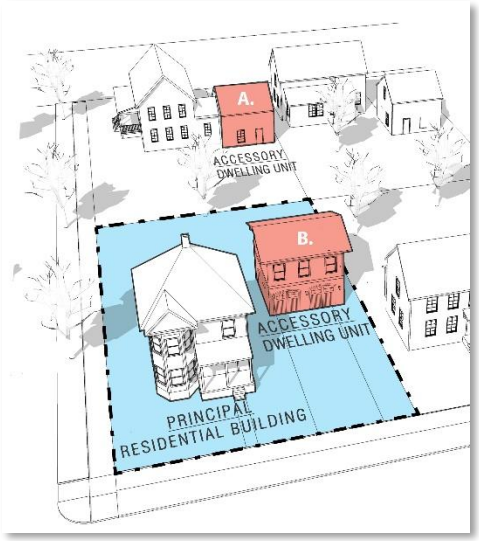
A. GENERAL TO ALL: An accessory dwelling unit (ADU) is subordinate to a single-family dwelling unit and located within a single-family dwelling (attached design) or within an accessory structure (detached design). Attached and detached ADU's shall meet the following requirements:

1. Permitted in Districts zoned for single-family use on lots 9,000 square feet or greater.
2. Primary residence must be located on a lot, which meets the minimum area requirements of the Zoning District.
3. When located on lots one (1) acre or smaller, both primary residence and ADU shall connect to public water and sewer.
4. When located on a lot one (1) acre or larger, approval must be received from the Toledo-Lucas County Health Dept. when serviced by well and septic.
5. The ADU shall be designed to be occupied by immediate family members or the caretaker of the primary residence.
6. The ADU requires a Zoning Permit and must conform to the requirements of Lucas County Building Regulations.

7. Mobile home or manufactured home is not considered an ADU.

B. ATTACHED ADU: A type of accessory dwelling in which the common exterior structural elements of the existing dwelling, such as a roof and load-bearing wall, are integrated into the design and/or extended without separation as an addition to the existing dwelling. In addition to the general design regulations and standards, attached ADU's shall meet the following:

1. Maximum ADU size: 1,000 square feet, or 50% of the total area of the principal residence, whichever is less.
2. A separate exterior entry may be provided. An additional one (1) on-site parking space provided for the ADU.



C. DETACHED ADU: A type of accessory dwelling, which is structurally independent and separate from the primary dwelling. In addition to the general design regulations and standards, detached ADU's shall meet the following standards:

1. Adhere to the main building setbacks as specified in the Zoning District in which it is located.
2. Eight (8) feet minimum distance from principal residence.
3. Maximum ADU size: 1,000 square feet, or 60% of the total area of the principal residence, whichever is less.
4. An additional two (2) parking spaces shall be provided for the ADU.

803 AGRICULTURE

A. There is no jurisdictional authority of the Township Zoning Commission, Township Board of Trustees, or Board of Zoning Appeals to regulate the use of any land on parcels five (5) acres or larger or on any parcel not in a platted subdivision pursuant to 519.21 of the ORC for:

1. agricultural purposes;
2. the construction of accessory structures incidental to the agricultural use;
3. dairying, animal or poultry husbandry; or
4. structures used primarily for vending and selling wine for viticulture.

B. A Zoning Permit shall not be required for any building or structure used for agricultural purposes. Dwellings and other structures that are not herein defined as agricultural structures in an A-3 District are subject to all requirements contained in this Resolution.

C. LOTS 1 ACRE OR LESS WITHIN A PLATTED SUBDIVISION the following shall be prohibited:

1. Raising, breeding, dairying, or maintaining Livestock in any platted subdivision and pursuant to §711.05, 711.09, 711.10, and 711.13 of the ORC.

2. If dairying, animal or poultry husbandry existed prior to thirty-five (35%) percent of the lots in one subdivision being developed with at least one building, structure, or improvement, or a lot used for agricultural purposes that lawfully existed at the time of enactment of this Resolution, it shall be considered a nonconforming use of land, buildings, and/or structures pursuant to §519.19 of the ORC. See Article 17 Non-Conforming.

D. LOTS 1.01 to 4.99 ACRES WITHIN A PLATTED SUBDIVISION shall comply with the following:

1. A lot owner may use the land for agricultural purposes or keep Livestock provided the use is non-commercial and shall meet the following requirements:

   a. Hoofed Livestock shall be permitted as follows:
   No more than one (1) hoofed Livestock per one (1) acre.

   b. Non-hoofed Livestock shall be permitted as follows:
   No more than six (6) Non-hoofed Livestock per one (1) acre. The keeping of roosters, ducks, geese, peafowl, guineafowl, pigeons, turkeys, or similar animals shall be prohibited.

   c. Buildings or stables shall have a fifty (50') foot setback from any dwelling and any property line and shall be subject to Section 801 of this Resolution.

   d. Livestock shall be no closer than five (5') feet from a property line and must be secured with a fence, enclosure, or other means subject to Section 1307 of this Resolution.

   e. Poultry shall be provided with a covered, predator-proof coop or cage that is well-ventilated and shall allow at least one (1) square foot per hen. Poultry shall have access to an outdoor enclosure that is adequately fenced.

   f. Barns, stables, coops, cages, and pens shall be kept in a sanitary condition and free of offensive odors.

   g. The slaughtering of Livestock shall be prohibited.

2. If dairying, animal, or poultry husbandry existed prior to thirty-five (35%) percent of the lots in one subdivision being developed with at least one building, structure, or improvement, or a lot used for agricultural purposes that lawfully existed at the time of enactment of this Resolution shall be considered a nonconforming use of land and buildings or structures pursuant to §519.19 of the ORC. See Article 17, Non-Conforming.

(Rev. 10-20-2026. Z20-C1098)

804 ANIMAL BOARDING

A. Accessory buildings, fencing and enclosures used for housing or containment of animals shall be a minimum fifty (50') feet from any property line.

B. Suitable fencing installed around pens or enclosures.

805 ANTENNA, SATELLITE DISH

A. In accordance with Telecommunications Act of 1996, satellite dish antennas one meter (39.37 inches) or less in diameter in Residential Districts or two meters (78.74 inches) or less in commercial and industrial districts shall be exempt from the provisions of this Resolution. When satellite dish antennas exceed the above dimensions, the following standards shall apply:

1. Located in the rear yard of a lot and a minimum ten (10) feet from any property line or from the principal building.

2. A freestanding satellite dish shall not exceed fifteen (15) feet above surrounding grade.

3. If located on a building roof the maximum height shall not exceed fifteen (15) feet above highest point of the roof.

806 ARCHITECTURAL PROJECTIONS

A. Open structures such as a porch, deck, canopy, cantilever, bay window, balcony, platform, carport, covered patio, or similar architectural projections attached to the main structure shall not project into the required minimum setback(s).

B. Cornices, eaves, sills, window wells, or other similar architectural features (not including vertical projections) may extend or project into the required side yard not more than two (2") inches for each one (1') foot of width of side yard and may extend or project into the required minimum front or rear setback not more than three (3') feet.

C. Chimneys may project into the required minimum setback not more than two (2') feet.

D. Basement egress window wells may project into the required minimum setback not more than three (3') feet.

(Rev. 8-1-2017. Z20-C993)

807 ATHLETIC COURTS, FIELDS

A. A private athletic court or private athletic field shall be permitted in any A or Residential District as an accessory use and intended for the enjoyment by the property owners and guests of the property on which it is located. An athletic court may include tennis, basketball, or volleyball court. An athletic field may include football, baseball, or soccer. A Zoning Permit is required and a site plan shall be submitted indicating the court or field location and indicate the following requirements:

1. A minimum ten (10) feet from any property line.

2. Surface drainage flow directions and may not flow onto abutting properties.

3. A backstop or court enclosure shall not exceed ten (10) feet in height and maintained in good condition and free of any advertisement.
4. Lighting shall not be directed toward or onto neighboring parcels.

808 BED AND BREAKFAST

A. A Bed and Breakfast shall comply with regulations in said district in which it is located, fulfill parking requirements, and the following standards shall apply:

1. Located a minimum seven hundred fifty (750) feet from another Bed and Breakfast establishment.
2. Remain residential in appearance, including any additions or exterior alterations to the principal residence.
3. Sleeping rooms shall be a minimum one hundred (100) square feet per two occupants; no more than four such rooms for rent shall be permitted unless conditioned by the BZA.
4. No dwelling space may be located in any accessory structure.
5. No cooking facilities shall be permitted in the rented rooms; meals shall only be provided to guests or family residing on the premises.
6. The Board of Zoning Appeals may revoke a Conditional Use if conditions have been violated by the owner as a result of the use of the dwelling.

809 COMPOSTING

A. Composting is permitted as an accessory use in agricultural and residential zoning districts provided the use is non-commercial and meets the following standards:

1. Materials to be composted shall originate on and be composted on the same property as which the principal building is located.
2. The compost pile and/or structure shall be located in the rear yard, twenty-five (25) feet from any dwelling and shall be a minimum of three (3) feet from any lot line.
3. The composting pile and/or structure shall be maintained to prevent nuisance or noxious conditions as defined in Section 1806 of this Resolution.

(Rev. 08-07-12 Z20-C953)

810 CONSTRUCTION SITES

A. Temporary buildings, construction trailers, equipment, and materials used in conjunction with construction work may be permitted in any district during the period construction work is in progress. The lot shall be mowed regularly, cleared of debris and maintained for the duration of construction. Such temporary facilities shall be removed upon completion of construction work. Storage of such facilities to remain on said lot beyond completion date of the project shall be subject to a variance authorized by the Board of Zoning Appeals.

811 DAY CARE FACILITY

A. The operation of a licensed Day Care Facility in a Commercial or Industrial District and shall meet the following standards:

1. Minimum seventy-five (75) feet in lot width and twenty (20,000) square feet in lot area.
2. The operation of a licensed Day Care Facility, in an R-4 or R-5 District shall be approved by the Board of Zoning Appeals as a Conditional Use only.

812 GARAGE SALE/YARD SALE

A. Any individual or family may conduct no more than two (2) garage or yard sales, or similar sales on a residential property, within any consecutive twelve (12) month period not to exceed three (3) consecutive days. Items displayed for sale shall not encroach into the right-of-way at any time and shall not create a traffic visibility problem. A Zoning Permit is not required.

813 HOME OCCUPATION, MINOR & MAJOR

A. Standards applicable to all:

1. Home Occupations conducted within a dwelling or an accessory structure shall be managed and operated by the residents residing on the premises.
2. Home Occupations shall be clearly incidental and secondary to the use of the dwelling.
3. A Home Occupation may not change the external character of the building or lot on which is it located. The exterior of the dwelling shall not appear commercial and remain residential in appearance, including any additions, exterior alterations, or visible evidence of the operations of said home occupation.
4. No sound may be produced that is audible beyond the structure.
5. Shall not occupy more than twenty five percent (25%) of the gross floor area within a dwelling.
6. The following are not permitted as Home Occupations: Animal Care Facilities.
7. A Roadside Stand / Farm Market shall not be considered a Home Occupation.

B. Minor Home Occupations shall comply with the following:

1. The following home occupations shall be permitted by right, where a Home Occupation is permitted on the Permissible Use Table (*See Article 6*): accountant, architect, auditor, bookkeeper, engineer, land surveyor, planner, photographer, producer of arts and crafts, realtor, or other similar occupation which is appointment based and does not involve retail sales on premise.
2. No more than one additional vehicle shall be permitted at one time for appointments related to the home occupation.
3. The business may have no employees outside of the residents residing on the premises.
4. No retail sales are permitted

C. All other Home Occupations shall be considered major and follow the procedure listed in Article 9, Conditional Use and the following standards:

1. Major Home Occupations consist of any business conducted in a dwelling that is not classified as a Minor Home Occupation. The BZA shall:

a. Give due regard to public interest, consider the nature and purpose of the proposed home occupation and adjacent uses, properties, and structures.

b. Consider how many employees may be permitted, not to exceed two (2) employees not residing on the premises.

c. Consider the number of additional vehicles that may be permitted for appointment related Home Occupations. Consideration shall be given to the number of off-street parking space available.

d. Prohibit retail merchandise from being displayed for sale on the premises.

e. Consider any additional conditions necessary to ensure the Home Occupation does not create or become a public nuisance regarding noise, traffic, or parking.

814 INTERNET SWEEPSTAKES CAFÉ

1. An Internet Sweepstakes Establishment shall follow the procedure listed in Article 9, Conditional Use and the following standards:

    1. An Internet Sweepstakes Establishment shall not be located within a 2,000 foot radius of another Internet Sweepstakes Establishment.

    2. An Internet Sweepstakes Establishment shall not be located within a 1,000 foot radius of a place of worship, school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors.

    3. An Internet Sweepstakes Establishment shall not be located within a 1,000 foot radius of any residential dwelling or any parcel zoned for residential use.

815 MOBILE HOME PARK

A. Manufactured home parks shall be any tract of land upon which three (3) or more manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes. Also includes any roadway, building, structure, vehicle, or enclosure intended for use as a part of the facilities of the park.

B. MHP A manufactured home park does not include any of the following:

    1. A tract of land used solely for the storage or display of manufactured or mobile homes for sale.

    2. A tract of land used solely as a temporary park or temporary camp.

    3. A tract of land that is subdivided and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes used for habitation and the roadways are dedicated to the local government authority.

    4. A tract of land within an area that is subject to local zoning authority and subdivision requirements and is subdivided, and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes for habitation.

C. The MHP District must meet the requirements of Article 10, Project Plan Review, Article 7, Development Standards and the following additional minimum standards:

    1. MHP total area: four (4) acres minimum.

    2. Distance between units: 20 feet from any property line

    3. Floor area per unit: 500 square feet

4. Provide public water and sanitary sewers.
5. Mobile home spaces shall abut upon a concrete or asphalt driveway, not less than twenty (20) feet in width, which shall have unobstructed access to a private or public street.
6. A safe and usable recreation area shall be conveniently located in each MHP and shall not be less than twenty (20%) percent of the gross area of the parcel, or three (3) acres, whichever is less.
7. Conform to County and State Health Department requirements.
8. Skirts shall be provided to screen space beneath mobile homes.

816 MINERAL EXTRACTION, STORAGE AND PROCESSING

A. The following principles of acceptance, submission, and design requirements shall apply to mineral extraction and/or storage, processing and manufacturing activities. All mining requirements shall follow the provisions in the ORC §1514. Mineral extraction may be permitted as a Conditional Use in M-3 Heavy Industrial District. In addition to the provisions of Article 9, Conditional Use, the following shall be considered in the review of a proposed request for mineral extraction, storage, processing, and manufacturing. A Zoning Permit is required.

B. PRINCIPLES OF ACCEPTANCE. In reviewing the location and the development plan of a proposed mineral extraction operation, the following general principles of acceptance shall be considered with respect to the particular location and the present and future development of the area.

1. The mineral extraction operation shall not be detrimental to the adjacent land and surrounding area.
2. Potential flooding shall not be increased for surrounding properties as a result of excavating or elevating portions of the property under consideration.
3. The use and development of a proposed mineral extraction operation and its adjacent area shall be properly planned so as to prevent ground water contamination.
4. After completion, the excavated area shall be properly maintained so that it will not become a danger and nuisance to area residents.

C. GENERAL CONDITIONS. The mineral extraction operation shall be conducted in accordance with the following conditions:

1. The excavated area shall have a one hundred (100) feet minimum setback from any public road right-of-way.
2. An appropriate amount of topsoil must be left on the site in order to establish and maintain vegetation.
3. All backfilling and excavating material distribution shall be certified in writing to the Township Zoning Department as conforming to the site grading plan and reclamation plan. The written certification shall be submitted by a professional engineer or surveyor and shall be submitted at the time of completion or in phases as required by the provisions of the Conditional Use approval.
4. All haul roads be properly maintained to control dust and have a gate to control ingress and egress; all truck routes shall be cleaned and maintained daily.

817 MORE THAN ONE PRINCIPAL BUILDING

A. No more than one (1) principal building may be located on a single lot in any Residential District except for the following uses: Church, Place of Worship, Residential Care Facility, School, Greenhouse, Manufactured homes in a MHP District, Public Use, Multi-family dwellings, Apartment buildings.

818 OUTDOOR STORAGE

A. The outdoor storage of material and equipment in Commercial or Industrial Districts shall be permitted provided the outdoor storage area is effectively screened by walls, privacy fences, or plantings.

B. Walls or fences shall be eight (8) feet in height without advertisement. In lieu of such wall or fence a landscape strip may be installed. The depth of the landscape strip shall consist of evergreen trees a minimum four (4) feet in height at time of planting and dense plantings of shrubs and hedges a minimum fifteen (15) feet in depth. See Landscape-Article 13.

819 PONDS

A. The following provisions do not apply to Decorative / Garden Ponds and a Zoning Permit is not required. Detention and retention ponds required for storm water management do not require a Zoning Permit and must receive approval from the Lucas County Engineer's Office. All other ponds shall be permitted on a minimum three (3) acre lot and must meet the following minimum setback standards and requirements:

Side	Rear	From septic or leach	From right-of-way line
25 feet	50 feet	100 feet	100 feet

B. Written approval must be obtained from the Toledo-Lucas County Health Department for any lot possessing a well and/or a leach field.

C. Site plan shall indicate pond location and other required information.

D. Minimum pond surface area shall be one half (1/2) acre.

E. Maximum pond surface area shall not exceed twenty-five percent (25%) of the net acreage.

F. The side slope of a pond shall be horizontal to vertical at a ratio 3:1 except where a beach is desired. The ratio shall be maintained to a depth of seventeen (17) feet or to the bottom of the pond, whichever is less. At depths greater than 17 feet, a steeper side slope may be used.

G. Beach areas may be sloped no less than 10:1 and shall not exceed twenty-five percent (25%) of the pond surface.

H. Mounding or grading shall not be more than four (4) feet in height measured from the initial grade established prior to the excavation of any material.

I. Conform to the Lucas County Soil and Water Conservation District requirements.

J. A drainage system shall be installed to accommodate overflows and surface drainage from pond development and diverted to a suitable outlet or drainage ditch to prevent effects of drainage to adjoining properties.

K. All excavated soils shall remain on the same lot as the pond unless provisions are met in Section 815, Mineral Extraction.

(Rev 5-2-2017. Z20-C988)

820 POOLS

A. GENERAL TO ALL

1. Private swimming pools are permitted as an accessory use in any district and a Zoning Permit is required.
2. All in-ground pools shall be completely fenced-in or walled to prevent uncontrolled access from the street or from adjacent properties.
3. Above ground pools shall be completely fenced-in or a removable ladder shall be used and shall meet the following requirements:

B. PRIVATE POOLS

1. Located in a rear or side yard (behind the front line of the main building).
2. Water's edge shall be a minimum ten (10) feet from a side or rear property line.
3. Fencing for in-ground pools shall be a minimum three and one half (3½) feet in height, secured with a locking gate and must be maintained in good condition.
4. Fencing for above ground pools with an outer wall height of three and one half (3½) feet or greater, shall be a minimum three and one half (3½) feet in height and must be maintained in good condition. A removable ladder may be used in lieu of fencing.

C. PUBLIC POOLS

1. Community pool, club swimming pools constructed by an association of property owners or a private club used for the sole enjoyment by members and guests of the association or club shall meet the following requirements:
2. The pool and any other associated accessory use, including decks and patios, shall be setback a minimum fifty (50) feet from any property line.
3. The pool area shall be completely fenced-in or walled; fencing and walls shall be six (6) feet in height and must be maintained in good condition. Fencing higher than six (6) feet in height requires approval from the Board of Zoning Appeals.

821 RECREATIONAL VEHICLE, COMMERCIAL VEHICLE, UTILITY EQUIPMENT

A. Recreational vehicles, commercial vehicles, or utility equipment parked or stored on a property must be kept in good repair and shall be subject to the following requirements. Commercial enterprises in non-residential zoned districts specializing in the sales or service of recreational vehicles or utility equipment are not subject to items 1, 2, and 3.

1. Shall be parked or stored in a side or rear yard (behind the front line of the main building) and a minimum three (3) feet from a side or rear property line.

2. May be parked in the front yard area or driveway for loading, unloading, and routine maintenance purposes only and for a period not to exceed seventy-two (72) hours.
3. No more than two (2) pieces of equipment shall be parked or stored outside on one lot. A mounted piece of equipment is construed as one piece; disassembled is considered two pieces.
4. Shall not to be used for living or housekeeping purposes.
5. Shall not have fixed connections to electricity, water, gas, or sanitary sewer. (Rev 5-2-2017. Z20-C988)
6. Only one vehicle, not exceeding 12,000 lbs. maximum Gross Vehicle Weight may be parked or stored per dwelling unit in any "A" or "R" District, except when making deliveries. Vehicles for agricultural purposes in A Districts are exempt.

822 RENEWABLES

A. SMALL WIND TURBINE

1. General Requirements:
   a. Small wind turbines are permitted as accessory structures in all Districts on parcels three (3) acres or greater in size.
   b. The small wind turbine shall service only one residence.
2. Specific Requirements:
   a. Height: The total height of the tower shall not exceed one hundred twenty-five (125') feet. The minimum distance between the ground and any protruding blades shall be fifteen (15') feet as measured at the lowest point of the arc of the blades.
   b. Fall zone: The small wind turbine shall be a distance of at least 110% of height of the total structure from any property line, dwelling, or right-of-way.
   c. Set-back: No part of the small wind turbine structure, including guy wire anchors, shall extend closer than ten (10') feet to the property line.
   d. Lighting: The maximum lighting used on the structure is a low intensity red light regulated by the Federal Aviation Administration.
   e. Noise: Noise coming from the small wind turbine shall not exceed 65 dBA to the nearest property line.
   f. Fencing: The supporting tower shall be enclosed with a six (6) foot high fence unless the base of the tower is not climbable for a distance of twelve (12') feet.
   g. Base: All tower support bases shall comply with Lucas County Building Department regulations and construction plans shall be prepared by a professional engineer.
   h. The wind turbine transmission lines shall be underground.

B. SOLAR PANEL. Solar panels shall be allowed in all Districts either attached to permitted principal or accessory buildings or as accessory structures subject to the following regulations:

1. Attached to building. Where attached to building, the solar panels shall be subject to the same regulations as the building in terms of height and setbacks. Solar panels may be attached to the roof or the building wall, but not both.

   a. Roof mounted panels shall include solar panels integrated as the surface layer of the roof structure which no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.

      1. Solar panels integrated as the surface layer of the roof structure may be located on any part of the roof.

      2. Separate flush-mounted solar panels may only be located on a rear- or side-facing roof.

      3. Separate flush-mounted solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached.

      4. Solar panels mounted on a flat roof shall not project vertically higher than the height of the parapet wall surrounding the roof or shall be screened by architectural features.

   b. Flush-mounted solar panels on the building wall may only be attached to one (1) side or rear building facade and shall not face a street.

2. Free-standing. Solar panels that are not attached to a building shall be permitted as an accessory structure subject to the following regulations:

   a. Free-standing solar panels shall be permitted in the rear yard only.

   b. Free-standing solar panels shall be setback according to the setback requirements of Section B. 2. b. of this Article.

   c. Free-standing solar panels shall not exceed a height of four (4) feet.

   d. The surface area covered by a free-standing system shall not exceed one percent (1%) of the lot or one hundred eighty (180) square feet, whichever is less. Area covered shall be included in the lot coverage calculations for the lot.

   e. All power transmission lines shall be underground.

   f. Free-standing solar panels and shall be screened by landscaping.

3. Glare. Solar panels shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties, or roadways.

823 ROADSIDE STAND, FARM MARKET

A. Farm markets are for seasonal selling or offering for sale at retail of home-grown vegetables or produce, occurring in a pre-designated area, where the vendors are generally individuals who have raised the vegetables or produce and are allowed in any district if fifty (50%) percent or more of the produce sold is from farms owned or operated by the market operator.

B. The market structure and parking area shall be located a minimum ten (10) feet from any property line and not in the right-of-way area. The Township Board of Trustees may regulate such factors as size of structure, size of parking areas that may be required, building setbacks, and egress or ingress, where such regulation is necessary to protect public health and safety.

824 SALVAGE YARD

A. A salvage yard for open storage of wrecked or abandoned motor vehicles, junk storage, keeping, selling, dismantling, shredding, compressing, or salvaging scrap, metals, or discarded materials shall only be approved in an M-3 District by the Board of Zoning Appeals pursuant to Article 9, Conditional Use.

B. SCREENING. Salvage yards and automotive recycling centers shall be effectively screened with the installation of both landscape and fencing or walls.

1. Landscape strip shall include evergreen trees not less than six (6') feet in height at time of planting and/or dense evergreen shrubs at the following required depths:

   a. When abutting a Residential District, a minimum thirty (30') feet.

   b. When abutting a Commercial or Industrial District a minimum fifteen (15') feet.

2. Fencing or walls shall be a minimum eight (8') feet in height.

825 SEXUALLY ORIENTED BUSINESS

A sexually oriented business such as an adult media or video store, massage parlor (except for massage therapy as licensed by the State of Ohio in Revised Code Section §4731.16), adult amusement or entertainment, sex shop, sexually-oriented cabaret, motion picture arcade booth, sexually-oriented cinema shall be permitted in an M-3 Heavy Industrial District only and subject to the following requirements:

A. A minimum five hundred (500) feet from any Residential or Agricultural District, church, synagogue, permanently established place of worship, school, library, playground, other recreational facility, sports field, or an amusement park that is regularly attended by persons under eighteen (18) years of age.

B. Not located within one thousand (1,000) feet from another existing sexually oriented business.

C. The Zoning Department shall only consider the standard specified in this Zoning Resolution in determining the approval of an application for a Zoning Permit for a sexually oriented business. The determination shall be made without public hearing within ten (10) days of the receipt of a completed application for a Zoning Permit. Only the applicant who has been denied a Zoning Permit may appeal within twenty (20) days to the Board of Zoning Appeals. An appeal to the Board must be heard and determined within thirty (30) days of filing said appeal. Further appeal shall be to a court of competent jurisdiction as provided by law.

826 SPECIAL EVENTS

A. No temporary use of land involving the construction of an enclosure, temporary building, or structures such as tent(s), booths, displays, haunted houses, or the parking of trailers for such activities as carnivals, circuses, fairs, festivals, charitable fundraising, religious events, or other public or semi-public events shall

be permitted without first obtaining a Zoning Certificate specifically permitting such temporary use.

B. EXEMPT: No Zoning Certificate shall be necessary if the temporary use takes place in a single-family residential district for the purpose of a private gathering such as a wedding, graduation party, or birthday party provided the temporary use shall not exceed three (3) days in duration.

C. No Zoning Certificate shall be required to erect in a single-family residential district a tree house, dollhouse, or clubhouse, swings or slides, inflatable play sets, holiday decorations or displays provided that such holiday decorations do not include enclosures, structures, or buildings.

D. Carnivals, circuses, fairs, festivals, charitable fundraising events, and religious events enhance the quality of life in the Township and the community as a whole. In determining whether to issue a Zoning Certificate, permitting the Special Event the Zoning Manager shall consider the following factors:

1. The duration of the temporary use.
2. Will the granting of the temporary use negatively impact the adjoining landowners or neighbors or the neighborhood in general?
3. Will granting the temporary use unreasonably cause an increase in congestion along adjacent public streets?
4. The availability of adequate parking.
5. The noise level generated by the temporary use.
6. Will the granting of the temporary use substantially alter the intent of the Zoning Resolution?
7. Will the granting of the temporary use result in substantial detriment to the public good?
8. Will the granting of the temporary use allow a use which otherwise would not be permitted?
9. Will granting the temporary use imperil the public safety or unreasonably diminish or impair health, safety, convenience, or general welfare.

E. Notwithstanding any other provisions as set forth in this Zoning Resolution, the Zoning Manager shall approve or disapprove an application for a Zoning Certificate to conduct a Special Event within fourteen (14) days of its filing.

(Rev. 11-20-12 Z20-C955)

827 TELECOMMUNICATION TOWERS

A. GENERAL TO ALL. All telecommunication towers shall meet all of the following conditions:

1. constructed on October 31, 1996, or after;
2. owned or principally used by a public utility engaged in the provision of telecommunication service.
3. a freestanding structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the Zoning District in which it is located.

B. CONDITIONAL USE PERMIT REQUIRED. Pursuant to the Telecommunications Act of 1996 and the ORC Section 519.211, and the Township Trustees being duly notified of a person's intent to construct a Telecommunication Tower in a Residential District, this section sets forth standards for the Board of Zoning Appeals to consider when reviewing the Conditional Use request. These minimum standards include:

1. The applicant must provide proof that the proposal to construct a tower or to attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e., Federal Communication Commission, Federal Aviation Administration, or Ohio Department of Transportation).
2. The applicant shall provide proof of notification to adjacent property owners as required by ORC Section 519.211.
3. The applicant must demonstrate at the time of application that no technically suitable and feasible site is available in a non-Residential District and that the site is located in the least restrictive district that includes a technically suitable and feasible site.
4. The tower and all accessory structures shall be located on a lot so that the distance is a minimum 100% of the proposed tower height from the base of the tower to any property line or supporting structure of another tower.
5. Total height of tower, including any attached equipment or accessories such as antennas, etc., shall not exceed seventy-five (75') feet in height.
6. Towers less than seventy-five (75') feet in height that cannot satisfy the one hundred percent (100%) setback requirement may be approved by the Board, provided that the applicant present a certification from a registered engineer from the State of Ohio that the tower will withstand winds of one hundred (100) miles per hour.
7. Any and all base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry shrubbery or other screening materials.
8. The applicant shall notify the Zoning Department within thirty (30) days of ceasing operations and the tower and accessory structures shall be dismantled within sixty (60) days of ceased operations.
9. No advertising or illumination other than that required by law may be located on the structure or on the required screening.
10. An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the Zoning Department and the Lucas County Building Department every five (5) years, which details the structural integrity of all towers and support structures on the property. Based upon results of an inspection, the Township Trustees may require repair or removal of a communication tower. Any and all necessary repairs to the tower and/or structures shall be made within a seven (7) day period or the tower and/or support structures shall be removed. The tower owner (applicant) is responsible to cover the cost of all inspections, repair and/or removal.
11. The un-staffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure. Setbacks for accessory

uses/structures will comply with distances in the Zoning District of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios except for emergency purposes, or other uses that are needed to send or receive transmissions.

12. A six (6) foot safety fence with a locked gate surrounding the tower is required. If high voltage is necessary, signs must be posted every twenty (20) feet along the fence and shall read: "Danger-High Voltage." "No Trespassing" signs shall also be placed at the same intervals.

828 TEMPORARY STORAGE CONTAINERS

A. Temporary and/or portable storage containers (e.g., dumpsters, PODS, etc.) used for temporary storage, or disposal, of materials and items and shall meet the following standards:

1. Shall be permitted in any district for a period not to exceed thirty (30) days without a Zoning Certificate.
2. Shall not be placed in any right-of-way and shall not become a safety hazard.
3. When in place for more than 30 days, temporary storage containers require a permit and shall be considered an accessory structure and shall conform to all applicable regulations in this Resolution.

829 VEHICLE STORAGE LOTS

A. A Vehicle Storage Lot is to provide an extra parking area for vehicle inventory in a Commercial District. Lots are required to receive approval from various review agencies, pursuant to Article 10, Project Plan Review. Vehicle storage lots shall meet the following requirements:

1. Inoperable, wrecked, or salvaged vehicles may not be parked on the lot.
2. Maintenance, repairs, servicing, washing, painting, or other similar activity may not occur on the lot.
3. Vehicles shall be parked a minimum fifty (50') feet from a right-of-way.
4. Lot surface shall consist of a hard, dustless material, graded for proper drainage, and adequately maintained.
5. Lot shall not be open to the public.
6. Solid fencing or screening shall be provided along parcels that abut a Residential District. Fence shall be six (6) to eight (8) feet in height. Landscaping may also be incorporated.
7. All lighting shall be directed downward and away from adjacent parcels.
8. Signs or advertisements shall not be permitted on the lot.

830 WASTE RECEPTACLES

A. Trash receptacles or other containers intended for the temporary holding of trash, refuse, garbage, or other discarded materials until it is hauled away shall meet the following requirements:

1. Only be permitted in the side or rear yard, or in the front driveway if stored against the house.

2. Be placed in the street right-of-way (R/W) at the edge of the street, and off the pavement, for the purpose of disposal, for a period not to exceed twenty-four (24) hours.

831 ELECTRIC VEHICLE CHARGING STATIONS

A. Electric Vehicle (EVs) Charging Stations shall be permitted within any zone district.

B. EV Charging equipment may be installed in any legally established parking space on any lot used for a single-family or two-family dwelling.

C. EV Charging Stations and their respective parking areas and infrastructure within a commercial, industrial, or multifamily zone district shall meet the following requirements:

1. Equipment utilized in the charging of EVs shall not reduce the number of parking spaces below the minimum off-street parking requirements.

2. Equipment utilized in the charging of EVs shall not be installed within required setbacks.

3. Equipment utilized in the charging of EVs located in landscaped areas shall not reduce landscaping below required minimums.

4. Cords, cables, and connector equipment shall not extend across the path of travel in any sidewalk. Equipment mounted on structures such as pedestals, lighting posts, bollards, or other devices shall be located in a manner that does not impede pedestrian, bicycle, or transit travel, or reduce the minimum sidewalk width as prescribed by the Lucas County Engineer.

D. Any canopy or overhang shall be considered an accessory structure and subject to those regulations as outlined in Section 801.

ARTICLE 9 – CONDITIONAL USE

900 PROCEDURE

A. Under certain unusual circumstances, a use of property, which typically affects an area more intensely than those uses permitted in the zoning district in which it is located, may nonetheless be desirable and compatible with permitted uses, if that use is properly controlled and regulated. Such uses shall be listed as "Conditional Uses" on the Use Table in Article 6.

B. The Board of Zoning Appeals may grant conditional approval for use of the land, buildings, or other structures and may allow such a use to be established where such approval will be consistent with the general purpose and intent of this Zoning Resolution as well as the general purpose and intent of the Sylvania Township Land Use Plan.

C. **MINOR / MAJOR CONDITIONAL USE**.

1. A Conditional Use shall be considered MINOR if the proposed use does not include any additional buildings, drives, impervious areas, or any other significant development not already present on the property.

2. Major Home Occupations, as outlined in 813-C shall be considered Minor Conditional Uses.

3. A Conditional Use shall be considered MAJOR if the proposed use includes any development or redevelopment that would otherwise prompt Project Plan Review as outlined in Section 1001-C. This includes but not limited to additional buildings, drives, impervious areas, extension of public utilities, or any other significant development not already present on the property.

4. Final determination on whether a proposed Conditional Use is ascertained to be minor or major may reside with the Planning and Zoning Manager or the Township Administrator.

901 APPLICATION FOR CONDITIONAL USE

A. Any person owning or agent designated by the owner of a property may file an application to use such property for one of the Conditional Uses provided for by this Resolution in the zoning district in which the property is situated. An application for a Conditional Use shall be filed with the Planning and Zoning Department on such forms approved by the Board of Township Trustees in accordance with the provisions of this Resolution.

B. Any application for Conditional Use, Minor or Major, shall be completed fully and contain the following information:
No application will be considered unless the same is fully completed and accompanied by all required information listed on said approved forms. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant(s).

2. Legal description of the property as recorded in the Lucas County Recorder's office.

3. Present zoning district.

4. Description of proposed request for the Conditional Use.
5. A basic site drawing or aerial photograph indicating any relevant information on the property.
6. A narrative statement evaluating the effects on adjoining properties such as noise, glare, odor, light, fumes, and vibration; and a discussion of the general compatibility with adjacent and other parcels within the immediate area of the proposed Conditional Use.

C. In addition to those items outlined in 901-B, applications for a Major Conditional Use shall include the following information:

1. A site plan at a legible scale of the proposal for Conditional Use showing the location of all buildings, parking and loading areas, traffic circulation, open space, landscaping, refuse and service areas, utilities, signs, and yard setbacks.
2. A statement stipulating how the proposal meets the intent and general requirements of the current Township Land Use Plan and Zoning Resolution.
3. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the deliberations of the Board.

D. The applicant shall also submit the names and addresses of all property owners within 200 feet, contiguous to, and directly across the street from the property under consideration, as appearing on the Lucas County Auditor's current tax list.

902 REVIEW BY PLAN COMMISSION

A. All Requests for a **Major** Conditional Use with the exception of Home Occupation, shall be reviewed by the Lucas County Plan Commission prior to the Board of Zoning Appeals public hearing.

B. The application for Conditional Use will be forwarded to the Plan Commission by the Township Planning and Zoning Department.

C. The Plan Commission shall hold a public hearing on the proposed Conditional Use and recommend approval or denial of the said use, or approval with conditions, and submit its recommendation to the Township Board of Zoning Appeals. When received, such recommendation shall then be considered at a public hearing held by the Board of Zoning Appeals on said proposed use.

903 GENERAL STANDARDS FOR CONDITIONAL USES

A. The Board of Zoning Appeals shall not approve a Conditional Use unless in each specific case, it makes specific findings of fact directly based on the particular evidence presented to it, that support conclusions that such use at the proposed location shall meet all the following requirements:

1. Will be found to be consistent with the general objectives, or with any specific objective or purpose, of this Zoning Resolution.
2. Will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

3. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and adequate drainage, refuse disposal, water and sewer, and schools.
4. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be significantly detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
5. Will have vehicular approaches to the property that shall be so designated as not to create interference with existing traffic on surrounding public streets or roads.

904 SUPPLEMENTARY CONDITIONS

A. In granting any Conditional Use, the Board shall insure that the specific conditions and standards established in Article 8, Supplemental Regulations have been adequately addressed. The Board may prescribe other appropriate conditions and safeguards, as it deems necessary to ensure that the use will be conducted in conformance with the intent and purpose of this Resolution.

905 PUBLIC HEARING

A. The completed application shall be transmitted to the Board of Zoning Appeals who shall cause a public hearing to be held. Notice of such hearing shall be sent by first class mail to the owner(s) appearing on the Lucas County Auditor's current tax list or the Lucas County Treasurer's mailing list. Said notice will be sent to property owners within 200 feet of the proposal, contiguous to and directly across the street, at least ten (10) days prior to the public hearing. Notice of such hearing shall also be advertised in one (1) 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 request.

906 ACTION BY BOARD

A. The Board of Zoning Appeals shall make its decision within twenty (20) days of the public hearing. The Board of Zoning Appeals shall act by Resolution and every action shall be accompanied by written findings of fact, based on testimony and evidence and specifying the reason(s) for granting or denying the request. The granting or denial of a resolution shall require the affirmative vote of a majority of a quorum of the Board. A copy of the Board's Resolution, accompanied by the Board's findings of fact, shall be mailed to the Applicant by ordinary mail.

907 PUBLIC INFORMATION

A. All communications to members of the Board of Zoning Appeals, written or oral, which pertain to any, matter before the Board and shall be reduced to writing and made a part of the record. The official record of the Board's proceeding in any matter shall be kept on file in the Township Hall, subject to the order of the Lucas County Common Pleas Court and available for inspection by the public.

908 FEES

A. The Township Trustees shall establish fees as deemed appropriate to defray the costs associated with the advertisement, mailings, or other required or necessary expenses incurred.

909 EXPIRATION OF CONDITIONAL USE

A. A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if such conditionally permitted use has not been instituted or utilized within two (2) years of the date on which the permit was issued, or if for any reason such use shall cease for more than two years. Applicants may submit to the Board of Zoning Appeals a request for an extension every two (2) years, commencing (2) years after the date the initial permit was issued.

Article 10 – PROJECT PLAN REVIEW

1000 PURPOSE

A. Project Plan Review (PPR) is the process whereby Township Zoning and professional entities from Lucas County and the State of Ohio review site development plans, maps, and other documentation to determine compliance with this Resolution and acceptable land development practices. Items to be considered include, but are not limited to, traffic, grading, topography, storm water management, preservation of natural features, adjacent land uses, general welfare and safety.

1001 APPLICATION REQUIREMENTS

A. PPR is required for all uses located in Commercial or Industrial Districts and non-residential uses in any District for the following:

1. All new construction
2. Additions (5,000 square feet or more)
3. Enlargement (greater than 25% of gross floor area of existing building)
4. Parking area is increased by ten (10) or more spaces.
5. Multi-family dwellings
6. Significant change of use

B. A completed application, required documentation, and zoning fees shall be filed with the Zoning Department, and as set forth in the PPR process for Sylvania Township, Motion # 01-01-0111, dated September 20, 2001, or as amended.

1002 EXPIRATION, EXTENSION OF APPROVAL

A. If construction of any phase of the approved site plan begins within two (2) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within two (2) years after the approval has been granted, the site plan shall be void. The applicant may request a two (2) year extension prior to the expiration of site plan approval, provided there are no objections from review agencies and no major changes proposed.

ARTICLE 11 – ACCESS MANAGEMENT

1100 PURPOSE

A. Access Management provides for efficient access and to maintain a safe level of service on all roads and highways in Sylvania Township.

1101 REQUIREMENTS

A. Access Management shall be required for all proposed commercial, industrial, multi-family developments and for all single-family developments exceeding 100 dwelling units.

B. A Traffic Impact Study and Access Management Plan shall be required for all developments generating one hundred (100) or more peak hour trips regardless of lot coverage.

C. Any proposed development on State Highways (Alexis Rd., Central Ave., Monroe St., Reynolds Rd.) shall be subject to the review, policy, standards and regulations of Ohio Department of Transportation (ODOT).

D. Any proposed development on a County Highway or Township Road shall be subject to the review, policies, standards and regulations of the Lucas County Engineer.

E. An Access Management Plan and Traffic Impact Study may not be required if any of the following have been completed in the past:

1. Access and circulation have been addressed as part of a Planned Unit Development.
2. A Traffic Impact Study and/or Access Management plan has been completed and/or implemented for adjacent sites and addresses the Access Management requirements of the subject site.
3. The subject site is within a platted subdivision in which an Access Management Plan or Traffic Impact Study has been previously submitted which addresses the access and circulation requirements.

1102 ACCESS MANAGEMENT PLAN

A. The Access Management Plan shall accompany the site plan for review and consideration as set forth in Article 10, Project Plan Review. The following shall be indicated in the Access Management plan:

1. Proposed and/or existing building size and use, driveways, parking areas, and drive aisles.
2. Current use, parking areas, drive aisles and driveways from all properties opposite and adjacent to the proposed site.
3. Road details, such as public right-of-way within the limits of the traffic impact, including the number and type of vehicular traffic lanes, traffic signal locations, and traffic control signs, such as "STOP" and "YIELD."
4. Anticipated daily and peak hour traffic volumes at site access points.

1103 TRAFFIC IMPACT STUDY

A. GENERAL. A Traffic Impact Study shall be required when any development, expansion, or change of use is proposed pursuant to Article 10, Project Plan Review, and generates one hundred (100) or more peak hour trips (as defined by

the Institute of Transportation Engineers (ITE) Trip Generation). This study shall document the development's impact on internal and external vehicular and pedestrian circulation and safety. Based on the findings and recommendations of the Traffic Impact Study, an access drive, shared driveway approach for adjoining parcels, signal improvements, pedestrian walks, turn lanes, limited direction driveways, or other traffic mitigation measure may be required as part of site plan approval.

B. REQUIREMENTS.

1. The Traffic Impact Study shall be prepared by a Professional Engineer at the expense of the property owner or developer and include all elements of an Access Management Plan.

2. The study shall also investigate and recommend the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations to protect the safety and welfare of the traveling public.

3. The Traffic Impact Study analysis shall include descriptions for the following:

   a. Site and area within limits of the traffic impacts.

   b. Roadway network within the limits of the traffic impact area; the proposed site, adjacent roadway and the nearest major intersection in each direction; shall include traffic volumes, levels of service, and physical features such as number and type of lanes and traffic control devices.

   c. Existing development adjacent to and surrounding the subject site and a description of future development as proposed by the Sylvania Township Land Use Plan.

   d. Trip generation consistent with the current ITE Trip Generation and distribution, including a description of all assumptions/predictions used to generate findings of trip distribution.

   e. Projected future traffic conditions within limits of the traffic impacts, including opening day of proposed development; ten (10) year and twenty (20) year projections.

   f. Evaluation of the effects the proposed development will have on the existing level of service for site driveways, public rights-of-way, roadways and adjacent intersections in each direction including traffic volumes.

   g. Recommendations for site access and transportation improvements needed to mitigate site-generated traffic within the limits of the traffic impacts, to at least the level of service that currently exists.

   h. Signal warrant analysis and highway capacity analysis shall be conducted, consistent with the current Ohio Manual of Uniform Traffic Control Devices (OMUTCD) and Transportation Research Boards (TRB), Highway Capacity Manual (HCM) and associated software, at all multi-movement driveways. Determination of a signal installation will be based on the signal warrant analyses with consideration for system capability and signal spacing.

   i. Access management and Traffic Impact Studies shall be prepared in accordance with local agency and the Ohio Department of Transportation (ODOT) standards.

C. REVIEW ELEMENTS. Such review may require that all, some, or none of the specific review elements be included in the Access Management Plan. The review elements to be considered:

1. access drives (front or rear)
2. reciprocal easement agreements (on-site only)
3. driveway geometry for proposed development
4. limited number of driveways
5. left turn lane improvements
6. limited left/right turn direction driveways
7. restricted left/right turn
8. reduction/elimination/shared driveways
9. road/drive alignment
10. traffic control devices associated with site access
11. right turn deceleration lanes

1104 ACCESS DRIVES

A. The preferred type of access to a lot is a drive that is located in the rear of a property and which connects adjoining parcels. In those instances where a rear access drive is not feasible, a front access drive to connect adjoining parcels may be considered.

B. An access drive may be a publicly dedicated right-of-way, constructed at the owner's expense and built to Lucas County standards. If a private access road is proposed, requirements such as curbing, width of rights-of-way, and road width may be modified or approved by the Township. If a private access road is permitted pursuant to this Section, reciprocal easement agreements between adjoining parcels are required.

C. The distance between the adjacent road and an access drive shall be subject to the jurisdictional authority of the roadway as determined by ODOT or the Lucas County Engineer. When a front access drive is permitted, the required landscape area may be located between the existing roadway and the front access drive.

D. The access drive shall be constructed before any occupancy or use is permitted. A bond, escrow or other assurance shall be provided to the Township for the completion of the access drive. Where access drives are not appropriate, driveway sharing and/or cross access between parking areas of adjacent parcels may be approved.

1105 CURB CUTS, SIGNALS

A. TOWNSHIP ROADWAYS. As part of the site plan review process, Sylvania Township, with recommendations from the Lucas County Engineer, Ohio Department of Transportation, or other traffic professional as designated by the Township, may approve a site plan with a specific driveway location on condition that an agreement be made between the property owner and the Township requiring that such driveway(s) be closed when specific conditions are met. Such conditions may include the completion of an access drive or shared drive approach on adjacent lots or for other road specific circumstance.

1. When public roadway improvements are required by a proposed development such as the construction of left or right turn lanes or installation of traffic signals, completion of such improvements shall be assured by the owner by posting a bond or escrow. The bond or escrow shall be established with the Lucas County Engineer's Office.

B. STATE ROUTES. New traffic signals and new curb cuts located on state routes shall be in accordance with Ohio Department of Transportation (ODOT) Standards and Policies which may include a Traffic Impact Study and signal studies consistent with ODOT requirements. State routes located within the Township include:

1. Alexis Road (SR 184)
2. Central Avenue (US 20/SR 120)
3. Monroe Street (SR 51)
4. Reynolds Road (SR 20)

1106 SIDEWALKS (PUBLIC)

A. New developments and redevelopments of properties within the Township shall be required to have public pedestrian access (sidewalks) on all sides of the property that abut a highway, street or roadway.

B. The site plan for new developments and redevelopments of properties shall show the following:

1. The dimensions of the property.
2. the width(s) and location(s) of existing, sidewalks within the development or redeveloped property.
3. The width(s) and location(s) of sidewalks on adjacent properties.
4. The proposed sidewalk location and width, which shall be a minimum 4 feet or the width of adjacent sidewalks, whichever is greater.

C. An exception to the sidewalk requirement may be granted to a property by the Sylvania Township Board of Zoning Appeals under the following circumstances:

1. The property seeking the exception will not be used for residential, public, or quasi-public purposes as those uses are defined in this Resolution.
2. The property seeking an exception adjoins two (2) or more highways, streets or roads.
3. The properties adjacent to the property seeking an exception do not have sidewalks on the side where the exception is being sought. If sidewalks are constructed on either adjacent property, the exception is revoked, and sidewalks must be constructed within 180 days.
4. Public access to the property will be limited only to the side(s) of the property that has a sidewalk. Public access to the property shall be prohibited from those portions of the property that have been granted an exception to the requirements above.
5. The granting of an exception to the above requirements may include whatever terms and conditions the Board of Zoning Appeals deems necessary.

1107 SIDEWALKS (PRIVATE) AND ON-SITE PEDESTRIAN ACCESS

A. New developments and redevelopments of properties within the Township shall be required to provide pedestrian access from the public sidewalk to the public access of any main building.

B. The site plan for new developments and redevelopments of properties shall show the following:

   1. Clear and safe pedestrian route from the public sidewalk to the public access of any main building a minimum of 4 feet in width.

   2. Material to be used for pedestrian access, which shall be concrete for any routes through landscaped areas. Pedestrian access through the parking lot may be delineated with striping.

   3. Location of bicycle parking. Where feasible, the pedestrian access should be within 10 feet of a bicycle parking area.

ARTICLE 12 – PARKING REQUIREMENTS

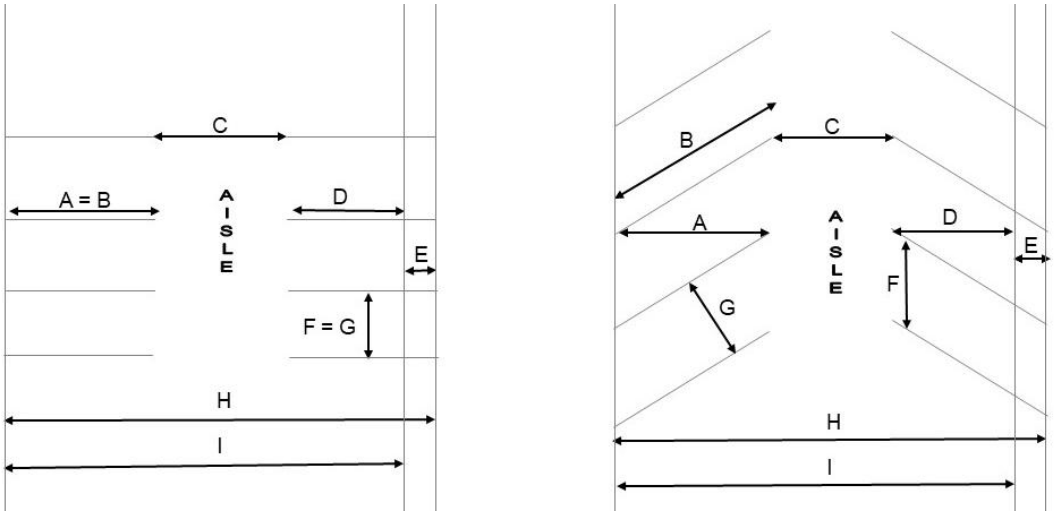
1200 GENERAL

A. Any building, structure or use of land that is constructed, enlarged, or used shall provide off-street parking spaces for vehicles in accordance with the minimum provisions noted in this Article. All parking surfaces constructed after March 6, 1997 shall comply with the requirements for Surfacing.

1201 OFF-STREET DESIGN

A. The number of off-street parking spaces required for various uses shall be no less than the minimum set forth in this Article. except as specified in Section 1605. All off-street parking including driveways, entrances, exits, circulation and maneuvering areas, aisles and interior lanes, and parking spaces shall be in accordance with the minimum standards and specifications. See also Section 1107.

B. SPACE DIMENSIONS. All new or altered parking lots shall conform to the parking space stall width, stall length, and aisle width as indicated in the drawing and table below:



	ANGLE			
DIMENSION	45°	60°	75°	90°
A. Stall depth to wall	17′	18.5′	19′	18′
B. Stall depth parallel to vehicle	18′	18′	18′	18′
C. Vehicle aisle width	12′	16′	22′	24′
D. Stall depth to interlock	15′	17′	18′	18′
E. Stall depth reduction due to interlock	2′	1.5′	1′	0
F. Stall width parallel to aisle	12.7′	10.4′	9.3′	9′
G. Stall width perpendicular to vehicle	9′	9′	9′	9′
H. Module width wall to wall	46′	54′	60′	61′
I. Module width interlock to interlock	42′	51′	58′	61′

C. Exceptions to previous table:

1. Bumper Overhang

   a. Deduct one and one half (1½) feet from stall depth to wall or three (3) feet from wall to wall for 45 °and 60 ° parking.

   b. The equivalent dimensions for 75 ° and 90 ° parking are two (2) feet and four (4) feet respectively.

2. Natural Features

   a. Where natural and/or man-made obstacles, obstructions, or other features such as landscaping, support columns, or grade difference exist the Zoning Administrator may approve a reduction in required stall width, length, and/or aisle width as part of the Project Plan Review process.

   b. In instances where a reduction is requested, emergency vehicle access shall be considered and incorporated into the parking lot design.

D. BICYCLE PARKING. The number of bicycle parking spaces shall be no less than the minimum set forth in this Article. Bicycle parking areas shall meet the same Surfacing, Drainage, and Determination of Spaces requirements outlined below.

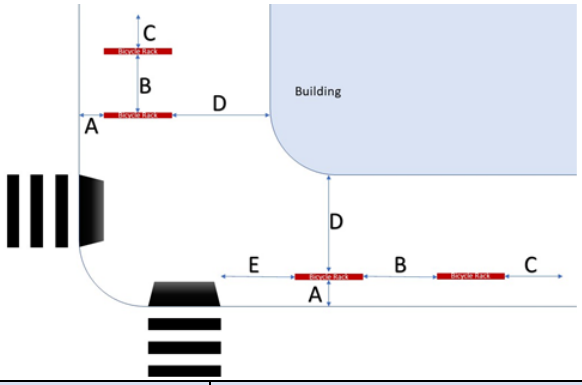
1. The Planning and Zoning Manager may modify or waive the required bicycle parking if:

   a. An applicant can demonstrate in writing, with supporting evidence, that the proposed use does not generate bicycle traffic, or

   b. To accommodate unique circumstances specific to the use.

2. Bicycle racks shall provide two points of contact to the bicycle frame. One "inverted U," "post and ring," or similar type of fixture shall count as two bicycle parking spaces.

3. The following dimensions are recommended for bicycle parking which is located on a private or public sidewalk. Designated bicycle parking within a parking lot shall maintain a minimum 3 feet clearance on all sides of each bicycle rack:



DIMENSIONS	PARALLEL TO CURB	PERPENDICULAR
A. To back of curb	3 feet (2 feet min.)	3 feet (2 feet min.)
B. Between racks	6 feet (4 feet min.)	4 feet (3 feet min.)
C. To next obstacle	4 feet (3 feet min.)	4 feet (3 feet min.)
D. To building (clear walking path)	8 feet	10 feet
E. To crosswalk	5 feet	5 feet

1202 DRIVEWAYS

A. For Dwellings, Single Family & Two Family, a driveway shall consist of any surfacing installed for the purposes of maneuvering and parking a vehicle. The following dimensions shall apply to the Yard in front of the residential Building:

   1. Minimum Width: Nine (9) Feet
   2. Maximum Width: Thirty (30) Feet
   3. Side Setback: Three (3) Feet
   4. Surfacing shall not exceed 40% of the total front yard.

B. All other uses shall meet the following driveway dimensions:

   1. Minimum: Twenty (20) Feet
   2. Maximum: Forty (40) Feet

C. All driveway and roadway geometrics shall follow the rules and regulations of the controlling jurisdiction (e.g., Lucas County Engineer, O.D.O.T., etc.)

1203 SURFACING

A. All off-street parking spaces, driveways, drive aisles, entrances, exits, circulation and maneuvering areas, and interior lanes for all uses shall be surfaced prior to occupancy of the building. Surfacing shall be accomplished with asphalt, concrete, or a masonry-type material. Surfacing may be pervious or impervious, however stone or gravel is not considered a masonry-type material for the purposes of this section.

B. All parking lots shall be clearly identified and marked with paint lines, curbs, or some other manner approved by the Zoning Department and shall be maintained in good condition and free of dust, trash, or other debris.

C. Any vehicle parked on a surface that is not approved by the Zoning Administrator shall be in violation of this Resolution. No parking is permitted in the front yard of a dwelling, unless an approved surface has been approved and installed.

1204 DRAINAGE

A. All parking spaces, driveways, entrances, exits, circulation and maneuvering areas and interior lanes, shall be graded and drained so as to dispose of surface water, which might accumulate within or upon such area, and shall be designed to prevent the excess drainage of surface water onto adjacent properties, walkways, or onto the public roads. Adequate arrangements shall be made to ensure acceptable diversion to an adequate storm water drainage system.

1205 SIGNS

A. See Article 14.

1206 SHARED PARKING

A. Shared parking spaces on lots adjacent to one another may be approved by the Zoning Department, in conjunction with Project Plan Review, for a mixed-use project located at the same location and having different peak parking demands and operating hours. Applicant shall comply with the requirements listed herein pertaining to the use of the building(s).

B. In cases where shared parking is requested on lots under different ownership, a three party agreement between the Township and owners shall be required and subject to approval by the Township legal counsel. The agreement shall be recorded, passing with ownership of the land, and filed with the Zoning Permit application. The Zoning Department may require periodic review of the Shared Parking Plan per use(s) of those properties referenced in said agreement. Said plan shall include:

1. number of parking spaces required and spaces provided
2. use or uses of the building(s)
3. estimated spaces for each building or entity included the parking agreement

1207 DEFERRED PARKING

A. To avoid constructing parking spaces that are not necessary, as well as reduce the visual and drainage impacts caused by large impervious areas, the Zoning Administrator may approve some portion of the required parking spaces of a development to be deferred if the conditions and requirements are satisfied during Project Plan Review.

B. The developer shall illustrate the layout of the required parking spaces as established in this Zoning Resolution, and then designate which parking spaces are to be deferred. The parking spaces shall not be assigned to areas required for landscape, buffer areas, unsuitable areas due to physical characteristics of the land, or other requirements of this Resolution.

C. The plan shall be accompanied by a written agreement of commitment and be referenced on the site plan. This reference shall specify that at any time, should the Zoning Administrator determine that the additional spaces are needed to conform with the Zoning Resolution; the deferred spaces shall be converted to usable parking spaces, as indicated in the original site plan and at the expense of the developer.

1208 REQUIREMENTS

A. All parking spaces shall meet the following standards:

1. Commercial and Industrial Districts

   a. Five (5) feet minimum setback from any side or rear property line.

   b. Fifteen (15) feet minimum setback from a right-of-way line and outside the required landscape strip.

   c. Installation of curbs or wheel stops for parking stalls to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure.

   d. When abutting a Residential District see required setbacks in specified Zoning District

1209 DETERMINATION OF SPACES

A. Whenever there is more than one type of use on a parcel, the area allocated for each specific use must be identified.

B. Each separate or distinct use on the site shall meet its own specific parking space requirements. Any proposed use on a site, which cannot satisfy the parking requirements, shall be strictly prohibited.

C. The total number of parking spaces required on-site shall be the sum of the requirements for each use on the premises.

D. Whenever the total sum computed for required off-street parking or loading spaces includes a fraction, the next higher whole number shall be required.

E. For purposes of off-street parking and loading requirements, "gross floor area" shall include all of the area on each floor, excluding interior automobile display areas.

F. Where seating capacity is the standard for determining parking space requirements, the capacity means the number of seating units, or each eighteen (18) lineal inches of benches, or pews, unless occupancy standards set by the Fire Marshall, require a greater number of parking spaces, which shall then be the minimum number of parking spaces required.

G. The parking space requirements for a use not specifically identified in this Resolution shall be the parking requirements for the use that is most similar.

H. When an applicant does not specify the use planned for a proposed building, the parking calculation shall be based on a general category of the building which requires the greatest number of parking spaces.

1210 AGRICULTURAL USE PARKING REQUIREMENTS

A. The required number of off-street parking spaces shall not be less than the following:

USE	REQUIRED PARKING	BICYCLE PARKING
Grain Elevator / Grain Storage Structure	1 for every 300 sq. ft. of office	N/A
Farm Sales and Service	1 for every 300 sq. ft. of office	N/A

1211 RESIDENTIAL USE PARKING REQUIREMENTS

A. The number of off-street parking spaces to be provided shall not be less than the following:

USES	REQUIRED PARKING	BICYCLE PARKING
Accessory Dwelling Unit	1 per unit	N/A
Dormitory / Boarding House	1 per 2 beds	1 per 5 beds
Dwelling, All	2 per dwelling unit	N/A
Home Occupation	1 additional space	N/A
Manufactured Home / Mobile Home	2 per unit	N/A

1212 COMMERCIAL USE PARKING REQUIREMENTS

A. The required number of off-street parking spaces to be provided per gross floor area, unless noted otherwise, and shall not be less than the following:

USES	REQUIRED PARKING	BICYCLE PARKING
Animal Care	1 per 300 sq. ft.	2 min.
Auction Facility, Auditorium, Banquet Hall, Bingo Hall, Conference Center, Dance Hall, Funeral Home, Special Event Venue	1 per 100 sq. ft.	2 per 5,000 sq. ft.
Automobile / Car or Truck Wash	2 per site (washing bays are not parking spaces)	N/A
Automobile Repair	1 per 200 sq. ft. customer service area, plus 2 per service bay	2 min.
Automobile Sales, Automobile Storage Lot	1 per 5,000 sq. ft. developed lot area for vehicle storage or display, plus 1 per 300 sq. ft. customer service area. not to exceed 30 designated customer parking spaces	2 min.
Automobile Wrecking Lot / Junk or Salvage Yard	1 per acre plus 1 per 300 sq. ft. customer service area	2 min.
Bowling Alley	4 per alley	2 per 4 lanes
Campground	1.5 per camping site / cabin	4 min.
Club, Lodge	1 per 3 persons allowed per max. occupancy load as established by local, county, and state levels of the fire, building or health codes	2 min.
Cosmetology / Massage Establishment	1 per 75 sq. ft.	2 min.
Day Care	1 per 5 students and 1 per each classroom	2 min.
Golf Course, Public or Private	8 per hole	4 min.
Hospital, Residential Care Facility	1 per 4 beds	4 min.
Hotel, Motel, Bed and Breakfast	1 per sleeping room plus 1 per 400 sq. ft. meeting area and restaurant	2 min.
Office, All, Bank, Clinic, Veterinarian	1 per 300 sq. ft.	4 min.
Printing, Publishing	1 per 600 sq. ft.	2 min.
Recreational or Entertainment Facility	1 per 175 sq. ft.	2 per 5,000 sq. ft.
Restaurant, Nightclub, Bar, Café, or similar eating / drinking establishment	1 per 100 sq. ft. or 1 per 125 sq. ft. in multi-tenant buildings	2 per 5,000 sq. ft. 4 min.
Retail Sales & Service Business, General	1 per 250 sq. ft. up to 10,000 sq. ft 1 per 400 sq. ft. 10,001 sq. ft. +	4 min.
Retail Sales & Services Business: Furniture or Appliance Store, Hardware Store, Machinery or Equipment Sales and Service Business, Clothing Store, Shoe Repair or Service Shop, Nursery, Greenhouse	2 per business plus 1 per 300 sq. ft.	2 per 5,000 sq. ft. 4 min.
Truck Terminal	1 per 1,000 sq. ft.	

1213 INDUSTRIAL USE PARKING REQUIREMENTS

A. The required number of off-street parking spaces to be provided shall not be less than the following:

USES	REQUIRED PARKING	BICYCLE PARKING
Industrial & Manufacturing General, Distribution, Warehouse, Extraction, Processing up to 20,000 sq. ft.	1 per 1,000 sq. ft. warehouse plus, 1 per 750 sq. ft. manufacturing area	2 min.
Industrial, Manufacturing, Distribution, Warehouse, Extraction 20,001 – 120,000 sq. ft.	1 per 5,000 sq. ft. warehouse plus, 1 per 1,500 sq. ft. manufacturing area	4 min.
Industrial, Manufacturing, Distribution, Warehouse, Extraction 120,000 sq. ft. +	1 per 10,000 sq. ft. warehouse plus, 1 per 3,000 sq. ft. manufacturing area	4 min.
Landfill, Salvage, Storage Yard, Waste Disposal, Recycling Center, Shooting Range	1 per acre plus 1 per 300 sq. ft. customer service area	N/A
Research Facility	1 per 300 sq. ft. office plus 1 per 5,000 sq. ft. of research area	2 min.
Self Service / Mini-Storage Facility / Mini Warehouse	4 per site	2 min.
Wholesale	2 per business plus 1 per 300 sq. ft. customer service area	2 min.

1214 PUBLIC USE PARKING REQUIREMENTS

The required number of off-street parking spaces to be provided shall not be less than the following:

PUBLIC USES	REQUIRED PARKING	BICYCLE PARKING
Institution, Education – not including High School, College or University	1 per 10 seats in main auditorium or assembly room or 1 per classroom, whichever is greater	2 per classroom
Institution, Education: High School, College or University	1 per 8 seats in the main auditorium or assembly room or 3 per classroom, whichever is greater	2 per classroom
Place of Religious Worship	1 per 6 seats in main auditorium	2 min.
Public or Semi-Public Uses including: Gallery, Library, Museum	1 per 300 sq. ft.	4 min.

1215 LOADING SPACES

A. Off-street loading spaces must be provided in accordance with the following minimum ratios:

FLOOR AREA	REQUIRED LOADING SPACES
Commercial or Industrial uses involving the retail or wholesale exchange, sale, storage, processing or manufacturing of merchandise, or personal property of any use:	
Under 5,000 square feet	None
5,000 – 9,999 square feet	1
10,000 – 29,999 square feet	2
30,000 – 89,999 square feet	3
90,000 – 149,999 square feet	4
150,000 – 249,999 square feet	5
250,000 square feet or more	5
Business, Institutional, personal or professional service uses, including but not limited to offices, hotels, motels, recreational or entertainment uses:	
Under 20,000 square feet	None
20,000 – 99,999 square feet	1
100,000 – 349,000 square feet	2
350,000 square feet or more	2 + 1 for each additional 80,000 square feet

1216 DRIVE-THROUGH SERVICE

A. Any commercial activity such as a financial institution, car wash, retail, or other similar use providing services accessible to persons who remain in their automobiles providing drive-through service windows shall provide no less than four (4) vehicle storage spaces at each service window.

B. Drive-through service windows at restaurants shall provide a minimum seven (7) vehicle storage spaces at each service window. Each storage space for any use must be a minimum ten (10’) feet x twenty (20’) feet in size.

ARTICLE 13 – LANDSCAPE, SCREENING

1300 PURPOSE

A. The purpose of this Article is to enhance the environment and physical appearance of all property in the Township and encourage the preservation of native vegetation and natural features unique to Sylvania Township and the Oak Openings region. This Article is designed to safeguard public health, safety and welfare, as well as to prevent air and water pollution, erosion, sedimentation, noise, glare and excessive heat and to protect and enhance the value of investments, the visual beauty and the environment. It is the further intent of this Article to encourage creativity and good practice in design, and flexibility in the application of the design standards, by placing emphasis on the use of a variety of elements and diverse planting groups to achieve the desired results. These include, but are not limited to, large canopy/shade trees, smaller trees, shrubbery, earth berms, and paving materials. Use of plants native to the Oak Openings region is encouraged, along with use of rain gardens and bio-swales.

1301 LANDSCAPING PLANS

A. A Landscape Plan shall be prepared by a professional, landscape architect or one with appropriate credentials, and include a graphic depiction of plants, all yards (front, side and rear), open spaces, buffers, street trees, as well as the location of existing trees to be preserved and tree preservation measures to be taken during construction. Plan shall be presented to a scale appropriate to illustrate the level of detail required for compliance. Plan shall include the caliper, height, quantity, name, and placement of all plant material, lawn areas, irrigation zones, and mounding. If development includes naturalized areas or no-mow zones, indicate their location(s) and description of maintenance.

B. A landscaping plan shall be required for the following developments:

   1. All Site Plan Review submissions pursuant to Article 10, Project Plan Review of this Resolution.

   2. All Planned Unit Development submissions pursuant to Article 4, Planned Unit Development of this Resolution.

   3. All multi-family and mixed use developments.

   4. All Conditional Uses within an A or R District.

      a. NOTE: Landscaping plans are not required for single-family and two-family dwellings.

C. All landscaping materials shall be installed in accordance with the approved landscaping plan, guided by this Article, and comply with the Lucas County Subdivision Regulations.

D. The Township may employ the services of a certified arborist to review landscape plans.

1302 STANDARDS

A. GENERAL.

   1. The landscaping plan shall identify existing and proposed trees, shrubs, and ground covers; natural features; and other landscaping elements.

2. All trees in good health, not considered invasive, and that are 12-inches in caliper or larger shall be illustrated on the landscape plan and preserved during site development. Tree protection measures such as temporary fencing shall be indicated on the landscape plan. Removal of an existing tree larger than 12-inches in caliper may be considered by the Township. Justification for removal of trees larger than 12-inches in caliper shall be submitted in writing, on the landscape plan or other format, for consideration. Protected trees that are removed or are severely damaged shall be replaced by a tree, or trees, which equal the caliper size of the impacted tree.

3. No new trees, shrubs, mounding, or any type of landscaping material shall be permitted in the right-of-way, except as may be required by other government agencies.

4. All loading areas shall be landscaped for screening purposes.

B. PERIMETER LANDSCAPE STRIP REQUIRED.

1. A landscape strip shall be required around the perimeter of a parcel located within any Commercial, Industrial, Multi-Family or Mixed-Use District, or Conditional Uses within an "A" or "R" District and shall meet the following minimum depths. When any of these districts abut a residential district, the Abutting Residential depth shall be required on that side only.

TABLE 13.1	C Districts	M Districts	Multifamily / Mixed Use	Conditional Uses in A or R Districts
Front:	15 feet	25 feet	10 feet	10 feet
Side:	5 feet	5 feet	5 feet	5 feet
Rear:	5 feet	5 feet	5 feet	5 feet
Abutting Residential:	30 feet	30 feet	30 feet	30 feet

C. MINIMUM LANDSCAPE REQUIREMENTS.

1. A landscape strip shall be located along the perimeter of a parcel but not within any right-of-way. That strip shall be measured from the right-of-way line and have a minimum depth as specified in Table 13.1. Corner lots shall have the required front depth of landscape on both street frontages.

2. Landscape strips shall consist of trees, dense shrubbery, grass, ground cover, decorative stone, or other natural landscape materials.

   a. Along the perimeter of parking lots landscape materials shall shade, separate, and/or screen the view of parked cars from adjacent streets and land uses;

3. The landscape strips shall be unoccupied except for landscape material, steps, walks and driveways.

4. Innovative treatments are encouraged in these strips, but the design must not interfere with adequate sight distance.

5. Within the landscape strip, at least one (1), two and one-half (2 1/2") inch caliber deciduous or two (2), six (6') foot high coniferous trees or a combination, shall be installed for each thirty (30') linear feet of landscape strip along with other appropriate landscape materials. Trees are not required to be evenly spaced and may be clustered. There shall also be a four (4') foot tall solid hedge of shrubs (evergreen or deciduous) to provide screening of parking

areas. When located within a front setback, the height of shrubs shall not exceed three (3') feet. An alternative arrangement of perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the landscape plan review process.

6. All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicle encroachment.

7. An irrigation system shall be installed in all required landscape areas unless drought resistant, and/or native species plant material is utilized.

8. Landscaping shall be installed along the perimeter of stormwater retention and detention areas in such a manner, type, quantity and location as to provide an aesthetically pleasing amenity. Plant quantities shall include the following minimum per 100 feet of perimeter: 2 evergreen trees, 1 large shade tree, and 10 large shrubs with a mature height of at least 10 feet. Plant locations shall not interfere with the functionality of the stormwater management facility.

9. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff, but also to break up visually the expanse of paved areas. Parking islands shall be strategically placed throughout the parking lot. Shade trees in these landscape areas are required. The required landscaping shall be designed to break up the visual expanse of pavement with landscape features including boulevards, larger landscape islands, or areas of preserved on-site native vegetation. A portion of the landscaped and permeable areas may be placed on the perimeter of the parking lot to improve screening and add a visual amenity. This landscaping requirement may also include storm water retention areas or drainage courses, if designed so as to provide an attractive natural asset to the site. No new trees, shrubs, mounding, or any type of landscape material that causes a site distance issue shall be allowed in the right of way.

   a. Any parking area containing more than 10,000 square feet of area or twenty-four (24) or more parking spaces shall provide an area equal to five percent (5%) of the total area devoted to parking spaces and aisle ways shall be landscaped and permeable areas.

   b. For parking areas greater than 20,000 square feet in size or forty-eight (48) or more parking spaces the landscaped and permeable area shall be increased to ten percent (10%) of the total area devoted to parking spaces and aisle ways.

D. ABUTTING RESIDENTIAL. Both landscaping and a solid privacy fencing shall be installed along any abutting residentially zoned district to provide year-round visual screening for the purpose of effectively shielding the more intense use from residentially zoned properties and shall meet the following minimum standards:

1. LANDSCAPE areas shall be a minimum thirty (30) feet depth as specified in Section 7, Development Standards, and consist of the following:

   a. Two (2), six (6') foot high coniferous trees shall be installed for each twenty (20') linear feet of landscape and

   b. Grass, floral plantings, shrubbery, ground cover, decorative stone, or other natural landscape material(s).

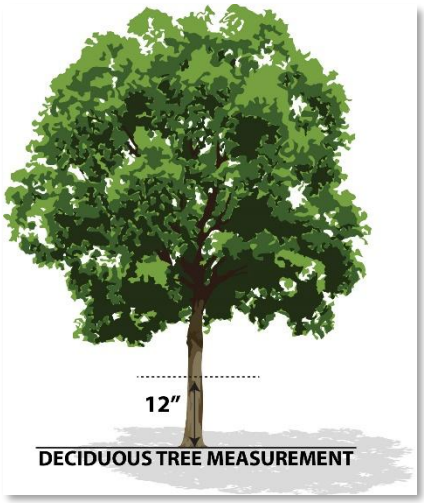
2. PRIVACY FENCING shall be:

a. Eight (8′) feet in height or

b. Six (6′) feet in height when incorporated with a minimum two (2) foot in height mound.

1303 PLANT MATERIAL SPECIFICATIONS

A. The use of native trees, shrubs and evergreens is preferred particularly in the open space, common areas and buffers. The following sections include specifications for plant materials. Alternatives to these specified plant materials, which demonstrate both the intent and requirements of this Resolution, may be approved as part of the Landscaping Plan.



B. DECIDUOUS TREES shall have a minimum caliper of at least two and one-half (2 1/2″) inches measured twelve (12″) inches above ground level at time of planting.

C. EVERGREEN TREES shall be a minimum of six (6′) feet high and a minimum spread of three (3′) feet at time of planting. A mature height of at least 50 feet should be expected.

D. SHRUBS shall be at least thirty (30″) inches average height and twenty-four (24″) inches in width at the time of planting.

E. GROUND COVER AND GRASS shall be planted a minimum of eight (8″) inches on center and shall be planted in such a manner so as to present a finished appearance and seventy-five percent (75%) coverage after one complete growing season. If approved as part of a Site Plan, ground cover may also consist of rocks, pebbles, shredded bark, mulch, and other material. Grass shall be planted in species normally grown as permanent lawns.

F. PROHIBITED TREE / SHRUB SPECIES. The following tree and shrub species shall not be used unless already existing in the proposed landscape area:

1. All plants declared by the Ohio Department of Agriculture as invasive and listed in the Ohio Revised Code Section 901:5-30-01.
2. Ash (Fraxinus)
3. Box Elder (Acer negundo)
4. Mulberry (Morus Alba)
5. Willow (Salix babylonica)
6. Siberian Elm (Ulmus pumila)
7. Hickory (Carya sp.)
8. European Alder-Buckthorn (Rhamnus frangula)
9. Common Buckthorn (Rhamnus cathartica)
10. Autumn Olive (Elaeagnus Umbellata)
11. Multiflora Rose (Rosa multiflora)

12. Purple Loosestrife (Lythrum salicaria)
13. Tree of Heaven (ailanthus altissima)
14. Black Walnut (Juglans nigra)
15. Silver Maple (Acer Saccharinum)
16. Black Locust (Robinia pseudo-acacia)
17. Catalpa (all species)
18. Cottonwood (Populus deltoids)
    a. Native in the Oak Openings. Existing larger trees may be permitted to remain on site.
19. Poplar
    a. This is a species of the genus Populus which includes Cottonwoods. This also includes Aspens, which are native to the Oak Openings. Aspens should remain on-site if they exist at the time of development.

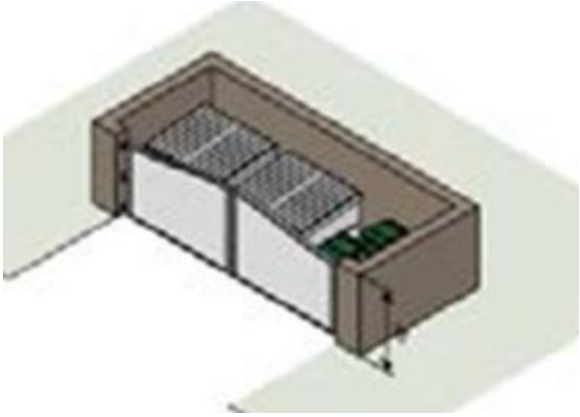
1304 MAINTENANCE AND REPLACEMENT REQUIREMENTS

A. The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:
    1. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
    2. Within two years of installation (or incorporation of existing vegetation), all trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.
    3. Replacement plants shall conform to the approved Landscaping Plan. Dead or unhealthy plants shall be replaced within the next planting season. Landscaping shall be maintained and shall be kept free of noxious weeds.
    4. As part of the Landscaping Plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Inspector to ensure the landscape material is installed according to the approved Landscaping Plan. No Zoning Certificate shall be issued until the bond, escrow or other suitable guarantee is received.
    5. The lack of maintenance of landscaping identified on the landscaping plan will be viewed as a violation of this resolution.

1305 DUMPSTER/TRASH RECEPTACLE SCREENING

A. Landscape and/or solid fencing/wall shall be installed around any trash dumpsters or receptacles to provide year-round visual screening for the purpose of effectively shielding those units, and shall meet the following minimum standards:

1. Screening shall be a minimum height of six (6') feet.
2. All four sides of the dumpster must be screened.
3. The screen should incorporate access to the dumpster by using a wooden fence or another opaque device to serve as a gate.
4. Screening materials can be any combination of evergreen plantings, fence or wall structure.



5. Fencing and/or screening around dumpsters shall be maintained in good condition and free of any advertisement.
6. A dumpster may not be in any required setback or landscape buffers and shall be located as far away from residential areas as possible.
7. Dumpsters and trash receptacles serving commercial or industrial uses may not be located in Residential districts.
8. Dumpsters may not be located in the public right-of-way.

1306 HEDGES AND SHRUBBERY

A. Hedges and/or shrubbery used for screening purposes do not require a zoning permit, but shall adhere to the following requirements:

1. Maintained in a condition sufficient to provide adequate screening.
2. Hedges and shrubbery are permitted to be planted along a property line but shall not extend beyond the property line or into any right-of-way area. It is the property owner's responsibility to locate property lines and it is suggested that a surveyor locate property lines before installation of hedges and shrubbery.
3. Clear traffic visibility must always be well maintained
4. Shall not exceed three (3') feet in height when located within a front setback in any District.
5. Corner lots shall adhere to the setback and height requirements on both street frontages

1307 FENCING AND WALLS

A. Fencing and walls may include aluminum, steel, vinyl, wood, masonry, or decorative stonewalls. Any other materials used for screening purposes must be approved by the Zoning Manager. The following requirements shall be met:

1. A Zoning Permit is required to construct, enlarge, alter, and / or replace any fence;
2. The finished side of fence must face outward;

3. Maintained in good condition so as not to become a nuisance;
4. Free of any advertisement;
5. Clear traffic visibility must always be well maintained;
6. Fences are permitted to be placed along any property line but shall not extend beyond the property line or into any right-of-way. It is the property owner's responsibility to located property lines and it is suggested that a surveyor locate property lines before installing fences.
7. Corner lots shall adhere to the setback and height requirements on both street frontages.

B. SINGLE AND TWO- FAMILY RESIDENTIAL USES. The following heights shall apply for fences associated with single or two-family uses.

	MAXIMUM HEIGHT	
	Within front setback*	Within side or rear setback
Solid Privacy Fencing	3 feet	6 feet
Open Fencing	4 feet	6 feet
*as specified in Zoning District in which it is located.		

C. ALL OTHER USES. The following heights shall apply for fences associated with any use other than single or two family residential

	MAXIMUM HEIGHT	
	Within front setback*	Within side or rear setback
Solid Privacy Fencing	3 feet	8 feet
Open Fencing	4 feet	8 feet
*as specified in Zoning District in which it is located.		

D. Barbed wire is permitted in C-2, M-1, M-2 or M-3 Districts only to protect any open storage areas. Said fence shall not exceed eight (8) feet in total height, including the barbed wire.

E. Electric fence or razor wire in Commercial or Industrial areas may only be installed pursuant to Article 16, Board of Zoning Appeals.

F. For Non-Residential Abutting Residential, see Article 7, Development Standards, for additional requirements.

ARTICLE 14 – SIGNS AND ADVERTISEMENT

1400 PURPOSE

A. The purpose of these sign regulations is to provide standards for the placement, display, and use of outdoor advertising and is designed to enhance the aesthetic environment of the Township, improve pedestrian and traffic safety, and to minimize possible adverse effects of advertising on public and private property.

1401 GENERAL TO ALL SIGNS

A. No sign shall project into a public right-of-way or impede vehicular visibility at any street or roadway intersection.

B. Illumination and lighting devices shall employ only light of constant intensity; shall not contain flashing, intermittent, rotating, or moving lights; illumination or light beams may shall not be directed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that constitutes a traffic hazard or nuisance.

C. No sign shall be placed on the roof of any building except those signs that appear to be a continuation of the face of the building or a mansard roof and does not extend above the upper edge of the mansard roof-line or the highest point of the roof peak.

D. No sign shall be attached to or obstruct a fire escape.

E. MAINTENANCE. All signs shall be properly maintained and plainly marked with the name of the party responsible for maintenance. Defective, torn, or damaged parts shall be replaced.

F. COPY. The copy or sign copy shall consist of the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic or alphabetic form.

G. COMPLIANCE. If a sign is installed, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Department shall notify the owner or lessee thereof to alter such sign so as to comply with this Resolution. Any owner, lessee or sign contractor who installs a new sign without a permit may be subject to three times the normal fee schedule.

H. VARIATIONS. In specific cases variations may be made to these regulations, authorized by the Board of Zoning Appeals, where practical difficulties or hardships exist in carrying out this Section of the Resolution. Any variance shall be in harmony with the general purpose and intent of this Resolution and in accordance with the procedures and provisions specified in Article 16, Board of Zoning Appeals. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations.

I. CENTRAL AVENUE / I-475 INTERCHANGE. Commercial businesses within 200 feet of the intersection of Central Avenue and I-475 may, in addition to signs allowed in this Article, may install a pole sign not to exceed sixty (60') feet in height with a maximum sign area of one hundred fifty (150') square feet per face.

J. PLANNED UNIT DEVELOPMENT. Signs in a PUD Overlay District shall comply with the regulations for the underlying District.

K. A sign permit is not required for regular maintenance of an existing sign or for a change of copy on painted, printed, or changeable copy signs provided the sign

area or structure is not enlarge or modified in any way for the existing/current owner and/or tenant to which the original Zoning Permit was issued.

1402 MEASUREMENT

A. The following shall be used for the measurement of signs to ensure compliance with this Article:

1. AREA. The area of the largest single face of the sign where the copy is placed but excluding the necessary supports or uprights on which the sign may be placed. Decorative or ornamental detail and other architectural features are not included in the square footage of the sign area calculation and are not to exceed twenty-five (25) percent of the single face area.

2. CLEARANCE. The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework extending over that grade.

3. HEIGHT. The vertical distance measured from the highest point of the sign, including decorative or ornamental detail, to the ground elevation, or the surface grade beneath the sign, whichever is less.

4. SIGN STRUCTURE. Any structure that supports, has supported, or is capable of supporting a sign, including a decorative cover is not included in the measurement of a sign, unless otherwise noted in this Article.

5. VISION TRIANGLE. A sign shall not be permitted to block a triangular-shaped portion of land established at street intersections where nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the line of sight of motorists entering or leaving the intersection.

1403 SIGNS PROHIBITED

A. The following types of signs are prohibited in Sylvania Township:

1. ABANDONED SIGN. A sign or sign structure, which no longer identifies or advertises a business, service, owner, product or activity; shall be removed within 30 days of notification by the Township Zoning Inspector/Official.

2. ANIMATED SIGN. A sign with continuous illumination that may flash, move, rotate, flicker, blink, scroll, use intermittent electrical impulses, or which has revolving, or rotating parts or other visible mechanical movements.

3. BALLOONS. Including other gas-filled figures

4. OFF-PREMISE SIGN. As defined in Section 1414 which is greater than 72 square feet or larger (aka. Billboards)

5. PENNANTS. A lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually hung in a series designed to move in the wind. Pennants shall include flags (excluding national, state, institutional, political, corporate).

6. ROOF SIGNS. A sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and extending vertically above the highest point or peak of the roof.

7. Rotating signs, moving figures

8. Search lights

9. Signs placed and/or painted on vehicles or trailers situated on the premises for the sole purpose of advertising goods or services sold on the property.
10. Sign or object attracting attention to a business that interferes with the safety of the traveling public.
11. Signage attached to fences, trees, telephone poles, public benches, streetlights or street signs.
12. Sign composed of cardboard, paper or like material attached to light standards, poles of any type, buildings or structures.

1404 EXEMPTIONS TO PERMITTING

A. The following signs shall be excluded from requiring a sign permit and excused from normal permit requirements:

1. AUCTION SIGN. A temporary sign(s) advertising an auction.
   a. Maximum four (4) signs per auction.
   b. Not more than thirty-two (32) square feet each in size
   c. Three (3) signs may be located off-premises but shall be removed within seven (7) days from date of auction.
2. CONSTRUCTION SIGN. A temporary sign identifying an architect, engineer, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located.
   a. Maximum one (1) sign per project site.
   b. Not more than thirty-two (32) square feet in size.
   c. May be erected thirty (30) days prior to the beginning of construction.
   d. Shall be removed seven (7) days following completion of construction.
3. DIRECTIONAL SIGN. An on-premises sign giving direction or instruction to facilitate traffic flow; any sign that directs the flow of traffic to or from an off-street parking area.
   a. Ground or wall signs not containing any advertising material
   b. Shall not exceed five (5) feet in height
   c. Shall not exceed fifteen (15) square feet in area.
4. FUTURE DEVELOPMENT / FUTURE SUBDIVISION SIGN. A temporary sign advertising the sale or lease of a future residential subdivision, development, building, or area.
   a. Shall not exceed thirty-two (32) square feet per face in area
   b. May not be illuminated.
   c. Does not meet the definition of a construction sign.
5. GARAGE SALE / YARD SALE SIGN. A temporary sign advertising a short-term sale, typically on residential property.
   a. Signs shall be removed within five (5) days upon completion of such sale.
6. HOLIDAY LIGHTS AND DECORATIONS. The display of lights and decorations in relation to a holiday which do not include wording, logo or other representation

that directly or indirectly names, advertises, or calls attention to a business, product, service or other commercial activity.

7. MAINTENANCE / CHANGE OF COPY. The regular maintenance of an existing sign or a change of copy on painted, printed, or changeable copy signs as long as the sign area or structure is not enlarged or modified in any way for the existing/current owner and/or tenant to which the original Zoning Permit was issued.

8. MEMORIAL SIGN / TABLET. A sign announcing the name of a building or date of construction, placed on the building.

   a. Shall not exceed two (2) square feet in area.

9. POLITICAL SIGN. A temporary sign used in connection with a local, state, or national election or referendum.

   a. Shall not be placed within public right-of-way

   b. Shall not exceed 16 square feet in area;

   c. May be placed only on private property with permission of property owner (Rev 5-2-2017. Z20-C988)

10. PRIVATE PROPERTY SIGN. A sign relating to private parking, no dumping, or warning the public against trespassing, or danger from animals or other elements.

11. PUBLIC NOTICE OR WARNING SIGN. A sign which is required by applicable federal, state, local law or regulation.

12. REAL ESTATE SIGN. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

    a. May not be-illuminated.

    b. In A or R districts: not to exceed (6) six square feet in sign area.

    c. In C or M districts: not to exceed thirty-two (32) square feet in sign area.

    d. One sign per street frontage.

    e. A second real estate sign may be permitted for no longer than one-24 hour time period per property advertised

    f. Must be removed within seven (7) days of sale, rental or lease of premise.

13. STREET SIGN. A sign installed for traffic control or to label the name of a street.

    a. Street signs installed by private entities shall meet the minimum requirements set forth in the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).

14. TENANT IDENTIFICATION SIGN. A sign used to identify businesses within a complex or building having two or more occupants;

    a. Shall be located at or near entrance to said building

    b. Shall be no larger than six (6) square feet.

    c. Shall not exceed sixteen (16) square feet in area.

15. WINDOW SIGN. A sign, picture, symbol or combination thereof designed to communicate information about a business, commodity, sale, or service that is placed inside a window.

    a. Only permitted in C and M Districts.

    b. Shall not exceed fifty percent (50%) of the total window surface.

16. WORKS OF ART. Works of art that do not include wording, logo or other representation that directly or indirectly names, advertises, or calls attention to a business, product, service or other commercial activity.

1405 SIGN PERMIT REQUIRED

A. Applications for sign permits are reviewed and permits may be issued by the Zoning Department with the submission of the required information:

1. property address,
2. property owner,
3. sign owner,
4. business name,
5. type of sign,
6. a site plan indicating location dimensions, height, design, copy area, any illumination and/or electrical components,
7. material, and structural supports of proposed sign,
8. dimensions of existing building
9. distance from property lines and adjacent roadways.

B. The following types of signs shall require a Zoning Permit:

1. ELECTRONIC MESSAGE CENTER SIGN subject to the standards in Section 1406.
2. MONUMENT SIGNS subject to the standards in Section 1407.
3. POLE SIGNS subject to the standards in Section 1408.
4. PROJECTING SIGN subject to the standards in Section 1409.
5. SPECIAL EVENT SIGNS subject to the standards in Section 1410.
6. TEMPORARY OR PORTABLE SIGNS subject to the standards in Section 1411.
7. WALL SIGNS subject to the standards in Section 1412.
8. WINDOW SIGNS subject to the standards in Section 1413.

C. PUBLIC SERVICE ANNOUNCEMENT. Any sign intended primarily to promote items of general interest to the community, such as time, temperature or date; is not included in the total square footage of sign area allowed; permitted in commercial and industrial districts. A permit is required.

D. COMMON SIGNAGE PLAN FOR MULTIPLE USES. The use of common/combined signage is preferred when a structure contains more than one business establishment, more than one building, or when the owners of two or more contiguous lots voluntarily agree to develop common signage. Common signage shall comply with the standards of the underlying zoning district except:

1. Common pole or monument signs may have a maximum sign area which shall not exceed three (3) square feet of sign per lineal foot of street frontage if such area is greater than that permitted by the underlying zoning district.
2. Common wall signs may have a maximum five (5%) percent of the ground floor of the principal building frontage if such area is greater than that permitted by the underlying zoning district.
3. In no case shall a common sign exceed one-thousand (1,000) square feet.

1406 ELECTRONIC MESSAGE CENTER

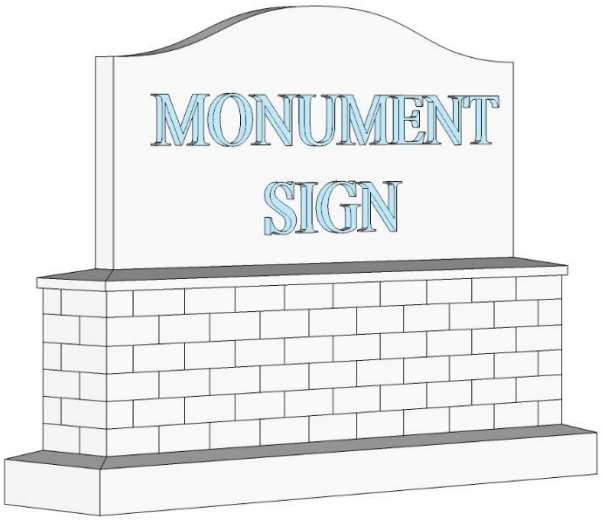
A. A sign whose visual display includes alphabetic, numeric or symbolic content that can be changed or altered on a fixed display screen composed of electronically illuminated segments.

	S	A, R, & MHP	C, M, & MU
Permitted in District	YES, subject to standards 1-7 below	NOT PERMITTED	YES, subject to standards 1-7 below

1. The only movement is the periodic changing of information against a solid, black or white background
2. Each message or copy remains fixed for at least twenty (20) seconds.
3. All changes in copy are accomplished in three (3) seconds or less such devise includes a default system, which will freeze the copy displayed on the device in one position in case of malfunctions.
4. Only one (1) electronic message center device is located on the premise and only face visible per directional flow or traffic. A free-standing electronic message center shall not exceed fifty (50%) percent of the total allowable square footage for any on premises freestanding sign.
5. The brightness of the text message shall not exceed 2,000 nits (one nit equals one candela per square meter) and the brightness of a graphic image sign shall not exceed 6,000 nits as certified by the sign contractor.
6. The electronic message center shall be equipped with a photocell to automatically reduce brightness to correspond with the reduction of available ambient light.
7. Such electronic message center is not flashing as part of its copy or at any other time.

1407 MONUMENT SIGN

A. A low-profile sign mounted directly to the ground with a maximum height and setback distances regulated by this table



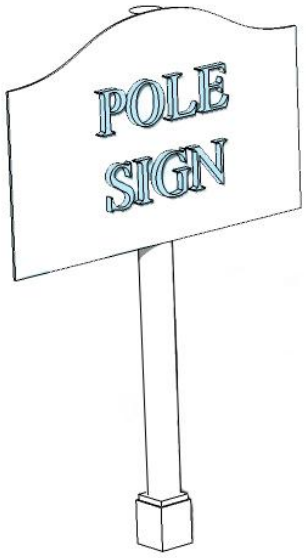
	S	A, R, & MHP	C, M, & MU
Permitted in District	YES	YES	YES
Min. setback from right-of-way	5 ft.	15 ft.*	5 ft.
Min. setback from adjacent property	10 ft.	10 ft.	10 ft.
Max. sign face area	50 sq. ft.	50 sq. ft.	C-1: 60 sq. ft. C-2: 100 sq. ft. Others: 50 sq. ft.
Max. height from ground based on setback from right-of-way	See C & M	5 ft (all)	5 ft. setback: 5 ft 10 ft. setback: 8 ft 15 ft. setback: 9 ft. 20 ft. setback: 10 ft..
Max. height from elevation at centerline of roadway		7 ft.	
Number	1 per lot	2 at each subdivision entrance or 1 per lot for Public Use	1 per 500 feet of frontage** or 0 if pole sign is used
Illumination		Internal, Reflected Light shining only on the sign	

*Residential Subdivision Monument Signs may be located within the center of a boulevard but shall not create a traffic hazard or impede vehicular visibility.

**A double fronting lot may have a monument sign on each frontage subject to the total sign face area

1408 POLE SIGN

A. A sign supported by upright structures or supports that are anchored in the ground and independent from any building or other structures.



	S	A, R, & MHP	C, M, & MU
Permitted in District	NO	NO	In C-1 & C-2 districts only
Min. setback from right-of-way			10 ft
Min. setback from adjacent property			10 ft
Max. sign face area			C-1: 60 sq. ft. C-2: 100 sq. ft.
Max. height			30 ft.
Number			1 per 500 feet of frontage* or 0 if monument sign is used

*A double fronting lot may have a monument sign on each frontage subject to the total sign face area

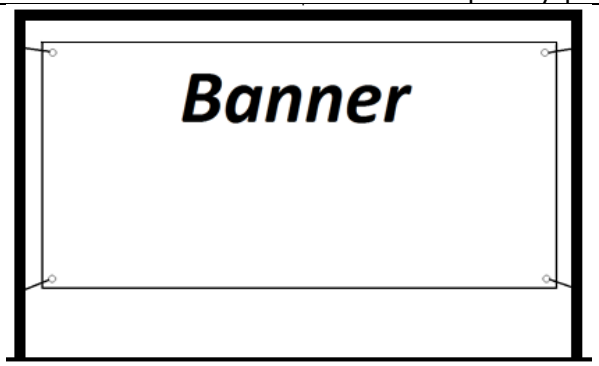
1409 PROJECTING SIGN

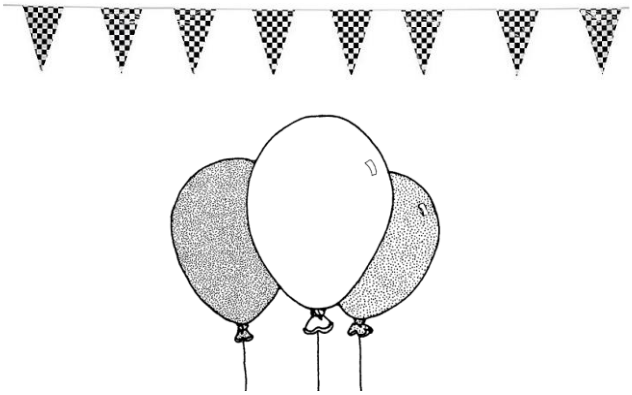
A. A sign attached to and projecting out from a building wall or other structure that is not specifically designed to support the sign.

	S	A, R, & MHP	C, M, & MU
Permitted in District	NO	NO	In C-1, C-2, and MU districts
Max. projection from front face of building			2 ft.
Max. sign face area			40 sq. ft.
Number			1 or 0 if a pole sign is used in C districts
Misc. Standards			Awning and Canopy signs are not projecting signs

1410 SPECIAL EVENT SIGN

A. Temporary advertising listed as prohibited (see Section 1403) which may be permitted in order to assist in the temporary promotion of a product or service.





	S	A, R, & MHP	C, M, & MU
Permitted in District	NO	NO	In C-2, and MU districts*

*Each permit shall be issued for a minimum three (3) day period. A maximum of five (5) permits may be issued per calendar year for a total not to exceed fifteen (15) days per calendar year. Any advertising technique that may restrict the view of vehicular traffic shall be located a minimum fifty (50) feet from edge of roadway.

1411 TEMPORARY / PORTABLE SIGN

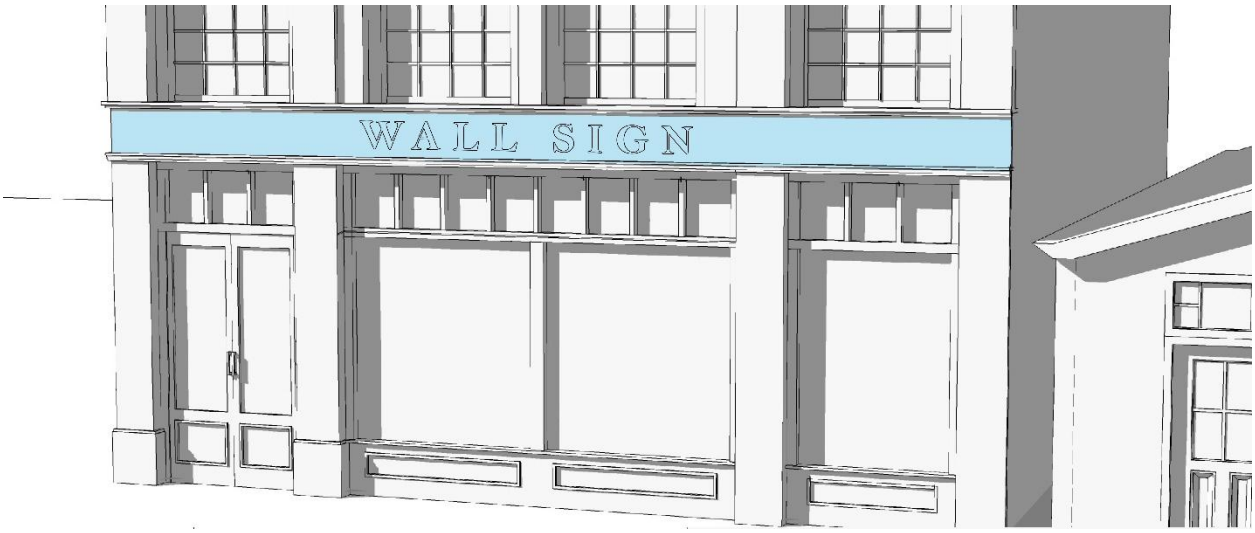
A. Any sign not permanently mounted or attached to the ground or permanent structure used for the advertisement or promotion of a product or service, including, but not limited to, portable signs, signs designed to be transported by means of wheels, signs converted to A- or T- frames, banners, menu signs, sandwich board signs, umbrellas used for advertising, and grand opening signs.

	S	A, R, & MHP	C, M, & MU
Permitted in District	NO	NO	YES*

* Temporary signs shall only be permitted for two (2) 30-day periods per calendar year in C & M Districts. MU Districts allow menu or A-Frame signs year-round, during regular business hours.

1412 WALL SIGN

A. A sign attached to or placed against a wall of a building with the face parallel to the building wall.
B. Awning Sign. A sign attached to an awning that covers a doorway, window, or face of the building which may be internally illuminated and is counted as a Wall Sign.
C. Canopy Sign. A sign attached to or part of a roof-like covering, which protrudes and protects any entryway of a building and is counted as a Wall Sign.



	S	A, R, & MHP	C, M, & MU
Permitted in District	YES	YES	YES
Max. projection from front face of building	1 ft.	1 ft.	1 ft.
Max. sign face area	50 sq. ft.	24 sq. ft.	1.5 sq. ft. per foot of building width
Number	1 per lot	1 per lot	No limit provided the combined sq. ft. is within the max. area permitted

1413 WINDOW SIGN

A. A sign, picture, symbol or combination thereof designed to communicate information about a business, commodity, sale, or service that is placed inside a window.

	S	A, R, & MHP	C, M, & MU
Permitted in District	NO	NO	YES
Max. sign face area			50% of window surface area

1414 OFF-PREMISE SIGNS

A. An off premises sign is any sign advertising a product, service, business or activity which is sold, located or conducted elsewhere than on the premises on which the sign is located, or which said product, service, business or activity is sold, located or conducted on such premises only incidentally, if at all.

   1. An off premise sign which is greater than 72 square feet or greater shall be considered a Billboard and is prohibited.

B. Off-premise signs shall be permitted in Commercial (C), Industrial (M), or Agricultural (A) Districts.

C. The following standards shall apply to all off-premise signs:

   1. AREA: A maximum of seventy two (72) square feet, excluding any trim, skirt or border. In determining the area devoted to advertising if the trim, skirt, or border contains advertising it shall be included. In calculating the area devoted to advertising the area shall be measured by the smallest square, rectangle, triangle, circle, or combination thereof which will encompass the entire advertising device.

   2. SIGN FACES. A maximum of two faces per sign structure is allowed, positioned either back to back or V-shaped, such that only one face is allowed per side. Both sides of a double-faced or V-shaped sign shall be of equal size. In no case shall there be more than one face per directional flow of traffic.

   3. MAXIMUM HEIGHT. Fifteen (15) feet above grade.

   4. SETBACKS. A minimum of ten (10) feet from the edge of the right-of-way of any adjacent road but in no case shall such sign be closer than twenty-five feet from the edge of the traveled way of any road street, highway, lane, alley, or thoroughfare. And ten (10) feet from any abutting property boundary lines and outside of all sight visibility triangles.

   5. DISTANCE TO RESIDENTIAL SUBDIVISION OR LOT. No less than three hundred feet (300') from any recorded residential subdivision or any residential lot less than one acre in size, or five hundred feet from any dwelling, unit or semi-public use on an adjacent parcel.

   6. DISTANCE TO INTERSECTION. No less than three hundred feet (300') from any intersection.

   7. SPACING. On Interstate (Federal) or primary (State) systems in accordance with the Agreement entered into by the State of Ohio and the U.S. Secretary of Transportation, and in conformity with 5501:2-2-02.3 of the Ohio Administrative Code as presently written or hereafter as amended or modified. On all other roads streets, highways, lanes, alleys, or thoroughfares not less than five hundred feet (500) from the edge of the nearest off premises sign.

   8. LIGHTING. Lighted electrically activated multiple message and variable message devices are permitted where their only movement is the periodic changing of information against a solid, black or white background provided that the device meets the following conditions:

      a. Each message or copy shall remain fixed for at least twenty (20) seconds and there shall not be more than three (3) changes per minutes.

      b. All changes in copy shall be accomplished in three (3) seconds or less.

c. No such devise shall be placed within one thousand (1,000') feet of another multiple message or variable message advertising device on the same side of the road, street, highway, lane, alley, or thoroughfare visible in the same direction of travel.

d. Such devise shall include a default system, which will freeze the copy displayed on the device in one position in case of malfunctions.

e. Only one (1) multiple message off premise advertising device or sign shall be permitted on a single lot facing the same direction.

f. The brightness of the text message shall not exceed 2,000 nits (one nit equals one candela per square meter) and the brightness of a graphic image sign shall not exceed 6,000 nits. The sign shall be equipped with a photocell to automatically reduce brightness to correspond with the reduction of available ambient light.

g. Such sign or device shall not flash as part of its copy or at any other time.

1415 NONCONFORMING SIGNS

A. A nonconforming sign is a sign previously constructed and installed legally but does not currently comply with current sign requirements and restrictions.

B. A Nonconforming sign and nonconforming sign structure is permitted to remain in place on the same premises of such use. A nonconforming sign shall be removed when the previous nonconforming use is no longer in business. (Any new sign on the premises shall conform to the current sign provisions).

ARTICLE 15 – ZONING COMMISSION

1500 APPOINTMENT, SERVICE

A. There is hereby established a Zoning Commission Board, which shall consist of five (5) electors and one (1) alternate appointed by the Board of Trustees. The five (5) electors shall serve a five (5) year term, beginning January 1st, with one (1) term expiring annually, and serve until his/her qualified successor is appointed. Vacancies shall be filled for the respective un-expired term by the Board of Trustees. The Zoning Commission shall organize annually and elect a Chairman, Vice Chairman and Secretary. They shall adopt such rules and regulations as they deem necessary to effectively carry out the provisions of this Resolution. Members of the Zoning Commission may receive such compensation as the Board of Trustees provide.

B. MINUTES, RECORDS. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or, if absent or failing to vote, indicating such fact; and shall keep records of examinations and other official actions, all of which shall be immediately filed within the Zoning Department and shall be of public record. Copies of said hearings may be issued upon request for a nominal fee per page.

C. WITNESSES, OATHS. The Board shall have the power to subpoena witnesses, administer oaths, and punish for contempt, and may request the production of documents under such regulations as it may establish.

D. DEPARTMENT ASSISTANCE. The Board may call upon the various officials and employees of the Township for assistance in the performance of its duties, as it shall be the duty of such departments to render such assistance to the Board as may reasonably be required.

E. FEES. The Township Trustees may establish fees for Zone Change requests to defray the costs of advertisements, mailings, or other required or necessary expense.

1501 AUTHORITY

A. Whenever the public necessity, convenience, general welfare or good zoning practices are required the Board of Trustees may, after receipt of recommendations thereof from the Zoning Commission and subject to the procedures provided by law, amend, supplement, change the regulations, district boundaries or classification of property, now or hereafter established by this Resolution or amendments thereof.

1502 APPLICATION

A. At the time that an application for change of zoning is filed with the Commission as provided herein, if not contrary to the ORC enabling statutes for Township Zoning, there shall be a fee collected and deposited with the Township Clerk. No action shall be taken on an application until all fees are paid in full. A written receipt shall be issued to the person making such payment and records thereof kept in the manner as prescribed by law.

B. An application for a zone change shall include the following:

1. Name, address, phone number of applicant(s) and/or property owner

2. Legal description of property
3. Location map, zoning of abutting parcels
4. Current use of property
5. Names and addresses of property owners within 200 feet of said request
6. Filing fee

C. The applicant/agent must post a minimum of one on-site notice within five (5) feet of the property line on subject property adjacent to the public road. Said sign shall be provided by the Township and installed in a secure fashion within fourteen (14) calendar days of application being filed with Zoning. Failure of applicant/agent to fulfill this requirement will result in the application for rezoning to be null and void. After the decision of the Board of Township Trustee's, the applicant/agent shall remove and return the posted notice within seven (7) calendar days of said decision. No one except the applicant, agent, or Township shall remove or interfere with any such notice during the time it is required to be posted and maintained.

1503 PROCEDURE

A. The hearings of the Zoning Commission shall be public, whereas the applicant shall appear in person or be represented by a duly authorized agent at said hearing. The Board of Township Trustees shall, upon the passage of such resolution, certify it to the Township Zoning Commission. Amendments or supplements to this Zoning Resolution may initiate passage of a resolution by the Board of Township Trustees, a motion by the Zoning Commission, or the filing of an application by at least one (1) owner or a duly authorized agent for the property owner within the area proposed to be changed.

B. Upon the day for hearing an application, the Board may continue the said hearing in order to obtain additional information, or to cause such further notice as it deems proper, to serve upon other property owners as it decides may have sub-stantial interest in said application or appeal. In the case of a continued hearing, persons previously notified and persons already heard need not be re-notified of the time of resumption of said hearing unless the Board so decides, provided that the matter is decided within appropriate time parameters.

C. <u>LUCAS COUNTY PLANNING COMMISSION HEARING</u>. Within five (5) days after the application for change in the Zoning Resolution or Districts, the Zoning Commission shall transmit a copy with text and map thereof, to the County Planning Commission. Zoning hearing will be set to be no sooner than twenty (20) nor more than forty (40) days from the date of application. This Commission shall hold a public hearing on the proposed amendment and recommend approval or denial of the said amendment, including text or maps, or approval with some modification of it and submit its recommendation to the Township Zoning Commission. Such recommendation shall then be considered at a public hearing held by the Zoning Commission on said proposed amendment or supplement.

D. <u>ZONING COMMISSION HEARING</u>. The Zoning Commission shall set a date for a public hearing, which date shall not be less than twenty (20) days and not more than forty (40) days from the date of the certification of such resolution, or the date of the adoption of such motion, or the date of the filing of application.

1. If the proposed amendment or supplement intends to rezone or redistrict ten or less parcels of land, as listed on the tax duplicate, written notice of the

hearing shall be mailed by the Zoning Commission by first class mail, at least ten (10) calendar days prior to the date of the public hearing to property owners that are contiguous to and directly across the street within two hundred (200) feet of proposed amendment. Notice shall be mailed to the address of owners appearing on the County Auditor's current tax list or the Treasurer's mailing list or other list specified by the Board of County Commissioners. Failure to notify, as provided in this section, shall not invalidate any such recommendation.

2. Notice shall be published in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the hearing. It shall state the time and place the proposed amendment to the Resolution, including text and maps may be examined. A statement shall also be made in the notice that, at the conclusion of such hearing, the matter will be referred to the Board of Township Trustees for final determination.

3. The Zoning Commission shall then hold a public hearing to study the proposed change in terms of public necessity, convenience, general welfare, and good zoning practice. Within thirty (30) calendar days after such hearing they shall recommend approval or denial of the proposed application, or the approval with some modification of it, and submit that recommendation together with the motion, application, or resolution involved, the text and map pertaining to the proposed amendment, and also the recommendation of the County Planning Commission to the Board of Township Trustees.

E. TRUSTEE HEARING. Within thirty (30) calendar days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing.

1. Written notice of the hearing shall be mailed by first class mail at least ten (10) calendar days prior to the date of the public hearing to property owners that are contiguous to and directly across the street that are within two hundred (200') feet of proposed amendment. Said notices shall be mailed to the address of such owners appearing on the County Auditor's current tax list or other list that may be specified by the Board of County Commissioners. Failure to notify as provided in this section shall not invalidate any decisions rendered.

2. Notice shall be published in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the hearing day. It shall state the place and times the proposed amendment to the Resolution, including text and maps, may be examined.

3. The Board of Township Trustees shall consider such recommendations from the County Planning Commission and Township Zoning Commission and vote on the passage of the proposed amendment to the Resolution, text or Zoning District Map. The Trustees may, by majority vote, approve, deny or modify the recommended zoning amendments of the Township Commission.

1504 BASIS OF APPROVAL

A. In determining whether to approve an application filed pursuant to this Article, the Sylvania Township Zoning Commission and Board of Township Trustees shall consider all relevant factors and circumstances regarding the application before them and shall determine the following:

1. Whether the proposal is consistent in all aspects with the purpose, policies, intent, established criteria and standards of this Zoning Resolution;

2. Whether the proposal is in conformity with the applicable Land Use Plan or such portion thereof as may apply; and
3. Whether the proposal promotes the public health, safety, and general welfare of the Township.

B. In addition to the above considerations, deliberations regarding zoning map amendments shall also consider:

1. Whether the proposed zoning change will be compatible in use and appearance with the surrounding or planned land uses;
2. Whether the proposed zoning is or can be made accessible through existing or future Township roadways without creating unreasonable traffic congestion in the immediate vicinity or elsewhere in the Township;
3. Whether the existing and proposed utility and governmental services are adequate to accommodate the population densities and nonresidential uses proposed; and
4. Whether the proposal will create an unreasonable adverse impact on existing residential or agricultural areas.

(Rev. 10-4-11. Z20-C944.)

1505 EFFECTIVE DATE, REFERENDUM

A. Such amendment, adopted by the Board of Township Trustees, shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days of the adoption of the amendment there is a petition, presented to the Board of Township Trustees and signed by a number of registered electors. Electors shall reside in the unincorporated area of this township or part thereof included in the zoning plan equal to, but not less than eight (8%) percent of the total vote cast for all candidates for governor in such area at the most recent general election at which a governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election.

B. 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.

1506 RE-SUBMISSION

A. If a proposed amendment or supplement initiated by application is disapproved by the Board of Township Trustees, another application for the same proposed amendment or supplement of the disapproved application shall not be submitted within six (6) months from the date of disapproval except with a statement by the Zoning Commission or a Resolution by the Board of Trustees indicating that the changed or changing conditions affecting the land are sufficient to warrant reconsideration.

ARTICLE 16 – BOARD OF ZONING APPEALS

1600 APPOINTMENT, SERVICE

A. The Board of Zoning Appeals (BZA) shall consider a Variance, Exception, Conditional Use, or an Appeal request. The BZA shall consist of five (5) electors and one (1) alternate appointed by the Board of Trustees. The five (5) electors shall serve a five (5) year term, beginning January 1st, with one (1) term expiring annually, and serve until his/her qualified successor is appointed. Vacancies shall be filled for the respective un-expired term by the Board of Trustees. The BZA shall organize annually and elect a Chairman, Vice Chairman and Secretary. They shall adopt such rules and regulations as they deem necessary to effectively carry out the provisions of this Resolution. Members of the BZA may receive such compensation as the Board of Trustees provide.

B. MINUTES, RECORDS. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or, if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be immediately filed within the Zoning Department and shall be of public record. Copies of said hearings may be issued upon request for a nominal fee per page.

C. WITNESSES, OATHS. The Board shall have the power to subpoena witnesses, administer oaths, and punish for contempt, and may require the production of documents, under such regulations as it may establish.

D. DEPARTMENT ASSISTANCE. The Board may call upon various officials and employees of the Township for assistance in the performance of its duties. It shall be the duty of such to render such assistance to the Board as may reasonably be required.

E. FEES. The Township Trustees may establish fees for applications to amend the Zoning Resolution to defray the costs of advertisements, mailings, or other required or necessary expense.

1601 HEARINGS

A. The hearings of the BZA shall be public whereas the property owner or duly authorized agent shall attend said hearing.

B. The Board shall set a reasonable time for the hearing of a Variance, Exception, Conditional Use, or an Appeal, give at least ten (10) days public notice thereof in a newspaper of general circulation in the Township and to parties within two hundred (200) feet of said request.

C. The Board may adjourn a hearing in order to obtain additional information or to cause such further notice, as it deems proper, to serve upon other property owners as it decides may have substantial interest in said application or appeal. In the case of a continued hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the Board so decides.

1602 DECISION OF THE BOARD

A. A decision of the Board of Zoning Appeals shall not become final until five (5) days from the date that such decision is made unless the Board finds it necessary to be

effective immediately for the preservation of property or personal rights and shall certify on the record. The Board shall decide all Variance and Exception applications within thirty (30) days after the final hearing.

B. The Board may approve, deny, or approve said request with appropriate conditions set forth and shall have all powers of the Zoning Administrator. Any party adversely affected by a decision of the Board may appeal to the Lucas County Court of Common Pleas on the grounds that the decision was unreasonable or unlawful.

C. A certified copy of the BZA decision shall be transmitted to all parties of interest. Such decision shall be binding upon and observed by the Zoning Administrator who shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board.

1603 PERFORMANCE REQUIREMENTS

A. The Board of Zoning Appeals shall have the power to authorize the issuance of a Zoning Permit for uses that are subject to performance requirements set forth in this Resolution.

B. The application for a Zoning Permit for a use subject to performance requirements shall be accompanied by a plan of the proposed construction or development. A description of the proposed machinery, processes and products, and specifications for the mechanisms and techniques to be used in meeting the performance requirements shall accompany the application.

C. The Board may refer the application to one or more expert consultants qualified to advise as to whether a proposed use would conform to the performance requirements. The costs of such services shall be borne by the applicant, and a copy of any reports shall be furnished the applicant.

D. The Board has the authority to grant an extension or permit completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became non-conforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed one hundred (100%) percent of the floor area of the existing building(s) devoted to a non-conforming use.

1604 APPEAL

A. An appeal of the Zoning Administrator's decision to the Board of Zoning Appeals may be taken by any person affected and shall be submitted within twenty (20) days after said decision. The Zoning Department will then transmit to the BZA all documents on record that specify the grounds of the appeal, constituting the action appealed upon.

B. An appeal shall stay all proceedings in furtherance of the action appealed unless the Zoning Administrator certifies to the BZA (after the appeal has been filed) that facts stated would cause imminent peril. If there is reason to believe that a stay would cause imminent peril, proceedings shall not be stayed unless by a restraining order. This may be granted by the Board or by a court of jurisdiction after notice to whom the appeal is taken and on due cause shown.

C. The Board may, in conformity with the provisions of this Resolution, reverse or affirm wholly or partly, modify the order, requirement, decision, or determination

appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end, shall have all powers of the Zoning Administrator from whom the appeal is taken.

1605 EXCEPTION

A. In hearing and deciding appeals, the Board has the authority to grant an exception in the following instances:

1. Interpretation of the provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map indicating the Zoning Districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout as indicated on the Zoning Map.

2. Reconstruction of a non-conforming building when it has been damaged by explosion, fire, or act of God to the extent of more than 60% of its fair market value where the Board finds some compelling necessity requiring a continuance of the non-conforming use.

3. Parking lot/ parking space modification or loading space requirements may be permitted where, in the particular instance, such modification would not be inconsistent with the purpose and intent of such requirements or to allow the following:

   a. The dual use of parking facilities (i.e., by stores during the day and theaters or other uses during the evening) and provided there is no overlapping of uses and spaces of the different peak parking demands and operating hours.

   b. The waiver of the requirement that automobile spaces be provided on the same lot with a dwelling, if other suitable and convenient parking space is available.

4. Public parking in A or Residential Districts, or storage garages adjacent to any existing or proposed use in a multiple dwelling, commercial, or industrial district.

5. Determine whether an industry should be permitted within an M Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding Zoning Districts.

6. The substitution of a non-conforming use existing at the time of enactment of this Resolution to another nonconforming use, if no structural alterations (except those required by law); no change shall be authorized to any use, which is not a permitted or conditional use in any District.

7. Temporary Structure and Use The Board may permit the temporary use of a structure or premise in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this Resolution for the district in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure.

   a. A Zoning Permit for such use shall be granted in the form of a temporary and revocable permit for not more than a twelve (12) month period.

8. Sidewalk Requirement - The Board may grant an exception to the requirement for a public sidewalk along the frontage(s) of a new development or redevelopment pursuant to the circumstances outlined in Section 1106 C.

1606 VARIANCE CRITERIA

A. The Board of Zoning Appeals shall consider the following:

1. That due to exceptional narrowness, shallowness, or shape, or exceptional topographic conditions or other extraordinary situation or condition of a lot, the strict application of the terms of this Resolution would result in peculiar and exceptional practical difficulties.
2. That special circumstances or conditions apply to the building or land in question are peculiar to such lot or property and do not apply generally to other land or building in the vicinity.
3. That a variance from the strict application is necessary to relieve such difficulties or hardship and that such relief may be granted without substantial detriment to the public good and without substantially altering the intent of this Resolution.
4. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
5. The condition from which relief or a variance sought did not result from action by the applicant.
6. No variance may be applied for or granted which would allow a use that is not allowed in a Zoning District.
7. The authorization of a variance will not impair an adequate supply of light and air adjacent to property or unreasonably increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably diminish or impair health, safety, convenience, or general welfare.

1607 FINAL CONSIDERATION

A. After considering the factors criteria as set forth in Section 1606, the Board of Zoning Appeals shall have the power to issue and permit upon appeal in specific cases, filed as provided for herein, such variances from the provisions or requirements of the Sylvania Township Zoning Resolution which are permitted by Chapter 519 of the Ohio Revised Code as will not be contrary to the public interest, but only in such cases where, owing to specific conditions pertaining to a pertaining to a piece of land, the literal enforcement of the provisions of the Sylvania Township Zoning Resolution would cause unnecessary hardship. In making its decision, the Board of Zoning Appeals shall observe the spirit of the resolution and shall insure that substantial justice is done.

1608 VALIDITY

A. No order of the Board of Zoning Appeals granting a variance shall be valid for a period longer than two (2) years from the date of such order unless the building permit or zoning approval is obtained within such period, and the erection or

alteration of a building is started or the use is commenced within such period. Applicants may submit to the Board of Zoning Appeals a request for an extension every two (2) years, commencing two (2) years after the date the initial variance was granted.

ARTICLE 17 – NONCONFORMING

1700 PURPOSE

A. Lots, uses of land, or structures within Zoning Districts established in this Resolution that lawfully existed and operated before this Resolution was enacted, amended, or otherwise made applicable are now non-conforming to the current regulations of the Zoning District in which they are located and may be continued even though such use does not conform with the provisions of this Resolution.

1701 LOTS OF RECORD

A. Any lot of record fifty (50') feet or wider existing prior to December 1, 1956, the effective date of this Resolution, located in any A or R District may be used for the construction of a single-family dwelling even though the area and width are less than the current minimum requirement. The following setbacks shall apply:

   1. SIDE. Five (5) feet minimum.

   2. FRONT, REAR: Conform to current requirement per zoning district

B. Where two adjacent lots of record having less than the required area and width are held by one owner, the lots shall be combined and used for one (1) main building. In either case, the prevailing setback shall be met.

C. For an existing lot of record in an A-3, or R-A Districts, 20,000 square feet minimum lot area shall be required when public water and on-lot sewage treatment systems are proposed for a new dwelling and subject to review and approval of the Toledo-Lucas Co. Health Department.

D. Any lot of record existing prior to the effective date of this Resolution in a C-2 District of fifty (50') feet or wider may be used for the purpose that C-2 zoning allows.

1702 DISTRICT CHANGES

A. Whenever the use of a building or land becomes non-conforming through a change in the amended Zoning Resolution or in the district boundaries, such use may be continued.

1703 ALTERATION AND ENLARGEMENT

A. A non-conforming building or structure shall not be enlarged, extended, altered, or moved and a non-conforming use of land shall not be expanded unless authorized by the BZA, as set forth in Section 1603, Performance Requirements.

1704 SUBSTITUTION

A. A non-conforming use may be changed to another non-conforming use provided that the newly proposed nonconforming use is identical to or in less conflict in character and use of the district as the original non-conforming use, and as determined by the Zoning Administrator.

1705 RECONSTRUCTION

A. A non-conforming use which has been damaged by fire, explosion, or an act of God, to the extent of sixty (60%) percent of its reproduction value at the time of damage shall be restored in conformity with the current regulations of the district

in which it is located. When damaged by less than sixty (60%) percent of its reproduction value a non-conforming use may be repaired or reconstructed and used as before the time of damage, provided such repairs or reconstruction are started within one (1) year from the date of such damage, except as set forth in Section 1603, Performance Requirements.

1706 DISCONTINUANCE OR ABANDONMENT

A. A non-conforming structure occupied by a non-conforming use may be re-occupied by a conforming use following abandonment of the nonconforming use. If a non-conforming use is abandoned for a period of two (2) years, any future use of the premises shall be in conformity with the provisions of this Resolution and shall not again be used except in conformity with the current regulations of the district in which it is located.

1707 UNSAFE STRUCTURE

A. Any non-conforming structure or portion thereof containing a non-conforming use, work may be done on ordinary maintenance repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided the cubic content that existed when it became non-conforming shall not be increased. Nothing in this article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof, declared to be unsafe by any official charged with protecting public safety, upon order of such official. Where appropriate, a Zoning Permit shall be required.

1708 MOBILE HOMES, TRAILERS

A. Non-conforming trailers or mobile homes located on a lot in any district, other than in an established Manufactured Home Park, shall not be relocated on the same lot or replaced once removed from said lot.

1709 NONCONFORMITY RESULTING FROM PUBLIC IMPROVEMENTS

A. Roadway widening and utility construction may result in developed properties being reduced in size causing them to no longer conform to the requirements of this Resolution. The public improvement project may reduce the required landscape strip width, the required building and/or sign setback distance, the required number of parking spaces for the specific use, and the overall required area of the parcel. In those instances where additional right-of-way is obtained to accommodate a public improvement and a reduction below the minimum requirements of this Resolution occurs, the existing use of the property may be continued.

B. Existing development made nonconforming as a result of a public improvement may be substituted with another similar and permitted use. Any substituted use that requires a greater number of parking spaces than the prior use, pursuant to Article 12 of this Resolution, shall provide the required number of parking spaces.

ARTICLE 18 – ENFORCEMENT

1800 ZONING ADMINISTRATOR

A. It shall be the duty of the Sylvania Township Zoning Administrator, appointed by the Board of Trustees, to review applications for Zoning Permits, Project Plan Review, Zoning Changes, Variances, Exceptions, Conditional Uses, Appeals, perform on-site inspections, investigate violations, to enforce this Resolution, and maintain records of all zoning activities, including non-conforming uses.

1801 APPLICATIONS

A. Written application for a Zoning Permit shall be made to the Zoning Department and issued within ten (10) days after the written request has been made, provided such request is in conformity with the provisions of this Resolution.

1802 ZONING PERMIT

A. Zoning Permits shall be issued when the Zoning Administrator is satisfied with the required information submitted by the applicant; and in conformity with the provisions of this Resolution; or if the Zoning Department receives written order from the Board of Zoning Appeals deciding an Appeal, a Variance, or an Exception.

B. Zoning Permits shall be required for the following:

   1. All new construction (including temporary structures).

   2. Additions, alterations, or relocations of structures.

   3. Fence, sign, deck, pool, or other accessory structure.

C. All Zoning Permits shall be conditional upon commencement of work activity, which must begin within six (6) months from the date of issuance and shall expire one (1) year from the date of issuance. The permit may be renewed at the discretion of the Zoning Department if the structure is actively under construction.

D. Every Zoning Permit shall sate that the building or the proposed use of a building or land complies with all provisions of the law.

E. A record of all zoning applications and permits shall be kept on file in the Zoning Department. Copies shall be furnished upon request to any person.

1803 SITE PLAN REQUIREMENTS

A. Every application for a Zoning Permit shall be accompanied by a site plan and such other plans as may be necessary to indicate the location and type of buildings to be erected or alterations to be made. Each property owner or duly authorized agent shall be required to attest to the correctness of statements and data furnished with the application.

B. Where construction or physical improvement of the land is involved, the lot and location of the buildings to be erected thereon shall be staked out on the ground before construction is started, and all dimensions shown on filed plans shall be based on actual survey. Where complete and accurate information if not readily available from existing records, the Zoning Administrator may require the applicant to furnish a survey.

C. Each site plan shall be drawn to scale and include the following:

1. The location of the street that the lot is fronting and the relationship to the nearest cross street.
2. Legal description
3. Exact lot dimensions with yard and other open space measurements.
4. Size and location of existing structure(s) on the property.
5. size and location of proposed structure or alteration to existing structure.
6. Any other necessary information as requested by the Zoning Department for the enforcement of this Resolution.

1804 ZONING FEES

A. A fee shall accompany each Zoning Permit application or request in accordance with the Township fee schedule. The Zoning Department shall deposit all fees with the Township Clerk who shall credit such fees to the General Fund.

1805 VIOLATIONS AND PENALTIES

A. It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or create a nuisance to any building, land, or use in violation of any provisions of this Resolution, amendment, or supplement adopted by the Board of Trustees.

B. The Zoning Administrator may determine said nuisance, non-compliance, or use is in violation of health or safety, which may cause injury to the property of another, endanger life and health, is offensive to the senses, violates laws of decency, or obstructs the reasonable, practical and comfortable use of one's property. On behalf of the Trustees, the Zoning Administrator may institute appropriate action to achieve compliance of such nuisance, location, erection, construction, reconstruction, enlargement, change, maintenance, or use to protect whoever would be specifically damaged by said violation.

C. Any person, firm, or corporation violating any regulation shall be fined up to $500.00 each day said non-compliance continues.

D. Any Zoning Permit issued upon false statement of any fact, which is material to the issuance thereof, shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Permit shall be revoked by notice in writing to be delivered to the holder upon the premises concerned, or, if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new permit in accordance with this Resolution shall be deemed guilty thereof.

1806 ADVERSE USE, NUISANCE, NOXIOUS CONDITION

A. Any permitted use within this Resolution shall be appropriately maintained using acceptable measures and safeguards employed to limit dangerous and/or objectionable elements. Any land or building shall not be used or occupied or permit noxious vegetation, garbage, refuse, or debris to exist on any lot, or which may cause injury to the property of another, endangers life or health, is offensive to the senses, or permit any pungent gas or matter producing a public nuisance or hazard, violates laws of decency, adversely affects the surrounding area or adjoining premises, obstructs the reasonable, practical, and comfortable use of

one's property, or is dangerous, injurious, noxious or possesses any other objectionable element or condition.

B. ANIMALS: A property owner shall not permit on a lot any noxious odor, directly or indirectly, from animals (excluding Agricultural Zoned Districts), or insects, flies or other carriers of waste material, including, but not limited to, the transmission or flow of animal waste through the ground or by air from the lot to any adjoining lot or public right-of-way, or any other result of an animal or an animal husbandry ownership.

C. JUNK VEHICLE: Any motor vehicle, trailer, recreational vehicle, boat, or boat trailer that meets the following criteria for a "Junk Vehicle", as defined by §505.173 of the Ohio Revised Code, shall not be permitted to be parked or stored outdoors for a period of more than two (2) weeks (except in Auto and Metal Salvage Yards).

   1. Three model years old, or older;
   2. Apparently inoperable;
   3. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

   The elimination of junk motor vehicles on properties shall be pursued following §505.871 of the ORC under the nuisance abatement authority

D. Lighting shall be directed downward and not onto adjacent residential parcels.

E. Smoke, Open Burning shall not be permitted by any property owner or person in a restricted or unrestricted area except as provided in Section 3704 of the ORC or Rule 3745-19 of the Ohio Administrative Code.

F. GRASS/WEEDS: A property owner shall not permit, on a developed lot, the growth of grasses, weeds, or noxious vegetation to exceed eight (8) inches in height. A property owner of an undeveloped lot abutting a developed lot(s) shall not permit the growth of grasses, weeds, or noxious vegetation to exceed eight (8) inches in height within ten (10) feet of abutting developed lot(s) or within twenty (20) feet of any street. A property owner of an undeveloped lot not abutting a developed lot(s) shall not permit the growth of grasses, weeds, or noxious vegetation to exceed eight (8) inches in height within twenty (20) feet of any street. No property owner of any lot shall permit any vegetation which may cause injury to the property of another, endangers life or health, is offensive to the senses, or permits any pungent odor or matter producing a public nuisance or hazard.

G. With the determination of a nuisance or noxious condition the Zoning Department shall pursue a remedy of said violation though the Board of Trustees following procedures established in Section 1805 of this Resolution and Sections 505.86 and 505.87 of the ORC. (Rev 10-14-12. Z20-C944)

ARTICLE 19 – DEFINITIONS

1900 DEFINITIONS

The following definitions shall be used in the interpretation and construction of the Resolution. All terms not listed herein shall be accorded their commonly accepted meanings. For purposes of determining the common accepted meaning of any term not listed, reference may be made to the latest edition of Webster's Dictionary and/or the Ohio Revised Code.

1. **ABANDONED**: to cease or discontinue a use or activity without intent to resume within a reasonable period of time but excluding temporary or short-term interruption to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.
2. **ABUTTING RESIDENTIAL**: a property having a common border with a residentially zoned district or a residentially used property.
3. **ACCESS MANAGEMENT**: process of providing and managing access to land development while preserving the flow of traffic in terms of safety, capacity, and speed.
4. **ACCESSORY DWELLING UNIT (ADU)**: subordinate to a single-family dwelling unit and located within a single-family dwelling (attached design) or within an accessory structure (detached design).
5. **ACCESSORY STRUCTURE**: detached, subordinate structure located on the same lot, the use which is clearly incidental to the principal building.
6. **ACCESSORY USE**: a use customarily incidental and subordinate or secondary to the principal use or building and located on the same lot as the principal use or building.
7. **ADDITION**: an extension or increase in floor area, number of stories, or height of a building or structure.
8. **AGRICULTURE**: the use of the land or buildings for farming; ranching; aquaculture; algaculture meaning the farming of algae; apiculture and related apicultural activities, production of honey, beeswax, honeycomb, and other related products; horticulture; viticulture, winemaking, and related activities; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production; and any additions or modifications to the foregoing made by the director of agriculture by rule adopted in accordance with Chapter 119. of the Ohio Revised Code. Agriculture shall not include kennels.
9. **AIRPORT, AIRCRAFT LANDING FIELD**: any landing area, runway, or other facility designed, used, or intended to be used, either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxi ways, aircraft storage, tie down areas, hangars, and other necessary buildings and open spaces.
10. **ALL TERRAIN VEHICLE (ATV) / OFF-ROAD VEHICLE**: any motorized, off-road vehicle for recreational uses.

11. **ALLEY**: a public or private way permanently reserved as a secondary means of access to an abutting property.

12. **ALTERATION / REPAIR**: Any construction, reconstruction, replacement, renewal, or renovation to an existing building that does not include an addition.

13. **ALTERATION, STRUCTURAL**: any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders; a change or modification to an existing building or structure which does not increase the exterior dimensions with respect to height and area.

14. **AMENITY**: a natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area. This includes such features as landscaped areas, reflection pools, patios, balconies, swimming pools, play areas, and similar uses, but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways.

15. **ANIMALS**:

    - **ASSISTANCE DOG**: a guide dog, hearing dog, or service dog that has been trained by a nonprofit special agency and in compliance with ORC 955.011.
    - **EXOTIC ANIMAL**: any animal that is not included in the definition of Livestock or Pet.
    - **HOOFED LIVESTOCK:** generally accepted outdoor hoofed farm animals which have the potential of causing a nuisance if not properly maintained, including horses, pigs, cows, sheep, goats, and other similar animals.
    - **NON- HOOFED LIVESTOCK:** generally accepted outdoor non-hoofed farm animals which have the potential of causing a nuisance if not properly maintained, including poultry, rabbits, and other similar animals.
    - **PET / HOUSE PET**: a domestic animal not classified as livestock which lives mostly within a dwelling.

16. **ANIMAL CARE**:

    - **ANIMAL BOARDING**: a premises with indoor or outdoor areas designated for overnight care of animals, which may include Animal Day Care. Animal Boarding is a for-profit commercial business that is not considered Stabling.
    - **ANIMAL DAY CARE**: a premises with indoor or outdoor areas designated for the short-term, daytime care, grooming, or training of animals. Animal Day Care does not include Animal Boarding.
    - **KENNEL**: an establishment for the breeding of animals intended for sale, but exclusive of Livestock.
    - **STABLING, PRIVATE**: the raising, housing and care of animals by the occupants of the premises. Stabling shall not include Animal Boarding.
    - **VETERINARIAN**: a clinic licensed for the care, diagnosis, and treatment of infirmed or injured animals or for whom services have been requested and those in need of medical or minor surgical attention. A veterinary clinic may include customary pens or cages enclosed within the walls of the clinic building for overnight care of animals under medical supervision. This definition excludes Animal Boarding.

17. **ASSISTED LIVING FACILITY**: see RESIDENTIAL CARE FACILITY

18. **ATTORNEY**: Lucas County Prosecutor or Township Legal Counsel.

19. **AUCTION FACILITY**: land or structure used by an auctioneer for public sale of items to the highest bidder.

20. **AUTOMATED TELLER MACHINE (ATM)**: a stationary, unattended, structure at which bank transactions may be conducted.

21. **AUTOMOBILE REPAIR**: the repairing, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting or steam cleaning of vehicles.

22. **AUTOMOBILE SALES AREA, TRAILER SALES AREA**: open area other than a street used to display new or used automobiles or trailers for sale and where no repair work is done except minor repair of automobiles or trailers displayed and sold on the premises.

23. **AUTOMOBILE SALVAGE YARD**: any place where two (2) or more inoperable motor vehicles, or parts thereof are stored in an open fenced in area or partially enclosed building and not being restored to operation; any land used for wrecking or storage of such motor vehicles, farm machinery, scrap metal, junk or parts thereof, to be resold.

24. **AUTOMOBILE SERVICE STATION**: see GAS STATION.

25. **AUTOMOBILE STORAGE LOT**: use of property by an automobile dealership to park or store operable vehicles on a temporary basis or to provide an extra parking area for vehicle inventory in a Commercial District. See Section 826, Vehicle Storage Lots.

26. **AUTOMOBILE WRECKING**: dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

27. **AWNING / CANOPY**: an architectural projection that provides weather protection, identity, or decoration and is partially or wholly supported by the building to which it is attached. Awnings are comprised of a lightweight frame to which a covering is attached and may be structurally independent or supported by attachment to a building.

28. **BAKERY, RETAIL**: A shop where baked goods are sold or offered for sale by retail, including incidental baking of foods that are cooked in an oven for store sales and or consumption on the premises only.

29. **BAKERY, WHOLESALE**: A factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient but does not include a restaurant or other premises where any such product is made for consumption on the premises or a bake shop.

30. **BALCONY**: enclosed platform with a railing projecting from the outer wall of a building.

31. **BANK / FINANCIAL INSTITUTION**: where money is deposited, kept, loaned, or exchanged.

32. **BANQUET HALL**: facility or portion of a building available for lease by private parties for social events in which food and beverages may be catered or prepared and served on the premises.

33. **BASEMENT**: a story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story where one-half (1/2) its height is above average level of the adjoining ground.

34. **BEAUTY SALON / BARBER SHOP**: see COSMETOLOGY ESTABLISHMENT

35. **BED AND BREAKFAST INN**: a residence or portion of a residence where short-term lodging rooms and meals are provided and where the operator lives on the premises or in adjacent premises.

36. **BLIGHT**: unsightly condition including the accumulation of debris, litter, rubbish, or rubble; fences characterized by holes, breaks, rot, crumbling, cracking, peeling or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or damaged; and any other similar conditions of disrepair and deterioration regardless of the condition of other properties in the area.

37. **BOARDS AND COMMISSIONS**:

    - **BOARD of TOWNSHIP TRUSTEES**: the Board of Township Trustees for Sylvania Township, Lucas County, Ohio.
    - **BOARD OF ZONING APPEALS (BZA)**: The Sylvania Township Board of Zoning Appeals.
    - **COMMISSION, ZONING (ZC)**: the Sylvania Township Zoning Commission Board.
    - **COMMISSION, PLAN (PC)**: the Toledo-Lucas County Plan Commission

38. **BOARDING / ROOMING HOUSE**: building or portion thereof, other than a hotel, where meals or lodging and meals for five (5) or more persons are provided as compensation.

39. **BOAT, BOAT TRAILERS**: shall include boats, floats and rafts, plus the normal equipment to transport same on the highway.

40. **BUFFER**: landscaped and/or screened area intended to separate adjacent land uses or properties from one another.

41. **BUILDING ENVELOPE**: the physical separator between a building's conditioned space and the unconditioned environment.

42. **BUILDING FACE**. The window and wall area of a building and having one plane or elevation.

43. **BUILDING HEIGHT**: vertical distance measured from the adjoining curb grade to the highest point of the roof surface if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for gable, hip, or gambrel roof, provided that where the buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

44. **BUILDING, FRONT LINE** of: the line of the face of the building nearest the front line of the property. This face includes covered porches, whether enclosed or not enclosed, but does not include steps.

45. **BUILDING, MAIN / PRINCIPAL**: the building on a lot in which the principal use is being conducted in.

46. **BUILDING**: structure having a roof supported by columns or walls; used for the shelter or enclosure of persons, animals, or property. Building and structure are used synonymously within this Resolution.

47. **BUILDINGS, GROUP**: two or more buildings, other than dwellings, grouped on a lot held under one ownership, such as universities, hospitals and institutions.

48. **BUSINESS SERVICE**: any activity conducted for gain which renders services primarily to other commercial or industrial enterprises; such service may include, but not be limited to, copy shops, printing services, package service, photo processing, janitorial services, or such service that repairs appliances or machines in homes or business.

49. **CALIPER** (TREE): the diameter of a tree trunk six (6) inches above the existing grade or proposed planted grade.

50. **CAMPGROUND / COMBINED PARK CAMP**: any tract of land upon which a combination of five or more self-contained recreational vehicles or portable camping units are placed and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the park facilities. A tract of land that is subdivided for lease or other contract of the individual lots is a combined park-camp if a combination of five or more recreational vehicles or portable camping units are placed on it for recreation, vacation, or business purposes.

51. **CAR / AUTOMOBILE WASH**: a facility containing the equipment for washing automobiles or other personal vehicles which may be self-service, automated, or full-service. A car / auto wash shall not include Truck Washes.

52. **CEMETERY**: the land that is set apart or used as a place for the internment of the dead or in which human bodies or remains have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the internment of the dead in sealed crypts or compartments. Cemetery also includes the avenues, walks, grounds, roads, paths and lawns surrounding the graves.

53. **CHURCH**: see PLACE OF RELIGIOUS WORSHIP. A church is a semi-public use.

54. **CLEAR FALL ZONE**: the area around a wind turbine or similar structure which is equal to the height of the structure plus the length of any single blade or similar protrusions.

55. **CLINIC MEDICAL / DENTAL**: an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of licensed, physicians, dentists, or similar licensed professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation, or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

56. **CLUB, COUNTRY**: a private club and establishment typically associated with a golf course for social and recreational gatherings for members and their guests.

57. **CLUB**: building or portion thereof, or premises owned or operated by a corporation, association, person or persons for social, educational or recreational purposes, but not primarily for profit or to render a service, which is customarily carried on as a business.

58. **CLUBHOUSE**: building or portion thereof, for social, educational, and recreational activities of a community or neighborhood, provided any such use is not operated for commercial gain.

59. **CLUSTER BOX UNIT**: a freestanding, centralized, mailbox unit with more than two individually locked compartments for the collection and delivery of mail which may or may not incorporate separate lockers for parcels.

60. **COLLECTOR'S VEHICLE**: any motor vehicle or agricultural tractor or traction engine that is of special interest, which has a fair market value of one hundred dollars or more, whether operable or not, and that is owned, operated, collected, preserved, restored, maintained, or used essentially as a collector's item, leisure pursuit, or investment, but not as the owner's principal means of transportation. "Licensed collector's vehicle" means a collector's vehicle, other than an agricultural tractor or traction engine, which displays current, valid license tags issued under section 4503.45 of the Revised Code, or a similar type of motor vehicle that displays current, valid license tags issued under substantially equivalent provisions in the laws of other states.

61. **COMMERCIAL RECREATIONAL FACILITY**: see RECREATIONAL FACILITY

62. **COMMERCIAL VEHICLE**: any motor vehicle that has motor power and is designed and used for a commercial purpose or for carrying merchandise or freight.

63. **COMMERCIAL, GENERAL**: uses that typically require locations on major thoroughfares including hotels, motels, automobile related activities, restaurants, retail sales, professional offices, and those uses listed under Commercial Uses on the Permissible Use table Article 6 or other similar activity.

64. **COMMERCIAL, NEIGHBORHOOD**: retail sales, cosmetology establishment and similar service establishments which primarily serve local market areas and can be located in close proximity to or within Residential Districts without creating undue vehicular congestion, excessive noise or other objectionable influence;

65. **COMMON AREA**: parcel or parcels of land or an area of water or a combination of land and water within a development, which is designed and intended for the common use or enjoyment of the residents of the development; may include structures and improvements as are necessary and appropriate.

66. **COMMUNITY BUILDING**: see CLUBHOUSE

67. **COMPOST**(ING): a form of waste disposal where organic waste is permitted to decompose into matter, or compost, which is intended to be used for fertilization.

68. **CONSERVATION AREA**: area set aside for the preservation, protection and/or improvement of the natural environment.

69. **CONSTRUCTION / UTILITY EQUIPMENT**: road rollers, traction engines, power shovels, power cranes, and other equipment used in construction or utility work, or in mining or producing or processing aggregates, and not designed for or used in general highway transportation.

70. **CONTRACTOR'S STORAGE YARD**: see STORAGE YARD

71. **CONVENIENCE STORE** (C-STORE): SEE RETAIL SALES

72. **COSMETOLOGY ESTABLISHMENT**: any premises, building, or part of a building in which a person is authorized to engage in any branches of cosmetology including but not limited to the shampooing, cutting, styling, tinting or treatment of hair, manicures, pedicures or facial treatments and without limiting the generality of the foregoing, includes a barber shop, beauty salon, or nail salon.

73. **COVENANT**: an agreement made in a signed and executed lease, deed, or other legal contract.

74. **CROSS ACCESS**: a service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

75. **CUL-DE-SAC**: a dead-end street, of relatively short length, providing an enlarged turning and maneuvering space at the closed end.

76. **CURB CUT**: vehicular ingress and/or egress between a property and an abutting public right-of-way.

77. **CURB GRADE**: the elevation at the top of the curb adjacent to a parcel; for uncurbed roadways, curb grade shall be the elevation at the center of the pavement.

78. **DAY CARE FACILITY**: a licensed place which administers to the needs of children or adults and providing social, recreational, or educational activities on a daily basis.

79. **DEBRIS**: discarded scrap or waste material collected or accumulated; litter; scattered remains.

80. **DECK**: a structure which is either freestanding or attached to a building, constructed at grade or above grade, which may or may not require a guardrail, and is not considered a Patio.

81. **DEED RESTRICTION**: a limitation on activity by contractual provision.

82. **DENSITY**: the number of dwelling units per net acre of land.

83. **DETENTION AREA**: an area designed to capture specific quantities of storm water and to gradually release the storm water at a sufficiently slow rate to avert flooding; may drain completely after a storm event.

84. **DEVELOPMENT**: initiation of any activities related to the subdivision or platting of land; construction or installation of buildings or impervious surface; or installation of any public facilities or infrastructure.

85. **DISTRIBUTION CENTER**: a use which typically involves warehouse and office/administrative functions, where short- and/or long-term storage take place in connection with the dispersing of goods or materials at wholesale or retail. Also see MINI-STORAGE FACILITY or MINI-WAREHOUSE or WAREHOUSE

86. **DOCTOR'S OFFICE**: see PROFESSIONAL OFFICE

87. **DORMITORY**: a building or part of a building operated by an institution and containing a room or rooms forming one or more habitable units which are used or intended to be used by residents of the institution for living or sleeping, but not for cooking or eating purposes.

88. **DRAWING / PRELIMINARY DRAWING**: a plan which is not drawn to scale that may indicate measurements of a site or structures to be erected, used, on a specific parcel. A Drawing / Preliminary Drawing is not a Site Plan.

89. **DRIVE-THROUGH or DRIVE-UP WINDOW SERVICE**: an opening in the wall of a building or structure designed and intended to be used to provide for sales and/or service to patrons who remain in their vehicles. See Section 1216.

90. **DRIVEWAY**: vehicular access for ingress/egress from a curb cut to a principal structure or accessory structure.

91. **DWELLING UNIT**: one or more rooms in a dwelling, designed for occupancy by (1) family for living purposes and having cooking facilities.

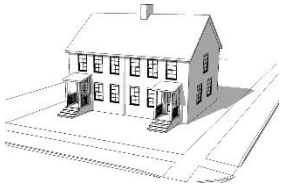
92. **DWELLING, MULTI-FAMILY**: a building or portion thereof, designed for occupancy by three (3) or more families living independently of each other. Multi-family dwellings shall include apartments and condominiums.

93. **DWELLING, ROW HOUSE**: a row of three (3) to six (6) attached single family dwellings, not more than two (2) rooms deep.

94. **DWELLING, SINGLE FAMILY**: a building designed exclusively for occupancy by one (1) family.

95. **DWELLING, TOWNHOUSE**: a building containing an attached row of three (3) or to six (6) single family dwellings, each being separated from the adjoining house in each story by fire resistive walls, without openings and each house having independent access to the exterior of the building in the ground story.

96. **DWELLING, TWO FAMILY**: a building designed exclusively for occupancy by (2) families living independently of each other, including a duplex, which is a dwelling unit above another dwelling unit, or a semidetached dwelling or twin plex, which is a dwelling unit beside another dwelling unit.



97. **DWELLING**: a building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple family dwellings. The term "dwelling" shall not include mobile home, recreational vehicle, hotel, boarding and lodging house.

98. **EASEMENT, ACCESS**: an easement created for the purpose of providing vehicular or pedestrian access to a property.

99. **EASEMENT**: a grant by a property owner to the use of land by the public, a corporation, or persons for the construction and maintenance of utilities, drainage ways and roadways.

100. **EGRESS**: an exit.

101. **ELECTRIC VEHICLE (EV):** EV includes BEV Battery Electric Vehicles, which are vehicles that utilize an externally charged battery as the primary fuel source and PHEV Plug in Hybrid Vehicles which are vehicles that utilize a combination of an externally charged battery and an internal combustion engine.

102. **ELECTRIC VEHICLE (EV) CHARGING EQUIPMENT:** An electrical dispenser designed specifically to charge batteries within electric vehicles.

103. **ELECTRIC VEHICLE (EV) CHARGING INFRASTRUCTURE:** Electrical and other components designed to enable charging operations but not necessarily directly used to charge batteries such as generators, transformers, mini-substations, and other similar structures.

104. **ENTERTAINMENT FACILITY**: a structure, land, or lot used or intended to be used to entertain such as nightclubs, cinemas, theaters, carnivals, and similar activities; does not include adult entertainment.

105. **ESSENTIAL SERVICE**: the erection, construction, alteration, or maintenance by municipal or other governmental agencies, public utilities, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities, municipal or other governmental agencies, or for the public health, safety or general welfare, but not including buildings.

106. **EXCEPTION**: a case not conforming to the rules of the Township; a ruling by the BZA that permits a use or an activity that is not normally allowed within the Zoning Resolution.

107. **EXTRACTION INDUSTRY**: removal of soil, sand, gravel or minerals from land or water for purposes of resale or use in the commercial operation of a business or the production of a good or service.

108. **FACADE**: the entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

109. **FAMILY**: one (1) or more persons occupying a premise and living as a single unit, whether or not related to each other by birth or marriage; as distinguished from persons occupying a boarding house, lodging, or hotel herein defined. The definition shall also include: a) group of persons with disabilities, meaning persons who are considered handicapped or disabled as those terms are defined either by the Fair Housing Act or the Americans with Disabilities Act, who need not be related by blood,

marriage or adoption, living together as a single housekeeping unit, and b) a foster home, as defined in § 2151 of the ORC.

110. **FARM SALES and SERVICE**: use of land, buildings or structures for the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies, or repair of equipment and machinery directly associated with the operation of the agricultural industry.

111. **FEED MILL**: A commercial establishment servicing farms by acquiring, receiving, storing, milling, mixing and delivering feed for livestock. See also GRAIN STORAGE STRUCTURE

112. **FENCE, OPEN**: a fence through which clear vision is possible from one side to the other for 75 percent or more of the structure, as viewed on a horizontal plane; may include split rail, wire, chain link, open mesh and the like.

113. **FENCE, PRIVACY**: a fence constructed of solid material through which no visual images can be seen; may include wood, masonry, stone, and the like.

114. **FENCE**: any artificially constructed barrier of any material or combination of materials installed to enclose or screen areas; means of protection, privacy, a boundary or confinement.

115. **FITNESS CENTER/GYM**: see RECREATION FACILITY, COMMERCIAL or RECREATION FACILITY, NON-COMMERCIAL

116. **FLOOD PLAIN**: the area adjacent to a river, stream, watercourse or lake which has or may experience flooding and is regulated by the Federal Emergency Management Agency.

117. **FLOOR AREA RATIO**: The ratio of the floor area of a building to the area of the lot on which it is located, calculated by dividing the floor area by the lot area and expressing it as a percentage. For example, if a floor area ratio of eighty percent (80%) is specified and the lot area is ten thousand (10,000) square feet, the maximum permitted floor area on the lot is eight thousand (8,000) square feet. Subject to the provisions of this Resolution regarding height and story limitations, the building area may be four thousand (4,000) square feet for each of two (2) stories, two thousand (2,000) square feet for each of four (4) stories, or one thousand (1,000) square feet for each of eight (8) stories.

118. **FLOOR AREA, GROSS**: the sum of the horizontal areas of each floor of a building, measured from the interior faces of the exterior walls. Gross floor area shall exclude uninhabitable basements, unfinished attics, attached garages, or space used for off-street parking or loading, breezeways, and enclosed and unenclosed porches, and accessory structures.

119. **FLOOR AREA**: interior floor area of a structure including stairways, halls and closets but not including basement, porches, garages, breezeways or carports.

120. **FOOD PROCESSING**: the preparation or processing of food products; examples of activities include bakeries and dairies.

121. **FORESTRY**: the growing and care of trees for commercial purposes, including the cutting and marketing of timber art of developing, maintaining, and managing forests.

122. **FRONTAGE, BUILDING**: length of an outside building wall on the side of the right-of-way.

123. **FRONTAGE, LOT**: length of the property line of a parcel along a public right-of-way to which it borders; part of any property that abuts a street or at the intersection of streets; the front part of a piece of property.

124. **FUEL STORAGE TANK FARM**: a group of tanks, sited together whose primary purpose is the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar inflammable products. The limited retailing of such products shall be permitted in association with a Fuel Storage Tank Farm provided such retailing is clearly incidental and secondary to the bulk storage and distribution function.

125. **FUNERAL HOME**: a building or part thereof, used for human funeral services; such building may contain space and facilities for: a) embalming and the performance of other services used in preparation of the dead for burial, or b) the performance of autopsies and other surgical procedures, or c) the storage of caskets, funeral urns, and other related funeral supplies, or d) the storage of funeral vehicles; where a funeral home is permitted, a funeral chapel shall also be permitted.

126. **GARAGE SALE**: the sale of personal property, conducted on the premises in a Residential District to which there is a dwelling.

127. **GARAGE**: a detached accessory building or portion of a main building which shall be totally enclosed for the parking or temporary storage of automobiles by the occupants of the premises.

128. **GAS STATION**: any premises used for supplying retail gasoline and oil directly to the customer, including minor accessories and services for automobiles.

129. **GLARE**: sensation of brightness within the visual field that causes annoyance, discomfort or loss in visual performance and visibility.

130. **GOLF COURSE, PUBLIC OR PRIVATE**: a large tract of land laid out for golf which may be operated publicly or privately and may include an accessory office, retail pro shop, restaurants, banquets facilities, lounge, golf driving range, caretaker's dwelling unit, golf academy, swimming pools, tennis courts, or other recreational facilities customarily associated with golf courses which may or may not include a country club.

131. **GRAIN ELEVATOR / GRAIN STORAGE STRUCTURE**: any structure, which is designed to store and market any type of grain.

132. **GRANDFATHERED**: describes the status accorded to certain properties, uses, and activities that existed legally prior to the date of adoption of the Zoning Resolution.

133. **GREEN SPACE**: See OPEN SPACE

134. **GREENHOUSE**: a building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the growing of flowers, plants, shrubs, trees and similar vegetation. See also LANDSCAPE BUSINESS or NURSERY, COMMERCIAL

135. **GROSS PARCEL ACREAGE**: the amount of land described on deeds of record minus all rights-of-way.

136. **GROUP HOME**: SEE RESIDENTIAL CARE FACILITY

137. **HOME OCCUPATION**: an occupation carried on by the occupant of a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes.

138. **HOSPITAL**: an institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as

laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the operations.

139. **HOTEL**: a building in which lodging or meals and lodging are offered for temporary living accommodations to the general public for compensation and in which ingress and egress to and from the rooms are made primarily through an inside lobby or office and limited corridor access. The hotel may contain such accessory services and facilities as newsstands, personal grooming facilities or restaurants.

140. **IMPERVIOUS SURFACE**: any material, such as concrete, asphalt, brick or metal, which impedes the percolation of water into the ground.

141. **INDUSTRIAL, HEAVY**: any industrial use, which requires buildings and open areas, for manufacturing, fabricating, processing, heavy repair, dismantling, storage or disposal of raw materials, manufactured products or wastes, which is not injurious to health or safety of humans or animals; shall include primary metal industrial operations involving the use of blast furnaces, the rolling and finishing of ferrous and nonferrous metals, iron and steel foundries, primary and secondary smelting and refining facilities, metal plate and sheet fabricating facilities and any other operations which shall be deemed to be of a similar nature. Heavy manufacturing shall also include the manufacture of food and meat products; paper and allied products; chemicals and allied products, including plastic materials, synthetic rubber and manmade fibers, soaps and detergents, paints and agricultural chemicals; petroleum refining and related industries, including production of paving and roofing materials, tire products, stone, clay and glass products and any other products of a similar nature.

142. **INDUSTRIAL, LIGHT**: research and development activities; the manufacture, predominantly from previously prepared materials, of finished products/parts, including processing, fabrication, assembly, treatment, packaging of products, and incidental storage, sales, and distribution of such products; any manufacturing, industrial production or storage, which by the nature of the materials, equipment and processes utilized are generally conducted within an enclosed building; if outdoor storage is required, such storage is conducted within a well maintained enclosure which obscures the storage area from general public view; shall include the manufacturing of dairy, canned fruit and vegetable, bakery, soft drink and confectionery products; textile mill products and apparel; lumber, wood products, furniture and fixtures; plastic products; perfumes and cosmetics; fabricated products from metal coils and sheets, the rolling and finishing of ferrous and nonferrous metals; screw machine products, bolts, nuts, screws, and washers; cutlery, hand tools and general hardware; electrical machinery, equipment and supplies; radio and television sets; electronic components and accessories; and products of similar nature.

143. **INDUSTRIAL, RESTRICTED**: any industrial use which is conducted entirely within enclosed, substantially constructed buildings; involving the use of only light machinery and equipment; does not require outdoor storage other than for the unloading or loading operations at the rear or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

144. **INDUSTRIALIZED UNIT**: a building unit or assembly of closed construction fabricated in an off-site facility, that requires transportation to the site of intended use and that is substantially self-sufficient as a unit or as part of a greater structure; includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity; does not include a manufactured home or a mobile home as defined in this resolution. For the purpose of this resolution, an industrialized unit is a dwelling.

145. **INGRESS**: access, entry point, or entrance.

146. **INSTITUTION, EDUCATIONAL**: any building or part thereof used for instructional purposes such as public, parochial, or private schools; recognized and prescribed by the State Board of Education. Educational Institutions shall include Elementary, Secondary, or Post-Secondary Schools and Pre-Schools that offer educational instruction.

147. **INSTITUTION, PUBLIC**: building or land occupied by a nonprofit corporation or a nonprofit establishment for public use

148. **INTERNET SWEEPSTAKES CAFÉ**: an establishment that offers prizes for the purchase of a product or service.

149. **JUNK MOTOR VEHICLE**: a motor vehicle that meets all of the following criteria; 1) Three model years old, or older; (2) Apparently inoperable; (3) Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

150. **LAND USE PLAN**: a basic element of a comprehensive plan; it designates the future use or reuse of the land and the policies and rezoning used at arriving at the decisions in the plan; serves as a guide to official decisions regarding the distribution and intensity of private development; as adopted and amended by the Lucas County Plan Commission, Lucas County Commissioners, and Sylvania Township Trustees and in accordance with the Ohio Revised Code.

151. **LANDFILL**: a lot used for the disposal of solid wastes in a manner that minimizes environmental hazard by spreading or compacting to the smallest volume and applying cover material over all exposed waste at the end of each operation day.

152. **LANDSCAPE BUSINESS**: a place where plants are grown for sale, transplanting, or experimentation which may also include the storage of trucks for transportation of plants, soils, and other landscaping materials; grading equipment; and tree-moving equipment. See GREENHOUSE or NURSERY, COMMERCIAL

153. **LANDSCAPE PLAN**: a type of site plan which details the species and manner of installation of any plant materials on a lot.

154. **LAUNDROMAT**: a commercial establishment where coin or token-operated laundry machines, are made available to the public for the purpose of laundry cleaning.

155. **LICENSED VEHICLE**: any motor vehicle that displays current, valid license tags issued under ORC § 4503.45 or substantially equivalent provisions in the laws of other states.

156. **LOADING SPACE**: an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle for loading or unloading merchandise or materials, and which abuts upon a street or other appropriate means of access.

157. **LOT AREA**: the total area as computed in square feet, within the lot lines of a lot, exclusive of any portion of any rights of way.

158. **LOT COVERAGE**: the percent of the lot area covered by buildings, accessory structures, parking areas and driveways, but excluding pedestrian access/walkways.

159. **LOT DEPTH**: the horizontal distance between the front and the farthest most point to the rear of the lot, measured along the median between the two side lot lines.

160. **LOT LINES**: the lines bounding a lot as defined herein.

161. **LOT of RECORD**: any lot, which individually or part of a subdivision that has been registered and recorded in the Office of the Recorder of Deeds for the County; also see NONCONFORMING LOT.

162. **LOT WIDTH**: horizontal distance of the lot between the established side property lines measured at the established building setback. The width of lots fronting on a cul-de-sac shall be the chord distance between side lot lines for the curve coinciding with the required depth of the front yard.

163. **LOT, CORNER**: a lot having continuous street frontage along two or more different streets.

164. **LOT, DOUBLE FRONTAGE**: a lot which is bordered by two streets that do not intersect at the lots boundaries, resulting in two frontages

165. **LOT, INSIDE OR INTERIOR**: a lot other than a corner lot.

166. **LOT, REVERSED CORNER**: a corner lot, the side street line of which is substantially a continuation of the front lot line of the lot to its rear.

167. **LOT, THROUGH**: an interior lot having frontage on two (2) or more streets.

168. **LOT**: the total square footage as computed, within the lot lines of a lot, exclusive of any portion of any rights-of-way.

169. **MANSARD ROOF**: an extension of an exterior wall or roof projection of a building that is architecturally integrated into the building design.

170. **MANUFACTURED HOME**: building unit or assembly of closed construction, fabricated in an off-site facility and constructed in conformance with the Federal Construction and Safety Standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards; shall meet all of the following criteria: a) affixed to a permanent foundation and connected to appropriate facilities; b) structure having a width of at least twenty-two feet (22) at one point, a length of at least twenty-two feet (22) at one point, and a total living area of at least 900 square feet, excluding garages, porches, additions, or other attachments; c) structure having a minimum 3:12 roof pitch, conventional residential siding, and six inch (6) minimum eave overhang, including appropriate guttering; d) structure was manufactured after January 1, 1995; and e) structure not located in a Manufactured Home Park District as defined in this Resolution. Also see MOBILE HOME

171. **MANUFACTURING LIGHT /ASSEMBLY**: a use engaged in the process of predominately and previously prepared materials into finished goods or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding the processing of raw materials.

172. **MANUFACTURING, GENERAL**: see INDUSTRIAL, LIGHT.

173. **MANUFACTURING, HEAVY**: see INDUSTRIAL, HEAVY.

174. **MANUFACTURING, RESTRICTED**: see INDUSTRIAL, RESTRICTED.

175. **MANUFACTURING**: any production or industrial process, including food processing, which combines one or more raw materials or components into a product, or which changes the nature of the materials entering the process.

176. **MARKET, OPEN AIR/ OPEN SALES LOT**: a place where individual vendors operate from stalls, booths, or other defined areas offering retail sale of food, clothing, furniture, arts & crafts, secondhand items, plants, flowers, and other products or merchandise of similar nature. A Zoning Permit is required, as well as written permission from property owner on which the sales take place.

177. **MASSAGE ESTABLISHMENT**: any fixed place of business where a person offers massages and which is operated by anyone other than persons who are certified to practice under ORC § 4731.15 and 473.16 or who are engaged in the practice of providing therapeutic massage as a licensed physician, chiropractor, podiatrist, nurse, or other health professional licensed, certified or registered to practice in Ohio.

178. **METAL SALVAGING and STORAGE**: the recycling of all forms metal for sale and storage.

179. **MINERAL EXTRACTION and STORAGE**: See Extraction Industry

180. **MINERAL PROCESSING**: the processing of coal, limestone, clay or other mineral resources except sand and gravel, provided no chemical change in the mineral is involved in the process.

181. **MINI-STORAGE FACILITY or MINI-WAREHOUSE**: a business composed of real estate with buildings or personal property cargo transit containers divided into self-storage spaces that are rented to tenants on a periodic basis who use the space to store personal property. Such facilities are typically contained within a fenced, controlled-access compound. May include storage of large, mobile vehicles or trailers. See also, Self-Service Storage Facility

182. **MIXED USE DEVELOPMENT**: a tract of land or building(s) or structure(s) developed for two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment where both uses are primary.

183. **MOBILE HOME**: a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home or as an industrialized unit as defined in this Resolution.

184. **MODULAR HOME**: see MANUFACTURED HOME

185. **MORTUARY**: see FUNERAL HOME

186. **MOTEL**: a group of attached or detached dwellings in which lodging is provided for the general public, and where access to rooms is from the outside of the main building.

187. **MOTOR HOME**: a portable dwelling designed and constructed as an integral part of a self- propelled vehicle for travel, recreational or vacation use.

188. **NON-COMMERCIAL RECREATIONAL FACILITY**: see RECREATIONAL FACILITY

189. **NONCOMPLYING**: a lot, building or structure that does not fulfill the requirements of the Zoning District in which it is located.

190. **NONCONFORMING BUILDING**: a structure or building, the size dimensions, or location of that was lawful prior to the adoption of, revision, or amendment to this code, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the Zoning District.

191. **NONCONFORMING LOT, OLD LOT of RECORD**: a lot or parcel of land that was of record and lawfully established and maintained but which, because of the enactment of this code, no longer conforms to the land-use standards or use regulations of the district in which it is located.

192. **NOXIOUS**: when used with reference to any use/activity in respect of any land, building or structure or a use/activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason or destructive gas or fumes, dust, objectionable odor, noise or vibration or unsightly storage of goods, wares, merchandise, debris, machine parts, junk, waste or other material; a condition which prejudices the character of the surrounding area and that may or may not interfere with normal enjoyment.

193. **NUISANCE**: junk, garbage, refuse, debris, disabled vehicle, or noxious vegetation; is offensive to the senses, violates laws of decency or obstructs reasonable and comfortable use of one's property; may cause injury to the property of another, and/or endanger life and health.

194. **NURSERY, COMMERCIAL**: a place where plants are raised for sale, grown for transplanting, or for use as stocks for budding and grafting; woody and herbaceous plants, including ornamental trees, shrubs, and bulb crops are produced; most plants are ornamental, but may include fruit plants and certain perennial vegetables used in home gardens.

195. **NURSING HOME**: an establishment where persons are housed or lodged, furnished with meals, and having nursing or convalescent care for hire. see also RESIDENTIAL CARE FACILITY

196. **OFFICE**: see PROFESSIONAL OFFICE

197. **OIL WELL, GAS WELL**: Oil and Gas are regulated under Ohio Revised Code chapter 1509.

198. **OPEN SPACE**: the open, unobstructed space on a lot including space accessible to all occupants of any residential or commercial building or structure on the lot, which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscape and may include any surface pedestrian walk or complimentary structures, but does not include any driveway, ramp or parking area.

199. **ORC**: Ohio Revised Code

200. **OUTDOOR STORAGE**: the keeping of any goods, materials, or merchandise in the same exterior place for more than 24 consecutive hours.

201. **OVERLAY DISTRICT**: an additional secondary zoning classification, which establishes specific regulations on the use of land, buildings, or structures. See Article 5.

202. **PARCEL**: SEE LOT

203. **PARKING GARAGE, PUBLIC**: a structure or portion of a building intended to house, rent or lease such parking spaces for vehicles under an arrangement with the proprietor.

204. **PARKING LOT / OFF-STREET PARKING**: a paved outdoor area required to be provided for the use of patrons at a business, with multiple parking spaces, where vehicles may be left temporarily. A Parking Lot is not an Automobile Storage Lot.

205. **PARKING LOT, PRIVATE**: a paved, open area, other than a street or alley, used by the occupants of a dwelling for the parking of their automobiles.

206. **PARKING SPACE**: private or public parking area for the unobstructed parking of one (1) automobile.

207. **PATIO**: a paved outdoor area adjoining a building.

208. **PERFORMANCE BOND OR SURETY BOND**: a multi-party contract that guarantees certain obligations specified in the contract are met.

209. **PERMANENT FOUNDATION**: permanent masonry, concrete, or locally approved footing or foundation, to which a manufactured or mobile home may be affixed.

210. **PERMEABLE PAVEMENT**: a method of paving that uses pervious concrete, porous asphalt, paving stones, interlocking pavers, or other similar materials.

211. **PERSONAL SERVICES**: any enterprise conducted for gain, which primarily offers services to the public, such as shoe or watch repair, hairdressing establishment, or similar activities.

212. **PLACE of RELIGIOUS WORSHIP**: a building or property used principally for religious worship, not to include group homes, educational institutions and not used for a permanent or temporary dwelling; church or religious institution.

213. **PLANNED UNIT DEVELOPMENT**, PUD: a development, which is planned to integrate residential, commercial, industrial, or any other use (ORC § 519.021).

214. **PLANT CULTIVATION**: outdoor cultivation of crops, fruit trees, nursery stock (greenhouses), truck garden products and similar plant materials; not including plant cultivation conducted on residential properties for the primary benefit of the resident family.

215. **PLAT**: a map, drawn to scale, showing the extent and ownership or land

216. **POND, DECORATIVE / GARDEN**: a small water feature designed for aesthetic purposes, such as a Koi Pond.

217. **POND**: body of water naturally made or artificially formed by excavation and having an area of less than five acres. (Storm water detention basins are not considered ponds).

218. **PORCH**: a covered area adjacent to the entrance of a building, intended to provide shelter or an area for outdoor seating.

219. **PRINT SHOP**: a retail establishment that duplicates writings, drawings, plans, maps, or other documents by using electronic or other means and which includes the collating of booklets and reports.

220. **PROFESSIONAL ACTIVITIES**: See professional office

221. **PROFESSIONAL OFFICE**: shall mean a building where executive, management, administrative, or professional services, including medical or dental services, are

provided but not involving the sale of merchandise, except as incidental to a permitted use. Such uses include, but are not limited to, real estate, insurance, property management, investment, travel, advertising, law, doctor, dentist, outpatient medical laboratories, architecture, design, engineering, accounting, and similar offices.

222. **PROSECUTOR**: The Prosecutor of Lucas County, Ohio.

223. **PUBLIC PARKING LOT**: an open area, street or alley used for the temporary parking of vehicles and available for public or quasi-public use.

224. **PUBLIC SERVICE FACILITY**: erection, construction, alteration, operation or maintenance of a utility or service building, power plant, substation, water treatment plant, sewage disposal, pumping facility or similar public service structures by a public utility, a public or privately-owned railroad, or by a municipal or other governmental agency, including furnishing electric, gas, rail transport, communication, public water, and sewer services.

225. **PUBLIC SEWER and PUBLIC WATER**: any system, other than a septic tank or individual well, operated by a municipality for the disposal of wastes and the furnishing of water, or either, to users.

226. **PUBLIC USE**: public parks, public educational institutions, administrative buildings, cultural or service buildings.

227. **PUBLISHING**: a place of business specializing in the preparation of written material for publication by selection, arrangement, and annotation. Includes periodic publishing using printing equipment, such as newspapers and magazines.

228. **RECREATIONAL FACILITY**: Building(s) and/or land that is designed and provides recreation including but not limited to aerobic exercise, weight training, court and racquet sports, swimming, skating, riding stables, golf, bowling, and arcade. These facilities may include showers, saunas, and locker rooms. The buildings and/or land may also include spectator seating which is used in conjunction with the sports. A recreational facility may be indoors or outdoors.

- A recreational facility may be active or passive;
    - i. Active Recreation; Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites or fields.
    - ii. Passive Recreation; Activities that involve pursuits such as walking, sitting, picnicking, card games, chess, checkers and similar table games. Recreational activities not requiring buildings and not altering the soil or topography, such as open space and environmental areas.
- A recreational facility may be commercial or non-commercial;
    - i. Commercial Recreational Facility; A recreational facility that is open to the public and established and operated for a profit.
    - ii. Non-commercial Recreational Facility; A private or semi-public recreational facility that is not operated for commercial gain; may be leased to outside groups or organizations provided the fee for such purposes is limited to incidental maintenance and custodial expenses.

229. **RECREATIONAL VEHICLE**: a vehicle designed for recreational purposes and equipped with wheels to facilitate movement from place to place; an automobile or other vehicle that might be used for living or sleeping purposes that may include a

pick-up camper, motor home, boat, travel trailer, and camping trailer and not meeting the specifications required for a manufactured home or mobile home.

230. **RECYCLING CENTER**: an area where recoverable resources, such as newspapers, glassware, and metal cans are collected, but no processing of recyclable materials occur.

231. **RESEARCH FACILITY**: research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products. Such uses shall not violate any State or Federal odor, dust, smoke, gas, noise, radiation, vibration, or similar pollution standard.

232. **RESIDENTIAL CARE FACILITY**: includes Assisted Living Facility, Nursing Home, Rest Home, Adult Day Care, Group Home, or any other similar institution.

233. **RESTAURANT**: an establishment in a building where food and beverages are offered for sale to the public for consumption at tables or counters, either inside or outside the building on a lot.

234. **RETAIL SALES**: a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser; such establishments may include, but not be limited to, supermarket, grocery store, bakery, candy store, butcher, delicatessen, convenience store, clothing store, and similar establishments.

235. **RETENTION AREA**: a storm water facility that is designed to accept runoff from a developed site and discharge it at a limited rate. Flows exceeding the limited rate are stored/retained until the storm water level drops below the limited rate.

236. **RIGHT-OF-WAY, R/W, ROW**: a strip of land that is occupied or intended to be occupied by a street, crosswalk, utility, or other special use; the line determining the street or highway public limit or ownership

237. **ROADSIDE STAND / FARM MARKET**: where products are grown and sold on the same premises at retail prices from covered or uncovered open-air market areas.

238. **SAND and GRAVEL EXTRACTION**: See extraction Industry

239. **SATELLITE DISH / ANTENNA**: a bowl-shaped antenna with which signals are transmitted to or received from a communications satellite.

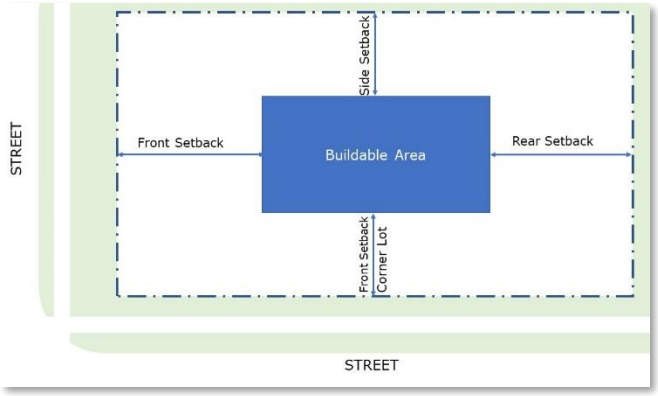
240. **SCREENING**: method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, mounding, or densely planted vegetation and is broken only by access drives, driveways and walkways.

241. **SEASONAL RESIDENCE**: summer cottages, winter lodges or similar housing, being occupied less than (6) six months during a year.

242. **SELF-SERVE STORAGE FACILITY**: any real property designed and used for the purpose of renting or leasing of storage spaces for storage of personal property. See Mini-Storage Facility

243. **SEMI PUBLIC USE**: church, place of religious worship, Sunday School, parochial school, college, private educational institution, or other institution of an educational, religious, charitable or philanthropic nature.

244. **SETBACK LINE**: a line established by Zoning, platting or other legal means on a lot, the specified distance from and parallel to a lot line which restricts the encroachment of buildings on the lot line.



245. **SEWER, COMBINED**: an approved sewage disposal system, which carries both sanitary sewage and storm water runoff.

246. **SEWER, ON SITE**: a septic tank installation on an individual lot which utilizes an anaerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction; a septic system.

247. **SEXUALLY ORIENTED BUSINESS**: adult bookstores, adult video stores, adult movie house or theater, adult amusements or entertainment, adult cabarets, massage parlors.

248. **SHADOW FLICKER**: the effect of the sun shining though the rotating blades of a wind turbine, casing a moving shadow.

249. **SHOOTING RANGE**: a specialized facility, whether indoor or outdoor, designed for the controlled practice of shooting weapons.

250. **SHORT-TERM RENTAL**: any dwelling that is rented wholly or in part, for a fee, for fewer than 30 consecutive days.

251. **SIDEWALK**: a paved pedestrian way intended to provide access along public streets and from public streets to buildings

252. **SIGHT TRIANGLE**: The horizontal and vertical areas at the intersections of streets and/or driveways, measured by an isosceles triangle with two-30-foot sides extending from the corner of a lot. which must remain unobstructed in order to ensure that drivers can see traffic and pedestrians around the corner of the intersection, entrance or driveway.

253. **SIGNS**: Any device, fixture, placard, or structure that uses any color, form, graphic illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity to communicate information of any kind to the public. Architectural design features such as building accent lighting are not considered signs.

254. **SITE PLAN**: a plan drawn to scale, indicating measurements of boundaries of the site, the size and location of any existing structures or structures to be erected, uses, and/or proposed development features for a specific parcel or lot.

255. **SOLAR PANEL**: a mounted assembly of photo-voltaic cells designed to absorb the sun's rays as a source of energy.

256. **SPECIAL EVENT VENUE**: a building or lot with indoor or outdoor space that accommodates private functions such as weddings or other large gatherings.

257. **SPECIAL RESIDENCE**: a dwelling unit on the same parcel of land as a commercial business, not located within the mixed-use zoning district.

258. **STORAGE YARD**: enclosed land adjacent to a building where construction materials and equipment, solid fuels, lumber, new building materials, monuments and stone products, public service and utility equipment or other materials, goods, products, vehicles, equipment or machinery are kept, baled, piled, handled, sold or distributed, whether a principal or an accessory use. A storage yard shall not include an automobile wrecking yard, a display yard or a junkyard.

259. **STORY, HALF**: a story under a gable, hip or gambrel roof, the wall plates of which are on at least (2) two opposite exterior walls are not more than (2') two feet above the floor of such story.

260. **STORY**: that portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there be no floors above it, then the space between such floor and ceiling next above it.

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

262. **STREET, PLACE**: private thoroughfare, other than a street or alley, permanently reserved as a lot on a recorded plat as the principal means of access to an abutting property, approved under applicable subdivision regulations by the Toledo-Lucas County Plan Commissions where applicable in accordance with ORC Chapters 711 and 713.

263. **STREET**: a dedicated public thoroughfare, which provides vehicular and pedestrian access to abutting properties and approved as part of a record plat under applicable subdivision regulations by the Lucas County Plan Commissions; where applicable in accordance with ORC Chapters 711 and 713. For the purpose of this Resolution, the word "street" shall include the words 'road' and 'highway.'

264. **STREETSCAPE**: a design term referring to all the elements that constitute the physical makeup of a street and that, as a group, define its character, including building frontage, street paving, sidewalks street furniture, landscaping, including trees and other plantings, awnings and marquees, signs, and lighting.

265. **STRUCTURE**: anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards or backstops for tennis courts.

266. **SUBDIVISION**: the act of dividing land, typically into lots for the purpose of development or sale.

267. **SURVEY, LEGAL**: a sketch, plan, map or other exhibit containing a written statement regarding accuracy or conformity to specified standards certified and signed by the registered surveyor or registered engineer under whose supervision said survey was prepared.

268. **TAVERN**: a building or portion thereof, where liquor, beer or wine are served for consumption on the premises, with or without food.

269. **TELECOMMUNICATION TOWER**: any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure;

270. **TEMPORARY CONSTRUCTION OFFICE**: a mobile trailer used to accommodate administrative functions associated with development.

271. **TEMPORARY USE**: a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

272. **TENANT DIRECTORY SIGN**: any sign located at or near an entrance of a building that identifies name, address, and location within said building.

273. **TERRACE**: raised platform supported on one or more sides by a wall or a bank of earth.

274. **TESTING FACILITY**: see RESEARCH FACILITY

275. **TRADITIONAL NEIGHBORHOOD DEVELOPMENT**, TND: A development that may exhibit several of the following characteristics: alleys, streets laid out in a grid system, buildings oriented to the street, front porches on house, pedestrian-orientation, compatible mixed land uses, village squares and greens.

276. **TRANSITIONAL ZONING**: a change in the zoning classification of land to a classification permitting development that is less intensive or dense, or more intensive or dense, such as from single family to multi-family to commercial and the opposite; step-down or step-up zoning.

277. **TRUCK WASH**: a facility containing the equipment for washing oversized vehicles. A truck wash may include a car wash.

278. **TRUCKING TERMINAL**: a facility where a trucking company is based.

279. **USE, CONDITIONAL**: a use which is subject to conditional approval by the Board of Zoning Appeals only when there is a specific provision for such use or exception made in this resolution; and not considered to be a nonconforming use.

280. **USE, PRINCIPAL**: purpose of which a land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

281. **UTILITY TRAILER or EQUIPMENT**: a single axle, flat or box trailer designed for light hauling or any mechanical/motorized equipment that provides labor savings for the maintenance of a property where such equipment is kept; said equipment may have separate or multiple attachments; shall also include construction and lawn care equipment.

282. **VARIANCE**: a modification of the strict terms of the Resolution where such modification shall be approved by the Board of Zoning Appeals and not be contrary to the public interest and owning to conditions of the property and not the result of actions by the owner; a strict enforcement of the regulations would result in an unnecessary and undue hardship.

283. **WAREHOUSE**: a place or building adapted to the reception and storage of goods and merchandise in connection with manufacturing, freight handling, wholesaling, and retailing of goods. See also DISTRIBUTION CENTER

284. **WASTE DISPOSAL**: disposition of garbage, combustible and noncombustible waste material.

285. **WETLAND**: an area that is inundated or saturated by surface or ground water at a frequency and duration that is stuffiness to support, and that under normal circumstances does support, a prevalence of vegetation typically adopted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs, and similar areas that are delineated in accordance with the 1987 United States Army Corps of Engineers wetland delineation manual.

286. **WHOLESALE BUSINESS**: A business which sells goods, equipment, and materials by bulk to another business or final customer.

287. **WHOLESALE TRADE**: An establishment or place of business primarily engaged in the sale of merchandise to retail and service commercial uses, office uses, or institutional uses, or to other wholesalers. Wholesale commercial uses may also mean acting as an agent or broker in the buying or selling of merchandise; but not selling to the general public.

288. **WIND TURBINE / WINDMILL / WIND ENERGY CONVERTER**: a renewable energy resource which converts the wind's kinetic energy into electrical energy.

289. **YARD**: open space, other than a common area, on the same lot with a building or group of buildings, which lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward.

290. **ZERO LOT LINE**: a common lot line on which one (1) exterior wall of a structure may be constructed on a side property line.

291. **ZONING CERTIFICATE**: a document issued by a Zoning Manager that authorizes a building or structure specified in conformity with all provisions of this Resolution.

292. **ZONING DISTRICT MAP**: a graphic representation of the zoning districts of the Township together with all amendments subsequently adopted.

293. **ZONING DISTRICT**: an established area designated on the Zoning District Map designated for a specific use; the category of such use of land, and associated buildings, structure or activities as permitted by this Resolution.

294. **ZONING MANAGER, INSPECTOR**: an authorized official appointed by the Board of Township Trustees responsible for enforcing and administering the requirements of the Zoning Resolution.