

**CHIPPEWA TOWNSHIP
ZONING RESOLUTION**

**ARTICLE I
PURPOSE, TITLE, EFFECTIVE DATE, INTERPRETATION AND APPLICABILITY,
VALIDITY AND REFERENCED PUBLICATIONS**

Section 1.01 Purpose

The Board of Trustees of Chippewa Township, in order to:

1. Act in the interest of and promote the public health, safety, morals, convenience, comfort, prosperity, or general welfare
2. Conserve and protect property and property values
3. Secure the most appropriate use of land
4. Facilitate adequate but economical provisions for public improvements and in accordance with a comprehensive plan, do hereby adopt the following Resolution to govern and regulate:
 - A. The location, size and use of buildings and structures, including tents, cabins and trailer coaches.
 - B. The percentage of lot area which may be occupied, excludes R-1 and R-2.
 - C. Setback building lines, sizes of yards, courts and other open spaces.
 - D. The use of land for trade, industry, residences, recreation and other purposes and for such purposes divides the area of the township into districts or zones.

THEREFORE BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF CHIPPEWA TOWNSHIP, WAYNE COUNTY, OHIO

Section 1.02 Title

This Resolution shall be known and may be cited as the Chippewa Township, Wayne County, Ohio Zoning Resolution of 1966, including all amendments adopted thru November 11, 2009 effective December 11, 2009.

Section 1.03 Effective Date

This Resolution becomes effective from and after the date of its approval and adoption as provided by law.

Section 1.04 Interpretation and Applicability

In interpreting and applying the provisions of this Resolution, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any Resolution, rules, regulation or permits previously adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this Resolution, nor is it intended by this Resolution, to abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this Resolution imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this Resolution shall control.

This Resolution amends the Chippewa Township, Wayne County, Ohio Zoning Resolution of 1966 and subsequent amendments there to.

Section 1.05 Validity

If any article, section, subsection, paragraph, sentence or phrase of this Resolution is for any reason held to be invalid by a court of jurisdiction, such decision shall not affect the remaining portions of this Resolution.

Section 1.06 Referenced Publications

When this Zoning Resolution refers to a reference publication, the current edition of that publication shall be used.

**ARTICLE II
GENERAL PROVISIONS**

Section 2.01 Agriculture

The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located shall be permitted in each district as set forth in Article VII of this Zoning Resolution. Prior to the erection of any agricultural structure, the property owner shall provide a zoning exemption affidavit containing a sworn statement by the property owner that the proposed structure is for agricultural purposes. Exemption affidavits shall be for record purposes only and there shall be no fee for the issuance of Agricultural Exemption Affidavits, in substantially the same form as is available from the Chippewa Township Zoning Inspector.

Section 2.01A

Chippewa Township hereby adopts the authority provided to it in ORC 519.21 (B). In platted subdivision approved under Section 711.05, 711.09 or 711.10 of the Revised Code, or in any area of Chippewa Township consisting of 15 or more lots approved under Section 711.131 of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to another and adjacent to the opposite side of the same dedicated public road, Chippewa Township does require a zoning certificate and regulate (1) agriculture on lots of one acre or less; (2) buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre, but not greater than five acres by setback building lines, height and size; (3) dairy and animal and poultry husbandry on lots are greater than one acre, but not greater than five acres when at least 35 percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Revised Code. After 35 percent of the lots are so developed, dairy and animal and poultry husbandry shall be considered non-conforming use of land and buildings or structures pursuant to Section 519.19 of the Revised Code.

Chippewa Township does not regulate, pursuant to its zoning, agricultural, buildings, or structures, and dairy and animal and poultry husbandry on lots greater than five acres.

Further, farm markets must comply with the same requirements as to size of the structure, size of parking areas, setback building lines and ingress or egress as are required in the B-1 local business district, because this regulation is necessary to protect the public health and safety.

Such uses shall be no less than one hundred (100) feet from the property lines, no more than fourteen feet (14) to sixteen (16) feet in height and no more than eight hundred (800) square feet in size.

Section 2.02 Corner Lots

Lots having frontage on more than one street shall provide the required setback on both street frontages as set forth in Article VIII & IX. In any district, no earthen mounds, fence, structure or planting shall be erected or maintained within twenty (20) feet of the street corner on any corner lot at a height of more than three (3) feet above the curb or street grade, or so as to interfere with traffic visibility across the corner.

Section 2.03 Architectural Projections

Structures such as but not limited to porches, balconies, or decks shall be considered

a part of the building to which attached and shall not project into the required minimum front, side or rear yard, except for steps which have a width and length of less than three (3) feet.

Section 2.04 Performance Requirements for Uses in all Districts

No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable element or condition which is detrimental to the health, safety and welfare of the existing area.

All non-residential uses established within the Township shall at all times comply with performance standards set forth herein:

A. Fire and Explosive Hazards

Storage, utilization, and/or manufacture of materials or products which are slow to moderate burning including those with open cup flash points above one hundred eighty-two (182) degrees Fahrenheit are permitted in accordance with the standards set forth in the National Fire Protection Association's Fire Protection Handbook.

Storage, utilization, and/or manufacture of materials or products which are free burning and/or intense burning, including those which have open cup flash points between one hundred (100) degrees and one hundred eighty-two (182) degrees Fahrenheit are permitted provided that:

1. Said material or products are store, manufactured, and or utilized only within completely enclosed buildings having noncombustible exterior walls; and
2. Said buildings are setback at least forty (40) feet from any lot line and one hundred (100) feet from any residential zoning district boundary; or
3. Said buildings shall be protected throughout by an automatic fire-extinguishing system meeting the criteria set forth in the Ohio Building Code for such systems.

Storage, utilization, and/or manufacture of materials or products which are flammable, combustible liquids, produce flammable or explosive vapors or gases, or decompose by detonation shall not be permitted except in conformance with the following:

1. Storage of such materials, exclusive of finished products in original sealed containers, shall be underground;
2. Any activity or process involving the use of such materials shall take place solely within a completely enclosed building which is protected with an automatic fire-extinguishing system and contains such other safety and fire-prevention equipment as required by the Ohio Building Code, the Fire Protection Handbook, and the Chippewa Township Fire Chief;
3. No such materials shall be used or stored within fifty (50) feet of any property boundary line, or within on hundred-fifty (150) feet of any residential zoning boundary.

B. Electrical Disturbance

No use, operation, or activity shall generate or emit any electrical disturbance which interferes with normal radio and television reception or use of electrical equipment beyond the property boundaries of said use, operation, or activity.

C. **Radiation Hazards**

Unsealed radioactive materials shall not be manufactured, utilized or stored (unless such materials are stored in a fireproof and concussion proof container at or below ground level) in excess of one million times the quantities set forth in Column 1 of the table in Section 38-2 of the Industrial Code Rule No. 38, relating to Radiation Protection of the New York State Department of Labor.

None of the following fissionable materials shall be assembled at anyone point, place, or work area on any parcel in a quantity equal to or in excess of the amount set forth herein:

<u>Material</u>	<u>Quantity</u>
Uranium - 233	200 grams
Plutonium - 239	200 grams
Uranium - 235	350 grams

D. **Noise**

Warning sirens and related apparatus used solely for public purposes are exempt from this requirement.

The sound pressure level resulting from any use, operation, or activity shall not exceed the following maximum permitted sound levels at or beyond the boundary of the property on which said sound is produced:

<u>Center Frequency</u> <u>Cycles Per Second</u>	<u>Maximum Permitted Sound</u> <u>Pressure Level In Decibels</u>
31.5	76
63	74
125	68
250	63
500	57
1,200	52
2,000	45
4,000	38
8,000	32

The sound pressure level resulting from any use, operation, or activity shall not exceed the following maximum permitted sound levels at or beyond the boundary of any residentially zoned property:

<u>Center Frequency</u> <u>Cycles Per Second</u>	<u>Maximum Permitted Sound</u> <u>Pressure Level In Decibels</u>
31.5	74
63	72
125	66
250	60
500	54
1,200	50
2,000	43

4,000	35
8,000	26

E. Vibration

No activity or operation shall cause or create earthborne vibrations at the property boundary line in excess of the displacement amounts for frequencies as set forth below:

Frequency (cycles per second)	Vibration Displacement (in inches)	
	<u>Steady State</u>	<u>Impact</u>
under 10	.0008	.0016
10-19	.0005	.0010
20-29	.0003	.0006
30-39	.0002	.0004
40 and over	.0001	.0002

F. Air Pollution

1. **Odors**
In any district, no odor shall be permitted at any lot line exceeding the lowest amount set forth in Table III, "Odor Thresholds", of Chapter 5, "Physiological Effects", of the Air Pollution Abatement Manual of the Manufacturing Chemists Association, according to the latest edition of such table for the compounds there in described.
2. **Smoke**
No activity, operation, or use shall, during normal operations, emit smoke at a density which exceeds Number Two (2) on the Standard Smoke Chart in a quantity in excess of ten (10) Smoke Units per hour per stack.
3. **Heat and Humidity**
No use, operation, or activity shall produce intense heat or excessive humidity in the form of steam or moist air which has a perceptible impact beyond the lot lines of the property.
4. **Dust and Particulate Matter**
No use, operation, or activity shall exhaust or discharge into the air any quantity of fly ash, dust, dirt, or other particulate matter except in conformance with the current air pollution standards of the Ohio Environmental Protection Agency (OEPA) and pursuant to a valid discharge permit issued by said OEPA. In no event shall there be any emission of solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas or air, nor of acid gases in excess of 0.2% by volume.

G. Glare

Any activity, operation, or use which produces glare or intense light emissions shall be adequately shielded, screened, or enclosed so as not to be directly visible from any lot line. No glare or light emissions shall be of such intensity as to constitute a nuisance for adjoining properties.

H. Erosion

No erosion, by either wind, less than 20mph, or water shall be permitted which will deposit substances foreign to neighboring properties.

- I. **Water Pollution**
No use, operation, or activity shall emit or discharge solids, liquids, or other matter into or onto any bodies of water, streams, or the ground except in conformance with the water pollution control standards established by the Ohio Environmental Protection Agency (OEPA) and pursuant to a valid discharge permit issued by the OEPA.
- J. **Drainage**
In any non-residential district and in connection with any use, an owner or lessee shall provide such adequate drainage as the public officials having jurisdiction shall prescribe. As far as possible, this should be on the person's own land that is producing the drainage. If the property of others must be crossed, the person who is producing the drainage shall pay and be responsible for all damages caused and shall not connect to, or interfere with, their existing drainage systems without their approval. This shall be entirely at this owner's expense unless it can be shown that benefits will accrue to the owner of property crossed. In this case, officials having jurisdiction shall apportion cost according to benefits derived. Dwellings shall not have off-lot drainage.
- K. **Toxic or Noxious Matter**
No use, operation, or activity shall emit or discharge toxic or noxious matter in any form which may be detrimental to the public health, safety, or general welfare or which may endanger the natural environment. The use or storage of any hazardous or regulated materials shall be reported to Chippewa Township Fire Department using the appropriate Material Safety Data Sheets. Provisions for proper storage, use, and disposal of hazardous and/or toxic materials shall conform to the standards and requirements for such materials as established by the Ohio Environmental Protection Agency and shall be implemented in consultation with the Chippewa Township Fire Chief.
- L. **Measurement Procedures**
Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York; the Manufacturing Chemist's Association, Inc., the United States Bureau of Mines, the National Fire Protection Association, and the Ohio Environmental Protection Agency.
- M. **Enforcement**
The application for any non-residential zoning permit to the Zoning Inspector shall be accompanied by a statement setting forth the proposed user's ability to comply with these performance standards and describing any materials, processes, or activities which constitute potential hazards, as set forth herein, and the proposed methods for mitigating those potential hazards. The Zoning Inspector may, from time to time, monitor user's performance to determine its continued compliance with these standards. The Zoning Inspector shall have the authority to investigate complaints relating to alleged non-compliance with the standards set forth herein. The Zoning Inspector may take such appropriate action as may be deemed necessary to protect the public health, safety, and general welfare and to compel compliance with these performance standards.
- N. **Groundwater Model Study**
Any entity that plans on withdrawing over (500,000) five hundred thousand gallons of water a day must pay for a groundwater model study to be done by a company or consultant acceptable to the Trustees.

Section 2.05 Temporary Buildings

Temporary buildings or trailers other than trailers for living purposes in conjunction with construction work only may be permitted in any non-residential district during the period that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work. Certificates for temporary buildings shall be approved by the Zoning Inspector for a period not to exceed one (1) year. Such certificates may be renewed by the Board of Zoning of Appeals as appropriate.

Section 2.06 Junk Automobiles

All automobiles and trucks not housed in an enclosed building or garage shall meet State vehicle safety regulations and be immediately operable.

Note: Ohio Revised Code Section 505.173 and Chippewa Township Resolution 99-0041-05 may separately apply.

Section 2.07 Height Regulations

The maximum permitted height of buildings and structures shall be thirty-five (35) feet above the lowest grade line at the foundation.

Buildings and structures with a height in excess of thirty-five (35) feet above the grade line at the foundation walls shall be permitted in all districts provided the required front, side and rear yards are each increased by five feet for each foot of additional building or structure height above thirty-five (35) feet, and further provided that no building or structure shall exceed a maximum height of forty (40) feet without prior approval of the Board of Zoning Appeals. Should the Board of Zoning Appeals permit a building or structure to exceed forty 40 feet in height, the Board may attach such conditions and/or stipulations to the granting of such approval as it may deem necessary to protect adjoining property owners, promote the spirit and intent of this Zoning Resolution, and provide for the public health, safety, and general welfare. See Section 8.01 Yard Requirements.

Section 2.08 Accessory Uses

- A. An accessory use shall only be permitted subsequent to and on the same property as the principal permitted use to which it is accessory. No accessory use shall be established on a site without a principal use. No accessory use or structure, including swimming pools, shall be located closer to the front property line than the principal permitted use. All accessory uses must be incidental to the property on which they are permitted.
- B. POOLS
 1. All pools shall be completely enclosed by fencing to prevent unauthorized access, except as noted below. Pool fencing shall be at least four (4) feet in height above the ground. All above ground pools with a wall height of four (4) feet or greater measured from the surrounding grade shall not require fencing; however, the pool shall be secured to prevent uncontrolled access from adjacent properties.
 2. Doors, gates and/or ladders for above and inground pools shall be equipped with suitable locking devices to prevent unauthorized intrusion. All gates shall be self-closing and self-latching.
 3. Portable pools shall be secured when not in use.
- C. OUTDOOR FURNACES
 1. Any equipment, device or apparatus, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat to a principal residential structure or any other site structure on the residential premises.

2. An outdoor furnace may be permitted in R-1 Suburban Residential District. All furnaces shall meet the following requirements:
 - a. A zoning permit is required.
 - b. Located in rear yard only.
 - c. Minimum depth side yard and rear yard, seventy-five (75) feet.
 - d. At least one hundred (100) feet to the nearest dwelling not served by furnace.
 - e. No outdoor furnace shall be utilized as waste incinerator.
 - f. Must comply with Wayne County Building Department regulations (building, mechanical, electrical, heating) and Wayne County Health Department regulations.
 - g. Stack height must be a minimum of twelve (12) feet from the ground at unit base.
 - h. Materials that may not be burned:
 1. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
 2. Waste oil or other oily wastes.
 3. Asphalt and products containing asphalt.
 4. Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.
 5. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
 6. Rubber including tires and synthetic rubber-like products.

Section 2.09 Debris and Building Material

It shall be unlawful to maintain debris, junk, or piles of discarded materials on any residentially zoned property within the Township. It shall also be unlawful to store building materials on residentially zoned property except during active construction of a building or structure on the site. Where materials are stored on-site for construction purposes such materials shall be covered at all times except when said materials are actively being used.

Section 2.10 Lot or Subdivision

No lot or subdivision shall be created on any of the following:

- A. Private roads are not permitted. All roads shall be public dedicated roadways.
- B. Zoning certificate will only be issued for lots with frontage on a public roadway.
- C. No lot or subdivision shall be created without frontage on a public roadway.

Section 2.11 Common Access Drives

Common Access Drives are not permitted.

Section 2.12 Landfills

Sanitary Landfills are not permitted within the boundaries of Chippewa Township.

ARTICLE III SIGNS

Section 3.01 General Provisions

- A. Compliance Required
No sign of any type or any part thereof shall be erected, painted, repainted, posted, reposted, placed, replaced, hung, displayed, or maintained in any zoning district except in compliance with these regulations.
- B. Off-premises Signs:
All signs shall be located on the same property as the business, product, or service to which they refer except as specifically authorized herein.
No building wall shall be used for display or advertising except that pertaining to the use carried on within the building.
- C. Illumination:
All signs except as specifically prohibited by this Article, may be illuminated internally or by reflected light provided the source of light is not visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed so as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.
No illumination involving movement or causing the illusion of movement by reason of the lighting arrangement or other flashing devices shall be permitted. All illumination of signs shall comply with the requirements of the National Electric Code. See section 2.04 item G. Glare.
- D. Zoning Certificate Required:
Except as specifically exempted herein, a Zoning Certificate must be obtained prior to the erection, alteration, or relocation of any sign. Applications for Zoning Certificates for signs shall be made on forms provided by the Zoning Inspector and shall include a scale drawing showing the design of the sign, including dimensions, method of attachment or support, source of illumination and showing the relationship to any building or structure to which it is or is proposed to be installed or affixed. Applications shall also include a plot plan drawn to scale indicating the location of the sign relative to property lines, easements, street rights-of-way, sidewalks, and other signs, and a fee as established by the Board of Trustees.
- E. Location of Signs:
1. All permanent and temporary signs shall be located on the premises they are intended to serve or advertise unless otherwise specifically authorized by these regulations.
 2. No signs shall be located within or shall obstruct any public right-of-way.
 3. No sign shall be located so as to obstruct sight distances for vehicles entering or exiting any property or traveling on a public street
 4. No sign shall be erected or maintained in such a manner that any portion of its surface or its supports will interfere in any way with the free use of access to any fire escape, exit or standpipe, or so as to obstruct any window so that light or ventilation is reduced below minimum standards required by any applicable law or building code.
 5. No sign shall be erected closer than fifty (50) feet to a side or rear lot line in any "R" District.
- F. Maintenance of Signs:
All signs of any nature shall be maintained in a state of good repair. No sign shall be allowed to remain which becomes structurally unsafe, hazardous or endangers the safety of the public or property. Upon determining that a sign is structurally

unsafe, hazardous or endangers the safety of the public or property, the Zoning Inspector or his designated agent shall order the sign to be made safe or removed.

G. Abandoned and Illegal Signs:

Whenever a sign has been abandoned, advertises an activity, business, product or service no longer conducted on the premises or is erected in violation of the provisions of this Article, the Zoning Inspector or his designated agent shall cause such sign to be removed or brought into compliance.

H. Residential Construction Signs:

Temporary construction signs announcing residential remodelings, renovations, accessory buildings, additions of less than seven hundred (700) square feet in area, landscape improvements, and similar small improvement projects shall be prohibited. Temporary construction signs for larger projects shall comply with Section 3.02(H). New residential construction signs stating the contractors name, project number, street address, phone numbers, and permits may not exceed nine (9) square feet on one side only and shall be removed at time of occupancy. Subcontractor signs are not permitted. No fee is required. The Zoning Inspector or his agent may remove such signs.

Section 3.02 Signs Permitted in Any District

A. Institutional Signs:

Bulletin boards and signs for a church, school, community or other public or semi-public institutional buildings and permitted accessory uses shall be permitted provided the area of such bulletin board or sign shall not exceed twenty (20) square feet. No such sign shall be located closer than ten (10) feet to any right-of-way or property line nor exceed eight (8) feet in height above ground level.

B. Nonconforming Use Signs:

Wall signs pertaining to a nonconforming use shall be permitted if on the same premises of such use, provided the area of such sign does not exceed twenty (20) square feet.

C. Off-site Directional Signs:

1. Signs directing motorists to businesses and auction which are located within the unincorporated portions of Chippewa Township may be erected off premises on private property provided that such signs are limited to six (6) square feet in area six (6) feet in height, and are setback out of public right-of way. The content of such directional signs shall be limited to the name of the business and the directional information.
2. When a business generates 10,000 cars or more per 30-day period, the Township is cognizant of its duty to provide informational access so as to move the traffic along quickly and avoid traffic tie ups and other difficulty for the residents of the Township and patrons of those businesses. In the case of a business that generates more than 10,000 cars in a 30- day period, 3'x3' directional signs are permissible, and such signs shall be at least 10 feet from any side or road right-of-way.

D. Political Signs:

Political signs not exceeding six (6) square feet in area and four (4) feet in height shall be permitted on all property provided the sign is at least ten (10) feet from any side or road right-of-way. Political signs may not be illuminated nor have any attention device attached such as spinners, flags, banners, etc. Political signs must be removed within three (3) days after the election. No sign permit or fee is required.

E. Real Estate And Auction Signs:

Real estate and auction signs not exceeding six (6) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located shall be permitted on any property provided the sign is at least ten (10) feet from any side or rear property line and off any street right-of-way line.

Real estate and auction signs shall not be illuminated. No sign certificate or fee shall be required. Signs shall be removed within seven (7) calendar days of the completion of the auction or the sale of the real estate.

F. Special Event Signs:

Signs directing persons to local activities shall not exceed twenty (20) square feet in area, shall be one sided and shall be located at least three hundred (300) feet from any adjacent building. Such signs may be displayed for a maximum of thirty (30) days during each calendar year. Special event signs shall not be illuminated and shall be setback a minimum of twenty (20) feet from any public right-of-way. A certificate is required for special event signs, however no fee is required. Off premises signs must have property owner consent. A maximum of four (4) off-premises signs may be allowed per event.

G. Subdivision Identification Signs:

One (1) permanent free-standing identification sign may be erected at each major entrance to a subdivision or residential development. Such signs shall not exceed twenty (20) square feet in area, shall be one sided and shall not be located closer than ten (10) feet to any right-of-way or property line. Subdivision identification signs shall not exceed six (6) feet in height above ground level.

Subdivision identification signs and surroundings shall be maintained in accordance with section 3.01 and in such a manner so as to be aesthetically pleasing in order that the property values of the subdivision shall be protected.

H. Temporary Construction Signs:

Temporary signs not exceeding in the aggregate thirty-two (32) square feet, announcing the erection of a building, the architect, the builders, contractors, etc., may be erected for the period of sixty (60) days, plus the construction period not to exceed one (1) year after date of issuance of certificate after which the sign shall be removed from the premises. Temporary construction signs shall not be illuminated. Such signs shall be setback a minimum of twenty (20) feet from any public right-of-way.

Section 3.03 Business and Industrial District Signs:

A. Automobile Service Stations:

Automobile service stations or other establishments engaged in the retail sales of gasoline shall be permitted the following additional signs:

1. One (1) price sign shall be permitted for each frontage public street, provided such signs shall not exceed twelve (12) square feet in area. Any such price sign shall be affixed to a permitted freestanding identification sign, to a canopy support in the vicinity of the gasoline pumps, or flat-mounted against the wall of a building.
2. Signs announcing the location of self-service or full-service gasoline pumps. Such signs shall be located in the vicinity of the gasoline pumps and shall not exceed two (2) square feet in area.

B. Freestanding Signs:

Each business or industry shall be permitted a maximum of one (1) free-standing sign which shall be a maximum ten (10) feet in height and have a maximum total sign area of forty (40) square feet.

Free-standing signs shall be setback a minimum of ten (10) feet from any street right-of-way line, and fifty (50) feet from any interior lot line.

C. Grand Opening Displays:

Banners, pennants, ribbons, posters, streamers, strings of light bulbs, spinners or other similar devices may be displayed for a period of not more than twenty-one (21) days on the occasion of the opening of a new business.

D. Wall Signs:

In a business and industrial districts each business or industry shall be permitted a maximum of two (2) flat or wall signs. Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building. The maximum area of all such wall signs shall not exceed one (1) square foot of sign area of each lineal foot of building wall facing the public street. Wall signs shall not extend above the roof line of the building to which they are attached.

**ARTICLE IV
ROADSIDE STANDS FOR SALE OF FARM PRODUCTS**

Section 4.01 Roadside Stands for Sale of Farm Products (Farm Market)

Farm products may be sold at a roadside stand providing fifty (50) percent or more of the gross income received from the roadside stand/farm market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. Such stands shall be set back at least forty (40) feet from the right-of-way line. Adequate off-the-road parking facilities shall be maintained for customer vehicles in order to promote public safety. Such stands also subject to all yard requirements and building sizes for the district in which they are located.

**ARTICLE V
HOME OCCUPATIONS**

Section 5.01 Home Occupations

- A. Home occupations shall be permitted in the zoning districts specified in Article VII hereof and subject to the following conditions:
1. Such uses shall be conducted entirely within the dwelling unit and no use of any accessory building, garage or yard space shall be permitted. No structure shall be constructed, re-constructed or altered to permit establishment or expansion of a home occupation.
 2. Home occupations shall be clearly incidental and secondary to the use of the building for residential purposes.
 3. Such uses shall be conducted only by persons residing in the dwelling unit.
 4. No display of products shall be visible from the street.
 5. Home occupations shall be limited to only one (1) floor of the dwelling shall not involve the use of more than twenty five percent (25%) of the floor area of that floor.
 6. Such uses shall not create a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference, vehicular traffic or other causes.
 7. All activities, programs or other events associated with a home occupation shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residences or to the community in general.
 8. Parking required for the conduct of a home occupation, as determined by the Zoning Inspector, shall be met in the driveway or a parking area on the lot, but shall not be permitted in a required front yard or in the public right-of-way.
 9. The street address of a home occupation shall not be included in any mass mailing, newspaper, radio or television advertisement.
- B. No home occupation shall be established or conducted without a zoning certificate issued by the Zoning Inspector. Where the Zoning Inspector is unable to determine, based on the information submitted with the application, that a proposed home occupation:
1. is in character with this section;
 2. will not constitute an objectionable use of the residentially zoned property due to potential noise, increased pedestrian and vehicular traffic, or any other conditions that might interfere with the general welfare of the surrounding residential area; and
 3. can meet the criteria set forth in Subsection A hereof, the application for said home occupation shall be referred to the Board of Zoning Appeals. In such cases, the Board shall make the final determination regarding approval or denial of the certificate.
- C. When the operation of any home occupation results in the violation of any of the conditions contained herein, violation of any other provisions of the Zoning Resolution, or in creation of an undesirable condition, which, in the opinion of the Zoning Inspector, interferes with the general welfare of the surrounding residential area, such home occupation may be terminated by the Zoning Inspector. Such termination may be appealed to the Board of Zoning Appeals.

**ARTICLE VI
DISTRICTS ESTABLISHED**

Section 6.01 Zoning Districts

The township is hereby divided into six (6) districts known as:

“S-1” Special District-- Land suitable for agriculture and public uses including the conservation and preservation of open space. This area may be subject to periodic flooding and shall conform to standards and requirements of the Wayne County Floodplain Regulations.

“R-1” Suburban Residential District-- Area primarily for low density housing and agriculture.

“R-2” Residential District-- Area primarily for medium density residential development.

“B-1” Local Business District-- Area restricted to local retail business, personal services, etc.

“M-1” Restricted Industrial District-- Area designed primarily for light industry.

“M-2” Industrial District-- Area designed for heavy industry and including food processing.

Section 6.02 District Zoning Map

The boundaries of the districts are shown upon the official Zoning Map which is made a part of this Resolution, which map is designated at the “Zoning Map”. The Zoning Map and all the notations, references and other information shown thereon are a part of this Resolution and have the same force and effect as if the Zoning Map and all the notations, references and other information shown thereon were fully set forth or described herein, the original of which Zoning Map is properly attested and is on file with the Board of Township Trustees.

Section 6.03 District Boundaries

District boundary lines may be the center lines of roads or right-of-way lines of railroads and expressways or section, divisions of section, tract and lot lines: or by U.S. Geological Survey contour lines. Where contour lines are used the sea level elevation figures are used, which correspond to the U.S. Geological maps. District boundary lines shall be defined as above or by appropriate legal descriptions accurately defining said lines.

**ARTICLE VII
USE REGULATIONS**

Section 7.01 S-1: SPECIAL DISTRICT

A. Purpose:

This district is established to preserve environmentally sensitive areas, conserve and preserve of open space, and to limit development within these areas of Chippewa Township. These environmentally sensitive or conservation areas comprise about fifteen percent (15%) of the land area of the Township and include wetlands, floodplains and hydric soils located primarily along Chippewa Creek, but may also include other areas requiring conservation or preservation of open space.

B. Uses:

1. Permitted Uses - Exemption Affidavit Required:
 - a. Agricultural Uses - Agricultural Exemption Affidavit Required for structures or buildings.

2. Permitted Uses - Certificate Required:
 - a. Accessory Uses
 - b. Public Uses
 - c. Public Service Facilities
 - d. Essential Services
 - e. Signs subject to the provisions of Article III
 - f. Agricultural buildings or structures on lots less than five (5) acres.

3. Conditional Use Requiring Board Approval:
 - a. Recreational Facilities
 - b. Oil and Gas Wells

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

Section 7.02 R-1: Suburban Residential District

A. Purpose:

The purpose of the R-1 Suburban Residential District is to provide for single-family residential environments with low density.

B. Uses:

1. Permitted Uses - Exemption Affidavit Required:
 - a. Agricultural Uses - Agricultural Exemption Affidavit Required for structures or buildings

2. Permitted Uses - Certificate Required:
 - a. Accessory Uses
 - b. Single Family Residence
 - c. Home Occupations
 - d. Public Uses
 - e. Semi-Public Uses
 - f. Public Service Facilities
 - g. Essential Services
 - h. Signs subject to the provisions of Article III
 - i. Agricultural buildings or structures on lots less than five (5) acres.

3. Conditional Use Requiring Board Approval:
 - a. Two Family Residence
 - b. Cemetery
 - c. Tourist Homes
 - d. Sand, Gravel & Earth Removal
 - e. Specialized Non Customary Animal Raising & Care
 - f. Oil and Gas Wells
 - g. Recreational Facilities

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

Section 7.03 R-2: Residential District

A. Purposes:

The purpose of the R-2 Residential District is to provide for low and medium density, two-family residential developments.

B. Uses:

1. Permitted Uses - Exemption Affidavit Required:
 - a. Agricultural Uses on lots larger than one (1) acre - Agricultural Exemption Affidavit Required for structures and buildings

2. Permitted Uses - Certificate Required:
 - a. Single Family Residence
 - b. Two or More Family Residence
 - c. Accessory Uses
 - d. Public Uses
 - e. Semi-Public Uses
 - f. Public Service Facilities
 - g. Essential Services
 - h. Signs subject to the provisions of Article III
 - i. Agricultural buildings or structures on lots less than five (5) acres.

3. Conditional Use Requiring Board Approval:
 - a. Recreational Facilities
 - b. Cemetery
 - c. Nursery Schools
 - d. Child Care Clinics
 - e. Professional Activities
 - f. Home Occupations
 - g. Tourist Homes
 - h. Meeting Places of Organizations
 - i. Agricultural Uses on lots less than one (1) acre in area
 - j. Wireless Communications Facilities

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

Section 7.04 B-1: Local Business District

A. Purpose:

The B-1 Local Business District promotes and protects certain land areas for community and highway oriented retail and service establishments which serve the residents of the Township.

B. Uses:

1. Permitted Uses - Exemption Affidavit Required:
 - a. Agriculture - Agricultural Exemption Affidavit Required for structures or buildings

2. Permitted Uses - Certificate Required:
 - a. Local Retail Business
 - b. Personal Services
 - c. Professional Activities
 - d. Restaurants
 - e. Social Activities
 - f. Public Service Facilities
 - g. Public Uses
 - h. Essential Services
 - i. Signs subject to the provisions of Article III
 - j. Motels and Hotels subject to the provisions of Subsection 7.04(C)
 - k. Tourist Homes
 - m. Mortuaries
 - n. Commercial Schools
 - o. Agricultural buildings or structures on lots less than five (5) acres.
 - p. Gasoline or Service Stations and Automotive Repair

3. Conditional Use Requiring Board Approval:
 - a. Planned Development on a tract of land not more than five (5) acres nor less than three (3) acres in area
 - b. Sand, Gravel & Earth Removal
 - c. Animal Hospitals or Clinics
 - d. Sale or Storage of Building Material
 - e. Wholesale Business
 - f. Recreational Facilities
 - g. Drive-up window or Drive-thru facility, i.e. fast food or ATM
 - h. Wireless Communication Facilities

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

C. Special Provisions Regulating Motels and Hotels

1. No motel or hotel shall have a lot area less than one (1) acre nor a lot area per sleeping unit of less than two thousand (2,000) square feet.
2. Motels and hotels shall utilize collective sewers connecting with a sewage disposal system approved by the Wayne County Board of Health.
3. Front, side and rear yards of any motel or hotel shall be permanently landscaped and maintained in good condition.

Section 7.05 M-1: Restricted Industrial District

A. Purposes:

The M-1 Restricted Industrial District promotes and protects land areas for industrial development, wholesaling and warehousing uses, and limited commercial use.

B. Uses:

1. Permitted Uses - Exemption Affidavit Required:
 - a. Agriculture - Agricultural Exemption Affidavit Required for structures or buildings

2. Permitted Uses - Certificate Required:
 - a. Offices
 - b. Restricted Manufacturing
 - c. Research and Testing Facilities
 - d. Wholesale Business
 - e. Warehousing
 - f. Public Service Facilities
 - g. Essential Services
 - h. Public Uses
 - i. Signs subject to the provisions of Article III
 - j. Accessory Uses
 - k. Agricultural buildings or structures on lots less than five (5) acres.

3. Conditional Use Requiring Board Approval:
 - a. General Manufacturing
 - b. Retail Business
 - c. Motels and Hotels
 - d. Recreational Facilities
 - e. Oil and Gas Wells
 - f. Sand, Gravel and Earth Removal
 - g. Restaurants
 - h. Wireless Communication Facilities

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

Section 7.06 M-2: Industrial District

A. Purpose:

The M-2 Industrial District promotes and protects certain land areas for general industrial development, manufacturing, processing and related operations.

B. Uses:

1. Permitted Uses - Exemption Affidavit Required:
 - a. Agriculture - Agricultural Exemption Affidavit Required

2. Permitted Uses - Certificate Required:
 - a. General Manufacturing
 - b. Food Processing
 - c. Research and Testing Facilities
 - d. Oil and Gas Wells
 - e. Public Service Facilities
 - f. Essential Services
 - g. Public Uses
 - h. Signs subject to the provisions of Article III
 - i. Accessory Uses
 - j. Storage and Processing
 - k. Agricultural buildings or structures on lots less than five (5) acres.

3. Conditional Use Requiring Board Approval:
 - a. Restaurants
 - b. Motels and Hotels
 - c. Recreational Facilities
 - d. Gasoline or Service Stations and Automotive Repair
 - e. Sand, Gravel and Earth Removal
 - f. Retail Business
 - g. Wireless Communication Facilities

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

**ARTICLE VIII
YARD AND AREA REGULATIONS FOR RESIDENTIAL USES**

Section 8.01 Yard Requirements

The following table establishes yard and lot coverage requirements for all uses permitted in residential districts. All dimensions in feet unless otherwise specified.

	Individual Sewage Disposal Systems			Accessory Buildings**
	S-1	R-1 (1 family)	R-1 (2 family)	<u>R-1/R-2/S-1</u>
MINIMUM LOT AREA	5 acres	1.5 acres	3 acres	-
MINIMUM LOT WIDTH AT BLDG. LINE	250	140	200	-
MINIMUM FRONTAGE ON PUBLIC R.O.W.	250	140	200	
MINIMUM FRONTAGE ON CUL-DE-SAC	60	60	60	
MINIMUM DEPTH OF FRONT YARD	75	75	75	75
MINIMUM DEPTH OF REAR YARD	60	60	60	15
MINIMUM SIDE YARD WIDTHS	25	25	20	15
MINIMUM SUM OF SIDE YARDS	50	50	40	-

For parcels one and one half (1 ½) acres, and including five (5) acres:

No lot shall exceed three and one-half (3 ½) foot of depth for each one (1) foot of frontage.

Cul-de-sac parcels shall have a maximum (3 ½) feet in depth, to every (1) foot of average width.

	Group Sewage Disposal System			Accessory Buildings**
	R-2 (1family)	R-2 (2 family)	R-2 (3 or more family)	<u>R-1/R-2</u>
MINIMUM LOT AREA	15,000 sq. ft.	22,000 sq. ft.	15,000 sq. ft. for first dwelling unit plus 5,000 sq. ft. for each additional unit	-
MINIMUM LOT WIDTH AT BLDG. LINE	75	100	125	-
MINIMUM FRONTAGE ON PUBLIC R.O.W.	75	100	125	
MINIMUM FRONTAGE ON CUL-DE-SAC	60	60	60	
MINIMUM DEPTH OF FRONT YARD	60	60	60	75
MINIMUM DEPTH OF REAR YARD	40	40	40	15
MINIMUM SIDE YARD WIDTHS	8	12	12	15
MINIMUM SUM OF SIDE YARDS	16	24	24	-

For parcels one and one half (1 ½) acres, and including five (5) acres:

No lot shall exceed three and one-half (3 ½) foot of depth for each one (1) foot of frontage.

Cul-de-sac parcels shall have a maximum (3 ½) feet in depth, to every (1) foot of average width.

**Provided however that no accessory building shall be located closer to any street right-of-way than the main bldg. on the lot.

Section 8.02 Residential Floor Area Requirements

The floor area exclusive of garage, basement and unenclosed porches for a single dwelling, two-family or multiple family dwelling erected on any lot shall not be less than that established by the following table:

District	No. of Stories	Minimum Ground Floor Area	Minimum Total Floor Area Per Family
"R-1" One Family	Less than two	1,600 sq. ft.	1,600 sq. ft.
	Two or more	1,000 sq. ft.	1,600 sq. ft.
"R-1" Two-Family	Less than two	2,000 sq. ft.	1,000 sq. ft.
	Two or more	1,400 sq. ft.	1,000 sq. ft.

Accessory Buildings in R-1/S-1: For lots of 1 1/2 acres or less the maximum floor area of all accessory buildings shall be 800 square feet.

For lots over 1 1/2 acres to 2 acres, the maximum size shall be 850 sq. ft.

For lots over 2 acres, the maximum size shall be 1200 sq. ft. plus 50 sq. ft. of additional floor area for each one-half (1/2) acre of lot area in excess of 2 acres, up to a maximum of 1600 sq. ft.

A maximum of two (2) accessory buildings per lot are permitted, however the total sq. ft. of the two (2) accessory buildings can not exceed the area set forth above.

"R-2" One-Family	less than two	1,600 sq. ft.	1,600 sq. ft.
	Two or more	1,000 sq. ft.	1,600 sq. ft.
"R-2" Two-Family	Less than two	2,000 sq. ft.	1,000 sq. ft.
	Two or more	1,400 sq. ft.	1,000 sq. ft.
"R-2" Multi-Family (more than two)		1,700 sq. ft.	850 sq. ft.

Accessory Buildings in R-2: The maximum floor area of all accessory buildings shall be 300 sq. ft. for lots of less than 20,000 sq. ft. in area.

For lots greater than 20,000 sq. ft., the maximum floor area of accessory buildings shall be 300 sq. ft. plus 50 sq. ft. for each additional 10,000 sq. ft. of lot area in excess of 20,000 sq. ft., up to a max. of 800 sq. ft. See Section 2.07 Height Regulations.

Two (2) accessory buildings per lot are permitted, however the total sq. ft. of the two (2) accessory buildings can not exceed the maximum area as set forth herein.

Attached Garages: The maximum size of attached garages shall be 900 square feet for dwellings with living space up to 2,400 square feet. The maximum size of attached garages for dwelling with living space greater than 2,400 square feet shall be forty-two percent (42%) of the living space of the dwelling. For purposes of these regulations, a garage is considered attached to the dwelling when its structural members are permanently attached to the dwelling.

**ARTICLE IX
YARD REQUIREMENTS FOR BUSINESS AND INDUSTRIAL USES**

Section 9.01 Yard Requirements

The following table establishes the yard requirements for all uses permitted in business and industrial districts, except as provided in Article II. All dimensions are in feet unless otherwise specified.

District	“B-1”	“M-1”	“M-2”
Minimum Frontage on Public Right of way	100	100	100
Minimum Depth of Front Yard	50	75	75
Minimum Depth Rear Yard	15	50	50
Minimum Width Each Side Yard	15	25	25
Minimum Lot Width Building line	100	200	200
Minimum Lot Area of Lot	one-half acre	2 acres	10 acres
Maximum Percent Coverage	30%	25%	40%

Section 9.02 Side and Rear Yard Requirements for Non-Residential Uses Abutting "R" Districts.

A. Minimum Yard Requirements:

Non-residential buildings or uses shall be located nor conducted closer to any lot line of any other lot in any "R" Districts than the distance specified in the following schedule, except as provided in Subsection B of this Section.

Minimum Side or Rear Yard Abutting Any "R" District

<u>Use</u>	<u>Minimum Side or Rear Yard Abutting Any "R" District</u>
Off-street parking spaces and access drives for non-residential uses.	25 ft.
Churches, schools and public or semi-public buildings.	50 ft.
Recreational facilities, entertainment facilities, motels, all commercial uses and billboards.	80 ft.
Outside sale or storage of building material or construction equipment, all industrial uses, except those listed below.	150 ft.

B. Landscaping or Screening Provisions:

For non-residential uses abutting an "R" District the minimum yards may be reduced to fifty percent (50%) of the above requirements if acceptable landscaping or screening, approved by the Zoning Inspector, is provided. Buffers shall comply with following minimum criteria:

1. The minimum width of a buffer shall be fifteen (15) feet.
2. Each buffer shall contain either an earthen mound, masonry wall, or solid fence. The minimum height of said mound shall be three (3) feet and the minimum height of a wall or fence shall be at least four (4) feet. Fences shall be board-on-board or comparable solid type fencing as approved. Walls shall consist of materials which are compatible with proposed building facade. Fences shall be earth tone in color.
3. Each buffer shall be planted with a mixture of sixty percent (60%) evergreen trees and forty percent (40%) deciduous trees. There shall be minimum of one (1) tree for each fifteen (15) lineal feet of buffer area. Trees shall be minimum of six (6) feet in height at the time of installation. Uniform spacing is not required.
4. Each buffer shall contain a minimum of two (2) species of shrubs. There shall be a minimum of one (1) shrub for each five (5) lineal feet of buffer area. Shrubs shall be a minimum height at installation of two and one-half (2-1/2) feet. Uniform spacing is not required.
5. Buffers at intersections shall be designed so as not to obstruct sight lines for vehicular traffic or other wise impair traffic safety.

**ARTICLE X
OFF-STREET PARKING AND LOADING REQUIREMENTS**

Section 10.01 Off-Street Parking Requirements

A. General Requirements:

In all districts, in connection with every industrial, business, institutional, recreational, residential or other use, at any time any building or structure is erected or is enlarged or increased in capacity by increased number of employees, beds or seats, or increased number of residential units, there shall be provided, off-street parking spaces for automobiles in accordance with the following requirements:

1. The number of off-street parking spaces required by this section shall be provided on the same lot as the principal use. All parking facilities shall meet the requirements of the "Americans with Disabilities Act" (ADA).
2. Except for residential districts, each off-street parking space shall have an area of not less than one hundred eighty (180) square feet, ten (10) feet by eighteen (18) feet per space, exclusive of access drives or aisles, and shall be of usable shape and condition. Off-street spaces for the purposes of this section may include garages and carports.
3. On street parking is discouraged.

B. Number of Spaces Required:

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

Use	Parking Spaces Required
Residential	Four (4) spaces per dwelling unit
Motels, Hotels	One and one-half (1.5) spaces per room.
Church or School	One (1) space for each four (4) seats in principal gathering room
Private Club or Lodge	One (1) space for each six (6) members
Country Club	One (1) space for each six (6) members
Theater	One (1) space for every four (4) seats
Offices, wholesale establishments, business	One (1) space for every two hundred fifty (250) square feet of gross floor services area plus one (1) space for each two (2) employees
Retail store, personal service establishment	One (1) space for every two hundred (200) square feet of gross floor area

Restaurant	One (1) space for every one hundred fifty (150) square feet of gross floor area
Industrial Uses	One (1) space for every four hundred (400) square feet of gross floor area
Hospital, Sanitarium or Convalescent Home	One (1) space per two (2) beds plus one (1) space for each employee on the maximum working shift
Clinics	One (1) space for each one hundred fifty (150) square feet plus one (1) space for each employee
Dance hall, assembly or exhibition hall, night club, cafe or similar recreational establishment	One (1) space for every seventy five (75) square feet of gross floor area
Bowling Alley	Five (5) spaces for each lane
Mortuary or funeral home	One (1) space for every one hundred fifty (150) square feet of gross floor area

Section 10.02 Off-Street Loading Requirements

In all districts except residential, off street loading shall be provided and maintained as specified in the following schedule:

- A. Loading spaces shall be located and designed to minimize interference with on-site traffic movement and to prevent the overhang of loading and unloading vehicles in the public right-of-way.
- B. Each off-street loading space shall have minimum dimensions of fifteen (15) feet in width and eighty (80) feet in length.
- C. Uses which normally handle large quantities of goods, including but not limited to manufacturing, storage, warehousing or similar uses requiring or receiving material by vehicle, goods display, retail store, wholesale store, market, establishments shall provide off-street loading facilities in the following amounts:

<u>Gross Floor Area (square feet)</u>	<u>Minimum Number of Spaces Required</u>
5,000 - 20,000	1
20,001 - 50,000	2
50,001 - 80,000	3
80,001 - 125,000	4
For each additional 45,000	1 additional

- D. Uses which do not handle large quantities of goods, including but not limited to office buildings, restaurants, funeral homes, hotels, motels, and places of public assembly, shall provide off-street loading facilities in the following amounts:

<u>Gross Floor Area (square feet)</u>	<u>Minimum Number of Spaces Required</u>
5,000 - 80,000	1
80,001 - 200,000	2
200,001 - 320,000	3
320,001 - 500,000	4
For each additional 180,000	1 additional

**ARTICLE XI
FENCES AND WALLS**

Section 11.01

- A. Certificate Required
 - 1. No person shall erect or alter a fence or wall without first obtaining a certificate from the Township Zoning Inspector.

- B. General Restrictions
 - 1. No fence or wall shall be erected, constructed, or maintained which because of its design or materials is likely to inflict bodily harm to persons or animals.
 - 2. No wall or fence shall be erected, constructed or maintained which interrupts, impedes or otherwise alters the natural flow of storm water.
 - 3. All fences and walls shall be maintained in good, structurally sound condition.

- C. Location and Height Requirements
 - 1. Fences and walls enclosing front and side yards in any District shall not exceed a maximum of four (4) feet in height. Fences and walls enclosing front yard areas in "R" and "S" Districts shall be decorative in nature.
 - 2. Fences and walls enclosing rear yards shall not exceed a maximum of six (6) feet in height, except in "B" and "M" Districts where fences may be erected to a maximum height of ten (10) feet.
 - 3. The height of a fence or wall shall be measured from the finished grade of the ground on which it is erected.
 - 4. All fences and walls shall be erected on the property of the owner to whom the certificate is issued and shall not encroach upon any adjoining lands.

**ARTICLE XII
ADMINISTRATION AND ENFORCEMENT**

Section 12.01 Zoning Inspector

This resolution shall be administered and enforced by the Zoning Inspector, who shall be appointed by the Board of Township Trustees. It shall also be the duty of all officials and employees of the township to assist the Zoning Inspector by reporting to him upon new construction, re-construction, or land uses, or upon seeming violations. Appeal from the decision of the Zoning Inspector may be made to the Board of Zoning Appeals, as provided in Article XVI.

Section 12.02 Agricultural Exemption Affidavit

Prior to the erection or use of any agricultural structure, the property owner shall complete and sign an agricultural exemption affidavit available from the Zoning Inspector. Such affidavit is for record purposes only and declares that the structure is solely intended for agricultural use as defined in Section 19.01 (B) (4).

Section 12.03 Zoning Certificates

A. Zoning Certificate Required

No person shall change any use of land, a building, or a structure, nor locate, relocate, erect, construct, reconstruct, enlarge or structurally alter any building or structure within Chippewa Township without first obtaining a zoning permit. The Zoning Inspector shall not issue a zoning permit or zoning certificate unless the plans for the proposed building, structure or use of land fully comply with the provisions of this resolution, unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, a variance or conditional use. A zoning certificate shall be required for all dwellings, all principal structures and uses, all accessory structures, all specified accessory uses, and all temporary uses. A zoning certificate shall not be required for the use of land or buildings or structures exclusively used for agricultural purposes.

B. Application

Written application shall be made to the Zoning Inspector for a Zoning Certificate. Each application for a Zoning Certificate shall be signed by the owner or his agent. As a minimum, the application shall indicate the following:

1. The exact location of the proposed construction, alteration or change or use.
2. A plot plan; accurately drawn to suitable scale of all existing & proposed structures and buildings.
3. The proposed location and dimensions.
4. The height of the building and the proposed use.
5. Set-back, rear and side yard clearances.
6. Site plans for non-residential uses.

The Zoning Inspector, in order to evaluate the requested application, may also require the following:

1. Accurate diagram showing the location of the complete septic system.
2. An architectural plan of the proposed new construction.
3. A topographical survey showing existing and proposed topography by a registered engineer or surveyor of the proposed building site.
4. In a business and industrial uses, a parking and traffic flow plan to be approved by the Township Trustees and the County Engineer.
5. Such other information as required elsewhere in the Zoning Resolution under other specific uses.

C. Compliance:

Within 30 days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application and accompanying plans for the proposed building or structure fully comply with the requirements of this zoning resolution, and is accompanied by the proper fee. If the application and accompanying plans do not comply with the zoning resolution, then the Zoning Inspector shall, by dated written notice, bring this to the attention of the applicant to allow the applicant to amend its application in order to fully comply with the zoning resolution; or shall deny the application if it is not amended to fully comply with the zoning resolution. Failure to issue or deny the zoning certificate within 30 days shall not constitute approval of the application.

In the case of high impact projects, the Zoning Inspector shall have 90 days after receipt of the application to issue a zoning certificate if the application and accompanying plans for the proposed building or structure fully comply with this zoning resolution and is accompanied by the proper fee, or shall bring the failure to comply to the attention of the applicant who may then amend its application in order to fully comply. If within 90 days of the Zoning Inspector giving notice of non-compliance to the applicant for a high impact project, the application is not amended to fully comply, then the Zoning Inspector shall deny the application. In the case of high impact projects, failure to issue or deny the zoning certification within 90 days of the later of the application date or the notice of non-compliance date shall not constitute approval of the application.

D. Expiration

A Zoning Certificate shall become null and void one (1) year after date of issuance unless continuous and substantial progress is being made on the project.

E. Records Kept

Every zoning certificate shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all zoning certificates shall be kept on file in the office of the Zoning Inspector or his/her agent and copies shall be furnished in accordance with the Ohio's public record law.

F. Fees

The Board of Township Trustees shall fix by resolution, and may from time to time amend by resolution, a schedule of fees for applications for Zoning Certificates of various categories, for applications by private persons for change of zoning classification of specific property, and for appeals to the Board of Zoning Appeals.

Section 12.04 Violations, Penalties and Remedies

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use, any building or land in violation of any regulation in or any provisions of this Resolution or any amendment or supplement thereto adopted by the Board of Township Trustees. Any person, firm or corporation violating any regulation thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five hundred (500) dollars. Each and every day during which such illegal location, erection, construction, re-construction, enlargement, change, maintenance, or uses continues, shall be deemed a separate offense.

In accordance with ORC 519.24, in case any building is or is proposed to be located, erected, constructed, re-constructed, enlarged, changed, maintained or used, or any

land-is proposed to be used in violation of this Resolution or any amendment or supplement thereto, the Zoning Inspector, the County Prosecutor, or any adjacent or neighboring property owner who would be specially damaged by such violation in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.

**ARTICLE XIII
NONCONFORMING USES**

Section 13.01 Intent

Upon the effective date of the Resolution or any amendment thereto, pre-existing structures or lots of record and existing and lawful uses of any building or land which do not meet the minimum requirements of this Resolution for the district in which they are located, or which would be prohibited as new development in the district they are located, shall be considered as nonconforming. It is the intent of this Resolution to permit these nonconforming uses to continue until they are removed, discontinued, or destroyed. Nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other lots, structures, or uses prohibited in the same district, except as provided herein.

Section 13.02 Nonconforming Lots

Any lot record existing at the time of the adoption of this Zoning Resolution, which has dimensions which do not meet the requirements of this Zoning Resolution, shall be subject to the following:

- A. No such lot or parcel or portion thereof shall be used or sold in a manner diminishing compliance with lot width and area requirements established by this Resolution, nor shall any division be made of sole-ownership adjoining lots which creates a single lot width and/or area below the requirements stated herein.
- B. Any lot of record existing at the time of the adoption of these regulations which has dimensions which are less than required by these regulations may be used as a building site providing the other requirements of the Zoning Resolution are met or a variance to same is granted by the Board of Zoning Appeals.

Section 13.03 Nonconforming Structures

- A. Nonconforming structures may not be enlarged, altered, or reconstructed in a way which increases its non-conformity, except those required by law to secure the safety of the structure, but any such structure may be altered to decrease its non-conformity.
- B. This provision shall not prevent the restoration of a non-conforming structure, which has been destroyed to the extent of not more than fifty (50) percent of its replacement value, but only if such structure is restored within two (2) years of the date of its destruction. Otherwise, it shall not be reconstructed except in conformity with the provisions of this Resolution.
- C. Any structure which is nonconforming solely because of its encroachment in a required yard area may be extended in any lawful manner that does not further encroach in that yard.

Section 13.04 Nonconforming Uses

Any use of building or land existing at the effective date of this Resolution may be continued, even though such use does not conform to the provisions thereof. The nonconforming use of a building may be extended to those existing parts of the building which were arranged or designed for such use.

Nonconforming uses of land shall not be enlarged or increased, nor shall any non-conforming use be extended to occupy a greater area of land than that occupied by such use at the time of the passage of this Resolution or amendment hereto except as provided herein.

A nonconforming use which is discontinued for a period of two (2) years shall not again be used except in conformity with the regulations of the district in which it is located.

Section 13.05 Trailer Parks, Mobile Homes

Under the provisions of this Zoning Resolution trailer parks and mobile home parks are not permitted uses and are not considered to be compatible with the spirit and intent of this Resolution. Trailer parks or mobile home parks in existence at the time of adoption of this Zoning Resolution shall be deemed nonconforming uses. Such non-conforming trailer parks and mobile home parks may be continued as provided herein, however, no such trailer park or mobile home park shall be expanded or extended to incorporate more land area or housing units.

ARTICLE XIV CONDITIONAL USES

Section 14.01 Permit Required

Conditional Use Permits shall be required for certain uses as set forth in this Zoning Resolution because of their uncommon or unique characteristics, infrequency of occurrence, large area requirements, potential for nuisance, or for other reasons. Such conditionally permitted uses shall not be permitted by right. Those uses enumerated in this Resolution as conditionally permitted may be permitted in the district enumerated only if a determination is made by the Board of Zoning Appeals that such uses conform to the criteria provided herein and subject to specific conditions established by the Board of Zoning Appeals, otherwise they shall be prohibited.

Section 14.02 Application

- A. Any person, firm, or corporation owning or leasing land who desires a Conditional Use Permit shall file a written application with Zoning Inspector, on the forms provided. If the applicant is not the owner of the land, the owner shall sign and be made a party to the application.
- B. All applicants for Conditional Use Permit shall supply the following information:
 - 1. The form supplied by the Zoning Inspector and completed by the applicant.
 - 2. Legal description maps, a site plan, plot plan, or development plan of the entire property being considered, drawn to a reasonable scale and showing the location of all abutting streets, the location and dimensions of all existing and proposed structures, the types of buildings and their uses, the acreage or area involved, including that for parking and loading, and any proposed planting and landscaping plans, and other information so as to completely describe the proposed use and existing conditions.
 - 3. Location of all structures within fifty (50) feet of the property.
 - 4. Location and depth, if known of any existing utility lines in the property or along any adjacent street.
 - 5. Location of property boundaries.
 - 6. Location of any access, storm drainage or utility easements which cross or occupy any portion of the property.
 - 7. A list of names and addresses of all adjacent property owners.
 - 8. Location of existing and/or proposed septic systems.
- C. The applicant may also be required to provide such additional information as may be required by the Board of Zoning Appeals.
- D. Each application shall be accompanied by a fee as established by the Board of Trustees for such applications. In addition, the Board of Zoning Appeals, where appropriate, may refer an application to qualified consultants for study and report if it deems the same necessary. The cost of such study and report shall be borne by the applicant, and the fee for same shall be deposited with the Township.

Section 14.03 Referral to the Board of Zoning Appeals

The Zoning Inspector shall schedule each application for a Conditional Use for a hearing before the Board of Zoning Appeals. Notice for such hearing shall be as provided in Section 16.05 (C) of this Resolution. The Board of Zoning Appeals shall hear and act upon applications for Conditional Uses following the procedures set forth herein.

Section 14.04 General Standards

In addition to the requirements for specific conditionally permitted uses expressly set forth in this Resolution, the Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and must, prior to the approval of any conditional use, find adequate evidence showing that such use at the proposed location:

- A. is listed among the conditional uses in the district for which application is made;
- B. will not impair the integrity or character of the surrounding or adjoining districts, nor adversely affect the safety, health, morals, or welfare of the community or of the immediate neighbors of the property;
- C. is essential or desirable to the public convenience or welfare;
- D. will be harmonious with and in conformity with the general and specific objectives of the Township's Land Use Plan and this Zoning Resolution.
- E. will be adequately served by utilities, access roads, drainage, sanitation or other necessary facilities;
- F. will provide ingress and egress so designed as to minimize traffic congestion in the public streets and adequately provide for vehicular and pedestrian safety;
- G. will not be hazardous or disturbing to existing or future neighboring uses;
- H. will not be detrimental to the economic welfare of the Township; and
- I. shall in all other respects, conform to the applicable regulations of the district in which it is located and preserve the purpose and intent of this Resolution.

Section 14.05 Action by Board of Zoning Appeals

The Board of Zoning Appeals may grant a conditional zoning certificate for the use of land, buildings, or other structures for the specific uses as set forth in this zoning resolution. In approving any Conditional Use, the Board of Zoning Appeals may stipulate such conditions and restrictions upon the establishment, location, or construction, maintenance, and operation of the conditional use as it deems necessary for the protection of the public and to secure compliance with the standards and requirements specified in this Resolution. In all cases in which conditional uses are granted, the Board of Zoning Appeals shall require such evidence and guarantees as it may deem necessary to assure that the conditions stipulated in connection therewith are being and will be complied with.

Section 14.06 Expiration

Any conditions imposed on a conditional use authorized and exercised shall be perpetually binding upon the property unless expressly limited by the Conditional Use Permit or subsequently changed or amended by the Board of Zoning Appeals. A Conditional Use Permit shall become void at the expiration of one (1) year after its date of issuance, unless construction has been started or the use established.

Section 14.07 Wireless Telecommunications Facilities

Intent

Pursuant to ORC 519.211(B), wireless telecommunications facilities are permitted as conditional uses in residential districts contingent upon a number of specific conditions and requirements being met. These criteria are in place in an attempt to minimize an

adverse health, safety, public welfare or visual impact through buffering, siting, design and construction, and reducing the need for new towers.

Wireless Telecommunications Facility: Wireless telecommunications facilities are permitted in commercial and industrial zoning districts.

1. General: The items listed below apply to all wireless telecommunications facilities and adherence to them is mandatory in residential areas and encouraged in all other zones.
 - (a) A plot plan including all building uses within five hundred (500) feet shall be required at a scale not less than one inch is equal to one hundred (100) feet.
 - (b) The location of the tower and equipment building shall comply with all natural resource protection standards established in this resolution, including flood plain, wetlands and steep slope regulations.
 - (c) A security fence eight (8) feet in height with barbed wire around the top shall completely surround the tower, equipment building and any guy wires. Each structure may be separately fenced.
 - (d) Buffer planting shall be located around the perimeter of the security fence as follows:
 1. An evergreen screen shall be planted that consists of either a hedge, planted three (3) feet on center maximum, or row of evergreen trees planted five (5) feet on center maximum.
 2. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
 - (e) A report prepared by a licensed professional engineer shall be included with the submitted application and shall contain the height, design, proof of compliance with nationally-accepted structural standards and the number and types of antennas it can accommodate.
 - (f) A soil report complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA 222-E, as amended, shall be submitted to the township to document and verify the design specifications of the foundation for the tower, and anchors for the guy wires, if used.
 - (g) Towers and antennae shall be designed to withstand wind gusts of at least one hundred (100) miles per hour.
 - (h) An antenna may not be located on a building or structure that is listed on an historic register, or is an historic district.
 - (i) The tower shall be painted a non-contrasting gray or similar color minimizing its visibility, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA).
 - (j) No advertising is permitted anywhere on the facility.
 - (k) If at any time after initial use the use of the facility is discontinued for one hundred eighty (180) days, the zoning inspector may declare the facility abandoned. The facility's owner/operator will be contacted and instructed to either reactivate the facility's use within one hundred eighty (180) days, or dismantle and remove the facility. If reactivation or dismantling does not occur, the Township may initiate nuisance abatement procedures under 505.87.
 - (l) The tower shall not be artificially lighted except (a) to assure safety, as required by the FAA, and/or (b) to permit secured lighting.
 - (m) Warning signs shall be posted around the facility with an emergency telephone number of who to contact in the event of an emergency.

- (n) The facility owner/operator shall present a maintenance plan in which they will be responsible for the upkeep of the site.
- (o) A permanent easement to the tower site must be provided thereby maintaining access regardless of other developments that may take place on the site.
- (p) Collocated antennas, antennas attached to existing structures or buildings and EXISTING towers located in residential districts are permitted uses.
- (q) Collocation is highly encouraged. The applicant must demonstrate that there is no other space available either on an existing tower or structure in the service area. A list of every tower building or structure that could potentially support a new antenna and provide service to the area is maintained by the zoning department. Any applicant for construction of a new tower must demonstrate that none of these locations are available for use. If there is an existing tower in the area, the applicant must show evidence that a request for such use was made and subsequently denied. Also, the applicant must show evidence that an offer was made to allow the owner of the other suitable tower to collocate an antenna on another tower within the township on reciprocal terms and was not accepted.

2. Residential Districts

Wireless telecommunications facilities, on a pole, lattice and/or guyed facilities, are not permitted in any residential districts, excepting such facilities are conditionally permitted on any property containing an institutional use (e.g., church, municipal, government, utility) located in either residential district subject to the following conditions:

- A. **General:** The wireless telecommunications facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic maintenance. This shall apply to B, C and D below. The wireless telecommunications facility shall meet all requirements and standards in Section 14.07(1) (a-q).
- B. **Combined With a Nonresidential Use:** An antenna may be attached to a nonresidential building or a structure that is a permitted use in the district, including, but not limited to, a church, a municipal or governmental building or facility agricultural building, and a building or structure owned by a utility. The following conditions shall be met:
 - 1. Maximum Height: Twenty (20) feet above the existing building or structure.
 - 2. If the applicant proposes to locate the telecommunications equipment in a separate building, the building shall comply with the following:
 - (a) The building shall comply with these minimum setback requirements:
 Front: 75 feet back from center of road.
 Side: 10 feet from lot line.
 Rear: 40 feet from rear lot line.
 - (b) The equipment building should not exceed seven hundred-fifty (750) square feet, or the maximum square footage allowable for an "accessory" structure.
 - (c) An eight (8) foot high security fence with barbed wire on top shall surround the building.

- (d) A buffer yard shall be planted in accordance with Section 14.07(1) (d).
- (e) Vehicular access to the building shall not interfere with the parking or vehicular circulation on the site for the principal use.

C. Located in Open Space:

A wireless telecommunications facility is conditionally permitted on land that has been established as permanent open space, or a park subject to the following conditions.

- 1. The open space shall be owned by the municipality, county or state government, a homeowners association, or a private, nonprofit conservation organization.
- 2. Maximum Height:
Tower: 200 feet.
Equipment Building: (subject to the maximum building height for the district).

3. Criteria for a Conditional Use:

Wireless Telecommunications Facility

A wireless telecommunications facility may be permitted as a conditional use in a residential district. In order to be considered for review, the applicant needs to prove that a newly-constructed tower is necessary in that opportunities for collocation on an existing tower are not feasible.

The applicant shall demonstrate that the telecommunications facility must be located where it is proposed in order to service the applicant's service area. If the facility includes a tower, there shall be an explanation of why other nearby structures, if any, cannot be used to support the antenna.

Collocation is highly encouraged. The applicant must demonstrate there is no other space available either on an existing tower or structure in the service area. A list of every tower building or structure that could potentially support a new antenna and provide service to the area is maintained by the zoning department. Any applicant for construction of a new tower must demonstrate that none of these locations are available for use. If there is an existing tower in the area, the applicant must show evidence that a request for such use was made and subsequently denied. Also, the applicant must show evidence that an offer was made to allow the owner of the other suitable tower to collocate an antenna on another tower within the township on reciprocal terms and was not accepted. The following steps must also be taken for the application to be considered for review in this category:

- A. The applicant shall present documentation that the tower is designed in accordance with the standards established for wireless telecommunications towers.
- B. The applicant shall demonstrate that the proposed tower complies with all state federal laws and regulations concerning aviation safety.
- C. The applicant shall present a landscaping plan that indicates how the wireless telecommunications facility will be screened from adjoining uses, including as a minimum Section 14.07(1)(d).
- D. Where the telecommunications facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement or entered into a lease for the proposed facility and that the vehicular access is

provided to the facility.

- E. No telecommunication tower shall be erected at a distance closer than the height of the tower plus twenty-five (25) feet from any property line, structure, road, or highway, excluding any structure which is necessary for the express use of the telecommunication tower.
- F. No guy wire anchors shall be located closer than twenty-five (25) feet to any property line.
- G. Site locations are preferred that offer natural or man-made barriers that would lessen the effect of intrusion into adjacent areas.
- H. All permitted installations facilities shall be kept in a neat and orderly condition as to prevent injury to any single property, any individual or the township in general.
- I. Access roads shall be maintained in a dirt free and dust free condition.
- J. All structures and telecommunication tower components must be surrounded by a six (6) foot security fence.
- K. The owners of all tower facilities, as part of the site plan review process, shall submit a plan of reclamation for both the tower facility and the tower site, in the event the facility is no longer functioning in the fashion as originally intended. The reclamation plan should include the removal and disposal of all obsolete and/or abandoned equipment, as well as the reclamation of the area with vegetation to prevent erosion.
- L. If at any time the use of the telecommunication tower is discontinued, the township zoning inspector may declare the facility abandoned. The facility's owner/operator will be contacted and instructed to reactivate the facility's use within 180 days. If reactivation does not occur, the conditional use permit will expire and the owner/operator will be required to dismantle and remove the facility. In the event the owner/operator(s) fails to comply, the landowner will be required to dismantle and remove the facility. The township may initiate nuisance abatement procedures under ORC 505.87.
- M. All applicants shall provide proof of P.U.C.O. registration Number at the time of application and renewal.
- N. No advertising shall be placed anywhere on the telecommunication tower or associated structures.
- O. All applicants shall provide a Justification Report explaining the need for a new tower instead of collocating on an existing tower or structure within the service area. This report should include written proof, by registered letters, that carriers have each been contacted, assuring that collocation was attempted and not feasible because of grid pattern inconsistency or inappropriate signal strength. A

feasibility/engineering report should be furnished.

- P. All applicants shall provide an Emergency Procedures Plan identifying who will be notified and what remedy processes will be used in case of emergency.
- Q. All applicants shall provide proof of lease and permanent easement to the tower site through lease or fee simple ownership.
- R. All applicants shall provide proof of Federal Aeronautics Administration (FAA) and Federal Communications Commission (FCC) approvals and compliance.
- S. All applicants shall provide proof of a maintenance plan detailing maintenance scheduled and repair procedures and identifying facility owner/operator and/or maintenance contractor.
- T. An identification sign, 8" x 11" shall be posted at the entrance of the access road identifying names, street number and 24-hour emergency phone numbers so that fire, an police and other emergency vehicles can locate the tower.
- U. Warning signs shall be posted on all sides of the security fence including emergency numbers and contacts.

Section 14.08 Gas and Oil Wells

Chippewa Township is known to be the location of gas and oil reserves. Chippewa Township follows all state guidelines the ORC 1509, the Ohio Administrative Code, and applicable Federal regulations, dealing with oil and gas wells and all operations in the township must follow those same state guidelines for anything pertaining to oil and gas wells.

Section 14.09 Sand, Gravel and Earth Removal

Surface extraction of sand, gravel or other earth materials may be permitted only under a conditional zoning certificate considering the effect upon the surrounding land. Such extraction shall not be permitted by right. Such conditional use may be permitted under specific conditions and stipulations in any district or may be prohibited by the Board of Zoning Appeals, after making a determination for conformance with the following procedures and standards requirements:

- A. Site Size:
The area proposed for extraction under this section shall comprise no less than twenty-five (25) contiguous acres, except there shall be no minimum acreage requirement if the finished grade after removal will be no lower than that of the adjoining properties.
- B. Exemptions:
This section does not apply to county subdivision regulations, normal site preparation, excavation of basements, or the construction of oil, water and gas wells in conjunction with structures otherwise permitted by this resolution.
- C. Minerals:
This section applies to the removal of overburden for the purpose of determining the location, quality, or quantity of a mineral deposit.
- D. Operator:
For purposes of enforcing this section an operator is defined as any person, partnership, corporation, or other entity engaged in surface mining or who removes

or intends to remove sand, gravel, earth materials, minerals, incidental coal, or overburden.

E. Structures:

All structures shall conform as to location, size, and appearance with the structures in the use district in which the extraction operation is located.

F. Extraction Limits:

1. Residence:

No sand, gravel, or earth material shall be removed or extracted nearer than two hundred (200) feet of horizontal distance to any residential district property lines, or such lesser distance as the Board may decide depending upon the unique character of the land.

2. Highway:

Sand, gravel, and other earth removal operations shall be setback from any street or highway right-of-way, or from any Industrial/ or Business district property lines a distance capable of accommodating the natural angle of repose of the soil based upon the depth of the excavation, soil type, and distance to the right-of-way or property line. In no case shall such distance be less than fifty (50) feet.

G. Buffer:

A green strip with a minimum depth of fifty (50) feet shall be planted with grass and landscaped with a year round vertical green combination of shrubs and trees so as to shield the extraction operation from any adjacent property. In the event that the terrain or other natural features serve the intended purpose of providing a visual screen year round, then no other plant screen and landscaping shall be required.

H. Processing:

There shall be only such processing or manufacturing of sand, gravel, and earth materials on the premises as is consistent with the surrounding uses.

I. Restoration:

The area to be excavated shall be planted after the extraction has been completed with sufficient cover grass, trees, or shrubs to cover the land and prevent erosion.

J. Plans and Maps:

The Applicant for a Conditional Zoning Certificate to extract sand, gravel, or other earth materials shall file with the Board of Zoning Appeals, along with the application, detailed plans and maps prepared by a registered engineer or surveyor which clearly show the following:

1. The total property of which the excavated area is apart.
2. The owner of the property as shown on the recorded plat.
3. The location and owners of record of all properties within five hundred (500) feet of the applicant property.
4. Names and locations of roads and natural features within five hundred (500) feet of the applicant property.
5. A geological survey to show that the depth of excavation will not unreasonably disturb the existing water table or drainage area of applicant's property and adjacent lands within five hundred (500) feet of the applicant property.
6. The proposed final topography of the land after excavation has been completed, indicating by contour lines of no greater interval than ten (10) feet, on a map with a scale of one inch equals fifty (50) feet.
7. The drainage plan on, above, below, and away from the area of land to be

affected, indicating the directional flow of water, constructed drainways, natural waterways used for drainage, and the streams or tributaries receiving or to receive this drainage.

8. A plan for reclamation showing the grass, both in amount and type, trees and shrubs and other ground cover to be planted in the excavated area.
9. The dates and the land or any portion thereof will be restored in accordance with the plans submitted.
10. The depth of such excavation below the natural grade.
11. The amount of material to be removed in each phase and over the total duration of the operation.
12. A work schedule setting forth the proposed time limits within which the operation will be commenced and completed, showing the daily hours of operation, proposed haul roads if over-the-road vehicles are employed, methods of traffic control, methods of maintenance to insure that public right-of-ways are kept undisturbed, clean and safe along or in the vicinity of the proposed haul roads from or to the land involved.
13. Approved plans from the Wayne County Soil and Water Conservation.

K. Bond:

The applicant for such a permit shall also file with the Zoning Inspector a bond payable to the Chippewa Township Trustees with sureties approved by the Trustees in an amount of one thousand dollars (\$1000) per acre, or any portion of an acre, of the land to be excavated, and conditioned upon the applicant faithfully restoring the land to be excavated as the contour map submitted with the application indicates, and upon the applicant providing the drainage shown upon the map submitted with the application, and upon the applicant planting grass, submitted with the application, and upon the applicant planting grass, trees, and shrubs as shown on the plan submitted with the application.

L. Slope:

The maximum slope of any excavation shall be two-to-one. (Two feet horizontal to one foot vertical.)

M. Water Draw Down:

If the Board deems it necessary, it shall have the plan reviewed by a professional geologist, soil scientist, engineer, or other qualified professional to determine if the water table will be "drawn down" to adversely affect water well capacity of neighborhood properties and otherwise comment on the plan. The fee for such services shall be paid by the applicant.

N. Notice:

The Board shall give at least ten (10) days notice of its hearing on the application to the applicant, and to all property owners of record of all properties within five hundred (500) feet of the applicant property.

O. Annual Report:

On each annual anniversary of the issuance of the Conditional Zoning Certificate and the filing of the bond required herein and when the land has been restored in accordance with the application and plans, the permit holder shall file with the Zoning Inspector a report showing the amount of sand, gravel or other earth material removed and the depth and extent of the excavation. Such report shall further set forth that portion of the land that has been restored in accordance with the approved plan submitted with the application. At such time as the Zoning Inspector finds that the land has been restored in accordance with the approved plan, he shall recommend to the Trustees the release of the bond for each acre or portion thereof restored.

- P. Bond Release:
The Township Trustees shall release the bond for each acre or portion thereof so restored.
- Q. Bond Forfeit:
In the event that the land is not restored in accordance with the approved plans as determined by the Zoning Inspector, at the time stated in the permit or any extension thereof granted by the Board of Zoning Appeals for good cause shown, or if the applicant fails to file the annual report required above, or if the applicant deviates from the plan approved by, or the conditions stipulated by the Board of Zoning Appeals, the Board of Township Trustees shall declare the conditions of the bond forfeited and proceed to cause the land to be restored in accordance with the approved plan submitted by the applicant charging such cost to the bond. In the event the cost of restoring the land under the conditions of this paragraph exceeds the bond covering such restoration the additional costs shall be charged as a lien against the property.
- R. Water Impoundment:
The Board of Zoning Appeals, in addition to the other powers granted to it by this Resolution, shall have the authority to allow the permanent impounding of water in such an excavation upon a finding that such a pond or lake will not be a health danger or safety hazard, and as a condition to allowing such a pond or lake, may require that it be fenced or otherwise protected so that it will not become a nuisance.
- S. Conditions:
The Board shall attach such further conditions to the certificate as it deems reasonable to secure conformity with the standards set forth herein, and to insure that the excavation is harmonious and appropriate in appearance with the existing or intended character of the general vicinity, that such use will not change the essential character of the area, that the use will not be hazardous or disturbing to existing or future neighborhood uses, and that it will not be detrimental to the welfare of the community.

ARTICLE XV SITE PLANS

Section 15.01 Purpose and Intent

Site plans are intended to insure proper design for efficient use of land, to protect adjoining properties from adverse impacts, and to promote high quality developments. The purpose of this section is to provide specific standards and requirements for design and construction for non-residential uses.

Section 15.02 Site Plans Required

A site development plan is required and shall be submitted for any non-residential use or development involving new construction, reconstruction or expansion of non-residential structures. No construction activity shall commence for any such use or project unless and until a site plan has been submitted to the Zoning Inspector for review and approval, and a valid Zoning Certificate has been issued for said use or project.

Section 15.03 Preparation

Site plans shall be prepared and certified by an architect, engineer, or land surveyor duly registered by the State of Ohio at an appropriate scale, but not less than one inch equals one hundred (1"=100') feet.

Section 15.04 Information Required

Site plans shall contain the following information:

- A. The name of the owner and developer, north arrow, date, and scale;
- B. The owners, zoning classification, and present use of adjoining parcels;
- C. A boundary survey, which was certified within three (3) months of application;
- D. Existing topography and proposed finished grading with a maximum contour interval of two (2) feet;
- E. Location and dimensions of all existing public right-of-ways and of all minimum building setback lines;
- F. Locations and dimensions of all existing and proposed structures, off-street parking, fencing, screening, buffers, drives, and walkways;
- G. Provisions for adequate disposition of storm water;
- H. All existing and proposed sanitary sewer facilities indicating pipe sizes, types grades, invert elevations, and location of manholes;
- I. All existing and proposed water facilities including line sizes and locations, and hydrant locations;
- J. Provisions for storage and removal of solid waste;
- K. Proposed landscaping and plantings;
- L. Proposed building elevations
- M. Location and dimensions of all access drives and travel lanes;
- N. If an on-site sewage disposal system is proposed, correspondence from the Wayne County General Health District that appropriate soils and land area for such system exist on the site.
- O. Water Availability Report: This report can be obtained by contacting the Ohio Department Of Natural Resources (ODNR):
1939 Fountain Square Drive, Columbus, Ohio 43224, (614) 265-6565
Required only when the water source is a well.

Section 15.05 Design Standards

All plans shall conform to the following design standards:

- A. All proposed water and sanitary sewer improvements shall be designed and constructed in accordance with the standards and requirements of the Department of Environmental Services, the Wayne County Engineer, the Wayne County General Health District, and the Ohio Environmental Protection Agency.

- B. Every non-residential use shall be located within three hundred (300) feet of a fire hydrant, if public water is available. If additional fire hydrants are required to comply with this requirement, they shall be located as directed by the Chippewa Township Fire Chief.
- C. Development features, including buildings, parking areas, driveways, etc., shall be so located and designed as to minimize adverse impacts on adjacent properties. Maximum possible visual and auditory privacy for surrounding properties shall be provided through good design and landscaping buffers.
- D. Building location and placement shall be developed with consideration given to minimizing the removal of trees and changes of topography.
- E. Parking and service area shall be screened from view from adjoining residential properties. Screening of parking areas and service areas shall be provided by means of landscaping, ornamental walls, fences, or similar means.
- F. In large commercial parking areas, visual relief shall be provided by means of landscaped dividers and/or islands.
- G. Drives, travel lanes, and parking areas shall be designed and related to public thoroughfares to provide for pedestrian and vehicular safety both in the right-of-way and on the site. On-site circulation shall provide for adequate access by emergency vehicles.
- H. Storm runoff provisions shall be designed based on a minimum ten (10) year frequency design storm and the storm drainage calculations submitted with the site plan. The proposed outlet for storm drainage shall be identified and an evaluation made of its capacity to accommodate the projected flows. Where adequate capacity to handle projected flows does not exist in the existing system, or where there is no acceptable outlet, the applicant shall provide for either improvement of the receiving drainage facility or on-site detention of sufficient capacity and design to reduce post-development storm runoff to pre-development levels for all design storms of ten (10) year frequency or less.

Section 15.06 Submittal

Three (3) copies of site plans shall be submitted with a completed application for a Zoning Certificate to the Zoning Inspector.

Section 15.07 Review and Fees

The Zoning Inspector shall review site plans for conformance with the provisions of the Zoning Resolution and this section. The Zoning Inspector may request review of site plans by an independent engineer and/or planner. The cost of such consultant review shall be borne by the applicant and shall be in addition to such other fees as may from time to time be established by the Trustees for processing and review of site plans.

**ARTICLE XVI
BOARD OF ZONING APPEALS**

Section 16.01 Membership

The Board of Township Trustees shall appoint a Township Board of Zoning Appeals of five (5) members who shall be residents of the unincorporated territory of the township. The terms of each member shall be five (5) years, beginning January 1; except that the terms of the original members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The Township Trustees may also appoint two (2) alternate members to the Board of Zoning Appeals for terms to be determined by the Board of Trustees. An alternate member votes in the place of an absent regular member according to procedures prescribed by resolution of the board. An alternate member must meet the same appointment criteria as a regular member. When attending a meeting on behalf of absent member, the alternate member may vote on any matter on which the absent member is authorized to vote. Members of Board of Zoning Appeals may be allowed their expenses, or such compensation, or both, as the Board of Township Trustees may approve and provide.

Section 16.02 Organization

- A. Officers, Rules
The Board shall organize annually and elect a President, Vice President, and Secretary. The Board shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Resolution.

- B. Board Action
The Board shall act by motion in which three (3) members must concur.

- C. Meetings
The Board shall meet at the call of its President and at such other times as it may determine. All meetings of the Board of Zoning Appeals shall be open to the public. However, the Board may go into executive session for deliberation but not for vote on any case before it.

- D. Witnesses
The President or the Acting President may administer oaths and the Board may compel the attendance of witnesses in all matters coming within purview of the Board.

- E. Proceedings
The Board shall keep minutes of its proceedings, showing the vote of each member upon each request; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Township Trustees and shall be a public record.

Section 16.03 Powers

The Board of Zoning Appeals shall have the following powers and duties:

- A. Administrative Appeals
To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Resolution or any amendments thereto.

B. Variances

To authorize, upon appeal, in specific cases, such variances from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions a literal enforcement of this Resolution will result in unnecessary hardship or practical difficulty, and so that the spirit of this Resolution shall be observed and substantial justice done, but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship, or difficulty so great as to warrant a variation from the zoning plan as established by this Resolution, and at the same time, the surrounding property will be properly protected.

C. Conditional Uses

To authorize establishment of conditional uses where such uses are specifically enumerated within a zoning district and where the Board determines that such uses comply with the requirements of Article XIV of this Resolution.

D. District Boundaries

To determine the exact location of any district boundary if there is uncertainty as to the exact location.

The Board shall have the authority to and may grant the following variations:

(a) Permit a variation in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.

(b) The extension or completion of a non-conforming use upon a lot occupied by such use, provided that such lot was under the same ownership as the lot in question on the date such use became non-conforming, and where such extension is necessary and incidental to the existing use; provided, however, that the areas of such extension shall not exceed in all ten (10) percent of the area of the existing non-conforming use and provided further that such extension shall be undertaken within five (5) years of the date when the use becomes non-conforming.

(c) In considering all appeals and all proposed exceptions to this Resolution, the Board shall, before making any exceptions or variations from the Resolution in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the portion of the township to which this Resolution applies.

Section 16.04 Standards for Variances

In exercising the power to grant variances, the Board shall make specific findings of fact with regard to the following standards. The factors to be considered and weighed by the Board in determining whether a property owner has proved practical difficulty or unnecessary hardship include, at the minimum the following:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

- B. Whether the variance is substantial;
- C. Whether the essential character or the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- D. Whether the variance would adversely affect the delivery of government services (i.e., water, sewer, garbage, fire, police, or other);
- E. Whether the property owner purchased the property with the knowledge of the zoning restriction;
- F. Whether the property owner's predicament can be obviated through some method other than a variance;
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by the granting of the variance;
- H. Whether the granting of the variance will be contrary to the general purpose, intent and objective of the Zoning Resolution or other adopted plans of the Chippewa Township Trustees;
- I. Whether the variance requested arises from a condition which is unique and which is not generally shared by other properties in the same zoning district, and which is created by the Zoning Resolution and not by any action or actions of the property owner or the applicant; and
- J. Whether the variance desired will adversely affect the public health, safety, morals or general welfare.
- K. Any other conditions that the Board of Zoning Appeals may deem necessary.

Section 16.05 Procedures for Administrative Appeals and Variances

A. Administrative Appeals

The appellant shall submit a written statement describing the administrative action or decision appealed, the allegation of any error of law, the basis for such allegation, and the requested relief. Such appeal shall be taken within twenty (20) days after the subject action or decision by filing the written statement with both the Zoning Inspector and the Board of Zoning Appeals. The Zoning Inspector shall transmit to the Board all papers constituting the record upon which the action appealed was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court or equity, after notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall refer all applications for conditional uses or other use interpretation questions to the Zoning Commission for recommendation at least ten (10) days before the hearing on said matter.

B. Application for Variance

The applicant shall submit an application for variance or conditional zoning certificate upon forms approved by the Board and shall submit information as required by the application. When a notice of appeal or application for a variance has been filed in proper form with the Zoning Inspector, he shall forward same to the Board of Appeals.

C. Notice and Hearing

The Board shall immediately place the application upon the calendar for hearing and shall cause notice to be given stating the time, place, and object of the hearing.

All adjoining property owners shall be notified of the request for conditional use or a variance. Notice shall be issued by posting the property with a sign furnished by the Zoning Inspector indicating the time and place of the hearing. Said sign shall be erected by the applicant within ten (10) feet of whatever property line abuts a public street and shall be so placed as to be clearly visible from the road. If no public street abuts the property, then the signs shall be erected on at least two property lines as directed by the Zoning Inspector. The applicant shall erect said sign at least ten (10) days prior to the date of the public hearing. Additional notice shall be by advertisement consisting of one (1) publication in a newspaper of general circulation in the Township at least ten (10) days before the date of such hearing. The Board, at its discretion, may send out further notices to publicize such hearings.

Written notice shall be sent by first class mail, addressed to the parties making the request for appeal or variance and the owners of all property contiguous to and directly across the street from the subject property, at least ten (10) days prior to the date of the scheduled hearing. A list of such contiguous property owners and their addresses of such owners appearing on the County Auditor's current tax list shall be provided to the Zoning Inspector by the applicant for a variance.

At the hearing, any party may appear in person or by agent or by attorney. The Board may continue hearings from time to time if the Board of Zoning Appeals deems it necessary and advisable due to the amount of testimony to be heard, the complexity of the appeal, or the existence of a high impact project. If the time and place of the continued hearing are publically announced at the time that the hearing is recessed to a later date and continued to a later date, then no further notice shall be required. However, in the case of a high impact project, the Board may choose to, but is not required to, provide published notice of its continued hearing or hearings. Subsequent to finally adjourning the public hearings, the Board of Zoning Appeals shall make a decision within 35 days after the hearing is concluded.

Section 16.06 Board Action

A. Administrative Appeals

The Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decisions, or determinations appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken.

B. Variations

No variance to the provisions or requirements of the Zoning Resolution shall be granted by the Board unless the Board has determined by clear and convincing evidence that an unnecessary hardship or practical difficulty does exist or will result from the literal enforcement of the Zoning Resolution as set forth in Section

16.04 hereof. In granting a variance to the provisions of the Zoning Resolution, the Board may attach such conditions, requirements, limitations, and stipulations on such approval as it may deem appropriate and necessary to protect adjoining property owners, preserve the spirit and intent of the Zoning Resolution, protect the public health, safety, and general welfare, and otherwise minimize the impacts of the variance granted.

C. Decisions to be Final

The decisions of the Board shall be final and binding upon the parties. Any party aggrieved by a decision of the Board may appeal such decision to the Court of Common Pleas of Wayne County.

D. Time Limitation

Once a variance has been granted by the Board; the applicant shall have one (1) year from the date of approval to commence the activity or construction for which the variance was granted. If no substantial work has been completed or the operation of the activity has not commenced within one (1) year from the date of the Board's Action the variance shall be deemed null and void and the Zoning Inspector shall send a written notice to the property owner that the variance is void and that the property shall comply with the provisions of the Zoning Resolution.

**ARTICLE XVII
ZONING COMMISSION**

Section 17.01 Membership

The Board of Township Trustees shall appoint a Zoning Commission of five (5) members who reside in the unincorporated area of the township. The terms of each member shall be five (5) years, beginning January 1; except that the terms of the original members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Board of Township Trustees and shall be for the respective unexpired term. The Board of the Township Trustees may also appoint two (2) alternate members to the Zoning Commission for terms to be determined by the Board of Trustees.

An alternate member votes in the place of absent regular member according to procedures prescribed by resolution of the board. An alternate member must meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

Members of Zoning Commission may be allowed their expenses, or such compensation, or both, as the Board of Township Trustees may approve and provide. Township Zoning Commission members may, at the discretion of the Board of Township Trustees, be compensated for record-keeping responsibilities, if the Zoning Commission organizes in a manner that provides for the performance of its record keeping duties on a rotating basis. Any additional sum paid to commission members for the performance of the duties of commission secretary must be commensurate with the additional duties performed by the commission member.

Section 17.02 Power and Duties

The county and township zoning enabling statutes require the establishment of a Township Zoning Commission to advise the Board of Township Trustees on zoning matters.

The Zoning Commission oversees the development of the initial zoning map and text, including part of the public hearing and notification process, prior to adoption by the legislative bodies and vote by the electors of the township.

If amendments are proposed after the zoning regulations are adopted, the Zoning Commission is responsible for holding public hearings. They may also initiate such changes themselves.

Prior to making recommendation on any proposed zoning amendment, the Zoning Commission must refer the matter to the Wayne County Planning Commission. It must then consider the Planning Commission's recommendation at the public hearing and forward that recommendation along with its own recommendation on the proposed change to the Board of Township Trustees for legislative action.

**ARTICLE XVIII
PROCEDURES FOR AMENDMENTS TO THE ZONING RESOLUTION**

Section 18.01 General

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

Section 18.02 Procedure for Amendment of the Zoning Resolution Text or Map

A. Initiating Amendments

Amendment of the Zoning Resolution, including amendment of either the text or map, may be initiated through the following methods:

1. Motion of the Zoning Commission for amendment;
2. Resolution of the Board of Township Trustees, certified to the Zoning Commission;
3. Application to the Zoning Commission for an amendment of the text or map, submitted by an owner or owners of property affected by such amendment.

B. Application by an Owner

An application by an owner or owners shall be submitted to the Zoning Inspector upon such forms and accompanied by data and information as may be prescribed by the Zoning Commission. An application shall be verified by at least one (1) of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the application.

C. Referral to County Planning Commission

Within five (5) days after the adoption of a motion by the Zoning Commission, certification of a Resolution by the Trustees, or receipt of an application, the Zoning Inspector shall, on behalf of the Zoning Commission, transmit a copy of the proposed amendment, together with pertinent text and map, to the Wayne County Planning Commission. The Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit a recommendation to the Zoning Commission within thirty (30) days.

D. Public Hearing

The Zoning Commission shall set a date, time, and place for a public hearing, which date shall be not less than ten (10) days nor more than forty (40) days after the Commission's motion, certification of the Board's Resolution, or receipt of an application. The Commission shall conduct the public hearing for the purpose of taking public comment regarding the proposed amendment and to consider the recommendations of the County Planning Commission.

E. Notice to Property Owners Concerning Public Hearing for Rezoning or Redistricting

Prior to a public hearing held for the purpose of considering rezoning or redistricting of ten (10) or fewer parcels of land as listed on the County Auditor's current tax list, the Zoning Commission shall give proper notice.

Mailed written notice to all property owners of property within and contiguous to and directly across the street from such areas proposed to be re-zoned or re-districted. Notice shall be given by a first-class mailing to the addresses of such owners appearing on the County Auditor's current tax, provided by the

applicant, at least ten (10) days before the date of the hearing.

Notice shall be issued by posting the property with a sign furnished by the Zoning Inspector indicating the time and place of the hearing. Said sign shall be erected by the applicant within ten (10) feet of whatever property line abuts a public street and shall be so placed as to be clearly visible from the road. If no public street abuts the property, then the signs shall be erected on a least two property lines as directed by the Zoning Inspector. The applicant shall erect said sign at least ten (10) days prior to the date of the public hearing.

F. General Public Notice

At least ten (10) days before a public hearing held by the Zoning Commission or by the Board of Trustees for the purpose of considering rezoning or redistricting or for amendment to the Zoning Resolution, the Zoning Commission or the Board conducting the hearing shall give notice to the general public by means of publication in a newspaper of general circulation in the Township and posting the property with a sign asset forth in Section 18.02 (E).

The published notice shall include:

1. Time, date, place of the public hearing.
2. The name of the board or commission that will be conducting the hearing.
3. A statement indicating that the motion, resolution, or application is an amendment to the Zoning Resolution.
4. The time and place where the motion, resolution, or application proposed to amend the Zoning Resolution, including any relevant text and maps, will be available for examination for a period of at least ten (10) days prior to the public hearing.

G. Action of the Zoning Commission

The Zoning Commission shall, within thirty (30) days after such public hearing, certify a recommendation to the Board of Trustees. The Zoning Commission may recommend that the proposed amendment be approved, approved with modification, or disapproved and shall deliver its recommendations to the Trustees together with the recommendations of the County Planning Commission and any applications, maps, or other materials relevant to the amendment.

H. Public Hearing by Board of Township Trustees

After receiving from the Zoning Commission the certification such recommendations, the Township Trustees shall set a date for a public hearing which shall be not more than thirty (30) days after receipt of the certified recommendation. At least ten (10) days notice of the time and place shall be given by posting the property with signs as set forth in Section 18.02 (E) and publication in a newspaper of general circulation in the township.

I. Action by Board of Township Trustees

Within twenty (20) days after such public hearing, the Board shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board denies or modifies the recommendation of the Zoning Commission, the unanimous vote of the Board shall be required. Such amendment or supplement adopted by the Board shall become effective in thirty (30) days after the date of such adoption unless, within thirty (30) days after the adoption of the amendment or supplement, there is presented to the Board of Township Trustees a petition as provided by the Ohio Revised Code. Within five (5) working days after an amendment becomes effective, the

Board of Trustees shall file the amended text or maps in the office of the County Recorder and with the County Planning Commission.

Section 18.03 Application Fees

At the time that an application for amendment of the text or map of the Zoning Resolution is filed with the Commission as provided herein, there shall be deposited with the Township Clerk, a fee to cover investigation, legal notices and other expenses incidental to the determination of such matter.

ARTICLE XIX DEFINITIONS

Section 19.01 Definitions

A. General Construction

For the purpose of this Resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular. The word "shall" is mandatory and not discretionary. The word "may" is permissive.

B. Words Defined

The following words and phrases shall have the definitions set forth herein:

1. **Accessory Uses:** A use or building such as a garage naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or buildings. Accessory uses include home occupations, fences, swimming pools (both in-ground and above), parking, swing sets, jungle gyms, etc.
2. **Agriculture:** Includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; 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.
3. **Agricultural Equipment:** Farm type equipment used for the production crops, maintenance, and animal and poultry husbandry, but not defined as equipment normally used for residential purposes such as lawn tractors and garden equipment.
4. **Agricultural Building/Structure:** The use of a structure for agricultural purposes such as farming, dairying, pasturage, horticulture, floriculture, viticulture, nursery production, animal and poultry husbandry, or used for packing, treating, or storing of goods produced on the premises, or the storage of agricultural equipment.
5. **Automotive Repair:** The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.
6. **Board:** The Board of Zoning Appeals of Chippewa Township, Wayne County, Ohio.
7. **Board of Township Trustees:** The Board of Township Trustees of Chippewa Township, Wayne County, Ohio.
8. **Building, Front Line of:** The line of that face of the building nearest the front line of the lot. This face includes sun parlors, and covered porches whether enclosed or unenclosed but does not include steps.
9. **Building, Height of:** The vertical distance from the grade to the highest point of the coping of a flat roof or to the mean height level between eaves and the ridge for gable and hip roofs.

10. **Building, Principal:** A building in which is conducted the main or principal use of the lot on which said building is situated.
11. **Business Services:** Any activity conducted for gain which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes or business.
12. **Child Care Facilities:** Administering to the needs of infants, toddlers, preschool children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four-hour day, in a place or residence other than a child's own home.
13. **Clinic:** An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.
14. **Club:** A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
15. **Collocation:** The use of a wireless telecommunications facility by more than one wireless telecommunications provider.
16. **Commissioners, Board of County:** The Board of County Commissioners of Wayne County, Ohio.
17. **Commission:** The Township Zoning Commission of Chippewa Township, Wayne County, Ohio.
18. **Conditional Use:** An uncommon or infrequent use of land, buildings, or other structures which may be permitted in specific districts, subject to compliance with certain standards and explicit conditions set forth in Article XIV of this Resolution and subject to the granting of a conditional use permit by the Board of Zoning Appeals.
19. **Dwelling:** Any residential building or portion thereof, which is designed or used primarily for one family or two family residences, but not including hotels, motels, boarding houses, lodging houses, tourist dwelling, apartment houses or flats.
20. **Dwelling, Multiple:** A building used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, flats.
21. **Dwelling, Single-Family:** A building designed for or occupied exclusively by one family.
22. **Dwelling, Two-Family:**
A building arranged, intended, or designed to be occupied as the residence of two families living independently of one another.

23. **Essential Services:** The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal system, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith; which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare but not including buildings. Sanitary landfill operations is excluded in this definition.
24. **Family:** Any number of individuals living together who are interrelated by bonds of blood, marriage, or legal adoption, on a premises as a single housekeeping unit with a common and single set of culinary facilities. This is distinguished from a group occupying a boarding house, lodging house, hotel tourist home, sorority, or fraternity. The persons thus constituting a family may also include temporary non-paying guests and domestic servants. The following persons shall be considered related for the purposes of this section:
- (1) a person residing with a family for the purpose of adoption.
 - (2) Not more than six persons under 19 years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the state or its delegate.
 - (3) Any person who is living with a family at the discretion of a court.
25. **Fence:** A protective or confining barrier of posts, wire mesh, etc.
26. **Food Processing:** A place which prepares foods solely for sale to retail sellers.
27. **Frontage:** All the property on one side of a street measured along the right-of-way line on a public street, road or thoroughfare.
28. **Garage - Private:** An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory.
29. **Garage - Public:** A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.
30. **Gasoline Station, Service Station:** Any building, structure, or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, oils or accessories, including lubrication of automobiles and replacement or installation of minor parts accessories but not including major repair work such as motor replacement, body and fender repair or spray painting.
31. **Group Home:** A facility in which more than two (2) but less than ten (10) persons who are unrelated by blood, marriage or adoption, reside while receiving therapy or counseling, but not nursing care, for any of the purposes listed below. Such facilities shall be licensed by the State of Ohio.
- (1) Adaptation to living with, or rehabilitation from, the handicaps of physical disability.
 - (2) Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder, or mental retardation.

- (3) Rehabilitation from the effects of drugs or alcohol abuse.
- (4) Supervision while under a program of alternatives to imprisonment, including, but not limited to, pre-release, work release, or probationary programs.

- 32. **High Impact Project:** Is a project including new residential development containing 50 or more dwelling units; any new non-residential structures over 50,000 square feet, and those under 50,000 square feet if they abut existing residential developments or platted residential units; renovations of existing multi-family and non-residential enlarging the bulk or capacity by more than 50 percent.
- 33. **Highway, Limited Access, Arterial, Major, Secondary, County and Township:**
An officially designated Federal, State, County and Township numbered road designated as such on the official State Highway Plan.
- 34. **Home Occupation:** Any profession or business activity conducted within a residential dwelling unit. Home Occupations shall be subject to the provisions of Article V, Section 5.01 of this Zoning Resolution.
- 35. **Hotel/Motel:** A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours.
- 36. **Junk:** Waste, discarded or salvaged materials, used lumber, used glass, discarded motor vehicles, paper, rags, rubber, cordage, barrels, and the like, which is either worthless or has only scrap or parts value.
- 37. **Junk Yard:** The use of more than 50 square feet of any land, whether for private and/ or commercial purposes, where waste, discarded or salvaged materials, used lumber, used glass, discarded motor vehicles, paper, rags, rubber, cordage, barrels and the like, are sold, stored, bought, exchanged, bailed, packed, sorted, disassembled, dismantled, or handled. Two or more automobiles or trucks which are either not in operating condition or unlicensed, shall be deemed a junk yard. Automobile dismantling shall not include the incidental storage of inoperable or disabled vehicles in connection with the legal operation of an auto repair garage and body or fender shop. No vehicle shall be stored on site more than 60 days.
- 38. **Land Use Plan:** The long-range plan for the desirable use of land in Chippewa Township as adopted by the Chippewa Township Trustees. The purpose of such plan being among other purposes to serve as a guide in the zoning and progressive changes of the community.
- 39. **Lattice Tower:** A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure which often tapers from the foundation to the top.
- 40. **Loading Space:** A space within the main building or on the same lot there with, providing for the standing, loading or unloading of trucks.
- 41. **Local Retail Business:** Any retail establishment which caters to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence.

42. **Lot:** A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one main building together with its accessory buildings, to open spaces and parking spaces required by this Resolution, and having its principal frontage upon a public street.
43. **Lot Area:**
The area of a lot computed exclusively of any portion of the right-of-way of any public thoroughfare.
44. **Lot Coverage:** Percentage of lot coverage shall be the ratio of enclosed ground floor area of all buildings to the horizontally projected area of the lot.
45. **Lot Depth:** The mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.
46. **Lot of Record:** Any lot which individually or as a part of a subdivision has been recorded in the office of the Recorder of Deeds of the County.
47. **Lot Width:** The width of a lot at the building setback line measured at right angles to its depth.
48. **Manufacturing, General:** Any manufacturing or industrial process including food processing which by the nature of the materials, equipment and process utilized are not objectionable by reason of odor, noise, vibration, cinders, gas fumes, dust smoke, refuse matter or water carried waste.
49. **Manufacturing, Restricted:** Any manufacturing or industrial processing which by the nature of the materials, equipment and process utilized are to a considerable measure clean, quiet and free of any objectionable or hazardous element. These include the industrial uses listed below and any other uses which are determined by the Board to be of the same general character: drugs, jewelry, musical instruments, sporting goods, processing, and assembly of glass products, small household appliances, electronic products and parts for production of finished equipment, research and testing laboratories, printing and engraving plants.
50. **Mineral Extraction and Processing:** Any mining, quarrying or processing of limestone, dolomite, industrial clay, oil, gas or other mineral resources.
51. **Mobile Home see Trailer**
52. **Monopole:** A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.
53. **NonConforming Use:** The use of land or a building or portion thereof, which does not conform with the use regulations of the district in which it is situated.
54. **Noxious:** Injurious to health.
55. **Nursery School:** A school for children, usually three to five years of age.
56. **Permitted Uses:** Those uses which meet all yard and area requirements thereby allowing a zoning certificate to be issued.

57. **Personal Services:** Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, dry cleaning service, watch repairing, barber shop, beauty parlors, and related activities.
58. **Planned Unit Development:** Is a type of development in which an area of land, usually under the control, of a single landowner, is to be developed for different types of dwelling units (single-family detached residences, duplexes, townhouses, garden apartments), and commercial, industrial, and other uses, such as schools and churches.
59. **Private Road:** A road which is privately maintained and not accepted or recognized as a public road by the Wayne County Commissioners, the Wayne County Engineers or the Chippewa Township Trustees and which is not designated by a County, Township or State Highway number.
60. **Professional Activities:** The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers, realtors and others of like category.
61. **Prosecutor, County:** The Prosecutor of Wayne County.
62. **Public Road or Thoroughfare:** A road which is recognized as a public road by the Wayne County Commissioners, the Wayne County Engineers, and the Chippewa Township Trustees and being designated by a County, Township or State Highway number.
63. **Public Service Facility:** The erection, construction, alteration, operation or maintenance of a utility or service by a public utility, airport, railroad whether publicly or privately owned or by a municipal or other governmental agency, including the furnishing of electricity, gas, mail transport communication, public water, sewage services, public maintenance of equipment and material.
64. **Public Uses:** Public parks; schools; and administrative, cultural and service buildings not including public land or buildings devoted solely to the storage and maintenance of equipment and material.
65. **Recreational Facilities:**
Facilities used primarily for participation by the public in athletic activities, as tennis, handball, racket ball, basketball, and other court games, jogging, track and field, baseball, football, soccer, and other field games, skating, swimming, or golf. Recreation facilities shall include country clubs and athletic clubs; and shall not include facilities accessory to a private residence used only by the owner and the owner's guest, nor shall it include arenas or stadiums used primarily for spectators to watch athletic events.
66. **Residential Floor Area:** The interior floor area of a dwelling including stairways, hall and closets but not including basements, porches, garages, and carports.
67. **Restaurants:** A place which sells prepared food and which provides dining facilities.
68. **Retail Business:** A business which prepares and/or sells consumer products and goods directly to consumers.

69. **Right-of-way:** A general term denoting land, property, or interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.
70. **Roadside Stand:** A seasonal, temporary building or structure used for the sale of agricultural products grown by the seller on the land from which they are sold.
71. **Sanitary Landfill:** A burial operation where refuse is compacted thoroughly and the covered with earth.
72. **Seasonal Residence:** Summer cottages, shooting club houses, farm labor housing and similar housing occupied less than six months during a year.
73. **Semi-Public Uses:** Churches, Sunday schools, parochial schools, colleges, hospitals and other institutions of an educational, religious, charitable or philanthropic nature.
74. **Sewage Disposal System - Group:** A package system approved by the governmental authorities having jurisdiction which provides for the collection and disposal of sewage from a group of dwellings or commercial or industrial buildings.
75. **Sewage Disposal System-Individual:** An on-site system for septic tank facilities for the collection and disposal of sewage from a dwelling or building.
76. **Social Activities:** Any building and land used for private or semi-private club activities, including lodges, fraternities and similar activities.
77. **Specialized Non-Customary Animal Raising and Care:** The use of land and buildings for the non-agricultural care of fur-bearing animals such as mink, animal kennels, pigeon raising, or birds and animals of a similar nature.
78. **Street:** A public right-of-way, which provides a public means of access to abutting property. It shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare or any other similar term.
79. **Structure:** Anything constructed or erected other than a building the use of which requires permanent location on the ground, or attached to something having a permanent location on the ground.
80. **Structural or Building Alterations:** Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.
81. **Swimming Pools:** Manufactured containment of water intended for recreational swimming.
82. **Telecommunications:** The technology that enable information to be exchanged through the transmission of voice, video, or data signals by means of electrical or electromagnetic systems.
83. **Tent:** A portable shelter made of canvas, or other materials stretched over poles.

84. **Tourist Home:** A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to tourists and travelers.
85. **Trailer, Mobile Home:** Any house car, house trailer, or similar mobile unit which may be used for dwelling or sleeping quarters.
86. **Trailer Mobile Home Park:** A high density residential development consisting of trailers or mobile homes, used for dwelling purposes, existing prior to the adoption of zoning and now considered a nonconforming use.
87. **Trailer, Small Utility:** Any trailer drawn by passenger automobile or other vehicle used for the transport of personal affects or camping.
88. **Variance:** A minor departure or exception from the strict rule or literal enforcement or interpretation of zoning provisions.
89. **Warehousing:** A building where products and goods are kept for sale or use.
90. **Wholesale Business:** A business which stores and sells predominantly to retail business.
91. **Wireless Telecommunications Antenna:** The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.
92. **Wireless Telecommunications Equipment Building:** The structure in which the electronic receiving and relay equipment for a wireless telecommunications facility is housed.
93. **Wireless Telecommunications Facility:** A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.
94. **Wireless Telecommunications Tower:** A structure intended to support equipment used to transmit and/or receive telecommunications signals, including monopoles, guyed and lattice construction steel structures.
95. **Yard:** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard. The depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.
96. **Yard, Front:** A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street right-of-way line, as established by the Major State Highway Plan and the main building or any portion thereof.
97. **Yard, Rear:** A yard extending across the rear of a lot and being at least the required minimum horizontal distance between the rear lot line and the rear of the main building or any projection thereof.

98. **Yard, Side:** A yard extending from the front yard to the rear yard, and being the minimum horizontal distance between the side lot line and the main building or any projection thereto.
99. **Zoning Certificate:** The document issued by the Zoning Inspector authorizing buildings, structures, or uses consistent with the provisions of this Resolution.
100. **Zoning District Map:** The Zoning District Map or maps of the township together with all amendments subsequently adopted.
101. **Zoning Inspector:** The Zoning Inspector or his/her authorized representative appointed by the Board of Township Trustees.

ADDENDUM

AMENDMENTS TO THE RESOLUTION ARE AS FOLLOWS

- 1. Aug 25, 1975 Map Revision**
 - A. Change R-1 to B-1, Sharp property, Plot I and 2 of Sect. 13, N.W.QT.
 - B. Change R-1 to B-1, Eisaman property, Plot C of Sect. 13, N.E.QT.
- 2. Nov 1, 1977 Map Revision**
 - A. Change R-1 to M-1, E-Z-Way and Hartsler property, Plot B and C and triangle formed by the extension of east boundary of Plot C to Akron Road of Sect. 30, N.W.QT.
- 3. Dec 11, 1977 Map Revision**
 - A. Change R-1 to M-1, Trusco property. Plot E, K, and L of Sect. 17, S.E.QT.
 - B. Change R-1 to M-1, Stoll property, Plot F of Sect. 17, S.E.QT.
 - C. Change R-1 to M-1, Tester property, triangle formed by Railroad Tracks, Galehouse Road and west boundary of Plot J extended of Sect. 17, S.E.QT.
 - D. Change R-1 to M-1, Galehouse Lumber property, Plot D-1 of Sect. 17, N.E.QT. and Lot 47 and 48 of Easton.
 - E. Change R-1 to M-1, Nichter property, Plot B-1 of Sect. 17, N.E.QT.
- 4. Mar 19, 1979 Map Revision**
 - A. Change R-1 to B-1 Villers property, Lots I and 2 of Easton
- 5. Apr 29, 1982 Article VIII Modified**
 - A. Section 1A added - Set back lines for accessory building added for R-1 and R-2 districts
 - B. Section 2 revised to add maximum size of accessory buildings, 24 x 30 ft in R- 1 and 12 x 20 in R-2 districts
- 6. Sept 29, 1984 Map Revision**
 - A. Change R-1 to B-1, Rowe property, 2 acres from Plot B of Sect. 17, N.E.QT.
- 7. Dec 29, 1987 Map Revision**
 - A. Change R-1 to B-1, Goffinet property, Plot Q of Sect. 1, N.W.QT.
- 8. July 12, 1988 Map Revision**
 - A. Change R-1 to M-1, Kerechanin property 4.09 acres, Plot P, Section, 21, N.W. QT.
- 9. July 12, 1988 Map Revision**
 - B. Change R-1 to R-2, Pavkov property Plot B & H, Section, 14, N.E. QT.
- 10. October 29, 1991**
 - A. Catalano property 1.06 acres 585/57 Intersection, Section 30, N.W. QT. re-zoned from R-1 to B-1

11. May 26, 1992

- A. Felicia Sayre property 22.25 acres, Section 23,
11342 Black Diamond Road, re-zoned from R-1 to M-1

12. May 5, 1997

Re-zoned from R-1 to M-1

SEC.	QTR.	PAR.	CURRENT PROPERTY OWNER
1	NW	H	COLE
1	NW	Y	COLE
1	NW	A-1	STOCKWELL
1	NW	N-1	MCAVINEW
1	NW	B-2	GOFFINET
1	NW	A-2	GOFFINET
1	NW	C-2	GOFFINET
1	NW	Q	GOFFINET
2	NE	D-1	HEMRICK
2	NE	F-3	BURR
2	NE	S	VILLERS
2	NE	Y	NOE
2	NE	T	PEDRO
2	NE	L	PEDRO
2	NE	O	DEERMAN
2	NE	C	NORTH
2	NE	A	WATKINS
2	NE	V	WATKINS
2	NE	B	WATKINS
2	NE	P	RACIN
2	NE	F	LANCE
2	NE	J-1	HACKENBERG
2	NE	I-I	LANCE

13. October 6, 1997 Modified

- A. Article VII, "R-1"
Under Permitted Use - Certificate Required
Add: Home Occupations
Under Conditional Use Requiring Board Approval:
Delete: Home Occupations
- B. Article IV, Section 15 (New)
Add: Section 15 Home Occupations
- C. Article XV, Section 1, Item 1
Delete: The last sentence
- D. Article XV, Section 1, Item 32
Delete: The entire definition and add the new definition

14. October 5, 1998

- A. Re-zoned from R-1 to M-1, Mowder property,
13.05 acres, 14948 Portage St., Plot Z-1, Section 02, S.W.QT.

15. November 11, 1998

- A. Re-zoned from R-1 to B-1, Ramsier property,
4 acres, S.W. Corner of SR57 & Eastern Rd., Section 6, N.W.QT.

16. April 19, 2000

- A. Re-zoned from R-1 to M-1, Trusco property, 12478 Porr Road, 1.75 acres, Section 17, S.E. QT.

17. May 22, 2000 Article IV, Section 16 New

- A. Article IV, Section 16 (New)
Add: Section 16 Wireless Telecommunications Facilities
- B. Article XV, Section 1
Add: Item 15, Item 36, Item 48, Item 69, Item 73, Item 74, Item 75, Item 76

18. August 1, 2001 Map Revision

- A. Re-zoned from R-1 to B-1, Chippewa Golf Corp property, located at the Intersection State Route 21 and Clinton Road, Section 24 N.E., Parcel J, 22.231 acres, Lot 112, 2.98 acres, Lot 119, 3.3 acres, Lot 120, 2.058 acres, Lot 121, 2.207 acres, Lot 122, 2 acres and Lot 123, 2 acres.
- B. Re-zoned from R-1 to M-1, Jeff Bailey property, located on Doylestown Road just West of State Route 585, Section 9 N.E., Parcel A, 20.226 acres.

19. Adopted June 11, 2003, effective July 12, 2003 - Amended

- A. See file copy for deletions and additions.

20. Adopted July 9, 2003, effective August 9, 2003 – Map Revision

- A. Re-zoned from R-1 to B-1, Robert E. Walsh property, located on Grill Rd., section 12 N.W., Parcel #12-02011, 22.911 acres

21. Adopted December 29, 2003, effective January 29, 2004 – Map Revision

- A. Re-zoned from R-1 to M-1, VicAllen LTD property, 14834 Portage St., Section 2 N.E. quarter, Parcel #12-990, .4471 acre.

22. Adopted February 11, 2004, effective March 13, 2004 – Map Revision

- A. Re-zoned from R-1 to R-2

	Lots	Plat Book	Page
The Meadow	1-37	9	26
The Meadow Phase II	38-84	9	170
The Meadow Phase III	85-163	9	478
Shisler Allotment	164-165	9	476
	194-197		
The Meadow Phase IV	199-242	12	323
Replat & Renumbered	243-244	18	182
The Meadow Phase V	245-251	19	220
Replat & Renumbered	252-253	21	224

SEE AMENDMENT #9 - Re-zoned - July 12, 1988

23. Adopted May 12, 2004, effective June 12, 2004 – Amended

- A. Article VIII, Section 8.02
Add: Attached garages: The maximum size of attached garages shall be 768 square feet for dwellings with living space up to 2,400 square feet. The maximum size of attached garages for dwellings with living space greater than 2,400 square feet shall be thirty-two percent (32%) of the living space of the dwelling. For purposes of these regulations, a garage is considered attached to dwelling when its structural members are permanently attached to the dwelling.
- B. Article XI, Section 11.03 B. Item 3.
Delete: 'shall be erected with the finished side facing outward and'."
- C. Article VIII, Section 8.01
Add: 'For parcels one and one half acres (1 ½), to and including five (5) acres'."

24. Adopted December 29, 2004, effective January 29, 2005 – Amended

- A. Article I, Section 1.01
Add: 'Act in the interest of'.
Add: 'morals, convenience, comfort, prosperity,'."
- B. Article II, Section 2.04
Add: Item N. Groundwater Model Study
Any entity that plans on withdrawing over (500,000) five hundred thousand gallons of water a day must pay for a groundwater model study to be done by a company or consultant to the Trustees.
- C. Article XIV, Section 14.08
Add: 'Chippewa Township follows all state guidelines the ORC 1509, the Ohio Administrative Code, and applicable Federal regulations, dealing with oil and gas wells and all operations in the township must follow those same state guidelines for anything pertaining to oil and gas wells..'"
Delete: 'This section sets forth requirements to insure that any operation incidental to exploration, production, or storage of gas and oil takes place in a manner not endangering public health, safety, and welfare. In the event of conflict between these regulations and state law, adopted pursuant to ORC 1509, the Administrative Code, and applicable Federal regulations, the most stringent regulations shall apply.
Delete: Items A., B., C., D., E., F., G., H., I., J., K., L., M., N., O., P., Q., R., S.

25. Adopted May 26, 2005, effective September 2, 2005 – Map Revision

- A. Re-zoned from R-1 to M-1, Piscazzi Enterprises, Section 12, Northwest Quarter at SR21 and Grill Road, Parcels A, B, C, D, & E, 56.88 acres.

26. Adopted August 10, 2005 effective September 12, 2005 – Map Revision

- A. Rezoned from R-1 to M-1, Thomas and Ella Finley Property, 18488 Grill Road, Section 12, Northwest Quarter, 12.885 acres from Parcel E.

27. Adopted November 8, 2006 effective December 11, 2006 – Amended

- A. Add to Article II:
Section 2.11 Common Access Drives
Common Access Drives are not permitted.

- B. Add to Article II:
Section 2.12 Landfills
Sanitary Landfills are not permitted within the boundaries of Chippewa Township.

- C. Add & Change to Article VIII:
Add to Minimum Total Floor area Add: Per Family
Change Minimum Ground Floor Area for “R-1” One Family
Less than two from 1,400 sq. ft. to 1,600 sq. ft.
Change Minimum Total Floor Area Per Family for “R-1” One Family
Less than two from 1,400 sq. ft. to 1,600 sq. ft.
Change Minimum Ground Floor Area for “R-1” One Family
Two or more from 900 sq. ft. to 1,000 sq. ft.
Change Minimum Total Floor Area Per Family for “R-1” One Family
Two or more from 1,400 sq. ft. to 1,600 sq. ft.
Change Accessory Buildings in R-1: For lots over 2 acres, the maximum size shall be 800 sq. ft. plus 100 sq. ft. of additional floor area for each one-half (1/2) acre of lot area in excess of 2 acres, up to a maximum of from 1,200 sq. ft. to 1600 sq. ft.
A maximum of two (2) accessory buildings per lot are permitted, however the total sq. ft. of the two (2) accessory buildings can not exceed the area set forth above.

28. Adopted November 14, 2007 effective December 15, 2007 – Amended

- A. Add to Article II:
Section 2.08 Accessory Uses
An accessory use shall only be permitted subsequent to and on the same property as the principal permitted use to which it is accessory. No accessory use shall be established on a site without a principal use. No accessory use or structure, including swimming pools, shall be located closer to the front property line than the principal permitted use. All accessory uses must be incidental to the property on which they are permitted.

POOLS

- 1. All pools shall be completely enclosed by fencing to prevent unauthorized access, except as noted below. Pool fencing shall be at least four (4) feet in height above the ground. All above ground pools with a wall height of four (4) feet or greater measured from the surrounding grade shall not require fencing; however, the pool shall be secured to prevent uncontrolled access from adjacent properties.
- 2. Doors, gates and/or ladders for above and inground pools shall be equipped with suitable locking devices to prevent unauthorized intrusion. All gates shall be self-closing and self-latching.
- 3. Portable pools shall be secured when not in use.

OUTDOOR FURNACES

- 1. Any equipment, device or apparatus, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat to a principal

residential structure or any other site structure on the residential premises.

2. An outdoor furnace may be permitted in R-1 Suburban Residential District. All furnaces shall meet the following requirements:
 - a. A zoning permit is required.
 - b. Located in rear yard only.
 - c. Minimum depth side yard and rear yard, seventy-five (75) feet.
 - d. At least one hundred (100) feet to the nearest dwelling not served by furnace.
 - e. No outdoor furnace shall be utilized as waste incinerator.
 - f. Must comply with Wayne County Building Department regulations (building, mechanical, electrical, heating) and Wayne County Health Department regulations.
 - g. Stack height must be a minimum of twelve (12) feet from the ground at unit base.
 - h. Materials that may not be burned:
 1. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
 2. Waste oil or other oily wastes.
 3. Asphalt and products containing asphalt.
 4. Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.
 5. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
 6. Rubber including tires and synthetic rubber-like products.

- B. Add to Article VII to all Districts
 - Section 7.01 S-1: Special District
 - Section 7.02 R-1: Suburban Residential District
 - Section 7.03 R-2: Residential District
 - Section 7.04 B-1: Local Business District
 - Section 7.05 M-1: Restricted Industrial District
 - Section 7.06 M-2: Industrial District

4. Non-Permitted Uses:

Any use not listed as permitted, and any use not listed as conditionally permitted, is prohibited.

- C. Add to Article XIX
 - Section 19.01 Definitions
 80. Swimming Pools: Manufactured containment of water intended for recreational swimming.

29. Adopted December 27, 2007 effective January 27, 2008 - Amended

A. Add & Change to Article XII:
Section 12.03 Zoning Certificates

(A) Zoning Certificate Required

~~A Zoning Certificate is required prior to the issuance of a building permit or health certificate. A Zoning Certificate shall be required as set forth in this Zoning Resolution and for any of the following:~~

- ~~1. Construction or alteration of any building or structure, including accessory buildings, permanent signs, fences, and swimming pools.~~
- ~~2. Change in use of any existing building or accessory building to a use of a different classification.~~
- ~~3. Occupancy and use of vacant land, except for the production of farm products.~~
- ~~4. Change in the use of land to a use of a different classification.~~
- ~~5. Any change in the use of a non-conforming use, as approved by the Chippewa Board of Zoning Appeals.~~

No person shall change any use of land, a building, or a structure, nor locate, relocate, erect, construct, reconstruct, enlarge or structurally alter any building or structure within Chippewa Township without first obtaining a zoning permit. The Zoning Inspector shall not issue a zoning permit or zoning certificate unless the plans for the proposed building, structure or use of land fully comply with the provisions of this resolution, unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, a variance or conditional use. A zoning certificate shall be required for all dwellings, all principal structures and uses, all accessory structures, all specified accessory uses, and all temporary uses. A zoning certificate shall not be required for the use of land or buildings or structures exclusively used for agricultural purposes.

(C) Compliance:

~~Within fifteen (15) days after receipt of the application, the Zoning Inspector shall issue a Zoning Certificate if the application complies with the requirements of this Zoning Resolution and is accompanied by the proper fee, or shall deny the same if it does not comply. Failure to either issue or deny the Zoning Certificate within fifteen (15) days, however, shall not constitute approval of the application.~~

Within 30 days after receipt of the application, the Zoning Inspector shall issue a zoning certificate if the application and accompanying plans for the proposed building or structure fully comply with the requirements of this zoning resolution, and is accompanied by the proper fee. If the application and accompanying plans do not comply with the zoning resolution, then the Zoning Inspector shall, by dated written notice, bring this to the attention of the applicant to allow the applicant to amend its application in order to fully comply with the zoning resolution; or shall deny the application if it is not amended to fully comply with the zoning resolution. Failure to issue or deny the zoning certificate within 30 days shall not constitute approval of the application.

In the case of high impact projects, the Zoning Inspector shall have 90 days after receipt of the application to issue a zoning certificate if the application and accompanying plans for the proposed building or structure fully comply with this zoning resolution and is accompanied

by the proper fee, or shall bring the failure to comply to the attention of the applicant who may then amend its application in order to fully comply. If within 90 days of the Zoning Inspector giving notice of non-compliance to the applicant for a high impact project, the application is not amended to fully comply, then the Zoning Inspector shall deny the application. In the case of high impact projects, failure to issue or deny the zoning certification within 90 days of the later of the application date or the notice of non-compliance date shall not constitute approval of the application.

- B. Add & Change Article XVI:
Section 16.05 Procedures for Administrative Appeals and Variances
(C) Notice and Hearing
~~The Board may recess such hearings from time to time and, if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.~~
The Board may continue hearings from time to time if the Board of Zoning Appeals deems it necessary and advisable due to the amount of testimony to be heard, the complexity of the appeal, or the existence of a high impact project. If the time and place of the continued hearing are publically announced at the time that the hearing is recessed to a later date and continued to a later date, then no further notice shall be required. However, in the case of a high impact project, the Board may choose to, but is not required to, provide published notice of its continued hearing or hearings. Subsequent to finally adjourning the public hearings, the Board of Zoning Appeals shall make a decision within 35 days after the hearing is concluded.
- C. Add to ARTICLE XIX:
Section 19.01 Definitions
32. High Impact Project: Is a project including new residential development containing 50 or more dwelling units; any new non-residential structures over 50,000 square feet, and those under 50,000 square feet if they abut existing residential developments or platted residential units; renovations of existing multi-family and non-residential enlarging the bulk or capacity by more than 50 percent.

30. Adopted April 9, 2008 effective May 9, 2008 - Amended

- A. Change Article VIII, Section 8.02
Attached Garages: The maximum size of attached garages shall be ~~768~~ 900 square feet for dwellings with living space up to 2,400 square feet. The maximum size of attached garages for dwelling with living space greater than 2,400 square feet shall be ~~thirty-two~~ forty-two percent (~~32%~~) (42%) of the living space of the dwelling. For purposes of these regulations, a garage is considered attached to the dwelling when its structural members are permanently attached to the dwelling.
- B. Change Article VIII, Section 8.02
Accessory Buildings in R-1: For lots of $\geq 1\frac{1}{2}$ acres or less the maximum floor area of all accessory buildings shall be 800 square feet.
For lots over $1\frac{1}{2}$ acres to 2 acres, the maximum size shall be 850 sq. ft.

For lots over 2 acres, the maximum size shall be ~~800~~ 1200 sq. ft. plus ~~400~~ 50 sq. ft. of additional floor area for each one-half (1/2) acre of lot area in excess of 2 acres, up to a maximum of 1600 sq. ft.

A maximum of two (2) accessory buildings per lot are permitted, however the total sq. ft. of the two (2) accessory buildings can not exceed the area set forth above.

- C. Add to Article III, Section 3.02 Signs Permitted in Any District
Off-site Directional Signs:
1. Signs directing motorists to businesses and auction which are located within the unincorporated portions of Chippewa Township may be erected off premises on private property provided that such signs are limited to six (6) square feet in area six (6) feet in height, and are setback out of public right-of way. The content of such directional signs shall be limited to the name of the business and the directional information.
 2. When a business generates 10,000 cars or more per 30-day period, the Township is cognizant of its duty to provide informational access so as to move the traffic along quickly and avoid traffic tie ups and other difficulty for the residents of the Township and patrons of those businesses.
In the case of a business that generates more than 10,000 cars in a 30-day period, 3'x3' directional signs are permissible, and such signs shall be at least 10 feet from any side or road right-of-way.

31. Adopted July 16, 2008 effective August 15, 2008 - Amended

- A. Change & Add to Article VI, Section 6.01, "S-1" Special District Land suitable for ~~residential~~, agriculture and public uses including the conservation and preservation of open space. This area may be subject to periodic flooding- and shall conform to standards and requirements of the Wayne County Floodplain regulations.
- B. Change to Article VII, Section 7.01 S-1: Special District Purpose:
This district is established to preserve environmentally sensitive areas, conserve and preserve of open space, and to limit development within these areas of Chippewa Township. These environmentally sensitive or conservation areas comprise about ~~twenty-five~~ fifteen percent (~~25%~~ 15%) of the Township and include wetlands, floodplains and hydric soils located primarily along Chippewa Creek, but may also include other areas requiring conservation or preservation of open space.
- C. Delete to Article VII, Section 7.01 S-1: Special District
 2. c. ~~Semi-Public Uses.~~
 3. a. ~~Seasonal Residence~~
 - d. ~~Single Family Residence~~
- D. Add to Article VIII, Section 8.01
Accessory Buildings R-1/R-2/S-1
- E. Add to Article VIII, Section 8.02
Accessory Buildings R-1/S-1
- F. Change the R-1: Suburban Residential District in the 100 year Floodplain area to S-1: Special District on Zoning map.
- G. Move Article VII, Section 7.05 M-1: Restricted Industrial District
 - B. 2. k. Gasoline or Service Stations and Automotive Repair to Article VII, Section 7.04 B-1: Local Business District
 - B. 2. p.

32. Adopted November 11, 2009 effective December 11, 2009 – Amended

- A. Revision to the Zoning map in the S-1: Special District the FEMA 100 Year Floodplain area.