

## Section 9 Supplemental Regulations

The uses specified in this section shall require a zoning permit, which may be obtained upon payment of the appropriate fee, from the Zoning Inspector and may require a conditional use permit from the Zoning Board of Appeals.

### I. Recreational Camps: 4/00

A. Uses Permitted: A tract of land shall be used only for the following purposes, but no such use shall be permitted unless the requirements and conditions described hereafter are met and approval is granted by the Board of Zoning Appeals and a valid zoning permit is obtained.

1. Recreational Camps 4/00
2. Accessory Buildings and Uses

B. General Standards for Recreational Camps: 4/00 The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed trailer camp in terms of the following standards and shall find evidence showing that the trailer camp development:

1. Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.
2. Will not be hazardous or detrimental to existing or future neighboring uses.
3. Will be served adequately by essential public services and facilities, such as highways, streets, police and fire protection, drainage and refuse disposal; or that the person(s) or agencies responsible for the establishment of the trailer camp shall be able to provide adequately for such services.
4. Will not create excessive additional requirements at public cost for public facilities and services.
5. Will be consistent with the intent and purpose of this Resolution.
6. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.
7. Will not result in the destruction, loss or damage of natural, scenic or historic features of major importance.
8. Will meet all the requirements of the Ohio Revised Code, Ohio Administrative Code, and other governmental agencies.
9. If problems are created or result from the use of the property as a camp, or if the foregoing provisions shall have been violated by the owner thereof, the zoning permit may be revoked by the Zoning Inspector after a review of the circumstances by the Zoning Board of Appeals.

C. Contents of Application: A written application shall be filed with the Chairman of the Board of Zoning Appeals. At a minimum, the application shall contain the following information:

1. Name, address and phone number of applicant.
2. Legal description of property.
3. Present land use.
4. Present Zoning District.

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5. Proposed Zoning District.

6. A vicinity map at a scale approved by the Board of Zoning Appeals showing property lines, streets, existing and proposed Zoning Districts and other such items as the Board may require to evaluate the relationship of the proposed development to the surrounding areas.

7. A plan at a scale approved by the Board of Zoning Appeals, showing the location and dimensions of street and other roadways; all individual camp sites; improvements; recreation areas; all accessory buildings and parking areas; buffering, screening or fencing; provisions for garbage and trash removal; provisions for restrooms, water supply, etc.; location of utilities including lighting, walkways, etc.; and other such things that the Board deems necessary.

8. The fee as established by the Board of Township Trustees.

9. The owner shall notify the Zoning Inspector in writing of his intention to use the structure in this manner each year.

D. Recreational Camp Requirements: All recreational camps shall meet the following requirements: 4/00

1. Size: A recreational camp shall contain a minimum of ten (10) acres and provide a minimum of fifty (50) camp sites upon opening. 4/00

2. Density: The maximum density shall not exceed ten (10) individual camp sites per gross acre nor more than thirty-five (35) persons per gross acre.

3. Width and Depth: The minimum width of a recreational camp shall not be less than three-hundred (300) feet. The ratio of width to depth shall not exceed one to five (1:5) ratio. 4/00

4. Yards: All individual camp sites or accessory buildings shall be located no closer than fifty (50) feet from the front property lines, nor closer than thirty-five (35) feet from the side or rear property lines. If the side or rear property line abuts a public or private right-of-way, the minimum side or rear yard shall be fifty (50) feet.

5. Access: All recreational camps shall have access to adequate collector streets with a right-of-way not less than fifty (50) feet in width. Marginal access roads may be required if deemed necessary for recreational camps that have direct access onto an arterial street. 4/00

6. Streets: The design and construction of the interior streets shall be sufficient to adequately serve the size and density of the development. All interior streets shall be all-weather roads with a right-of-way not less than twenty-five (25) feet and a road surface of not less than twenty (20) feet. Parking on the interior streets shall not be permitted.

7. Walkways: All recreational camps shall have pedestrian walkways at least four (4) feet in width. The location of necessary walkways shall be decided by the Board of Zoning Appeals and may vary relative to location, intensity of use, and location of recreational areas and service facilities. 4/00

8. Recreation and Open Space: At least thirty-five (35) percent of the gross land area shall be reserved for recreational and open space use. This figure is in addition to any other open areas required by yard dimensions or any other sections of this Resolution. Individual camp sites shall not be included in this recreation and open space area.

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9. Buffering and Screening: The outer boundaries of the recreational camp shall contain a buffer zone. This buffer zone shall be composed of a green strip, not less than twenty (20) feet in width, located along all camp boundaries. In addition, all vehicles, tents, and camp sites shall be located no closer than one-hundred (100) feet from any property zoned for residences. Proper buffering shall be determined by the Board of Zoning Appeals and may include fencing, screening, and/or the planting of trees and bushes. 4/00

10. Records: The camp owner or operator shall keep a record of occupants, by name, home address, date and duration of stay, and license number which shall be available at all times for inspection by the Zoning Inspector.

11. Inspection: The County Board of Health and the Zoning Inspector shall have the right of entry and access to recreational camps at any reasonable time for the purpose of inspecting and investigating conditions relating to the administration and enforcement of the regulations and requirements of the Resolution. 4/00

12. Permission to Operate: No person shall operate or maintain a camp unless written authorization for the operation of the camp has been obtained from the Board of Zoning Appeals and the provisions of this Resolution are met. Such written authorization may be required if deemed necessary for each calendar year prior to opening the camp for the calendar year for which the application is made.

13. Sale of Camp Sites: The sale, or long-term lease of individual camp sites shall be prohibited.

14. Campfires: If campfires are permitted, suitable facilities shall be provided and necessary precautions taken.

E. Individual Camp Site Requirements. Individual camp sites within recreational camps shall meet the following requirements: 4/00

1. Camp Site Area: Each individual camp site shall be at least two- thousand four-hundred (2,400) square feet in area.

2. Camp Site Width: Each individual camp site shall be at least forty (40) feet in width.

3. Camp Site Setbacks: There shall be a minimum of eight (8) feet open space between the vehicle, tent, or structure used for camping purposes and any such camp site boundary line. The width and/or length of the vehicle, tent, or structure shall include all projections, awnings, porches, tip outs, flip outs, slip outs, etc.

4. Corner Markers: The four (4) corners of each individual camp site shall be marked in a manner acceptable to the Board of Appeals.

5. Streets: All individual camp sites shall front on an all-weather road with a right-of-way not less than twenty-five (25) feet and a pavement surface of not less than twenty (20) feet.

F. Recreational Camp Utilities and Other Services: All recreational camps shall conform to the requirements for utilities and other services as follows: 4/00

1. Storm Drainage: Within each recreational camp, storm drainage shall be provided in accordance with the following requirements: 4/00 a. All areas shall be graded in a manner so that there will be no poorly drained areas. Grading shall not obstruct the natural drainage of surrounding properties. b. Open drainage ditches are prohibited. All drainage systems shall be designed in accordance with, and approved by, the County Engineer.

2. Water Supply: The requirements of Section 3701-25-37 of the Ohio Administrative Code shall be met.

3. Sewage: The requirements of Section 3701-25-57 of the Ohio Administrative Code shall be met.

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4. Toilet Facilities: The requirements of Section 3701-25-61 of the Ohio Administrative Code shall be met.

5. Other Requirements: The requirements of Sections 3701-25-51 through 3701-25-75 inclusive (Ohio Administrative Code) shall be met.

E. Penalty for Violation: The violation of any part of this Resolution shall be punishable under Section 10. The appropriate prescription of conditions and safeguards, in conformity with this Resolution, shall be met. Violations of such conditions and safeguards, when made a part of the zoning permit, shall be deemed a violation of this Resolution and punishable under Section 10.

### II. Boat, Boat Trailer, Boat Cradle and Boat Rack Storage: 12/04

A. Boat, boat trailer, boat cradle and boat rack storage shall meet the following conditions:

1. A valid zoning permit must be obtained.
2. Such areas shall be properly maintained in an orderly fashion. Weeds and grass shall be kept mowed.
3. Such uses, if not confined to a building or structure, shall be kept properly screened from adjacent residential areas. Such screening shall be masonry or solid fence eight (8) feet in height and maintained in good condition and free of any advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than twenty (20) feet in width planted with an evergreen hedge or dense planting of not less than four (4) feet in height at the time of planting with a mature height of at least eight (8) feet.
4. No such storage buildings shall be erected or enlarged to exceed thirty-five (35) feet in height.
5. The proposed storage building shall not be located closer than seventy-five (75) feet from any public right-of-way and such facility shall maintain a twenty-five foot setback from all other lot lines.
6. Such storage uses shall not be in conflict with existing residential areas and shall not create any unreasonable nuisance, hazard, or traffic problem.
7. Comply with all governmental requirements. 4/97
8. If problems are created or result from the use of the property as a storage site, or if the foregoing provisions shall have been violated by the owner thereof, the zoning permit may be revoked by the Zoning Inspector after a review of the circumstances by the Zoning Board of Appeals.

### III. Bed and Breakfast:

A. A valid zoning permit must be obtained and the following conditions must be met for all bed and breakfast operations: 12/04

1. The Bed and Breakfast must be owner-operated; it must be the principal residence of the owner, and occupied by the owner.
2. One (1) individual not residing in the Bed and Breakfast may be employed in its operation.

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3. No more than four (4) rooms shall be offered for rent. The Board of Zoning Appeals may permit more rooms in Residential Zoning Districts which permit multi-family dwellings.
4. Each room rented shall contain a minimum of one hundred (100) square feet. No rented room shall have independent outside entrance (emergency fire exits are permitted).
5. Neither any rented room nor the owner's dwelling space shall be located in an accessory structure.
6. No cooking facilities of any type shall be permitted in the rented rooms.
7. A minimum of one (1) on-site parking space per room offered for rent, and two (2) spaces for the owner shall be required.
8. The outside appearance of the dwelling shall remain residential in appearance as a result of the operation of the bed and breakfast facility, including any additions thereto. 4/00
9. One (1) sign not exceeding four (4) square feet in area shall be permitted identifying the dwelling as a "Bed and Breakfast".
10. Comply with all governmental requirements. 4/97
11. Any other condition or safeguard deemed appropriate by the Board of Zoning Appeals.
12. If problems are created or result from the use of the dwelling as a bed and breakfast, or if the foregoing provisions shall have been violated by the owner thereof, the zoning permit may be revoked by the Zoning Inspector after a review of the circumstances by the Zoning Board of Appeals.
13. The owner may provide a maximum of one (1) golf cart per room for use by or rental to each occupant. 4/00

### IV. Dwelling, One-Family, Temporary Use and Apartment: (Rv.7/02) 12/04 12/06

A. A one (1) family dwelling designed or intended to be used by a single- family for not more than thirty (30) days. This dwelling may be rented if all of the following conditions are met and a valid zoning permit is obtained. 12/06

1. The dwelling is rented for a minimum of one (1) week at a time.
2. The dwelling is not occupied by more than one (1) family.
3. The owner will provide for the orderly parking of vehicles used by the renters and insure no damage to adjoining property occurs.
4. Comply with all governmental requirements. 4/97
5. If problems are created or result from the use of the dwelling as a dwelling, one-family, temporary use or if the foregoing provisions shall have been violated by the owner thereof, the zoning permit may be revoked by the Zoning Inspector after a review of the circumstances by the Zoning Board of Appeals.

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### V. Rental Unit: (Rv.7/02) 12/04

A. An owner occupied building where a dwelling unit is provided for compensation within the main building. This unit may be rented out if all of the following conditions are met and a valid zoning permit is obtained.

1. The dwelling unit is rented for a minimum of one (1) week at a time.
2. The dwelling unit is not occupied by more than one (1) family.
3. Not more than one (1) dwelling unit may be rented.
4. The owner will provide for the orderly parking of vehicles used by the renter and insure no damage to adjoining property occurs.
5. Comply with all governmental requirements. 4/97
6. If problems are created or result from the use of the dwelling as a rental unit, or if the foregoing provisions shall have been violated by the owner thereof, the zoning permit may be revoked by the Zoning Inspector after a review of the circumstances by the Zoning Board of Appeals.
7. Any other conditions deemed necessary by the Zoning Board of Appeals.

### VI. Home Occupation: 4/00 12/04 12/06

A. The use of a part of a single-family dwelling or accessory building containing not more than twenty-five (25) percent of the floor area or 600 square feet, whichever is less of the dwelling or accessory building, for pursuits compatible with a domestic household. Such uses include, but are not limited to the following: offices for professionals such as architects, doctors, insurance agents, lawyers, real estate agents, etc.; personal services including barber shops beauty parlors, manicure & pedicure shops, pet grooming, etc.; instructional services such as music, dance, arts & crafts, etc.; babysitting services; studios for artists, musicians, photographers, etc.; workrooms for tailors, dressmakers, carpenters, etc.; and repair services including watch & clock, small appliance, computers, lawnmowers, etc. 12/06 An occupation wholly within a dwelling unit or accessory building, on the same lot as the residence, requiring a conditional use permit is allowed if the following conditions are met and a valid zoning permit is obtained: 4/97

1. No more than three (3) person shall be engaged in such occupation conducted in the dwelling or accessory building.
2. Permitted activities shall include the making, servicing or repairing of goods, wares, or merchandise or the providing of goods or services for hire or gain.
3. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
4. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one (1) sign as permitted by Section 8 of this Resolution;
5. No external storage of goods or materials outside of the dwelling or garage shall be permitted;

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6. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of the home occupation shall be met using off-street parking;
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot;
8. The home occupation shall not create or become a public nuisance;
9. The hours of operation shall commence and conclude as determined by the Board of Zoning Appeals based on the type of home occupation;
10. Comply with all governmental requirements; and
11. The Board of Zoning Appeals, after due process including at a minimum an investigation by the zoning inspector and a public hearing, shall have the authority to revoke the authorization of the single-family dwelling or accessory building containing 600 square feet or less as a home occupation if any of the above conditions are violated. 12/06

### **VII. Boat Dock Rentals: 4/00 12/04**

A. Boat dock rentals are permitted in districts provided a valid zoning permit is obtained and the following conditions are met:

1. Provide for proper disposal of trash.
2. Provide at least one (1) parking space for each thirty (30) feet of lineal seasonal dockage, ninety (90) feet of lineal transient dockage available. 3/93
3. Shall not create traffic congestion, noise or similar inconvenience to adjoining property owners.
4. Comply with all governmental requirements. 4/97
5. Any other condition deemed necessary by the Board of Zoning Appeals.
6. Accommodations aboard a boat shall not be rented. 3/93
7. If problems are created or result from the renting of docks, or if the foregoing provisions shall have been violated by the owner thereof, the zoning permit may be revoked by the Zoning Inspector after a review of the circumstances by the Zoning Board of Appeals.

B. Boat dock rentals on an annual basis shall be considered seasonal. Boat dock rentals other than on an annual basis shall be considered transient.

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### VIII. Pond/Retention Pond: 4/00

A. Ponds are permitted in districts provided the following conditions are met: 4/00

1. A valid zoning permit is obtained.
2. May only be constructed in the rear yard.
3. Depth may not exceed fifteen (15) feet.
4. Occupy no more than thirty (30%) of the lot on which it is constructed.
5. A minimum of twenty-five (25) foot side yard and thirty-five (35) foot rear yard setbacks measured from the waters edge.
6. Be surrounded by earthen levy or bunker to a height not to exceed six (6) feet or less than three (3) feet above the average surrounding finished grade.
7. Be fenced to a height not to exceed four (4) feet above the average surrounding finished grade.
8. Meet the design specifications for ponds of the Ottawa County Soil and Water Conservation District. Be inspected by and receive written confirmation of inspection by the District Program Administrator.
9. Comply with all governmental requirements. 4/97

### IX. Other Categories: 4/00

A. The following categories also require zoning permits and must comply with all state and governmental requirements.

1. Airplane storage rental sites.
2. Hotels.
3. Motels.
4. Motor vehicle storage rental sites.
5. Motorized land or water vehicle rental.
6. Non-motorized land or water vehicle rental.

### X. Special Events: 4/00

A. All special events require a Special Event Permit and are subject to the following conditions:

1. The special event shall not last longer than seven (7) days, nor occur more than once in each calendar year.
2. The special event will not create a level of noise which will interfere with the normal living conditions of adjoining property owners.



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3. The required and necessary facilities for the special event such as restrooms, parking and the like are available in adequate amounts for the type of special event planned.
4. The special event will not interfere with the traffic flow and the public's safety.
5. Comply with all governmental requirements. 4/97
6. Other conditions which the Board of Zoning Appeals feels are necessary to protect the public's health, safety and welfare shall be imposed.

### **XI. Flammable Fluids & Gas Storage 4/00**

A. The storage of all flammable fluids and gases must be meet or exceed the current standards as set forth by the National Fire Protection Association (N.F.P.A.)

B. The maximum water capacity per container of liquefied petroleum gases and the number of containers by district shall not exceed the following.

1. Residential Districts: Two thousand (2,000) gallons total capacity, contained in no more than two (2) tanks, not to exceed one thousand (1,000) gallons each. Containers having a water capacity of one hundred (100) pounds or less are exempt from the two (2) container limit.
2. Other Districts: Three thousand (3,000) gallons total capacity, contained in no more than three (3) tanks, not to exceed one thousand (1,000) gallons each. Containers having a water capacity of one hundred (100) pounds or less are exempt from the three (3) container limit. Facilities in the Industrial District, utilized as a propane storage facility for resale, shall be exempt from these requirements.
3. Storage tanks may not be kept on lots which are not contiguous to the lot on which the fuel is to be consumed.

### **XII. Mini Storage Buildings 4/97 & 4/00**

A. Mini storage buildings are permitted in certain Districts provided a valid zoning permit is obtained and the following requirements are met.

1. The building use is for rental to the public for storage of non-hazardous personal goods. Outside storage on the property is not permitted.
2. The building shall not be more than twenty (20) feet in height nor more than forty (40) feet in depth, with separate storage spaces of not more than two hundred (200) square feet each.
3. No living quarters shall be maintained nor any business/manufacturing practices allowed within the building, or on the property.
4. The building may not contain within, natural gas/propane, water, electricity, or other similar utilities.
5. Exterior security illumination may be permitted but shall be shaded so as to not project onto adjoining property or thoroughfares.

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6. Access to the building shall be limited to the hours between 7:00 a.m. and 9:00 p.m. local time and no equipment shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference.
7. The building must comply with all government requirements.
8. If problems are created or result from the use of the building by its renters or owners, or if the foregoing provisions shall have been violated by the owner, a citation may be issued and/or the zoning permit may be revoked by the Zoning Inspector.

### XIII. Adult Sexually Oriented Business 4/00

1. This requirement establishes reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the Township. This requirement has neither the purpose or effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this requirement to restrict or deny access by adults to sexually oriented materials protected by the First Amendment or to deny access by the distributors or exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this requirement to condone or legitimize the distribution of obscene materials. 4/00
2. Such uses shall be permitted subject to the following conditions as well as those addressed in Section 6. 4/00
  - a. The applicant shall file in writing a report containing the following information: 4/00
    1. The address where the sexually oriented business is operated or is to be operated. 4/00
    2. The status of the applicant as an individual, partnership, or limited partnership, domestic or foreign corporation, or other entity; the full name, residence address, date of birth, and social security number of the applicant or the person applying on behalf of a partnership, corporation or other entity. If the applicant is a partnership or limited partnership, the name of the partnership the status of the partnership as a general or limited partnership; the state or other jurisdiction under which it is organized; the address of its principal office in Ohio; its federal identification number; the name and address, date of birth, and social security number of each partner; and the status of each partner as a general or limited partner. If the applicant is a corporation, the name of the corporation; the state or other jurisdiction under which it is organized; the address of its principal office; the address of its principal office in Ohio; its federal identification number; the name and address of its statutory agent in Ohio; and the full name, residence address, date of birth, and social security number of each stockholder holding more than two percent of the applicant's stock. If any shareholder is a corporation or a general or limited partnership, the same information shall be included for such shareholder as is required for an applicant that is a corporation or general or limited partnership. 4/00
    3. The application must contain the address where the sexually oriented business is to be located and shall be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches. 4/00

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4. Applicants for a permit under this section shall have a continuing duty to promptly supplement application information required by this section in the event that said information changes in any way from what is stated on the application. The failure to comply with said continuing duty within thirty (30) days from the date of such change, by supplementing the application on file with the Township, shall be grounds for revocation or non-renewal of a permit. 4/00

5. Any other information determined by the Board to be necessary. 4/00

3. In addition, such uses shall be permitted subject to the following conditions: 4/00

a. Adult sexually oriented business uses shall be located at least one thousand five hundred (1,500) feet from any church, child day care center, library, public park, public or private school, social service facility, neighborhood center, or amusement arcade. 4/00

b. Adult sexually oriented business uses shall be located at least one thousand (1,000) feet from any boundary of any residential district in an abutting local unit of government. 4/00

c. Adult sexually oriented business uses shall be located at least one thousand (1,000) feet from any other adult entertainment uses. 4/00 d. Adult sexually oriented uses shall be located at least one thousand (1,000) feet from a bar, tavern, or other business serving or selling liquor, beer, wine, or other alcoholic beverages. 4/00

4. A permit or license issued under this section to an adult sexually oriented business shall expire one year after the date of issuance. An application for a renewal permit shall be filed not later than forty-five (45) days of the expiration of the permit. An application for renewal shall be acted upon within thirty (30) days of receipt of the application. The information contained with the initial application for a permit and the supplementary information stated above shall be used to determine whether or not to renew a permit. Each permit for an adult sexually oriented business shall contain the name of the applicant, the address of the adult sexually oriented business and the expiration date of the permit. 4/00

### **XIV. Low Impact Wind Powered Electric Generator subject to the following conditions: 12/06**

1. The proposed wind powered electric generator/windmill shall be a distance of at least 125% of the height of the total structure to any property line, off-site residence or building, and public or private road right-of-way.

2. The maximum tower height shall not exceed one hundred and fifty (150) feet.

3. The noise level measured at the closest off-site residence shall not exceed 60 dBA.

4. The maximum lighting used for or on the structure is a low intensity red light as defined by the Federal Aviation Administration.

5. The wind powered electric generator/windmill shall have a rated capacity of not more than 100 kW.

6. The wind powered electric generator/windmill shall service only one residence.

7. All necessary township and County permits shall be obtained. 12/06

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### **XV. High Impact Wind Powered Electric Generator subject to the following conditions: 12/06**

1. The proposed wind powered electric generator/windmill shall be a distance of at least 150% of the height of the total structure to any property line, off-site residence or building, and public or private road right-of- way.
2. The maximum lighting used for or on the structure is a low intensity red light as defined by the Federal Aviation Administration.
3. The wind powered electric generator/windmill shall have a rated capacity of more than 100 kW.
4. All high impact wind powered electric generator/windmill locations must be pre-approved by the U.S. Department of Fish and Wildlife and the Ohio Department of Natural Resources based upon their determination on the impact that the proposed windmill will have on eagles, wildlife, and migratory birds.
5. All necessary township and County permits shall be obtained. 12/06