

Stokes Township

Indian Isles Zoning Resolution

Proposed Text Amendments

DEFINITIONS:

Building, Accessory. A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use. The accessory building may be partially opened or fully enclosed in which animals, chattels, or property are stored or kept.

Building, Principal also Principal Structure. A building in which the use is the main or principal use of the lot on which said building is situated. In any residential district, the Principal Building shall be the residential home/structure on the lot on which said building is situated.

Dwelling, Single-Family. A single dwelling unit only, separated from other dwelling units by open space. Detached, individual dwelling units, which accommodate one family living as one housekeeping unit. The type of construction of such units shall conform to the applicable building code, or be classified as an Industrialized Unit under the Ohio Basic Building Code, or conform to the Ohio Revised Code [ORC 519.212] definition of permanently-sited manufactured housing, as follows:

Permanently-Sited Manufactured Housing must:

- a. Be constructed pursuant to the HUD Code (Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C.A. 88 stat.700, 5401 and 5403) after January 1, 1995;
- b. Have a permanent label or tag attached to it as specified in 42 U.S.C.A. 5415, certifying compliance with all federal construction and safety standards;
- c. Be attached to a permanent frost-free foundation meaning permanent masonry, concrete, or a locally approved footing or foundation (slab, crawl spare foundation or full. foundation), and connected to appropriate utilities;
- d. Excluding any additions, have a width of at least twenty two (22) feet and a length of at least twenty two (22) feet, as manufactured;
- e. Have a total living area of one thousand two hundred (1,200) square feet in a U-1 or R-1 District, eight hundred (800) square feet in an R-2 District, six hundred and seventy five (675) square feet in a R-3 District, excluding garages, porches, basements, or attachments;
- f. Have conventional residential siding (i.e. lap, clapboard, shake, masonry, vertical natural materials), a six (6) inch minimum eave overhang, and a minimum "A" roof pitch of 3:12;
- g. Have removed its indicia of mobility (temporary axles, trailer tongue, running lights) upon placement upon its foundation;
- h. Meet all applicable zoning requirements uniformly imposed on all single-family dwellings in the particular district (excepting contrary requirements for minimum roof pitch and requirements that do not comply with HUD code standards for manufactured housing);
- i. And, is not located in a manufactured home park as defined by ORC 3733.01.
- j. Permanently sited manufactured housing having a HUD tag is to be considered stick built.

Home Occupation. An occupation conducted in a dwelling unit, provided that: No more than one person other than members of the family residing on the premises shall be engaged in such occupation. 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, and not more than thirty-five (35%) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation. 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 sign, nor exceeding four (4) square feet in area, non-illuminated and mounted flat against the wall of the principal building. No traffic shall be generated by such occupation in greater volume than would normally be expected in such a residential area and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution. **No home occupation shall be conducted in any accessory building.**

Lot. For purposes of this Resolution, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area for one principal building together with its accessory building and which provides such yards and other open spaces are herein required. Such lot shall have frontage on an improved public street or road, and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.
4. **In no case of division or combination shall any residential lot or parcel be created which does not meet the requirements of this Resolution.**

Swimming Pool. A pool, pond, lake, or open tank containing at least twenty four (24) inches of water at any point and maintained by the owner or manager. Farm ponds **and State owned water (i.e. Indian Lake),** are exempt from this definition.

REMOVED THE DEFINITION "PUBLIC USE" AND REPLACED MODIFIED DEFINITION OF "PUBLIC USES"

Public Uses. **Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials, public service facilities and public parking.**

Section 612 Effective Date and Referendum. Such amendment adopted by the Trustees shall become effective thirty (30) days after the date of adoption unless within thirty (30) days after the passage of the Resolution there is presented to the **Fiscal Officer** a petition signed by a number of qualified voters residing in the Township equal to not less than eight (8) per cent of the total vote cast in such area at the last preceding general election at which a Governor was elected, requesting the Trustees to submit the zoning amendment to the electors of the Township for approval or rejection at the next primary or general election. No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect. This shall comply with all of the requirements of Section 519.12 of the Ohio Revised Code.

Section 720 Interpretation of District Boundaries.

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

- 1) Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines shall be construed to be such boundaries;
- 2) Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be such boundaries;
- 3) Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map.
- 4) If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.
- 5) Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the township unless otherwise indicated.

Section 812 Medium Density Residential District (R-2). The purpose of the medium density residential district is to provide land for single housing units not to exceed four (4) families per acre. Multi-family housing units and mobile housing units are not permitted. Permitted and Conditional Uses and minimum requirements are listed on the Official Schedule of District Regulations.

ADDED “B-2” TO THE END OF SECTION 815 NAME

<p><u>ZONING DISTRICTS</u></p> <p>(Symbols as used on the Official Zoning Map)</p> <p>1</p>	<p><u>PERMITTED USES</u></p> <p>(Accessory uses and essential services are included)</p> <p>2</p>	<p><u>CONDITIONAL USES</u></p> <p>(Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)</p> <p>3</p>	<p><u>PROHIBITED USES</u></p>
<p>R-2 MEDIUM DENSITY RESIDENTIAL</p>	<p>Single-family dwelling; Public & Quasi-public use; Permanent foundation sited manufactured dwelling</p>	<p>Multi-family dwelling; Non-commercial recreation; Home occupation; Modular & sectional units; Telecommunication towers. Manufactured or mobile home park; Animal Husbandry ** (Only applies in platted subdivisions or in areas of 15 or more lots approved under subdivision law that are contiguous (ORC 519.21 (B)(1-3)).</p>	<p>Same as R-1; Additionally: Automobile painting, repairing or rebuilding; Tire retreading or recapping; monument works; manufacture of gas, paint or paint supplies and explosives.</p>

B-1 SERVICE BUSINESS	Service business; Drive-in business; Eating & drinking establishments; Commercial recreation; Retail business; Offices; Personal services; Public & Quasi-public uses; Single-family dwellings*; Convenience-type retail;	Multi-family dwellings; Printing & publishing; Transient lodgings; Signs & advertising structures; Public & service facility; Adult Entertainment; Kenel	Same as R-2; Additionally: Wholesale & warehousing; Food processing; Transport terminals; Animal hospital & clinic; Mobile homes individually; Manufactured or mobile home park; Recreational vehicle park.
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Section 1001 Conversion of Dwellings to More Units.

A residence may be converted to accommodate an increased number of dwelling units provided:

- 1) The yard dimensions, including minimum lot width still meet the yard dimensions required by the Zoning Regulations for new structures in that district in which the dwelling is located;
- 2) The lot area per family equals the lot area requirements for new structures in that district;
- 3) The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.
- 4) Conversion of structures to residential use shall not include garages or other accessory buildings in any district.

Section 1027 Erosion. No erosion, by either wind or water, shall be permitted which will carry objectionable substance onto neighboring properties.

REMOVED REFERENCE TO "B-1" FROM SECTION 1038.

Section 1052 Garage, Porch, Yard, or Similar Type Sales. A resident may conduct a garage, porch, yard, or similar type sale provided such sale does not exceed six (6) such events during a calendar year. If such sales exceed (6) such events during a calendar year, a zoning amendment or conditional use permit must be obtained for the operation of a local business. No sale shall exceed three (3) consecutive days in length. Parking shall be provided off the public highway right-of-way and off neighboring property unless consent is obtained from the affected neighbor to do so. All signs advertising such sales shall be removed immediately after the sale has concluded its duration.

Section 1060 Portable Toilets. No person or entity shall place or store a portable toilet for more than seventy-two (72) consecutive hours more than four (4) times during any calendar year with a zoning permit issued by the Township Zoning Officer. The placement of portable toilets at a construction site for the benefit of workers at the construction site is not subject to the permit requirement of this section.

Section 1061 Accessory Buildings. No Accessory Building or Structure (such as a garage) as defined in **Article II DEFINITIONS**, shall be built, constructed or placed on a lot unless such accessory building or structure is on the same lot or on an adjacent lot with and of a nature customarily incidental and subordinate to the **primary structure**, as defined in **Article VIII ESTABLISHMENT AND PURPOSE OF DISTRICTS** and **Article IX DISTRICT REGULATIONS, R-2 MEDIUM DENSITY RESIDENTIAL AND B-2 SERVICE BUSINESS DISTRICT.**

Section 1065 Cuts Through Drainage Tile. In locations where the footer of new construction cuts through a drainage tile, this cut tile shall be replaced or repaired by the builder in order that proper drainage will be continued.

Section 1066 Foundations. No building between 0 and 100 square feet shall be erected or located except on a foundation of gravel, concrete or footings. No building greater than 100 square feet shall be erected or located except on a continuous foundation of concrete. Any building or structure 200 square feet and over shall have a footing installed and inspected in accordance with county building regulation

Section 1250 Limitation. For the purposes of this Resolution, wall signs and outdoor advertising off-premises (billboards) signs shall be prohibited in all districts.

Section 1310 Approval Procedures. Manufactured or mobile home parks shall be permitted only as a conditional use in the B-2 Districts and shall be developed in according to the general standards and regulations stated and referenced in Article 13.

SECTION 1340 CHANGED REFERENCE FROM “B-1” TO “B-2”

Section 1341 Mobile Homes Individually. The following requirements shall apply to mobile home dwellings that are placed upon an individual lot in any district where conditionally permitted:

1. Individual mobile homes shall have using accepted industry measurement standards a minimum area of eight hundred (800) square feet in the B-2 District.
2. The mobile home’s tongue(s), axle(s) and wheels shall be removed and the home shall be placed upon a permanent concrete foundation which is below the frost line and is in accordance with the County Auditor’s current requirement for real estate tax purposes and which includes at least two (2) tie-down rings.
3. The mobile home shall be skirted entirely enclosing the bottom section, within one hundred sixty(160) days after its placement. Skirting shall be constructed of vinyl, aluminum, or other suitable material that is designed specifically for skirting
3. The mobile home shall be landscaped with lawn within one hundred sixty (160) days after is placement.
4. The mobile home shall: (1) not be increased in floor area by any means of construction except with a unit specifically designed and constructed by the mobile home manufacturer; (2) not be covered with an additional roof structure.
5. The mobile home lot shall have an accessory structure thereon with minimum dimensions of eight (8) by twelve (12) feet for storage purposes, not to include carports, awnings, or any other accessory structures It shall be located in the side or rear yard.

The Board of Zoning Appeals may set other conditions which it deems reasonable and appropriate.

