

Article 600
Single-Family Residential District Regulations

<p>601 Purpose.</p> <p>602 Permitted uses.</p> <p>603 Minimum lot requirements.</p> <p>604 Minimum yard requirements.</p> <p>605 Height Regulations.</p> <p>606 Dwelling unit square foot requirements.</p>	<p>607 Accessory use regulations.</p> <p>608 Regulations for home occupations.</p> <p>609 Family day care home, type “B”.</p> <p>610 Agricultural uses in residential districts.</p> <p>611 General regulations.</p> <p>612 Design review.</p>
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601 PURPOSE.

Single-family residential districts and their regulations are established in order to achieve, among others, the following purposes:

- a. The Agricultural Residential District (R-AG) at a minimum lot size of 1 acre, is designed to:
 - 1. Reserve and protect for agricultural use those land areas needed and best suited for agriculture.
 - 2. Prevent the indiscriminate spread of urban uses into rural areas which are incompatible with and may contribute to the accelerated abandonment of agricultural activities.
 - 3. Permit orderly, efficient and economical development of land to urban uses at a time when the community can feasibly provide the required urban services.

- b. The Low Density Residential District (R-1) is created to provide for single-family residential uses at one per half (1/2) acre. This district is intended to be applied in locations which are adjacent to other, more developed portions of the Township or adjacent communities when the Township determines that such development represents logical land use and development progression, has adequate community services and facilities to support the project, and is consistent with the Comprehensive Zoning Plan for the Township.

- c. The Medium Density Residential District (R-2) is created to accommodate single-family residential development on 12,500 square foot lots that are serviced by central water and sewer facilities. This district is intended to be applied to locations where this lot size prevails, and adjacent to and the areas north of the Ohio Turnpike and east of the City of Amherst.

- d. The Broadway/Taylor Residential District (R-3) is created to accommodate single-family residential development on 5,000 square foot lots that historically have existed and that are serviced by central water and sewer facilities. This district is only intended to be applied to the lots along Taylor and Broadway Roads.

602 PERMITTED USES.

In the R-AG, R-1, R-2 and R-3 Districts, land and structures shall be used or occupied, and structures shall be erected, reconstructed, enlarged, moved or structurally altered, only for a use specified in subsection a. through c. below.

- a. Principal Uses. The principal uses enumerated in Schedule 602, denoted with a “P”, are permitted by right in the district indicated, provided that all requirements of this Resolution have been met.
- b. Conditional Uses. The categories of conditional uses enumerated in Schedule 602 denoted with a “C”, may be permitted in the district indicated, provided they conform to the conditions, standards and requirements of Article 1500 and are approved for a particular zoning lot in accordance with the administrative procedures in Article 2300.
- c. Accessory Uses. Accessory uses, buildings and structures shall be permitted in association with and subordinate to a permitted principal or conditional use provided they conform to the regulations in Section 607. Accessory uses include, but are not limited to:
1. Garages and off-street parking facilities, in compliance with this Chapter and Article 1700
 2. Accessory storage buildings
 3. Private swimming pools accessory to a dwelling unit
 4. Signs, in compliance with Article 1600
 5. Day care home, type “B”
 6. Fences, walls and hedges
 7. Patios, decks, gazebos and recreation equipment
 8. Home occupations
 9. Keeping of farm animals

Schedule 602

PERMITTED USE	R-AG Agricultural Residential	R-1 Low Density	R-2 Medium Density	R-3 Broadway /Taylor	See Also
a. RESIDENTIAL					
1. Single-Family Dwellings	P	P	P	P	--
2. Two-Family Dwellings			C		1507.a.16
3. Family Home for Disabled Persons	C	C	C	C	1507.a.7
4. Group Home for Disabled Persons			C	C	1507.a.7
5. Conservation Development	P	P			Article 900
b. COMMUNITY FACILITIES					
1. Cemeteries	C				1507.a.2
2. Churches	P	P	P	C	--
3. Child Day Care Center, Nursery School, Adult Day Care	C	C	C	C	1507.a.4
4. Libraries	C	C	C	C	--
5. Public Safety Facilities	C	C	C	C	--
6. Schools for Academic Instruction (public, private or parochial)	C	C	C		1507.a.12
c. OPEN SPACE/RECREATIONAL					
1. Campgrounds	C				1507.a.1
2. Golf Courses	C				1507.a.6
3. Parks and Playgrounds	C	C	C	C	1507.a.10
4. Sportsman Club	C				1507.a.14
5. Stables; Riding, Boarding and Show	C				1507.a.14
6. Swimming Pools, public or semi-public	C				1507.a.15
d. OTHER					
1. Agriculture	P	P			--
2. Gas Wells	P				1507.a.5
3. Greenhouses	P				--
4. Pond	P				--
5. Roadside stands	P				610
6. Wireless telecommunication tower	C	C	C		Article 1900
7. Plant Nursery	C				1507.a.11
8. Public Mini Storage	C				1507.a.3

P = Principal use permitted by right
C = Conditional use

A = Accessory use permitted by right
Blank Cell = Not permitted in district

603 MINIMUM LOT REQUIREMENTS.

- a. The minimum lot area, minimum lot width and maximum coverage of buildings are specified in Schedule 603.

Schedule 603

	R-AG Agricultural Residential	R-1 Low Density	R-2 Medium Density	R-3 Broadway/ Taylor
1. Minimum Area - Agriculture ⁽¹⁾	5 acres	5 acres	NP	NP
2. Minimum Lot Area ⁽²⁾	1 acre	1/2 acre	12,500 sq.ft.	5,000 sq.ft.
3. Minimum Lot Width ⁽³⁾	125 ft	75 ft	75 ft	40 ft
4. Maximum Percentage of Lot Coverage (including accessory buildings)	30% of lot area	30% of lot area	30% of lot area	40% of lot area
<p>Notes to Schedule 603:</p> <ul style="list-style-type: none"> (1) Minimum area for farm animals is 2 acres. (2) There shall be no more than one dwelling permitted on a lot. (3) The lot frontage requirement shall be the same as the lot width requirement except for cul-de-sacs and curves which shall maintain a minimum frontage of 40 feet provided the minimum lot width is maintained at the building line. <p>NP Not permitted.</p>				

- b. Depth to Width Ratio of Lots. The maximum lot depth to lot width ratio shall be generally 3.5 to 1 for the most efficient use of land. Exceptions shall be limited to sites with unusual topography or land which is determined by the County Planning Commission and the Township Trustees to be otherwise unbuildable.

604 MINIMUM YARD REQUIREMENTS.

Principal buildings and principal uses shall be located on a lot in a manner that maintains the minimum front, side and rear yards set forth in this section for the district in which the lot is located.

- a. Front Yard. Each lot shall maintain a front yard as specified in Schedule 604.d.
 - 1. Through lots shall comply with the front yard setback for each street on which the lot has frontage.

- 2. When 50% or more of the street frontage is developed, the required front yard for new construction shall be the average of front yard depths of the two adjacent dwellings.
- b. Side Yards: Each interior and through lot shall have and maintain two side-yards. Schedule 604.d sets forth the minimum width of any one side-yard.
- c. Yards for Corner Lots: Each corner lot shall provide and maintain a front yard abutting the street on which the front of the dwelling faces, and a corner side yard abutting the side or secondary street, each yard having a dimension not less than that specified on Schedule 604. The interior side yard on a corner lot shall be not less than the minimum width required for a side yard as specified on Schedule 604.d.

Schedule 604.d

	R-AG Agricultural Residential ^(a)	R-1 Low Density	R-2 Medium Density	R-3 Broadway/ Taylor
1. Minimum Front Yard Depth	50 ft. ^(b)	50 ft.	50 ft.	15 ft.
2. Minimum Corner Side Yard	25 ft.	25 ft.	25 ft.	2 ft.
3. Minimum Rear Yard Depth	50 ft.	35 ft.	35 ft.	30 ft.
4. Minimum Side Yard Width	20 ft.	7.5 ft.	7.5 ft.	3 ft.
Notes to Schedule 604.d:				
^(a) Agricultural uses shall comply with Section 610. ^(b) Except that when lots front on a major thoroughfare, federal highway or state highway, the minimum front yard depth shall be 70 feet.				

605 HEIGHT REGULATIONS.

Principal buildings or structures shall not exceed a height of 2 1/2 stories or 35 feet. Accessory buildings or structures on lot sizes less than 1 acre shall not exceed 16 feet and on lot sizes greater than or equal to 1 acre shall not exceed 26 feet.

606 DWELLING UNIT SQUARE FOOT REQUIREMENTS.

In order to promote healthful living conditions and maintain the character of the residential neighborhoods, dwelling units shall be constructed and maintained in compliance with the dwelling unit area regulations set forth in Schedule 606.

Schedule 606

	R-AG Agricultural Residential	R-1 Low Density	R-2 Medium Density	R-3 Broadway/ Taylor
Minimum Living Area for a Single-family dwelling unit	1,200 sq. ft	1,200 sq. ft	1,200 sq. ft	1,000 sq. ft

For the purpose of these regulations, minimum living area shall include the total square footage of floor area within the defined areas created by the walls of a dwelling unit. Such area does not include open patios, open terraces or courts, open breezeways, outside steps, garages and/or carports.

607 ACCESSORY USE REGULATIONS.

Accessory uses, buildings and structures permitted in single-family districts shall conform to the location, area and other standards contained in this section. Garages and carports that are attached to a dwelling are subject to all yard requirements for the dwelling unit specified in Section 604.

- a. Location Requirements for Accessory Uses in the R-AG, R-1 and R-2 Districts.
An accessory use or building shall be located as set forth in Schedule 607.a.

Schedule 607.a

Accessory Use	Yard in Which permitted	Minimum setback from	
		Side Lot Line	Rear Lot Line
1. Accessory Storage Buildings provided no activity is conducted as a business.	side or rear	5 ft	5 ft
2. Private Swimming Pools	side or rear	10 ft	10 ft
3. Pumps and filters associated with pool	side or rear	10 ft	10 ft
4. Keeping of farm animals	side or rear	75 ft	75 ft.
5. Off-Street Parking	side or rear	5 ft.	5 ft.
6. Patios and decks	side or rear	7.5 ft	7.5 ft.
7. Gazebos and recreational equipment	side or rear	5 ft.	5 ft.

- b. Location Requirements for Accessory Uses in the R-3 Broadway/Taylor District.
 An accessory use or building shall be located as set forth in Schedule 607.b.

Schedule 607.b

Accessory Use	Yard in Which permitted	Minimum setback from	
		Side Lot Line	Rear Lot Line
1. Accessory Storage Buildings provided no activity is conducted as a business.	side or rear	2 ft	3 ft
2. Private Swimming Pools	side or rear	10 ft	10 ft
3. Pumps and filters associated with pool	side or rear	10 ft	10 ft
4. Keeping of farm animals	side or rear	75 ft	75 ft.
5. Off-Street Parking	side or rear	2 ft.	3 ft.
6. Patios and decks	side or rear	7.5 ft	7.5 ft.
7. Gazebos and recreational equipment	side or rear	5 ft.	5 ft.

- c. Number of and Size of Garages and/or Accessory Buildings. In a Residential District, a maximum of two (2) accessory buildings shall be permitted, including garages. The total square feet shall not exceed the following:

<u>Lot Size</u>	<u>Total Area of Accessory Buildings</u>
Less than 10,000 sq. ft.	10% of the rear yard but not less than 400 sq. ft.
10,000 sq. ft. to 1/3 acre	648 sq. ft.
Greater than 1/3 acre to 1 acre	1,024 sq. ft.
Greater than 1 acre to 2 acres	1,600 sq. ft.
Greater than 2 acres to 3 acres	2,400 sq. ft.
Greater than 3 acres	3,200 sq. ft.

Provided, further, that the dwelling and all accessory buildings shall not have a ground floor area greater than thirty (30) percent of the lot in the R-AG, R-1 and R-2 Districts and forty (40) percent in the R-3 Broadway/Taylor District.

- d. Parking. Off-street parking spaces shall be located on the same lot as the use to which the spaces are accessory.

- e. Private Swimming Pools. Private swimming pools shall be permitted as an accessory use to a residence in compliance with the following regulations.
1. The pool shall be used solely by the occupants of the property and their guests.
 2. The pool shall be located in compliance with the requirements of Schedule 607.a and/or 607.b.
 3. The in-ground swimming pool, or the entire property on which the pool is located, shall be completely surrounded by a wall or fence having a minimum height of 4 feet so as to prevent uncontrolled access by children from the street or from adjacent properties.
 4. Any lighting used to illuminate the pool area shall be so arranged as to deflect the light away from the adjoining properties.
 5. No person, firm or corporation shall construct or install a swimming pool or make any alteration therein or in the appurtenances thereof without obtaining a zoning certificate from the Zoning Inspector.
- f. Fences And Hedges: Fences and hedges shall not exceed 6 feet in height in a side or rear yard, and shall not exceed three feet in a front yard or corner side yard. All height measurements shall be taken from the existing grade. Barbed or similar wire fences to contain animals shall not be erected or extended.
- g. Keeping of Farm Animals. The keeping of farm animals shall be permitted as an accessory use to a dwelling unit and shall be regulated in all platted subdivisions and all areas consisting of 15 or more contiguous lots approved under Section 711.131 of the Ohio Revised Code.
1. The minimum lot size for keeping farm animals shall be two (2) acres.
 2. The total number of farm animals (other than their young under the age of 6 months) permitted to be kept on a lot shall be limited to the area of the lot divided by the total minimum area required for each type of animal as specified below:

A. Cattle:	20,000 sq.ft.
B. Chickens and fowl:	5,000 sq.ft.
C. Goats and sheep:	10,000 sq.ft.
D. Hogs:	10,000 sq.ft.
E. Horses and ponies:	20,000 sq.ft.
 3. All animals shall be properly caged or housed and proper sanitation shall be maintained at all times.
 4. Adequate fencing shall be provided and maintained to keep the animals enclosed on the property.
 5. The feeding of garbage to hogs or swine shall be prohibited.

- h. Parking of Commercial Vehicles.
1. On any residential lot, one commercial vehicle not exceeding a gross vehicle weight of 10,000 pounds shall be permitted to be parked in a private garage, provided that the owner of the vehicle resides on the premises and that the vehicle is used in connection with his or her livelihood. Such commercial vehicles may be parked in a driveway for a period not to exceed 48 hours. No contractor's vehicles shall be stored on residential property unless clearly and regularly used for agricultural purposes.
 2. On a residential lot which exceeds one (1) acre, the one commercial vehicle permitted may have a maximum gross vehicle weight of 18,000 pounds, provided the vehicle is either stored and parked in an enclosed building or in the side and rear yard in a location in compliance with the setback requirements for accessory buildings.

608 REGULATIONS FOR HOME OCCUPATIONS.

The purpose of this section is to set forth regulations which control the establishment and operation of home occupations. The intent of these regulations is to control the nonresidential use of a residential dwelling unit so that the nonresidential use is limited to an accessory use, and does not in any manner whatsoever disrupt or alter the residential character of the neighborhood in which it is located. Compliance with these regulations should result in all home occupations being located and conducted in such a manner that their existence is not detectable in any manner from the outside of the dwelling unit.

- a. A home occupation shall occupy no more than 25% of the floor area of the dwelling and shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes.
- b. The business activity, including the storage of equipment, supplies or any apparatus used in the home occupation shall be conducted entirely within the dwelling unit and no use of a garage, an accessory building or an outdoor area shall be permitted.
- c. There shall be no exterior display, sign, storage of materials, or change in the outside appearance of the dwelling unit or premises or any other visible exterior indication of the home occupation.

- d. There shall be not more than one employee or volunteer who is not a resident of the dwelling unit participate in the home occupation or any activities related thereto.
- e. No equipment or process shall be permitted that creates a nuisance by reason of generating any noise, odor, dust, vibrations, fumes, smoke, or electromagnetic interference.
- f. The parking of commercial vehicles shall comply with the regulations for such activities enumerated in Section 607.h.

609 FAMILY DAY CARE HOME, TYPE “B”.

This Zoning Resolution recognizes that the availability of safe and affordable, good-quality child day care is important to the well being of parents and children. Furthermore, it is the purpose of this section to regulate the operation of child day care in a manner that preserves the residential character of neighborhoods. According to ORC 5104.054, any type B family day-care home, whether or not certified by the county director of human services, shall be considered to be a residential use of property for purposes of municipal, county, and township zoning and shall be a permitted use in all zoning districts in which residential uses are permitted. A type “B” family day-care home is a permanent residence of the provider where childcare is provided for 1 to 6 children and where no more than three children are under two years of age. For the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises of the day-care home shall be counted. Type “B” family day-care homes are a permitted accessory use in residential districts, and do not require a zoning certificate.

610 AGRICULTURAL USES IN RESIDENTIAL DISTRICTS.

Agriculture as the principal use of the lot shall comply with the following:

- a. Buildings or structures incident to the use of land for agricultural purposes shall be located at a minimum of 75 feet from a public right-of-way and 75 feet from a side or rear lot line when such right-of-way or property line abuts or is across the street from single-family homes which are not associated with an agricultural business.
- b. Notwithstanding subsection a. above, roadside stands may be located not less than 20 feet from a public right-of-way between May 15 and November 1.
- c. A dwelling unit on the same lot with an agricultural use and all accessory buildings associated with the dwelling unit shall comply with all regulations for dwelling units set forth in this Resolution.

611 GENERAL REGULATIONS.

The provisions of Article 300 shall apply in all residential districts.

612 DESIGN REVIEW.

Design review pursuant to the regulations in Article 2200 shall be required for new construction of all single family dwelling units located in new subdivisions of 5 lots or greater recorded after the date of the passage of this amendment.

REVISION HISTORY

<u>Date</u>	<u>Section #</u>	<u>Description of Change</u>	<u>Req. By</u>
7/10/01	ALL	Original Update	Twp. Trustees
7/23/02	602 603 605 607 608	In Section 602, corrections to Schedule 602. In Section 603, deleted part of paragraph b. In Section 605, change to height of accessory buildings or structures. In Section 607, typo in paragraph f.4. In Section 608, correction to paragraph f. Ref. Motion 7/9/02. Effective date 8/22/02.	Twp. Trustees
11/24/05	601 602 607	In Section 601.c deleted “nearby”. In Schedule 602, deleted “For ‘C’ Conditional uses,” in the 4 th column heading, added “a.5 Conservation Development”, added “d.7 Plant Nursery”, added “d.8 Public Mini Storage”, and made corrections to the “See Also” column reference numbers. In Section 607.b corrected sq. ft. for two of the lot sizes. Ref. Motion 10/10/05. Effective date 11/24/05.	Twp. Trustees
9/07/06	601 602 603 604 606 607 608	In Section 601, added “d”, R-3 District. In Section 602, added “R-3” to first paragraph and an “R-3” column to Schedule 602. In Section 603, added an “R-3” column to Schedule 603. In Section 604, added an “R-3” column to Schedule 604.d. In Section 606, added an “R-3” column to Schedule 606. In Section 607.a, added clarification of districts. Added new subsection “b” for the “R-3” district as well as Schedule 607.b. The remaining subsections were then re-lettered from “c” to “h”. In subsection 607.c, added “less than 10,000” to table and changed “less than 1/3 acre” to “10,000 to 1/3 acre”. In subsection 607.e.2, added “and/or 607.b”. In Section 608.f, was “Section 607.g”. Ref. Motion 8/4/06. Effective date 9/07/06.	Twp. Trustees