

Amendments or supplements to this Resolution shall supersede and nullify all prior provisions which they specifically amend or replace, or any provision with which they are in conflict; but they do not affect any zoning permits issued prior to their effective date.

CHAMPION TOWNSHIP TRUSTEES

Brian Bugos  
Rex Fee  
Doug Emerine

AUGUST 16, 1968  
APRIL 30, 1969  
APRIL 14, 1973  
DECEMBER 30, 1976  
MARCH 13, 1979  
MAY 2, 1989  
NOVEMBER 18, 1998  
APRIL 1, 2004  
AUGUST 30, 2006  
MARCH 10, 2009  
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## **ZONING RESOLUTION**

A resolution providing for the zoning of Champion Township by regulating the location, size and use of buildings and structures, the area and dimensions of lots and yards and the use of lands, and for such purposes dividing the township into zones and districts of such number, sizes and shapes as are deemed best suited to carry out said purposes, and providing a method of administration and enforcement of this resolution.

WHEREAS, the Board of Trustees of Champion Township deems it necessary in the interest of the public health, safety, morals, comfort and general welfare of said Township and its residents to establish a general plan of zoning for the area of said Township.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of Champion Township:

## **SECTION 1: PURPOSES**

For the purpose of promoting health, safety, morals, comfort and general welfare; to conserve and protect property values; to secure the most appropriate use of land; and to facilitate adequate but economical provisions of public improvements, the Board of Trustees of Champion Township finds it necessary and advisable to regulate the location and size of building and other structures, including tents, cabins, and mobile homes, percentages of lot areas which may be occupied, set back building lines, size of yards, courts and other open spaces, the use of buildings and other structures, including tents, cabins and mobile homes and the use of land for trade, industry, residence, recreation, or other purposes and for such purpose divides the area of the township into districts or zones. No land use or operation in any District shall be permitted that adversely affects the environment, soil, waterways, property values, safety, health, welfare, or creates a nuisance.

## **SECTION 2: DISTRICTS**

For the purpose of carrying out the provisions of this resolution, the area of the Township is hereby divided into the following districts.

- (1) Residential, which shall be known as "R" Districts.
- (2) Residential Apartments, which shall be known as "RA" Districts.
- (3) Planned Unit Development, which shall be known as "PUD" Districts.
- (4) Condominiums, which shall be known as "RAC" Districts.
- (5) Mobile Home Parks, which shall be known as "MH" Districts.
- (6) Office Institutional, which shall be known as "OI" Districts.
- (7) Professional Research Offices, which shall be known as "OP-1" Districts.
- (8) Commercial Restricted, which shall be known as "CR" Districts.
- (9) Commercial, which shall be known as "C" Districts..
- (10) Industrial and Manufacturing, which shall be known as "I" Districts.

### **SECTION 3: AGRICULTURE**

Land in any district may be used for agriculture purposes, except in platted subdivisions and lots as designated in Section 519.21 (B), Ohio Revised Code, and amendments thereto, in which case the provisions, conditions, and restrictions contained herein shall fully apply to the extent permitted in Section 519.21 (B), Ohio Revised Code, and amendments thereto.

As used in this resolution, “agriculture” includes: farming; ranching; aquaculture; 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 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.

A zoning certificate with declaration of Agricultural Use Exemption shall be required and obtained prior to the location, construction, or erection of any structure or building. If the Zoning Inspector determines that the use of the structure is for agricultural use, a zoning certificate will be issued with no fee or charge to the application. Any change of use of the structure or building to a non-agricultural use, subsequent to the issuance of the original agricultural use certificate will require the applicant to reapply for a new zoning certificate for the structure or building as a permitted use in compliance with the terms, conditions and provisions contained herein.

(Effective April, 2007)

## SECTION 4: CLASSIFICATION OF USES

For the purpose of this resolution, the various uses of buildings and premises shall be classified as follows:

### **"R" District (Residential):**

**The following uses, and no other, shall be deemed class "R" uses and permitted in all "R" Districts:**

- (1) Single and two family dwellings, and buildings accessory thereto. Single and two family dwellings shall not be deemed to include tents, cabins, mobile homes or any structure designed for transit tourist trade.
- (2) The taking of boarders or leasing of rooms by a resident family provided the total number of boarders or roomers does not exceed two, in addition to the members of the family, in a dwelling containing one bath room, and a maximum of four boarders or roomers for each additional bathroom in the dwelling.
- (3) Church, school, college, university, public library, public museum, community center, fire station, township hall, publicly owned park, regulation golf course, publicly owned playground or cemetery.
- (4) A home occupation may be maintained in a dwelling house only if it complies with all the following conditions and a use permit is obtained from the Champion Township Zoning Inspector for such intended home occupation. Use permits for a new home occupation will require a sixty (60) day waiting period during which time all adjacent property owners will be notified.
  - (a) Such home occupations must be carried out only by the person or persons maintaining a dwelling therein, and shall include not more than two (2) non-residing additional persons as employees in the home occupation.
  - (b) The use of the dwelling house for the home occupation shall be clearly incidental and subordinate to its use for residential purposes, shall not constitute more than twenty five per cent (25%) of the above ground floor area of the dwelling house.
  - (c) There shall be no change of the outward appearance of the dwelling house or other visible evidence of the conduct of such home occupation other than one (1) non-illuminated sign not to exceed three (3) square feet in area.
  - (d) No traffic shall be generated by such home occupation in a volume greater than would be normally expected in a residential neighborhood. No parking shall be located in the front yard area of said dwelling house.
  - (e) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, odors or electric interference off the lot. In the case of electrical interference, no equipment or process shall be used which creates audible or visual interference in any radio or television receivers off the premises or cause fluctuation in line voltage off the premises.
  - (f) There shall be no commodity sold upon the premises.

- (5) Garage Sales
- (a) Garage sales shall be limited to a maximum of five (5) consecutive days for each occurrence and two (2) sales annually per address. Such GARAGE SALES shall require a GARAGE SALE PERMIT from the CHAMPION TOWNSHIP ZONING INSPECTOR.
  - (b) Any person operating, maintaining or conducting a garage sale, as defined by this SECTION shall before such sales are held, secure a garage sale permit, for the sum of five dollars (\$5.00) from the Champion Township Zoning Inspector.
  - (c) Any person conducting a GARAGE SALE for which a permit is required under this SECTION who has failed to secure a permit before such sale has begun shall be required to pay the sum of five (\$5.00) dollars per day for each day of such violation.
- (6) A hospital, institution, residence or facility that provides, for a period of more than twenty-four hours, whether for a consideration or not, accommodations to three (3) or more unrelated individuals who are dependent upon the services of others, including a nursing home, residential care facility, home for the aging, the Ohio veteran's home, skilled or unskilled nursing facility, provided that such hospital, institution, residence or facility shall have a lot area of not less than five (5) acres and a frontage on a public thoroughfare of not less than five hundred (500) consecutive feet, and providing that any such hospital, institution, residence or facility catering primarily to patients with contagious diseases also shall have a lot area of not less than one (1) acre per be in addition to the other requirements herein; and further providing that said hospital, institution, residence or facility shall have a minimum side lot clearance on each side of any building in which such patients are housed or not less than one hundred (100) feet.  
(Effective 12/2001)
- (7) Roadside stands consisting of structures used for display and sale of agricultural products provided:
- (a) Such stands are not in the road right-of-way;
  - (b) Such stands are at least twenty (20) feet back from the macadam portion of the road;
  - (c) Adequate facilities are maintained for off-the-road parking of customers' vehicles;
  - (d) More than fifty percent (50%) of the products sold on such roadside stand are agricultural products raised on the premises;
  - (e) That such roadside stands be so designed and constructed that it can be removed when not in use, and the same shall be removed from the roadside when not in use for a period of thirty (30) days.
  - (f) The above uses shall be permitted only providing such use is not noxious, dangerous, or offensive by reason of emission of odor, dust, smoke, gas fumes, noise, flame or vibration; and if adequate facilities for the storage of refuse, waste, junk, and objects to be repaired are provided, the same are screened from view.



- (8) A mobile home under eight hundred (800) sq. ft. may be placed temporarily upon property where there is an existing dwelling which has been damaged by fire or other element. A permit issued by the Champion Township Zoning Inspector shall be required on or after fourteen (14) days from the date of said temporary placement. This temporary placement shall be for no more than one hundred twenty (120) days in any calendar year. Any mobile home placed on property in accordance with this section for more than one hundred and twenty (120) days in a calendar year shall constitute a violation of the resolution and subject the owner of the property to the penalty sections herein.
- (9) Street Lighting: Each person, firm, corporation, developer or contractor shall incur the installation cost for street lighting in all areas developed under Section 4, Classification of Uses pursuant to Champion Township policy for lighting.
- (10) A landscaping business may be permitted in a residential district as a conditional use, upon a conditional use permit granted by the zoning board of appeals when:
- (a) The business is conducted by a property owner or leaseholder residing on the premises in a residential dwelling and the landscaping business is subordinate to the residence;
  - (b) The business is conducted on an unplatted of at least 1.5 acres, with a minimum frontage of 150 feet;
  - (c) The storage of all landscaping materials, vehicles and equipment are enclosed or screened from view by fencing or landscaping barrier;
  - (d) All building(s) used for the business are set back a minimum of fifty (50) feet from the residence building line; and
  - (e) Access to the business portion of the premises is by common driveway with the residence; and
  - (f) With such other limitations, restrictions and conditions deemed necessary to protect and preserve the health, safety and residential character of the neighborhood, including but not limited to the number of employees; number, location and types of buildings; business hours, and signage; and that the use of said premises for a landscaping business shall not by reason of noise, vibration, dust, odor or other contaminant constitute a nuisance.

(Effective 10/2004)

#### SECTION 4: CLASSIFICATION OF USES (CONTINUED)

##### "RA" District (Residential Apartment).

The following uses and no other shall be deemed class "RA" uses and permitted in all "RA" Districts.

- (1) The only dwellings in "RA" shall be apartment houses, condominiums and /or multiple dwellings of all types.
- (2) Height and Bulk requirements.
  - (a) REAR YARDS. There shall be a minimum rear yard of not less than forty (40) feet in depth on every lot. For every building more than twenty (20) feet in height, the depth of each rear yard shall be increased by one (1) foot for each one (1) foot of height of the building over twenty (20) feet from the established grade level.
  - (b) SIDE YARD. There shall be a side yard on each side of every main building. The minimum width of each side yard shall be twenty (20) feet. If any building exceeds twenty (20) feet in height, the width of each side yard shall be increased by one (1) foot for each one (1) foot of height of the building over twenty (20) feet from the established grade level.
  - (c) SET-BACK BUILDING LINES. No part of the ground area of any building or structure or any portion thereof except steps and uncovered porches less than ten (10) feet in width shall be erected within fifty (50) feet of the right-of-way side line of any road or street.
  - (d) HEIGHT. No building shall exceed thirty-five (35) feet above grade level with maximum of two and one half (2 1/2) stories.
  - (e) A ZONING CERTIFICATE, issued by the Champion Township Zoning Inspector, shall be secured for the land use of each separate apartment building. As a prerequisite to the issuance of a Zoning Certificate, the owner or his representative must submit a plot plan to the Champion Township Zoning Inspector, which plot plan shall indicate the final location of each apartment building as surveyed. The plot plan shall be designated to clearly indicate the owner's compliance with:
    - (3) Height and bulk requirements set forth in a, b, c, and d above.
    - (4) The minimum requirement of square footage per family unit. No apartment house shall be erected or building altered into apartments to accommodate more than one family unless the following lot area requirements per family unit are met: RA District— seven thousand five hundred (7500) square feet.
    - (5) In order to satisfy the minimum requirement of square footage per family, each apartment building must be constructed on a separate lot, as defined in this resolution, whose dimensions satisfy the square footage minimum requirement and allowing for height and bulk requirements.
- (6) As a further condition of the issuance of a Zoning Certificate for the land use of apartment buildings, the Champion Township Zoning Inspector, shall require the owner or his representative to file a proposed plot plan with the Trumbull County Recorder in accordance with the procedure established by law for recording of plot plans.

- (7) Upon discovery of any variation from the plot submitted, which cannot be resolved, the Champion Township Zoning Inspector shall commence a lawsuit in the appropriate court to enjoin the land use which is in violation of these requirements.
- (8) The owner or his representative, as evidence of his good faith, shall notify the Champion Township Zoning Inspector when construction commences on each building after the issuance of a Zoning Certificate.
- (9) Other buildings constructed in "RA" Districts shall be subject to the rest of the Champion Township Zoning Resolution.
- (10) Parking areas:
  - (a) No parking area shall be established within the front set-back area or within the side yard set back area in the case of corner lots.
  - (b) Two (2) parking spaces shall be provided for each family unit.
  - (c) All parking spaces, unless otherwise specified, shall have a minimum width of nine and one half (9 1/2) feet and a minimum length of twenty (20) feet.

(Effective November, 2007)  
(Resolution No. 2007-21)

## **SECTION 4: CLASSIFICATION OF USES (CONTINUED)**

### **"PUD" Districts (Planned Unit Development):**

#### **The following uses shall be permitted in class "PUD" Districts.**

- (1) Planned Unit Development shall be permitted in accordance with the following requirements:
  - (a) A Planned Unit Development shall cover an area of not less than fifty (50) contiguous acres which shall not be divided by any county, state or federal highway, by any area of land not included in the proposed development or by any railroad right-of-way.
  - (b) Central sanitary sewage facilities and central water facilities shall be required.
  - (c) Fifteen (15) per cent of the total land area, excluding streets, must be centrally located, open space, suitable for year around use and dedicated exclusively to public use of the residents of the Planned Unit Development; (see Par. (1) (K2) and (Par. 3B). No single park or open space area in a Planned Unit Development shall contain less than three (3) acres of contiguous area.
  - (d) A Planned Unit Development shall consist of at least sixty (60) per cent single-family dwelling units, the actual ratio of single family dwellings and multi family units shall be determined at the time the overall Planned Unit Development plan is considered by the Champion Township Zoning Board and the Champion Township Board of Trustees. But in no case shall there be less than sixty (60) per cent single family dwellings, the remaining units may consist of any combination of townhouses, row houses and garden apartment type of multi-family dwelling units. The single family units and/or open space shall be placed in proximity to existing residences adjacent to the "PUD" to act as a buffer.
  - (e) No single family lot shall be less than twelve thousand (12,000) square feet. No two family lot shall be less than sixteen thousand (16,000) square feet. No lot shall be less than eighty (80) feet of frontage on a public or private street or width of less than eighty (80) feet at the building line. Any deviation from the original lot sizes or design as shown on the overall preliminary plan would require approval from the Trumbull County Planning Commission, the Champion Township Zoning Commission and the Champion Township Board of Trustees. Any variance from the Champion Township Resolution must be approved by the Champion Township Board of Zoning Appeals.
  - (f) The minimum front yard setback allowed will be fifty (50) feet.
  - (g) Side yards for single family homes shall be a minimum of ten (10) feet on each side, except for corner lots where the corner side shall be fifty (50) per cent of the set-back line.

- (h) Rear yards for single family shall be a minimum of twenty (20) feet. Accessory buildings to single family dwellings shall be a minimum of ten (10) feet from any side or rear lot line.
- (i) For each unit of a multi-family use within a Planned Unit Development, a minimum of six thousand (6,000) square feet of lot area shall be required. Up to one-half (1/2) of the area required for the total number of multi-family units planned for the entire development may be designated as open space in addition to the fifteen (15) percent open space area requirement, in order to permit preservation of large open space areas, water retention ponds and related recreation facilities.
- (j) Yard, height and parking requirements for multi-family buildings in a Planned Unit Development shall be the same as required for multi-family buildings in "RA" Residential Apartment Districts (thirty-five (35) feet or two and one half (2 1/2) stories in height and two (2) parking spaces per unit), except that the required dimension for any yard which abuts a designated open space area may be reduced by fifty (50) per cent.
- (k) At the time a Planned Unit Development is established, a copy of the overall preliminary plan for the development of the PUD, shall be submitted to the Trumbull County Planning Commission for review and approval. After receiving approval from the Trumbull County Planning Commission, a copy of the overall preliminary plan shall be filed by the owner of the land with the Champion Township Zoning Inspector. For purposes of this section, the term "owner(s)" shall include the owner(s) of record, or a party which has secured an option to purchase the site, or a similar agreement from the owner(s) of record and presented evidence thereof for approval. The overall preliminary plan, (which may be set forth on one or more maps or in one or more instruments), shall have been signed by the owner(s) of property within the entire area to be developed, shall have been drawn to a reasonable scale and shall show the following:
- (1) The boundaries of the entire Planned Unit Development.
  - (2) The acreage of the entire Planned Unit Development.
  - (3) The proposed street system for the "PUD."
  - (4) The areas of the district to be used for single-family dwellings and the areas for multi-family dwellings.
  - (5) The number of dwelling units by type.
  - (6) The density of dwelling units per acre, but not to exceed six (6) dwelling units per acre of the total land area exclusive of the required open space (fifteen (15) per cent of the total "PUD" area).
  - (7) The area(s) of the district proposed as open space, which shall not be less than fifteen (15) per cent of the total acreage of the development, excluding streets. No single open space area shall be less than three (3) contiguous acres.

- (8) A statement as to the methods to be employed to preserve and maintain the open space and recreational facilities.
  - (9) A description and general location of proposed water and sewer facilities and the feasibility of extension into the development.
- (2) Development of a Planned Unit Development shall not commence prior to filing of final development plans with the Trumbull County Planning Commission, Champion Township Board of Trustees and the Champion Township Zoning Inspector has found the final development plans are in substantial conformance with the overall preliminary plan and does not violate any provisions of this amendment. Modifications to the approved overall preliminary plan may only be made by the granting of a variance of the Champion Township Board of Zoning Appeals after review and approval by the Trumbull County Planning Commission.
- (3) Development within a Planned Unit Development (PUD) may be accomplished in geographical stages. Each stage shall contain a minimum of ten (10) acres and shall be identified in the tentative schedule of development. Final development plans for the entire project must be approved before construction is commenced in any area. An approved final plan for an area within each stage of the project must be recorded immediately after construction is completed. A final development plan for an area must show the following:
- (a) The area to be developed and the area to be devoted to open space and recreational areas for the use of all residents of the area, with accurate acreage, courses and distances, as determined by a licensed surveyor who shall sign such plan and certify the accuracy thereof.
  - (b) A plan and legal description of the land which has been set aside for open space; showing the use of such land for recreational areas and open space, either through dedication of the land to the township, county or other public use or by designating the land for the exclusive use of development residents and granting owners and residents of the area to be developed a right and easement of use in such open space and recreational areas and designating the responsibilities connected with such right and easement.
  - (c) The location of all single family lots and multi-family lots and buildings, descriptive data of the type of buildings and the number of dwelling units in each separate type.
  - (d) After approval of an overall preliminary plan for a Planned Unit Development within a "PUD" District, no development or construction may proceed, nor shall any final development plan of any stage be approved unless such development, construction or final development plan is in conformance with the approved overall plan.
- (4) The developer of a "PUD" in Champion Township, Ohio, must submit plans of the total or entire development of the "PUD", showing residential, recreational and open space uses and any other uses proposed for "PUD" development. A schedule of development indicating the relationship and timing of the improvement and construction of open space and recreational areas with the construction of the residential units must be submitted also. The developer must show which recreational areas and recreational

facilities will be constructed proportionally to residential construction in each stage of the scheduled development.

- (a) The overall plan and schedule of development is to insure the improvement of the planned open space and the construction of the recreation areas. This will be controlled by the withholding of zoning permits until the scheduled developments are completed. Any deterrent land, such as slopes over twenty (20) per cent, muck or organic soil areas, flood plain areas, swamps and surface rock areas will get fifty (50) per cent credit for open space requirements (in acres).
  - (b) The approval of the plans for a “PUD” must be approved not only by the Champion Township Trustees and the Champion Township Zoning Inspector but also by the Trumbull County Planning Commission. Moreover, these plans must be consistent with the Trumbull County Comprehensive (General) Plan, the county land use plan and all codes and ordinances or resolutions of Trumbull County. This includes County Subdivision Regulations (Ohio Revised Code 711), County Building Code (Ohio Revised Code 307.37 etc.) as well as the Champion Township Zoning Resolution (Ohio Revised Code 51 9.021).
- (5) If any provision or requirement of this Section is in conflict with any other section of the Champion Township Zoning Resolution, the provisions of this Section shall apply within any "PUD" (Planned Unit Development) District established within the township.

(Effective November, 2007)

(Resolution No. 2007-22)

## SECTION 4: CLASSIFICATION OF USES (CONTINUED)

### “RAC” Districts (Condominiums)

The following uses and no other shall be deemed class “RAC” uses and permitted in all “RAC” Districts.

- (1) Condominium complexes and developments, not exceeding four (4) condominium dwelling units per building.
- (2) Accessory uses:
  - (a) Detached garages and car ports
  - (b) Maintenance buildings
  - (c) Refuse disposal area
  - (d) Separate laundry facilities
  - (e) Recreational buildings and club houses
  - (f) Offices, gate houses and security units
- (3) Development Standards
  - (a) Height regulations: The total height of the building shall not exceed thirty-five (35) feet from the ground level.
  - (b) Side yard: There shall be a side yard on each side of every building, minimum width of each side yard shall be ten (10) feet. There shall be a minimum of twenty (20) feet between each building.
  - (c) Set-back building line: A minimum of forty (40) feet from the ingress and egress access drive.
  - (d) No overall dimension of any side of a principal residential structure shall be less than twenty-four (24) feet.
  - (e) No condominium shall be erected or building altered for that purpose on less than three thousand five hundred (3,500) square feet of lot area per dwelling unit, with a minimum lot area of twenty-two thousand five hundred (22,500) square feet.

### (4) Zoning Certificates

To obtain a zoning certificate, the applicant must complete and file a Zoning Certificate Application Form prescribed and provided by the Zoning Inspector. The completed application must include and be accompanied by the following documents requisite to the issuance of a Zoning Certificate:

- (a) The proposed site plan showing the location of each condominium dwelling unit, accessory structures, roads, common areas, green space, utility and drainage easements, and any public right of ways.



- (b) If the complex development is not serviced by public sewers, a copy of the Septic Permit from the County Board of Health.

(5) Notice of Commencement

The applicant or his representative shall notify the Zoning Inspector of the date of commencement of construction so that the Zoning Inspector may, at his/her option, inspect the construction site to verify compliance with the location, set-backs, and other development standards.

(Adopted July 28, 2006)

#### **SECTION 4: CLASSIFICATION OF USES (CONTINUED)**

**"MH" Districts (Mobile homes and/or Manufactured home parks and accessory uses):**

**The following regulations shall be applicable to all "MH" districts.**

- (1) No "MH" park classification shall be granted to a tract of land having a total area of less than twenty (20) acres.
- (2) The maximum number of Mobile Homes and/or Manufactured Homes permitted on a tract of land classified as "MH" District, (Mobile Home and/or Manufactured Home Parks), shall be six (6) units per acre, exclusive of land area required and used for streets, walks, recreation, common parking, sales displays, resident management, and etc.
- (3) A minimum of eight (8) percent of the total area of the "MH" Park shall be reserved for recreation area for use of the residents within the Parks and generally provided in a central location. No recreation area shall contain less than five thousand (5,000) square feet of area with practical dimensions.
- (4) No "MH" lot shall be less than five thousand (5,000) square feet in area; and no Mobile Home and/or Manufactured Home shall be placed on such lot until an appropriate concrete pad is constructed. Tie-downs shall be placed at the corners of each pad and each tie-down shall be able to sustain a minimum load of four thousand eight hundred (4,800) pounds.
- (5) Each "MH" lot shall have a minimum width, at the set-back line, of forty (40) feet.
- (6) Each manufactured home shall be placed upon the lot so as to provide not less than twenty (20) feet distance between the sides of manufactured homes, fifteen (15) feet distance between the end of any manufactured home and the side of any manufactured home, and a ten (10) foot distance between manufactured homes placed end to end. In computing these distance requirements, lean to's, auxiliary rooms, and similar accessories connected to the manufactured home, but not including temporary porches and canopies which are open on two or more sides, shall be considered as part of the manufactured home.
- (7) No mobile home or accessory building thereto shall be placed closer than five (5) feet to any side or rear lot line.
- (8) No mobile home shall be permitted in the mobile home park if it has less than five hundred (500) square feet of living area.
- (9) At least one (1) paved access-way of not less than thirty six (36) feet in width shall be provided as a means of ingress and egress to the manufactured home park from

a public thoroughfare. Manufactured Home Parks shall meet the rules and regulations as stipulated in the Rules of Ohio Department of Health, Public Health Council, Manufactured Home Parks Chapter 3701-27": of the Ohio Revised Code whichever is more stringent shall apply.

- (10) All mobile homes shall be located at least fifty (50) feet from any public road or street right-of-way, and at least fifteen (15) feet from all other mobile home park boundary lines. A mobile home park located adjacent to industrial or commercial land uses shall provide screening such as fences or natural growth along the mobile home park boundary line.
- (11) All manufactured home parks shall meet the rules and regulations as set forth under "STREETS, WALKWAYS, AUTO PARKING" of the "Rules of the Ohio Department of Health, Public Health Council, Manufactured Home Parks Chapter 3701-27-09 Ohio Revised Code", as amended.
- (12) No parking shall be permitted on road and streets within the mobile home park.
- (13) Parking for visitors, and residents with more than two (2) cars, shall be provided at various convenient locations throughout the mobile home park at a minimum of one space per unit. A minimum of two (2) parking spaces is required at each mobile home unit. Each space is to be ten (10) feet wide and twenty (20) feet long, minimum.
- (14) The following accessory use and building shall be permitted within the mobile home park:
  - (a) A permanent dwelling for one (1) family, office and maintenance facilities for management of the mobile home park.
  - (b) Mobile Homes offered for sale by the operator of the mobile home park; provided no more than three (3) mobile homes are displayed, in a designated sales display area.
  - (c) Not more than two (2) free-standing auxiliary buildings shall be placed on any mobile home lot.
- (15) WATER SUPPLY: The rules and regulations of the "Rules of the Ohio Department of Health, Public Health Council, Manufactured Home Parks," as amended, are applicable.
- (16) A common walk system shall be provided and maintained by the "MH" park owner between locations where pedestrian traffic is concentrated. Such common walks shall be paved and have a minimum width of three and one half (3 1/2) feet.
- (17) SEWAGE SYSTEM: The rules and regulations of the "RULES OF THE OHIO DEPARTMENT OF HEALTH, PUBLIC HEALTH COUNCIL, MANUFACTURED HOME PARKS," as amended are applicable.
- (18) An adequate method of handling surface and storm water shall be provided in all mobile home parks so as to reasonably eliminate the possibility of flooding.

- (19) Whenever an area is set-aside of any structure to be used for the temporary storage of waste materials, garbage, and etc. that storage area must be enclosed or screened from view by wall, fence, or other structure to a height of at least six (6) feet, and shall not be located in the front yard area, nor closer than ten (10) feet to any adjoining property lines.
- (20) The first ten (10) feet from the front property line, shall be reserved as a green area (except from access of driveways) to be planted and maintained with grass and or vegetation. The area between the road pavement and the property line (right-of-way line) shall also be planted and maintained as a green area. In addition, there shall be a minimum of fifteen (15) per cent of the total land area reserved for green area, and that fifty (50) per cent of the green area shall be located within the front yard area (from the front of the structure to the front property line) When required, the side yard or rear yard "Buffer" shall be included in the fifteen (15) per cent green area.
- (21) The OPERATOR (reference definition of "Operator" in the rules and regulations of the "Rules of the Ohio Department of Health, Public Health Council, Manufactured home Parks Chapter 3701 -27" of the Ohio Revised Code) to whom a Zoning Permit has been issued under this use classification, shall provide adequate supervision to maintain the manufactured home park, its grounds, facilities, and equipment in good repair and in a clean and sanitary condition. They shall notify all residents in writing of the regulations set forth in these Resolutions together with their duties and responsibilities hereunder.
- (22) The enlargement of any mobile home park, which was in existence as a nonconforming use at the time of the enactment of this supplement to the Champion Township Zoning Ordinance, shall be subject to the provisions of this use classification wherever applicable
- (23) No OPERATOR (reference definition "Operator" in Chapter 3701-27 Ohio Revised Code of "OHIO DEPARTMENT HEALTH - MANUFACTURED HOME PARKS") shall begin construction on, or alteration of, a tract of land classified as "MH" District unless a valid Zoning Permit has been issued by the Champion Township Zoning Inspector. A Zoning Permit application must contain the following information:
  - (a) Name and address of owner, and legal capacity of person filing the application.
  - (b) Location and legal description of the proposed Manufactured Home Park, or enlargement or alteration of existing park.
  - (c) Complete engineering plans and specifications of the proposed Manufactured Home Park, alteration or enlargement, indicating the following:
    - (1) The area and dimensions of the tract of land.
    - (2) The number, location and size of all manufactured home lots.
    - (3) The location and width of streets and walkways.

- (4) The location and dimensions of recreation area, public parking areas, the resident management area, and the sales display area.
  - (5) Working drawings showing the location of sanitary and surface water sewer lines, water supply lines and risers. An "OCCUPANCY PERMIT" obtained through the Trumbull County Board of Health and LICENSING obtained through the STATE OF OHIO is a required part of this criteria.
  - (6) The plans and specifications of all buildings to be constructed within the manufactured home park.
  - (7) The location and details of lighting and electrical systems.
  - (8) The names of all streets within the park and the proposed methods, if any, of numbering of the manufactured home lots on such streets for location in case of fire or other emergency.
- (24) Transfer of ownership of an individual manufactured home lot from a tract of land zoned as "MH" District (Manufactured Home Parks) shall cause the zoning use classification of the transferred lot to revert to an "R" District (Single-Family Residential), and, thereafter, the transferred lot shall be subject to all regulations of these Resolutions pertaining to "R" District Residential use. The existence of a manufactured home, manufactured home pad, or other facility designed to serve a manufactured home, on such a transferred lot, shall not constitute a non-conforming use for the intent and purposes of this paragraph.

#### **SECTION 4: CLASSIFICATION OF USES (CONTINUED)**

##### **"OI" DISTRICT (Office/Institutional):**

- (1) Only the following uses shall be permitted in Office-Institutional Districts:
  - (a) Uses which are not engaged in activities involving the out-of-doors storage of any material, objects, or vehicles which pose or create an offensive view, other than a properly approved disposal container, and which are not engaged in the retailing of products, repairing of objects, storing or warehousing of products or objects, nor prepare or process any products upon the property.
  - (b) Uses for which the building area does not exceed a building area to land area ratio of one (1) to three (3) square foot of building area to three (3) square feet of land area, and that no building shall exceed ten thousand (10,000) square feet of floor area.
  - (c) Uses for which any professional or business office or any permitted use shall be limited to the hours of operation to the public from 7:00 AM to 9:00 PM.
  - (d) Wherever a use permitted in the "OI" District is adjacent to any Residential Use including those permitted in "RAC" or "MH" Residential Districts, a ten (10) foot "Buffer" shall be required along the side yard so abutting any residential use, and a thirty (30) foot "Buffer" shall be required along the rear yard so abutting any residential use. This "Buffer" shall provide a screen or mask or other-wise block the view of the "OI" use from the residential use. (See Section 29; Definitions for the meaning of "Buffer".)
  - (e) Outdoor Advertising shall be modified for the "OI" Office Institutional District in that only one "Free Standing "sign shall be permitted and shall be limited to twenty (20) square feet per side, or forty (40) square feet total surface area. A wall sign shall not exceed twenty five (25) square feet in surface area.
  - (f) The first ten (10) feet from the front property line; shall be reserved as a green area (except for access or driveways) to be planted and maintained with grass and/or vegetation. The area between the road pavement and the property line (right-of -way) shall, also be planted and maintained as a green area. In addition, there shall be a minimum of fifteen (15) percent of the total land area re-served for green area, exclusive of parking, driveways or building area. Fifty (50) percent of the green area shall be located within the front yard area (from the front of the structure to the

front property line). When required, the side yard or rear yard "Buffer" shall be included in the fifteen (15) percent green area.

- (g) Whenever an area is set-aside outside of any structure to be used for the temporary storage of waste materials, garbage, etc., that storage area must be enclosed or screened from view by a wall fence or other structure to a height of at least six(6) feet, and shall not be located in the front yard area, nor closer than ten (10) feet to any adjoining property lines.
- (h) Set-back building line: a minimum of eighty (80) feet from the right-of-way line of any road or street.
- (i) The requirement that all buildings or structures be properly connected to public sanitary and water systems constructed in conformity with Ohio State and Trumbull County code.
- (j) Office Institutional establishments shall be:
  - (1) Banks
  - (2) Savings & Loans
  - (3) Credit Unions
  - (4) Finance Companies
  - (5) Professional Offices
  - (6) Business Offices
  - (7) A "Zoning Use" permit is required for the commencement of any of the specific uses set forth and such "Zoning Use" permit is, also, required for a change of existing permitted use to another permitted use.

(Effective November, 2007)

(Resolution No. 2007-23)

**SECTION 4: CLASSIFICATION OF USES (CONTINUED)**

**"OP-1" DISTRICT (Professional Research-Office District):**

**The following uses and no other shall be deemed class "OP-1" uses and permitted in all**

**"OP-1" Districts:**

- (1) Administrative offices.
- (2) Testing facilities.
- (3) Research facilities.
- (4) Regional educational facilities.
- (5) Any use pertaining to the furtherance of education not involving out-of-doors storage, manufacturing of products, retailing of products, repairing of objects, storing or warehousing of products or objects, or the preparation or processing of any products on the property.
- (6) Height and bulk requirements:
  - (a) **MINIMUM LOT AREA AND WIDTH.** No lot shall have an area less than two (2) acres nor have less than two hundred (200) feet of frontage.
  - (b) **BUILDING AREA TO LAND AREA RATIO.** There shall be a building area to land area of one (1) to three (3) (one square foot of building area to three square feet of land area).
  - (c) **REAR YARD.** There shall be a minimum rear yard of not less than one hundred (100) feet in depth on every lot when abutting residential districts.
  - (d) **SIDE YARD.** There shall be a minimum side yard of not less than twenty-five (25) feet in width on every lot when abutting residential districts.
  - (e) **SET BACK BUILDING LINES.** No part of the ground area of any building or structure or any portion thereof shall be erected within fifty (50) feet of the right-of-way side line of any road or street. If there is not an established right-of-way side line for a road or street, the building set back line shall be eighty (80) feet from the centerline of the road or street.
  - (f) **HEIGHT.** No building shall exceed fifty (50) feet above grade level or a maximum of three (3) stories.



- (g) A ZONING CERTIFICATE, issued by the Zoning Inspector, shall be secured for the land use of each building or structure within this zone. As a prerequisite to the issuance of a Zoning Certificate, the owner or his representative must submit a plot plan to the Zoning Inspector, which plan shall indicate the final location of each building or structure as surveyed. The plot plan shall be designed to clearly indicate the owner's compliance with:
- (1) Height and bulk requirements set forth in a, b, c, d, e, f, and g above;
  - (2) The requirement that all buildings or structures be properly connected to public sanitary and water systems constructed in conformity with Ohio State and Trumbull County code;
  - (3) The requirement that all rights of way within a zone of this type shall be neither more nor less than eighty (80) feet;
  - (4) The requirement that each lot possess a green area in accordance with the forthcoming recommendations of the Champion Township Board of Trustees;
  - (5) The requirement that all parking areas be screened and landscaped in accordance with the forthcoming recommendations of the Champion Township Board of Trustees;
  - (6) The requirement that all parking areas conform to Section 17 of this resolution.

#### SECTION 4: CLASSIFICATION OF USES (CONTINUED)

##### **"CR" District (Commercial Restricted):**

- (1) Any use permitted in "OI" District shall be permitted in a "CR" District.
- (2) The following uses shall be permitted in "CR"
  - (a) Uses which are not engaged in business specifically covered by "C" Commercial or "I" Industrial Zone District use.
  - (b) Uses which are not engaged in activities which result in noxious, dangerous, or offensive fumes, odors, dust, flames, vibration, or noise.
  - (c) Uses which are not engaged in activities involving the storage of materials, chemicals, waste, junk, or objects to be repaired, which pose a danger to adjacent property, or create offensive views, or which pose an accessible hazard to persons.
  - (d) Uses for which the building area does not exceed a building area to land area ratio of one (1) to three (3), (one square foot of the building area to three (3) square feet of land area), and that an individual business unit shall not exceed ten thousand (10,000) square feet of floor area. No principal structure shall have less than one thousand two hundred (1,200) square feet of useable floor space.
  - (e) Uses for which any individual use is not engaged in a business that is characterized by sub-units under the same ownership, such as a Department Store, Super Market Store, etc.
  - (f) Uses for which any business or permitted use shall be limited to the hours of operation to the public from 7:00 AM to 12:00 AM.
  - (g) The first ten (10) feet from the front property line, shall be reserved as a green area (except for access or driveways) to be planted and maintained with grass and/or vegetation. The area between the road pavement and the property line (right-of-way) shall also be planted and maintained as a green area. In addition, there shall be a minimum of fifteen (15) per cent of the total land area reserved for green area, exclusive of parking, driveways or building area, and that fifty (50) per cent of the green area shall be located within the front yard area. When required, the side yard or rear yard "Buffer" shall be included in the fifteen (15) per cent green area.
  - (h) Whenever an area is set-aside outside of any structure to be used for the temporary storage of waste materials, garbage, etc., that storage area must be enclosed or screened from view by a wall, fence or other structure to a height of at least six (6) feet, and shall not be located in the front yard area, nor closer than ten (10) feet to any adjoining property line.

- (i) Set-back building line: a minimum of eighty (80) feet from the right-of-way side line of any road or street.

(3) Examples of Commercial Restricted establishments are indicated as follows:

- (a) Drug Stores and Gift Shops;
  - (b) Barber Shops and Beauty Salons;
  - (c) Grocery Stores, Dairy Stores, Meat Markets, and Bakeries;
  - (d) Funeral Homes;
  - (e) Dry Cleaners and/or Laundry Establishments (deposit and pick-up only), and Self-Service Laundries;
  - (f) Carpet Cleaning, Upholstery Shops, Interior Decorating;
  - (g) Hardware, Jewelry, Hobby Shops, Shoe Stores, Clothing Stores, Video Stores (sales), and Shoe Repair Shops;
  - (h) Restaurants, provided the entity is located within a permanent building, not a free-standing-structure in that it shall be a unit within a structure containing two (2) or more units, and further provided with space and accommodations wherein, in consideration of the payment of money, hot meals are habitually prepared, sold and served at noon and evening, as the principal business of the place, and does not include "Drive-Thru" or carry out, and alcoholic beverages shall only be served at a table.
  - (i) Churches and other places of worship.
- (4) A "Zoning Use" permit is required for the commencement of any of the specific uses set forth above and such "Zoning Use" permit is, also, required for a change of existing permitted use to another permitted use.
- (5) Whenever a use permitted in the "CR" District is adjacent to any Residential Use including those permitted in "R", "RA", "RAC" or "MH" Residential Districts, a ten (10) foot "Buffer" shall be required along the side yard so abutting any residential use, and a thirty (30) foot Buffer shall be required along the rear yard so abutting any residential use. This "Buffer" shall provide a screen or mask or otherwise block the view of the "CR" use from the residential use. (See Section 29: Definitions for meaning of "Buffer")

(Resolution Z2008-17)

(Effective 2.29.08)

#### SECTION 4: CLASSIFICATION OF USES (CONTINUED)

##### "C" District (Commercial):

**The following uses, and no other, shall be deemed COMMERCIAL:**

- (1) Any use permitted in "CR" Commercial Restricted District shall be permitted in "C" Commercial District.
- (2) Commercial establishments as specified below:
  - (a) Assembly Halls;
  - (b) Bars, lounges, drive-in fast food service, drive-thru beverage centers;
  - (c) Hotels, motels and tourist accommodations;
  - (d) Variety discount stores;
  - (e) Dry cleaning and laundry plants;
  - (f) Repair garages, gasoline and petroleum sales or storage;
  - (g) Repair shops for furniture, tools, appliances;
  - (h) Automobile, truck and tractor sales (new or used);
  - (i) Indoor theater, bowling alley, dance hall, roller skating rink, recreational parks which do not have power-driven rides accommodating four (4) persons as a part of their recreational facilities, outdoor theaters, arcades and residential type buildings for permanent display purposes;
  - (j) Job printing and newspaper printing plant;
  - (k) Plumbing, electrical or heating supply;
  - (l) Retail or wholesale lumber and building supply company;
  - (m) All other commercial services and mercantile establishments not specifically mentioned above;
  - (n) Churches and other places of worship.
- (3) The above use shall be permitted only providing such use is not noxious, dangerous, or offensive by reason of emission of odor, dust, smoke, gas fumes, noise, flame or vibration; and adequate facilities for the temporary storage of refuse, waste, junk, objects to be repaired and disposed of are provided and the same screened from view.
- (4) A "Zoning Use" permit is required for the commencement of any of the specific uses set forth above and such "Zoning Use" permit is, also, required for a change of existing permitted use to another permitted use.
- (5) No principal structure shall have less than one thousand two hundred (1,200) square feet of useable floor space.
- (6) Wherever a use permitted in the "C" District is adjacent to any Residential Use including those permitted in "R", "RA", "RAC" or "MH" Residential Districts, a ten (10) foot "Buffer" shall be required along the side yard so abutting any residential use, and a thirty (30) foot "Buffer" shall be required along the rear yard so abutting any residential use. This "Buffer" shall provide a screen or mask or otherwise block the view of the "C" use from the residential use. (See Section 29 Definitions for meaning of "Buffer.")

- (7) Whenever an area is set aside outside of any structure to be used for the temporary storage of waste materials, garbage, etc., that storage area must be enclosed or screened from view by a wall, fence or other structure to a height of at least six (6) feet, and shall not be located in the front yard area, not closer than ten (10) feet to any adjoining property lines.
- (8) The first ten (10) feet from the front property line, shall be reserved as a green area (except for access or driveways) to be planted and maintained with grass and/or vegetation. The area between the road pavement and the property line (right-of-way) shall, also, be planted and maintained as a green area. In addition, there shall be a minimum of fifteen (15) per cent of the total land area reserved for green area, exclusive of parking, driveways or building area. Fifty (50) per cent of the green area shall be located within the front yard area (from the front of the structure to the front property line). When required, the side yard or rear yard "Buffer" shall be included in the fifteen (15) per cent green area.
- (9) Set-back building line: a minimum of eighty (80) feet from the right-of-way side line of any road or street.

#### **SECTION 4: CLASSIFICATION OF USES (CONTINUED)**

##### **“I” DISTRICT (Industrial and Manufacturing):**

**The following use and no other shall be deemed “I” use and permitted in all “I” Districts.**

- (1) Any normal Industrial or Manufacturing use, provided such use is not noxious, dangerous, or offensive by reason of odor, dust, smoke, gas, noise, flame or vibration except uses specifically prohibited in this resolution.
- (2) The following uses shall be permitted as a conditional use, granted by the Board of Zoning Appeals:
  - (a) Amusement park;
  - (b) Private and commercial aviation field;
  - (c) Bulk petroleum refining, processing or storage facilities;
  - (d) Race tracks, drag strips, Motor Cross – ATV tracks;
  - (e) Brewery; distillation facilities for alcoholic beverages;
  - (f) Manufacturing or storage of explosive materials or fireworks;
  - (g) Junk yards, automobile graveyards or places for the collection or sale of scrap metal, salvaged automobile parts, paper, rags, glass, salvage or junk for storage purposes, storing of old tires, except where this use is an integral part in manufacturing process;
  - (h) Dumping, storing, burying, reducing, disposing of or burning garbage, human waste refuse, demolition material, toxic wastes, rubbish, offal, dead animals, medical wastes and/or industrial waste unless such dumping is done at a place approved and provided by the Board of Trustees for specific purposes. (This section shall not apply to agricultural waste generated in the normal care and maintenance of individual lawns and gardens or pursuits incidental to agriculture uses);
  - (i) Commercial zoos or zoological parks;
  - (j) Slaughter houses;
  - (k) Permanent outside toilet facilities; privies; out houses;

- (l) Raising mink;
- (m) Mobile home trailers, motor homes, campers, tents, cellar homes and garage dwellings, except when used as temporary dwellings as permitted herein and in compliance to the appropriate provisions of the Zoning Resolution or a temporary use approved by the Zoning Board of Appeals;
- (n) The parking or storing of an abandoned, dismantled, wrecked, inoperable and/or unlicensed motor vehicle unless parked or stored in a garage, barn or other enclosed structure, and not exposed to public view;
- (o) Solid waste landfills, construction debris landfills, medical waste facility;
- (p) Hospitals or sanitariums for the treatment of the mentally ill;
- (q) Sexually Oriented Businesses (as per Section 25)
- (r) Federal, state, county and private prisons and/or all correctional facilities.

(Adopted May 10, 2006)

## SECTION 5: PROHIBITED USES

The following uses shall be prohibited in all use classifications, except where permitted as a conditional use as specifically provided within the Zoning Resolutions and granted by the Board of Zoning Appeals:

- (1) Amusement park;
- (2) Private and commercial aviation field;
- (3) Bulk petroleum refining, processing or storage facilities;
- (4) Race tracks, drag strips, Motor Cross – ATV tracks;
- (5) Brewery; distillation facilities for alcoholic beverages;
- (6) Manufacturing or storage of explosive materials or fireworks;
- (7) Junk yards, automobile graveyards or places for the collection or sale of scrap metal, salvaged automobile parts, paper, rags, glass, salvage or junk for storage purposes, storing of old tires, except where this use is an integral part in manufacturing process;
- (8) Dumping, storing, burying, reducing, disposing of or burning garbage, human waste refuse, demolition material, toxic wastes, rubbish, offal, dead animals, medical wastes and/or industrial waste unless such dumping is done at a place approved and provided by the Board of Trustees for specific purposes. (This section shall not apply to agricultural waste generated in the normal care and maintenance of individual lawns and gardens or pursuits incidental to agriculture uses);
- (9) Commercial zoos or zoological parks;
- (10) Slaughter houses;
- (11) Permanent outside toilet facilities; privies; out houses;
- (12) Raising mink;
- (13) Mobile home trailers, motor homes, campers, tents, cellar homes and garage dwellings, except when used as temporary dwellings as permitted herein and in compliance to the appropriate provisions of the Zoning Resolution or a temporary use approved by the Zoning Board of Appeals.(Resolution Z2009-13) (Effective 3/25/09)



- (14) The parking or storing of an abandoned, dismantled, wrecked, inoperable and/or unlicensed motor vehicle unless parked or stored in a garage, barn or other enclosed structure, and not exposed to public view;
- (15) The parking or storing of a motor vehicle over one (1) ton capacity, utility trailer, aircraft, inoperable and/or junk farm machinery or equipment, or any accumulation or combination thereof, within any Residential Districts (R, RA, PRC, RAC, MH) unless parked or stored in a garage, barn, or other enclosed structure, and not exposed to public view;
- (16) Solid waste landfills, construction debris landfills, medical waste facility;
- (17) Hospitals or sanitariums for the treatment of the mentally ill;
- (18) Any use of property which constitutes a nuisance

(Adopted March 6, 2006)

- (19) The keeping and raising of horses, dog kennels, dairying, animal poultry husbandry, other than household pets, is prohibited in Residential Districts in platted subdivisions and lots as designated in Section 519.21 (B) and amendments thereto; on lots of one acre or less; and lots greater than one acre, but less than five acres, when at least thirty-five (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, Ohio Revised Code.

(Effective April, 2007)

- (20) In all districts, no parking of motor vehicles shall be permitted in any area of a yard except on a concrete, asphalt or gravel driveway.

(Resolution Z2009-23) (Effective 5-6-09)

- (21) Metal Shipping Containers are not permitted in any districts except industrial.

(Resolution Z2018-40) (Effective 6-4-2018)

## SECTION 6: NON-CONFORMING USES

- (1) A non-conforming use existing at the time these Resolutions are effective may be continued, except that, if it is voluntarily discontinued for one (1) year or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such districts.

(Effective 12/2001)
- (2) Any building or structure, existing as a non-conforming use at the time these Resolutions took effect which is destroyed by fire or other elements may be reconstructed and restored, providing the same is done within two (2) years from the date of said destruction.
- (3) A building or structure devoted to a non-conforming use at the time these Resolutions took effect may not be altered or enlarged so as to expand said non-conforming use more than twenty-five (25) per cent in area.
- (4) Manufactured Home Parks which are a non-conforming use hereunder shall be treated as follows: Existing manufactured home parks which have no separate concrete pads and separate sanitary facilities for each manufactured home shall not permit a vacated manufactured home spot to be filled until such facilities are installed.
- (5) When a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted or non-conforming use.
- (6) When a non-conforming house trailer or mobile home use has been removed from a parcel of land or lot where it was stationed, no other house trailer or mobile home shall be permitted to be stationed upon said land or lot, unless there is a replacement and continued use of such house trailer or mobile home space upon the same land or lot by the same owner of said land and house trailer or mobile home, and then only if such new trailer or mobile home is of equal or more value than the replaced house trailer or mobile home. This section shall not apply to Manufactured Home Park.
- (7) For any renewal, reconstruction, enlargement or other change of any non-conforming use, the owner of the premises must make an application to the Champion Township Zoning Inspector for a Zoning Certificate.

## SECTION 7: OUTDOOR ADVERTISING

Government Signs Excluded: For the purpose of these Resolutions, “sign” does not include signs erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance, or governmental regulation.

General Requirements for all Signs and Districts: The regulations contained in this section shall apply to all “signs,” and is intended to promote and protect the public health, welfare, and safety, protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projection over public right-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development.

- (1) An outdoor advertising sign or billboard shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced but must conform to specifications as listed below:
- (2) All signs hung and erected shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign.
- (3) Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the sign shall upon receipt of written notice from the Champion Township Zoning Inspector proceed at once to put such sign in a safe and secure condition or remove the sign.
- (4) No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control directional signs. Signs directing and guiding parking on private property, but bearing no advertising matter, shall be permitted on any property.
- (5) Illumination  
Any illuminated sign or lighting device shall employ only a light of constant intensity and no light shall be illuminated by or contain flashing, rotating, whirling, spinning or otherwise makes use of motion to attract attention. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause a glare or reflection that may constitute a traffic hazard or nuisance. The resolution set forth in this paragraph shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations, or similar service.  
All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect, if any.
- (6) Temporary Signs

- a. Temporary signs announcing special, public or institutional events may be erected for a period of sixty (60) days and temporary signs announcing the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period and shall not exceed fifty (5) square feet in area. Such temporary signs shall conform to all general sign requirements as set forth herein.
- b. All other temporary signs not otherwise provided for herein may be placed on the premises and shall not exceed twenty-five (25) square feet in size and shall not be in place more than thirty (30) consecutive days per calendar year.

(7) Free-standing signs

Free-standing signs/on-premises signs not over thirty (30) feet in height, having a maximum total sign area of one hundred (100) square feet per display area and located not closer than ten (10) feet to any street right-of-way line and not closer than thirty (30) feet to any adjoining lot line may be erected to serve a group of business establishments. There shall be only one free-standing sign for each building, regardless of the number of businesses conducted in said building.

(8) Wall Signs Pertaining to Non-Conforming Uses

On-premises wall signs pertaining to a non-conforming use shall be permitted on the same premises of such use provided the area of such sign does not exceed twelve (12) square feet.

(9) Political Signs

In a residential district, no political signage shall exceed four (4) foot width by four (4) foot length. No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted in a public right-of-way nor shall be posted on a utility pole or tree. No political sign shall be posted more than forty-five (45) days before an election. All candidates for public office, their campaign committees, or other persons responsible for the posting on public property of campaign material shall remove such material within two (2) weeks following Election Day.

(10) Area and Dimension Requirements

- (a) Measurement of Sign Area. The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members, not being advertising matter shall not be included in computation of surface area.
- (b) Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trades names, products sold and/or the business of activity conducted on the premises where such sign is located.

(c) Sign Set-Back Requirements

Except as modified in numbers 12 and 13 below, on-premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premises sign shall be erected in front of the required set-back line for the appropriate zoning district

(11) Signs Not Requiring a Permit

- (a) Signs advertising the sale, lease, or rental of the premises upon which the sign is located shall not exceed twelve (12) square feet in area except in all residential districts where the area of the sign shall not be more than six (6) square feet.
- (b) Professional name plates not to exceed four (4) square feet in area.
- (c) Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area.
- (d) Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs or bulletin boards shall not exceed fifteen (15) square feet in area and which shall be located on the premises of such organization; there will be no charge for such permit.
- (e) Political Candidate or Ballot Issue Signs will be exempt from the permit.

(12) Set-Back Requirements

- (a) For every square foot by which any on-premises sign exceeds fifty (50) square feet, the set-back shall be increased by one-half (1/2) foot but not exceed one hundred (100) feet.
- (b) Set-Back for Off-Premises Signs

If a set-back line is not established for the appropriate zoning district, off-premises signs shall be set back a minimum of twenty (20) feet from the right-of-way line.

(13) Set-Backs for Public and Quasi-public Signs

Real Estate signs and bulletin boards for church, school, or any other public, religious, or educational institution may be erected not less than ten (10) feet from the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersections.

(14) Special Yard Provisions

On-Premises signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any residential district, on-premises signs shall not be erected or placed within twelve (12) feet of a side or rear lot line. If the requirement for a single side yard in the appropriate zoning district is more than twelve (12) feet, the latter shall apply.

(15) Limitation

For the purposes of these Resolutions, outdoor advertising off-premises signs shall be classified as a business use and be permitted in all districts zoned for manufacturing or business or lands used for agricultural purposes. In addition, regulation of signs along interstate and primary highways shall comply with the regulations of the Ohio Department of Transportation.

(16) Violations

In case any sign shall be installed, erected, constructed or maintained in violation of any of the terms of these Resolutions, the Champion Township Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with these Resolutions. Failure to comply with any of the provisions of these Resolutions shall be deemed a violation and shall be punishable under Section 21 (Enforcement ) of these Resolutions

(17) Prohibited Uses

- (a) No projecting sign shall be erected or maintained from front or face of a building a distance of more than two (2) feet, including those projecting from the face of any theater, hotel or motel marquee.
- (b) No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.
- (c) No temporary sign shall be placed on the front or face of a building or on any premises, except as provided in (16a) herein.
- (d) No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign
- (e) No permanent sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20) per cent of the window surface
- (f) No sign of any classification shall be installed, erected, or attached in any form, shape or manner to a fire escape or any door or window giving access to any fire escape
- (g) No sign may contain statements, words or pictures of obscene, pornographic, immoral character or contain advertising that is false.
- (h) No sign may be erected that imitates or resembles an official traffic sign.
- (i) No sign may be “V” shaped or a sandwich type ground sign.
- (j) No portable signs on wheels, legs, runners, casters, parked trailers, parked vehicles or other mobile devices shall be permitted, except those on commercial delivery and service vehicles.

- (k) No sign may be posted on trees or utility poles.

(Adopted August 7, 2006)

(17) Electronic Message Center Signs.

Electronic Message Center (EMC) signs, as defined in this Resolution, shall conform to the following standards:

(a) **Districts, Uses.**

(i) Nonresidential Districts. EMC signs shall be permitted in the following districts:

1. Office Institutional (OI);
2. Professional Research Offices (OP-1);
3. Commercial Restricted (CR);
4. Commercial (C); and
5. Industrial and Manufacturing (I).

(ii) Institutional Uses. EMC signs for an institutional use in a residential district shall require a conditional use permit in a residential district and, as such, shall be subject to approval by the Board of Zoning Appeals (refer to Section 26: Conditional Use Permits).

(iii) Dwellings and Home Occupations Prohibited. EMC signs shall be prohibited for use in conjunction with or for the promotion or advertisement of any dwelling or home occupation.

(b) **Permanent Signs Only.** All EMC signs shall be constructed as an integral part of a permanent sign. Integral shall be considered to be incorporated into the framework and architectural design of the permanent sign.

(c) **Number.** A maximum of one (1) on-premise EMC sign shall be permitted per building lot.

(d) **On Premise:** All messages displayed on an EMC sign shall be directly related to the business for which the sign was constructed. No off-premises signage shall be permitted.

(e) **Setback.** All EMC signs shall conform to the following setback requirements:

(i) Rights-of-Way. Not closer than ten (10) feet from the leading edge of the sign to any front lot line of the rights-of-way. The front lot line of the right-of-way

determined as measured from the road center line based on approximately ½ of the total right of way set forth by the State, County or Township.

- (ii) Nonresidential Side Lot Lines. Not closer than thirty (30) feet from the leading edge of the sign to any side lot line in or adjacent to any nonresidential district or use.
  - (iii) Residential Side Lot Lines. Not closer than fifty (50) feet from the leading edge of the sign to any side lot line in or adjacent to any residential district or use.
  - (iv) Separation Between EMC Signs. Not closer than thirty five (35) feet from the leading edge of other EMC signs.
- (f) **Sign Type**. An EMC sign may be permitted as part of a permanent free-standing sign only.

(g) **Sign Copy**

- (i) Percentage of Total Sign Area. An EMC sign that is a portion of a free-standing sign shall be contiguous, and shall not exceed thirty (30) percent of the total sign area of the free-standing sign on which it is located, or thirty (30) square feet in total sign area per sign face, whichever is less.
- (ii) Exclusively EMC Sign. An EMC sign that is comprised exclusively of an EMC sign and does not contain non-changeable copy sign elements shall not exceed thirty (30) square feet in total sign area per sign face.
- (iii) Multi-Tenant Buildings (i.e. Shopping Centers). EMC signs for multi-tenant buildings shall conform to the following:

(1) Multi-Tenant / Shopping Center. For the purposes of this subsection, a multi-tenant / shopping center shall be considered as a planned and integrated grouping of nonresidential buildings meeting all of the following requirements:

(a) It shall be comprised of a minimum of three (3) building units; and

(b) All building units shall share access to a common parking area.

(c) Number. Multi-tenant / Shopping Center nonresidential buildings may have one (1) free-standing EMC sign for each building lot, regardless of the number of businesses conducted in said building(s).

(2) Sign Area. Total and Per Tenant; Height. Said EMC sign shall have a maximum total sign area of 100 square feet and a maximum height of 16 feet. Individual tenant signs shall be limited to a maximum area of 20 square feet per tenant.



(3) **Blinking, Flashing and Animation.** In order to ensure traffic safety and minimize visual clutter associated with multiple tenant signage located in adjacent to one another on the same sign, blinking, flashing, and animation of any kind shall be prohibited for EMC signs associated with or accessory to multi-tenant buildings.

(iv) **Frequency.** Copy shall change not more frequently than once per eight (8) seconds. The continuous scrolling of messages shall be prohibited.

(v) **Transition/Animation.** A change of copy must be accomplished within three (3) seconds or less. Once copy change has taken place, copy may appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist or otherwise portray movement or animation, **except as noted in subsection (g) (4) above.**

Blinking or flashing as part of a transition from one copy change to another or once copy change has taken place, at any frequency, or at any time and as defined in this Resolution shall be prohibited.

(h) **Color.** Copy is not limited to a single color.

(i) **Illumination.** Illumination levels of an EMC sign shall conform with the following:

(ii) **Limits.** EMC signs shall not exceed a brightness level of 0.3 foot candles above ambient light levels as measured in Illuminance using a foot candle (Lux) meter at a preset distance depending on sign area, measured as follows:

**Table 1: Sign Area Versus Measurement Distance**

Area of Sign (Sq. Ft.)*	Measurement Distance (ft)
10	32
15	39
20	45
25	50
30	55
35	59
40	63

\* For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq. ft., 37 sq. ft. etc.) the measurement distance shall be calculated with the following formula:

$$\text{Measurement Distance} = (\text{square root of}) \sqrt{\text{Area of Sign Sq. Ft.} \times 100}$$

(iii) **General.** No EMC sign shall display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver.

(i) **Dimming.** All EMC signs shall be equipped with and shall use photosensitive mechanisms to automatically adjust sign brightness and contrast based on ambient light conditions.

(j) **Testing at Time of Installation.** The sign applicant shall coordinate, cooperate, and

facilitate testing of the EMC sign at the time of sign installation to ensure that illumination standards of this Resolution have been satisfied and verified.

- (k) **Certification.** Prior to the issuance of a sign permit, the applicant shall provide written certification from a certified electrician that the light intensity has been factory pre-set or is otherwise adjusted so as not to exceed 0.3 foot candles above ambient lighting condition levels at any time when measured at the applicable distance noted in subsection (i), above. Any and all costs associated with providing certification shall be borne by the applicant.
- (l) **Correction of Malfunctions/Defects.** Any sign found by the Zoning Inspector to be in violation of the Champion Township EMC Signage Regulations shall be turned off until such time as the Zoning Inspector determines that such sign is in conformance with the Champion Township EMC Signage Regulations.
  - (i) **Contact Person.** The Zoning Inspector shall be provided with an on-call contact person and telephone number for every permitted EMC sign. In the event of malfunction or defect, the contact person must have the ability and authority to make modifications to the sign and lighting levels should the need arise. It shall be the responsibility of the permittee to maintain and provide accurate and current contact information to the Zoning Inspector.
- (m) **Warning or Danger Signals/Traffic Control Devices.** EMC signs shall not be configured to resemble a warning or danger signal or traffic control device. EMC signs shall not cause a driver to mistake the advertisement for a warning or danger signal or traffic control device.
- (n) **Audible Limitation.** EMC signs shall not emit any audible sound for the purpose of advertising or attracting attention to the sign or the matter or images being displayed or promoted. Audible emissions from the sign shall be limited to electronic or mechanical emissions inherent in the operation of the sign.
- (o) **Video Limitation.** Live, real-timed or other streaming video shall be prohibited.
  - (r) **Nonconforming Signs.** The addition of any EMC sign to any nonconforming freestanding sign shall be prohibited. The replacement of any part of a nonconforming sign that does not contain an EMC sign or element thereof with a sign that does contain an EMC sign or element thereof shall also be prohibited.

(Adopted February 6, 2012) (Resolution No. Z2012-18)

## SECTION 8: MINIMUM LOT AREA PER FAMILY

- (1) Regulations Governing Individual Sewage Disposal and/or Treatment Systems:
  - (a) State and County Building Code to be followed. No Zoning Certificate for structures which require a Sanitary Permit from Trumbull County Health Department may be issued until proof is presented to the Champion Township Zoning Inspector that the applicant has obtained from the Trumbull County Health Department a Sanitary permit.
- (2) For dwellings or building served by sewers connected with approved sewage disposal plant:
  - (a) No single family dwelling shall be erected or building altered to accommodate one family as a residence on less than twelve thousand (12,000) square feet of lot area, unless such lot was designated on a recorded plat or separately owned at the time this resolution took effect and cannot practicably be enlarged to conform with this requirement.
    - (b) **In a residential district no two family dwelling shall be erected or building altered for dwelling purposes to accommodate more than one family on less than twenty thousand (20,000) square feet in lot area.**(Effective 8/2012) (Resolution # Z2012-38)
  - (c) In computing lot areas, property within the road or street right-of-way may not be included, in spite of the fact that lot owner holds title to the same.

Champion Township Lot Sizes and Dimensions on chart on page 41.

(Adopted 3/2003)

## SECTION 8A: MINIMUM LOT AREA IN "OP-1" DISTRICTS

The minimum lot area within an "OP-1" District shall be no less than two (2) acres and include frontage of no less than two hundred (200) feet.

## Champion Township Lot Sizes and Dimensions Chart

Development Type	Public Water Available	Central Sewage Treatment Available	Min. Lot Width Ft. & Street Frontage	Min. Lot Area Total (sq. ft. or acre)
Single Family	Yes	Yes	100	12,000
	No	No	150	1 1/2 Ac
	Yes	No	150	1 1/2 Ac.
	No	Yes	100	13,500
Multi-Family (2 Family)	Yes	Yes	150	20,000
	No	No	200	3 Ac.
	Yes	No	200	3 Ac.
	No	Yes	150	20,000
Commercial	Yes	Yes	100	15,000
	No	No	150	1 1/2 Ac.
	Yes	No	150	1 1/2 Ac.
	No	Yes	100	15,000
Industrial	Yes	Yes	150	1 Ac.
	No	No	200	2 Ac.
	Yes	No	200	2 Ac.
	No	Yes	150	1 Ac.

03/2003

Notes: Lot area specified does not include the area within the road right-of-way.

Lot areas may be increased by recommendation of the Trumbull County Health Department.

The more stringent will apply with regards to the Trumbull County Sub-Division Regulations and the Champion Township Zoning Regulations.

Zoning Text Amendment

Passed March 21, 2003, went into effect April 21, 2003

## **SECTION 9: MINIMUM LOT WIDTH**

No dwelling shall be erected in any District other than PRC on a lot having a frontage of less than 100 feet, said frontage being defined as continuous on a single highway, unless such lot was designated on a recorded plat or separately owned at the time this resolution took effect and cannot practicably be enlarged to comply with this requirement. No minimum lot width shall be required in an "I" District for uses other than dwellings.

(Adopted July 28, 2006)

## **SECTION 10: MINIMUM DWELLING SIZE**

- (1) No one story dwelling shall have less than one thousand (1,000) square feet of living area per family unit.
- (2) No story and a half or a two story house shall have less than one thousand two hundred (1,200) square feet of living area per family unit.
- (3) No two story house designed for one family unit per floor shall have floor space designed and used for living quarters of less than one thousand (1,000) square feet per family unit.
- (4) All areas in paragraphs 1, 2 and 3 of this section shall be exclusive of full basements, porches, garages and breezeways.
- (5) No dwelling shall be less than twenty (20) ft. in width.

## **SECTION 11: COMPOSITION OF BUILDINGS**

- (1) All structures shall be constructed in accordance with the Ohio State Building Code and/or the Trumbull County Building Code requirements for the structure and evidence of State or County approval of plans must be submitted with the request for a Zoning Certificate (permit). A building or structure moved upon a parcel of land in Champion Township shall be considered the same as a building or structure originally constructed thereon, and shall meet all the requirements in this Resolution before said building or structure is occupied or used.
  - (a) All dwellings not having a basement shall have a continuous, fully enclosed concrete footer and foundation wall connecting the footer with the structure; no dwelling shall be erected on piers, pilings or other type of non-continuous foundations.

## **SECTION 12: SET BACK BUILDING LINES**

- (1) No part of the ground area of any building or structure or any portion thereof, except steps and uncovered porches less than ten (10) feet in depth shall be erected within fifty (50) feet of the right-of-way side line of any road or street. If there is not an established right-of-way side line for a road or street; the building setback line shall be eighty (80) feet from the centerline of the road or street.
- (2) In areas where there is now existing a building line scheme of a different dimension than that mentioned in Paragraph 1, the property owner will be required to conform to said existing building line scheme.
- (3) Set back building lines along all State highways within Champion Township shall be a minimum of sixty (60) ft. from the front pins.



### SECTION 13: SIDE YARDS

- (1) For every building, except accessory buildings, erected in an "R" District, and for any dwelling erected in any district, there shall be a minimum side lot clearance on each side of said building of not less than ten (10) feet, which space shall remain open and unoccupied by any building or structure. Attached garages and accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be a part of the main building for the purpose of this section.
- (2) Provided, however, that an accessory building or garage located twenty (20) or more feet to the rear of the main building may be erected not less than five (5) feet from a side lot line, provided it will not be less than twenty (20) feet distant from any existing residence or adjacent property. An accessory building is a subordinate building customarily incident to and located on the same lot with the main building.
- (3) No side yard clearance shall be required for commercial or industrial buildings in "1" Districts; provided, however, that buildings in "1" Districts abutting residential districts or residential dwellings shall maintain side yard clearances as set forth above in paragraphs 1 and 2 and/or section 4.
- (5) The aggregate total square footage of all accessory buildings located on any one lot shall not exceed two and one half percent (2.5%) of the total square footage area of the lot size, provided, however, that an accessory building of at least 768 square feet shall be permitted on each lot regardless of the lot size. An accessory building shall not exceed the height and square footage area of the primary building, structure, or dwelling unless the lot is over five (3) acres; in which case, an accessory building may be no taller than (35) feet. **Resolution # Z-2017-20 (03-2017)**
- (5) No side yard clearances shall be required for buildings in "OP-1" Districts; provided, however, that buildings in "OP-1" Districts abutting residential districts or residential dwellings shall maintain side yard clearances of not less than twenty-five (25) feet in width on every lot.

#### **SECTION 14: CORNER LOTS**

- (1) The set-back building line scheme on a corner lot shall be in accordance with Section 12, Paragraph 1 of this resolution.
- (2) The side yard clearance on the side street shall be at least fifty (50) percent of the front set-back line as provided in Section 12 , Paragraph 1 of this resolution.
- (3) Accessory buildings shall not be located on corner lots so as to cause a nuisance to adjoining property owner's lot, and the wall or structure line of an accessory structure may not be closer to the side road or street than the wall of the main building.

## **SECTION 15: REAR YARDS**

- (1) For every accessory building erected in any district there shall be a minimum rear lot clearance at the rear of said building of a least five (5) feet which space shall remain open and unoccupied by any building or structure. However, buildings in "OP-I" Districts abutting residential districts shall maintain rear yard clearances of not less than one hundred (100) feet in depth.

### **Rear Yard Clearance ( "R" and "RA" )**

- (1) The minimum rear yard setback in districts zoned "R" District (Residential) and "RA" District (Residential Apartment) shall be forty (40) feet from the property line.**
- (2) For every accessory building erected in a district zoned "R" (Residential) or "RA" (Residential Apartment), there shall be a minimum rear lot clearance at the rear of the building of at least ten (10) feet, which space shall remain open and unoccupied by any building or structure.**

**(Resolution Z 2012-52) (Effective November 2012)**

## **SECTION 16: FENCES**

A fence or wall located along a property line shall be considered a barrier (as defined in this resolution) and shall not exceed a height of four (4) feet from ground level in the area between the set-back building line and the right-of-way side line for road or street. A fence or wall along a property line, from the building set-back line to the rear property line shall not exceed eight (8) feet from the ground level. In the case of a corner lot, this line provision also applies in the line for a road or street. No fence, wall, shrubbery, hedge, or any type of vegetation growing along a property line shall be maintained near a street or intersection so as to interfere with traffic visibility. In Residential districts, barbed/razor wire fences shall not be permitted. Electrified fences shall not be permitted except with adjacent property owners' written consent. All electrified fences must have a conspicuous marking to indicate they are electrified. Fences must be uniform in appearance, in material, and in construction and be maintained in such a way that they are not insecure, unsafe, or structurally defective. If a fence is not finished on both sides, the finished side must face the neighboring property. The unfinished side must face the property owner who constructed the fence.

Commercial property fences can maintain an eight (8) feet height for the entire perimeter.

Industrial property fences can maintain a twelve (12) feet height for the entire perimeter.

A fence permit is required prior to construction.

**Resolution # Z-2017-20 (03-2017)**

## SECTION 17: PARKING FACILITIES

- (1) All single family or two-family dwellings classification of "R" uses shall provide off-street parking facilities with means of ingress and egress thereto for not less than two (2) motor vehicles per dwelling unit. Each parking space shall be a minimum of nine and one half (9 1/2) feet in width and a minimum of twenty (20) feet in length, unless where a Zoning Certificate for a Customary Home Occupation has been granted, there shall be one (1) space for every two hundred (200) square feet of the Customary Home Occupation floor area.
- (2) All "RAC", "OI", "CR" and "C" District uses shall provide off-street parking facilities outside the public right-of-way and not more than three hundred (300) feet distance from the entrance to said establishment of an area for parking motor vehicles as provided in the following schedule:
- (3) PARKING SCHEDULE:
  - (a) Theaters, auditoriums, churches, stadiums and other places of assembly: One (1) parking space for each four (4) seats or persons to be accommodated.
  - (b) Dance halls, lodge halls, skating rinks, swimming pools, etc.: One (1) parking space for each one hundred (100) square feet of area used for such activity.
  - (c) Bowling Alley: five (5) parking spaces for each bowling lane.
  - (d) Medical Buildings for physicians, dentists and optometrists: One (1) parking space for each one hundred (100) square feet of office space.
  - (e) Hospitals: Two (2) parking spaces for each patient bed.
  - (f) Retail stores, banks, service establishments, and other office institutional buildings: One (1) parking space for each one hundred fifty (150) square feet of floor area.
  - (g) Restaurants, taverns, etc. (not including drive-in restaurants): One (1) parking space for each one hundred (100) square feet of floor area, or for each two (2) seats, whichever results in the greater number.
  - (h) Hotels or motels: One (1) parking space for each room or living unit.
- (4) For any business or service conducted on the same property in conjunction with a primary use, the foregoing schedule and other provisions of this Section shall be applicable to determine additional parking requirements.
- (5) Whenever the application of the foregoing schedule relates parking space requirements to the area of the building, the number of parking spaces shall be calculated on the basis of sixty percent (60) of the interior area of the building, including hallways, storage rooms, closets, toilet facilities, etc.
- (6) All parking spaces shall have a minimum width of nine and one half (9 1/2) feet and a minimum length of twenty (20) feet exclusive of area for maneuverability and ingress and egress.

- (7) For a specific use or building, not scheduled above, the Zoning Inspector shall apply the unit measurement from the above deemed most similar to the proposed use or building.
- (8) Parking Requirements for Apartments and Condominiums Districts.  
All structures, as described in Section 4 "RAC" District (Residential Apartment/Condominium) shall provide off-street parking, outside the public right-of-way, parking facilities on the lot allocated to that particular building based on the following schedule:
- (9) "RAC" PARKING SCHEDULE:
  - (a) One (1) parking space for each single bedroom, and efficiency living unit.
  - (b) One and one-half (1-1/2) parking spaces for each living unit of over one bedroom in size.
  - (c) One (1) parking space shall be provided for each four (4) living units of all sizes for visitor parking.
- (10) In all districts, minimum requirements of off-street parking applicable to any use or building, shall continue unchanged in operation, shall not be used for automobile service or repair, and shall not be reduced below the required size as long as the main use remains, unless an equivalent number of parking spaces is provided for said use in another approved location. All parking spaces shall have a minimum width of nine and one half (9-1/2) feet and minimum length of twenty (20) feet, unless exclusive of area for maneuverability and ingress and egress.
- (11) TO PARKING AREA: The location and width of entrance and exit driveways to parking areas shall be planned as to not interfere with the use of adjoining or nearby property and with pedestrian and vehicular traffic on the adjacent streets.
- (12) OFF-STREET LOADING AND UNLOADING AREAS:
  - (a) Loading and unloading off-street facilities and standing space are required for all business and commercial enterprises hereafter erected or altered for such use. The entire area of such facility shall be located to the rear of the set-back building line scheme that is applicable or has been established for the street or road on which it is located. Said facility shall be of such size as to accommodate any truck or vehicle of a size generally serving said business or enterprise.
  - (b) At least one (1) off-street loading and unloading facility is required for each use or building devoted to any business or commercial enterprise having a building floor space or use space of fifteen thousand (15,000) to twenty five thousand (25,000) square feet. One (1) additional facility shall be added for each additional twenty thousand (20,000) square feet of building floor space or use space or fraction thereof; said off-street loading and unloading facilities shall be maintained as long as the building or use is maintained.
  - (c) Detailed plot plans of off-street parking and/or loading and unloading facilities shall be submitted for approval by the Champion Township Zoning Inspector before an application for a zoning permit is approved. Such plot plans shall show number of parking spaces and/or loading and unloading facilities and locations, dimensions, and description set forth in the several sections of these Zoning Resolutions.

- (13) No person shall stop, stand or park any motor vehicle at special parking locations provided for handicapped persons under this section or at special, clearly marked, parking locations provided for handicapped persons in or on privately owned parking lots, parking garages or other parking areas, unless the motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates.
- (a) When a motor vehicle is being operated by or for the transport of a handicapped person and is displaying a parking card or special handicapped license plates, the motor vehicle shall be permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.
- (b) As used in this section, "handicapped person" means any person who has lost the use of one or both legs, or one or both arms, who is blind, deaf or so severely handicapped as to be unable to move about without the aid of crutches or a wheelchair, or whose mobility is restricted by a permanent cardiovascular, pulmonary or other handicapping condition.
- (c) "Special handicapped license plates" and "parking card" mean any license plates or parking card issued under Ohio R.C. 4503.44, and also means any substantially similar license plates or parking card issued by a state, district, country or sovereignty with which the Ohio Director of Highway Safety has entered into a reciprocity agreement as authorized by Ohio R.C. 5502.03, during the time the agreement is in effect.
- (14) Parking is prohibited on all Champion Township roads between the hours of 2:00 a.m. to 6:00 a.m. Parking in fire lanes is prohibited at all times.
- (15) Penalties:  
Parking Violations Fees shall be assessed for parking in the following:  
Handicap Parking, No Parking Zone, Fire Lane, Parking on Roadway, Parking Violations Bureau effective 11/1/90. Copies of the Ohio Revised Code Parking Violations may be obtained by contacting the Champion Township Police Chief.

#### SECTION 17A: PARKING FACILITIES

The parking requirements of "OP-1" shall be determined in accordance with the recommendations of the Champion Township Board of Trustees.

## **SECTION 18: BOARD OF ZONING APPEALS**

There is hereby created a Champion Township Board of Zoning Appeals of five members, who shall be residents of the unincorporated area of the Township included in the area zoned. The terms of each member shall be five 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 member will expire each year. Each member shall serve until his successor is appointed and qualified. Vacancies shall be filled by the Champion Board of Township Trustees and shall be for the respective unexpired term. The members may be allowed their expenses, or compensation for services, or both, as the board of township trustees may approve and provide. The board of zoning appeals may within the limits of the monies appropriated by the board of township trustees for such purpose, employ such executives, professional, technical, and other assistants as it deems necessary.

The Champion Township Board of Zoning Appeals shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the zoning laws or of this resolution or any amendments thereto. To grant conditional zoning certificates.
- (2) To authorize, upon appeal, in specific cases, such variance from the terms of this zoning resolution as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the resolution or any amendments thereto will result in unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done.

In exercising the above mentioned powers, such Board may, in conformity with the provisions of law and this resolution and amendments thereto, reverse or affirm wholly or partly, or may modify the order, requirements, decisions or determination appealed from, and may make such order, requirement or determination as ought to be made, and to that end shall have all powers of the office from whom the appeal is taken.

The Champion Township Board of Zoning Appeals shall organize, and adopt rules in accordance with the provision of this zoning resolution. Meetings of the Board of Zoning Appeals shall be held at the call of the Chair-man and at such times as the Board may determine. The Chairman, or in his absence the acting Chairman, may administer oaths and the Champion Township Board of Zoning Appeals may compel the attendance of the witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the Office of the Champion Board of Township Trustees and shall be a public record.

Appeals to the Champion Township Board of Zoning Appeals may be taken by any person aggrieved or any officer of the Township affected by any decision of the administrative officer. Such appeals shall be taken within twenty (20) days after the decision by filing with the officer from whom the appeal is taken and with the Champion Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall



forthwith transmit to the Champion Township Board of Zoning Appeals all the papers constituting the record upon which the action appealed was taken from.

The Champion Township Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten days notice to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the township, and decide the same within thirty (30) days after submitted. Upon the hearing, any party may appear in person or by attorney. Any person adversely affected by a decision of a Champion Township Board of Zoning Appeals may appeal to the Court of Common Pleas of this county on the ground that such decision was unreasonable or unlawful.

The filing of an appeal from any decision of the Champion Township Zoning Inspector with the Champion Township Board of Zoning Appeals shall suspend any action by the Zoning Inspector or other authority in a court of competent jurisdiction to enforce the provisions put in question by said appeal, except that the Champion Township Zoning Inspector may bring on action in injunction to enjoin the appellant from further construction or use during the pendency of his appeal.

Any appeal which has been resolved by the Champion Township Board of Zoning Appeals may not be refiled nor will said Board entertain the same within six months from the time of the resolving of the last previous appeal. This shall also pertain to actions taken by the Champion Township Zoning Commission and the Champion Township Board of Trustees.

Any further changes of the Ohio Revised Code will automatically apply to the procedure written herein and supersede the same.

Any person or persons shall pay a fee upon the filing of a proposed variance. The fee shall be set from time to time by the Champion Township Trustees.

## **SECTION 19: ZONING CERTIFICATE**

The position of Champion Township Zoning Inspector is hereby created. The Champion Township Zoning Inspector, and such assistants as may be determined necessary, shall be appointed by and serve at the pleasure of the Board of Township Trustees and shall receive such compensation as the Champion Board of Township Trustees may provide. The Champion Township Zoning Inspector shall keep records of all applications for Zoning Certificates and the action taken thereon.

Before constructing, locating, changing the use of, or altering any buildings, including accessory buildings or changing the use of any premises, application shall be made to the Champion Township Zoning Inspector for a Zoning Certificate. The application shall indicate the exact location of the proposed construction, alteration or change of use and shall include a plot plan, plans and specifications showing the proposed locations and dimensions, of the building and the proposed use, all of which shall be included in the permanent record of the applications. Within ten days after receipt of the application, the Champion Township Zoning Inspector shall issue a Zoning Certificate if the proposed construction, alteration, or change of use by the application complies with the requirements of the resolution and the application is accompanied by the proper fee, or shall refuse the same, if it does not comply.

In the event of an emergency, including fire, windstorm, flood, or other act destroying all or part of a dwelling house, building, or structure, making the same uninhabitable, -the Zoning Regulations herein may be temporarily suspended insofar as they may apply, at the discretion of the Champion Township Zoning Inspector, by permitting a temporary structure to be used in the place of such destroyed-building while the destroyed building is being repaired or replaced. Under said conditions the Champion Township Zoning Inspector may permit the use of trailers under eight hundred (800) sq. ft. or other building for a six month period.

A Zoning Certificate when obtained by an applicant shall not be transferred to another person or to another property and the fee paid therefore shall be non-refundable.

A Zoning Certificate shall expire at the end of ninety (90) days from the date of issuance, and unless construction, location, change of use of, or alteration of any building or premises is not commenced within said ninety (90) days period, a new application for another Zoning Certificate must be made with the Champion Township Zoning Inspector. For any renewal, reconstruction, enlargement or other change of any non-conforming use, the owner of the premises must make an application to the Champion Township Zoning Inspector for a Zoning Certificate.

It shall be the sole responsibility of the recorded owner of the real estate to secure any permit required in the Champion Township Zoning Resolution, regardless of any private contract, lease or agreement to the contrary. Enforcement of this Zoning Resolution shall be against the record owner of the real estate, and/or any other interested party. No Zoning Certificate shall be issued for new construction on unpaved roads or streets.

(1) ZONING CERTIFICATE FEES

- (a) Fees for the purpose of defraying the cost of inspection, certification and maintenance of records shall be established by majority vote of the Champion Township Zoning Commission at its annual organization meeting and shall remain constant until changed or continued at each successive annual organizational meeting.
- (b) Fees shall be paid prior to issuance of a Zoning Certificate.
- (c) Fees shall be paid on all new construction, additions or alterations to existing construction, mobile home, temporary placements, and outdoor advertising.
- (d) Industrial fees shall be established in same manner as paragraph (a).
- (e) Paragraph (b) and (c) shall apply to industrial building.
- (f) No charge for new siding and roofing.

- (2) The cost of new construction or additions set forth above shall be computed on a square foot basis. The Champion Township Zoning Inspector shall apply the going rate as established by the Champion Township Zoning Commission and charge accordingly. The rate shall be on file at the Office of the Champion Township Zoning Inspector at all times and open to public inspection.

Builders shall obtain a Zoning Certificate before new construction, additions or alterations have been started. Builders shall properly display Zoning Certificate card in a manner which is clearly visible from the street. The above fees for Zoning Certificate shall be doubled when issued after construction, additions, or alterations have been started by the builder.

Zoning Inspector shall turn all said monies over to the Champion Township Fiscal Officer for proper disbursement according to law.

Amendments or supplements to this resolution shall supersede and nullify all prior provisions which they specifically amend or replace, or any provisions with which they are in conflict; but they do not affect any zoning permits issued prior to their effective date.

Any future changes of the Ohio Revised Code or Amendments thereto will automatically apply to the procedure written herein and supersede the same.

- (a) The Champion Township Zoning Inspector shall not issue a Zoning permit for multiple family dwellings or residential sub-division developments until a comprehensive drainage plan for said proposed improvement is submitted indicating endorsement and approval by the Trumbull County Engineer.
  - (b) All construction sites must have access to a sanitary facility. If they do not have access to sanitary facilities then they must have portable restroom facilities.
  - (c) No Zoning permit shall be issued for new construction on unpaved roads.
- (3) No Zoning Certificate for structures which require a Sanitary Permit from the Trumbull County Health Department may be issued until proof is presented to the Champion Township Zoning Inspector that the Applicant has obtained from the Trumbull County Health Department a Sanitary permit. Compliance shall be in the form of a "Sewage System Permit," a letter of "Conceptual Approval," or equivalent documentation from the Trumbull County Health Department authorizing the same.

A letter of “Conceptual Approval” or equivalent documentation from the Health Department would identify the location, suitability of the land and a generalized type of individual sewage treatment system that is appropriate for the intended use. The issuance of a

“Zoning Certificate” upon receiving “Conceptual Approval” permits the homeowner to begin construction while the sewage treatment system components are being designed by the homeowner’s engineer and reviewed by the Health Department for compliance with the Trumbull County General Health District “Household Sewage Treatment System” rules. The applicant will be reminded that any disturbance of the area on which the sewage treatment system is to be located may be detrimental to the approval of a “Sewage System Permit.”

A comprehensive drainage plan for industrial use, commercial use, residential apartment use must be submitted before a zoning permit is issued. (Resolution # 214 02/02/95).

## SECTION 20: AMENDMENTS

All applications for a zoning classification amendment or supplement, except those initiated by the Champion Township Zoning Commission or Champion Township Board of Trustees, when filed shall be accompanied by an approved fee in the form of cash, bank check, money order, or certified check. The failure of an applicant to pay the fee at the time of filing will result in the rejection of the application by the Champion Township Zoning Commission.

- (1) Amendments or supplements to the Champion Township Zoning Resolution may be initiated by motion of the Champion Township Zoning Commission, by the passage of a resolution therefor by the Champion Township Board of Trustees or by the filing of an application therefor by one or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Champion Township Zoning Commission. The Board of Champion Township Trustees shall upon the passage of such resolution certify it to the Champion Township Zoning Commission.
  - (a) Upon the adoption of such motion, or the certification of such resolution or the filing of such application the Champion Township Zoning Commission shall set a date for a public hearing thereon, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution or the date of adoption of such motion or the date of the filing of such application. Notice of such hearing shall be given by the Champion Township Zoning Commission by one publication in one or more newspapers of general circulation in the township at least ten (10) days before the date of such hearing.
  - (b) If the proposed amendment or supplement intends to re-zone or re-district ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Champion Township Zoning Commission, by first class mail, at least twenty (20) days before the date of the public hearing to all owners of property within the contiguous to and directly across the street from such area proposed to be re-zoned or re-districted to the addresses of such owners appearing on the county auditor's current tax list or the treasurer's mailing list or lists that may be specified by the board of county commissioners. The failure of delivery of such notice shall not invalidate any such amendment or supplement. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment or supplement, and a statement that after the conclusion of such hearing the matter will be referred for further determinations to the county or regional planning commission and to the Champion Township Board of Trustees as the case may be.
  - (c) Within five (5) days after the adoption of such motion or the certification of such resolution or the filing of such application the Champion Township Zoning Commission shall transmit a copy thereof together with text and map pertaining thereto the Trumbull County or regional planning commission, if there is such a commission.

- (d) The county or regional planning commission may recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the Champion Township Zoning Commission. Such recommendation may be considered at the public hearing held by the Champion Township Zoning Commission on such proposed amendment or supplement.
- (e) The Champion Township Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification or resolution, the text and map pertaining thereto and the recommendation of the county or regional planning commission thereon to the Champion Township Board of Trustees.
- (f) The Champion Township Board of Trustees shall, upon receipt of such proposed amendment or supplement, shall conduct a public hearing which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Champion Township Zoning Commission. Notice of such public hearing shall be given by the Champion Township Board of Trustees by one publication in one or more newspapers of general circulation in Champion Township, at least ten (10) days before the date of such hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment or supplement.
- (g) Within twenty (20) days after such public hearing the Champion Township Board of Trustees shall either adopt or deny the recommendations of the Champion Township Zoning Commission or adopt some modification thereof. In the event the Champion Township Board of Trustees denies or modifies the recommendation of the Champion Township Zoning Commission the unanimous vote of the Champion Township Board of Trustees shall be required.
- (h) 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 Champion Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part thereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected, requesting the Champion Township Board of Trustees to submit the amendment or supplement to the electors of Champion Township for approval or rejection at the next primary or general election.
- (i) No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast, by the Champion Township voters, on the issue is in favor of the amendment. Upon certification by the board of elections that the amendment has been approved, by the Champion Township voters, it shall take immediate effect. Any future changes of the Ohio Revised Code will automatically apply to the procedures written herein and supersede the same.
- (j) Any petition for a change of Zoning Classification resolved by the Champion Township Zoning Commission or the Champion Township Trustees may not be refiled nor will the said Boards entertain the same within six months from the time of the resolution of the original petition.
- (k) The Champion Township Zoning Commission shall convene four (4) quarterly meetings each year. Meetings shall be scheduled in January, April, July and October.

## **SECTION 21: ENFORCEMENT**

- (1) It shall be unlawful to construct, reconstruct, enlarge, change, maintain, engage in a prohibited use, as defined in section 5, or to use any building or to use any land in violation of any regulation or any provision of this resolution or amendment thereto.

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- (2) In case any building is, or is proposed to be, located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is, or is proposed to be, used in violation of the law or of this resolution or any amendment thereto, the Champion Township Board of Trustees, the prosecuting attorney of Trumbull County, the Champion Township Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.
- (3) Any and all violations of the Champion Township Zoning Resolutions, as set forth in this book, are subject to prosecution under Chapter 519 of the Ohio Revised Code.

### **PENALTIES**

Whoever violates any Champion Township Zoning Resolution is guilty of a misdemeanor, Each day any violation occurs, or continues to occur, shall constitute a separate offense, there shall be a maximum penalty of five hundred (\$500.00) dollars for each offense. (This does not apply to penalties that appear separately in this Section).

(Effective 1/2001)

### **GARAGE SALES**

Any person conducting a garage sale for which a permit is required, under this section, who has failed to secure a permit before such sale has begun shall be required to pay the sum of five (\$5.00) dollars per day for each day of such violation.

### **PARKING FACILITIES**

Parking violation fees: Handicap Parking, No Parking Zone, Fire lane, Parking on roadway.

### **MASS GATHERING**

Violation of off-site noise level, for attendance of one thousand (1,000) or less, two hundred and fifty (\$250.00) dollars, for an attendance of one thousand (1,000) to two thousand (2,000) , five hundred (\$500.00) dollars, for an attendance of two thousand (2,000) or more, seven hundred and fifty (\$750.00) dollars. Violations for other than noise level shall result in a penalty of not less than one hundred (\$100.00) dollars but not more than five hundred (\$500.00) dollars and the immediate revocation of the permit.

**OFF ROAD ACTIVITIES**

Penalty for any violation in this section shall be minimum of one hundred (\$100.00) dollars but not more than one thousand (\$1000.00) dollars for each offense.

**OUTDOOR ADVERTISING**

Violations pertaining to Political Signs shall be penalized twenty five (\$25.00) dollars for each day of occurrence. All other violations in this section shall be one hundred (\$100.00) dollars for each offense; each day violation occurs shall be considered a separate offense.



## **SECTION 22: INTERPRETATION**

- (1) In interpretation and application, the provisions of these resolutions held to be the minimum requirements adopted for the promotion of public health, safety, morals, comfort and general welfare.
- (2) Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or regulations other than zoning regulations, adopted or issued pursuant to law relating to the construction and use of buildings or premises.
- (3) These Resolutions impose a greater restriction upon the use of buildings or premises or upon the height of buildings or premises or upon the height of buildings or required larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreement. The provisions of these Resolutions shall control, but nothing herein shall interfere with, or annul any easements, covenants, deed restrictions or agreements between parties which impose restrictions greater than those imposed by these resolutions.

### **SECTION 23: VALIDITY**

- (1) Each section, sub-section, provision, requirement, regulation or restriction established by this resolution or any amendment thereto, is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid or ineffective for any cause shall not effect nor render invalid the resolution or amendment thereto as a whole or any part thereof except the particular part so declared to be invalid.

## **SECTION 24: SWIMMING POOLS AND PONDS**

- (1) For the purpose of this resolution outdoor swimming pool is defined as any artificial water pool constructed of steel, masonry, concrete, aluminum, plastic or any other manufactured material, located out of doors, which has a foot surface area of four hundred fifty (450) square feet or more: or a depth at any part of more than two and one half (2 1/2) feet.
- (2) That no outdoor swimming pool which is not enclosed in a permanent building or like structure shall be constructed or maintained in the township unless and until the requirements and conditions of this resolution are complied with.
- (3) No portion of any outdoor swimming pool shall be located at a distance less than ten (10) feet from any side line or ten (10) feet from a rear property line. Pumps, filters, and pool water disinfection installations shall be located at a distance not less than ten (10) feet from any side or rear property line. Pools located within a building shall conform to all provisions of this code.
- (4) That every outdoor swimming pool hereafter constructed shall have erected around it a barrier or fence which shall be of rigid construction and which shall be not less than four (4) feet in height, shall extend to within four (4) inches of the ground and shall contain except for gates, no opening larger than six (6) inches square. Gates shall be securely locked when such pool is not in use by the owner thereof, or anyone using the same with the owner's permission. Pools shall require a Zoning Certificate prior to construction.
- (5) Ponds shall be permitted on lots with a minimum of five (5) acres and not less than twenty (20) feet from adjacent property lines. A zoning permit shall be required from the Champion Township Zoning Inspector.

## SECTION 25: SEXUALLY ORIENTED BUSINESSES

- (1) The purpose of this section is to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the Champion Township and to establish reasonable and uniform regulations to prevent the concentration of sexually oriented businesses within Champion Township. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented material protected by the first Amendment to deny access by the distributors and exhibitors of sexually oriented business. Sexually oriented businesses, because of their nature have a deleterious effect on both the existing business around them and the surrounding residential areas adjacent to them causing increased crime and the downgrading of property values. The Champion Board of Trustees desires to minimize and control these adverse effect and hereby preserve the property values and character of surrounding neighborhoods deter the spread of suburban blight, protect the citizens from increased crime, preserve the quality of life and protect the health safety and welfare of the citizenry.
- (2) A sexually oriented business is one which is designed and used to sell , rent or show sexually explicit materials distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas" as herein defined and is more particularly, but exclusively defined as meaning an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, or adult theater, or massage business.
- (3) ADULT ARCADE means any place to which the public is permitted or invited wherein coin operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time and where images so displayed are distinguished or characterized by the depicting or describing of "specific sexual activities" or "specific anatomical areas."
- (4) ADULT BOOK STORE or adult video store means a commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one of more of the following:
  - (a) Books, magazines, periodicals or other printed matter, or photographs, film, motion pictures, video cassettes or video representations which depict or describe "specified sexual activities" or "specified anatomical areas"
  - (b) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities"
- (5) ADULT CABARET means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:
  - (a) Persons who appear in a state of nudity;
  - (b) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities," or

- (c) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description or "specified sexual activities," or "specified anatomical areas."
- (6) ADULT MOTEL means a hotel, motel or similar commercial establishment which:
  - (a) Offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by
  - (b) the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;
  - (b) Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
  - (c) Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten (10) hours.
- (7) ADULT MOTION PICTURE THEATER means a commercial establishment where for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which is characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- (8) ADULT THEATER means a theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."
- (9) MASSAGE means the manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping by hand or mechanical device. All masseurs must have and maintain a current license, issued by the state of Ohio for such occupation.
- (10) MASSAGE BUSINESS means any establishment or business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios, or massage parlors, which is characterized by emphasis on matters and activities relating to specified sexual activities or specified anatomical areas as defined herein.
- (11) NUDITY or STATE OF NUDITY means the appearance of a human bare buttock, anus, male genitals, female genitals, or female breast.
- (12) PERSONS means an individual, proprietorship, partnership, corporation or other legal entity.
- (13) SEMI-NUDE means a state of dress in which clothing covers no more than the genitals, pubic region, and areolas of the female breast, as well as portions of the body covered by supporting straps or devices.
- (14) SPECIFIED ANATOMICAL AREAS means and includes any of the following:
  - (a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breast;
  - (b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy,
  - (c) Masturbation, actual or simulated; or
  - (d) Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.
- (15) SEXUALLY ORIENTED DEVICES means without limitation and artificial or simulated specified anatomical area or other device or paraphernalia that is designed principally for specified sexual activities but shall not mean any conceptive device.
- (16) The Board of Zoning Appeals may issue a special use permit for a sexually oriented business only in a Commercial District in each particular instance only on the following conditions:

- (a) The proposed business is located more than five hundred (500) feet from a church, a public or private school, boundary of a residential district as established by the Board of Township Trustees, the lot line of a lot devoted to residential uses, public park or playground; an already existing sexually oriented business or one that has received a special use permit, any social services facility or neighborhood center, any boundary of a residential district in a local government abutting Champion Township, or any structure that contains a residence.
- (b) All viewing booths and viewing areas in an Adult Arcade, Adult Book Store, Adult Video Store, Adult Motion Picture Theater, or Adult Theater must be visible from a continuous main aisle and must not be obscured by any curtain, door, wall, or other enclosure.
- (c) No sexually oriented activities or materials may be sold, furnished or displayed to any person under the age of eighteen (18) years.

(17) REVOCATION OF CONDITIONAL USE PERMIT:

The Zoning Inspector shall revoke the special use permit for any adult entertainment business if so determined pursuant to the action of the Board of Zoning Appeals.

(18) PROCEDURE REVOCATION:

- (a) The Zoning Inspector shall notify in writing the Board of Zoning Appeals whenever he has reason to believe that the operation of an adult entertainment business has resulted in a violation of any provision of this section. Within fifteen (15) days from said notification the Board of Zoning Appeals shall hold a public hearing to determine whether the special use permit should be revoked. Notice of this hearing shall be served on the adult entertainment business at least ten (10) days before hearing and, if the Zoning Inspector's referral to the Board of Zoning Appeals originated from a complaint by any resident, similar notice shall be served on the complainant at least ten (10) days before the hearing. The Board of Zoning Appeals may also give such other notice as it deems appropriate, including notice to property owners and notice in a newspaper of general circulation. The Board of Zoning Appeals shall make a decision within thirty (30) days after the hearing and shall notify the adult entertainment business and, if applicable, the complainant, within ten (10) days after such decision.
- (b) Fee for conditional use permit for a sexually oriented business shall be two hundred and fifty (250) dollars.

## **SECTION 26: CONDITIONAL USE PERMITS**

The Zoning Board of Appeals shall issue a conditional use permit when a conditional use permit is provided within a zone use classification upon the terms, conditions, and limitations contained therein and in determining whether to grant a conditional use permit and the restrictions, limitations and conditions which shall be imposed. The Zoning Board of Appeals shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence that the use in the proposed location:

- (1) Is in fact a conditional use as established under the provisions of the Zoning Resolution.
- (2) Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's Comprehensive Plan and/or the Zoning Resolution.
- (3) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area.
- (4) Will not be hazardous or disturbing to existing or future neighboring uses.
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- (7) Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors.
- (8) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

(Effective 10/2004)

## SECTION 27: EROSION AND SEDIMENT CONTROL

- (1) The purpose of these regulations is to establish technically feasible and reasonable standards to achieve a level of water management and sediment control that will minimize damage to property and degradation of water resources and wetlands, and will promote and maintain the public health and safety.
- (2) These regulation are intended to:
  - (a) Allow development while minimizing increases in downstream flooding, erosion and sedimentation.
  - (b) Reduce water quality impacts to receiving water resources and wetlands that may be caused by new development or redevelopment activities.
- (3) These regulation apply to all of the permitted and conditional buildings, structures, and uses set forth in every zoning district in this Zoning Resolution, except as otherwise provided herein.
- (4) For the purpose of these regulations, the terms used herein shall have the meaning as set forth in the most recently adopted version of the Trumbull County Erosion and Sediment Control Rules. Said terms are adopted and made a part of these regulations as though fully rewritten herein.
- (5) Requirements and Application Procedures
  - (a) Two (2) sets of Erosion and Sediment Control (ESC) Plan shall be included with the application of a zoning certificate for any of the principal permitted, accessory, or conditional buildings, structures, and uses or off-street parking, loading/unloading areas allowed by this resolution and any additions or alterations thereto.
  - (b) ESC Plans are not required for any principal permitted, accessory, or conditional buildings, structures, or uses or off-street parking, loading/unloading areas allowed by this resolution or any additions or alterations there to disturbing less than one (1) acre of land area.
  - (c) The contents of the ESC Plan shall meet all requirements and recommendations for erosion and sediment control contained in the most recent version of the Trumbull County Erosion and Sediment Control Rules.
  - (d) If the lot owner is required to prepare a Storm Water Pollution Prevention Plan (SWP3) in accordance with the Ohio Environmental Protection Agency's (EPA) NPDES Permit No. OHC000002, or the most recent version thereof, this SWP3 may be submitted in lieu of a separate ESC Plan. In situations of conflict between OEPA requirements and these regulations, the most restrictive shall prevail.
  - (e) The Zoning Inspector shall review the ESC Plans submitted under this resolution and approve the compliance or return for revisions with comments and



recommendations for revisions within thirty (30) working days after receipt of the Plan. The Zoning Inspector shall advise applicants that the ESC Plan may be forwarded to the Trumbull SWCD for technical assistance and review. A disapproved Plan shall receive a narrative report citing specific problems and procedures violated and the procedures for filing a revised Plan to ensure compliance with the Trumbull County Erosion and Sediment Control Rules. At the time the Zoning Inspector receives a revised Plan, another thirty (30) day review period shall begin.

- (f) Soil disturbing activities shall not begin and zoning certificates or conditional zoning certificates shall not be issued with a ESC Plan approved by the Zoning Inspector in accordance with these regulations.
- (g) Any addition or alteration to the site design as shown on the approved ESC Plan may require the resubmission of said Plan in accordance with these regulations. In making a determination regarding such resubmission, the Zoning Inspector may consult with the Trumbull SWCD. The Zoning Inspector shall determine if any addition or alteration requires the issuance of a new zoning certificate or conditional zoning certificate.

#### (6) Compliance with State and Federal Regulations

- (a) Approvals issued in accordance with these regulations do not relieve the site owner of responsibility for obtaining all other necessary permits and/or approvals for federal, state and/or county agencies. Such permits and/or approvals shall be obtained before any zoning certificate or conditional zoning certificate is issued. If requirements vary, the most restrictive requirement shall prevail.
- (b) Soil-disturbing activities regulated under these regulations shall not begin until all necessary state and federal permits have been granted to the lot owner. These permits may include, but are not limited to, the following:
  - (1) Ohio EPA NPDES Permits authorizing storm water discharges associated with the construction activity or the most current version thereof: Proof of compliance with these requirements shall be a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the lot owner explaining why the NPDES Permit is not applicable.
  - (2) Section 410 of the Clean Water Act: Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification application, public notice, or project approval, or a letter from the lot owner verifying that a qualified professional has surveyed the lot and found no waters of the United States. Such a letter shall be noted on site plans submitted to the Zoning Inspector. Wetland, and other water of the United States, shall be delineated by protocols accepted by the Ohio EPA and US Army Corps of Engineers at the time of application of this regulation.

#### (7) ESC & Permit Requirements for Lot Splits and Minor Subdivisions

- (a) Minor Subdivision Conditions
  - (1) The proposed division of a parcel of land as shown on the last preceding tax duplicate involves no more than five (5) lots after the original tract has been completely subdivided (inclusive of the remaining parcel).

- (2) The proposed division is along an existing public street and involves no opening, widening or extension of any street, road or public utility.
  - (3) The proposed division is not contrary to any applicable platting, subdivision, zoning or other regulations.
- (b) Permit Requirements
- (1) An Ohio EPA NPDES Permit is required if the proposed lot split or minor subdivision will or is anticipated to result in the disturbance of one (1) or more acres of land.
  - (2) The proposed lot split or minor subdivision may be subject to local erosion and sediment control zoning requirements for one (1) to five (5) acre land disturbances. Thee subdivider must file an erosion and sediment control plan and any other required permits including NPDES, 401 or 404 permits to the administrator of said zoning requirement.
  - (3) If the proposed lot split or minor subdivision will result in the disturbance of five (5) or more acres of land, the subdivider must file an erosion and sediment control plan (ESC) and any other required permits including NPDES, 401 or 404 permits with the Trumbull Soil and Water Conservation District prior to any soil disturbing activities.
- (c) Performance Standards
- All soil disturbing activities, including those not subject to plan requirements, are subject to the provisions and performance standards of the Trumbull County Erosion and Sediment Control Rules or the Ohio EPA Construction General Permit. In areas where the rules conflict, the most restrictive requirements shall prevail.

(Adopted October, 2005)

## SECTION 28: TELECOMMUNICATION TOWER FACILITIES

### (1) Purpose:

The purpose of this section is to establish regulations and standards for the location and erection of telecommunications towers to protect the health and safety of the general public in pursuant to Section 519.211 of the Ohio Revised Code and any amendments thereto.

### (2) Notification Procedures:

Any person who plans to construct a telecommunications tower in an area subject to township zoning regulations shall comply with the notice provisions of Section 519.211 (B) (3) and any amendments thereto.

If a property owner or member of the Board of Trustees who receives notice as prescribed above gives notice pursuant to Section 519.211 (4) (a) of their objection to the proposed location of the telecommunications within fifteen (15) days after the mailing of the notice of intent to locate a telecommunications tower sent under Section 519.211 (b) (3) (b) ORC, the board shall request that the clerk of the township send the person proposing to construct the tower, written notice that the tower is subject to township zoning and requires the application for and issuance of a zoning certificate. The notice shall be sent no later than five (5) days after the earlier of the date the Board first receives such a notice from the property owner or the date upon which a board member makes an objection. Upon the date of mailing of the notice, Sections 519.02 to 519.25 shall apply to the owner.

If no notice or objection by a property owner or board member is timely received, the location of the tower will be exempt from these provisions pursuant to Section 519.211 (A) as required therein.

### (3) Permitted Uses:

- (a) Collocation of antennas on existing towers, antennas attached to existing structures and buildings, or replacement towers to be constructed at the site of a current tower are permitted.
- (b) Wireless Telecommunications Towers and Facilities may be permitted as a sole use on a lot, combined on a property with an existing use and/or combined with an existing industrial manufacturing building or structure subject to the requirements of this section.

### (4) General Requirements:

The following requirements apply to all telecommunication towers and facilities. All of the following criteria must be met to obtain a permit.

- (a) When the proposed wireless telecommunications facility is to include a new tower, a plot plan at a scale of not less than one inch equal to 100 feet shall be submitted. This plot shall indicate all building uses within 300 feet of the proposed facility.

- (b) New or modified towers shall be certified by an engineer according to the structural standards for antennas as developed by the Electronic Industries Association and/or the Telecommunication Industry Association.
  - (c) An applicant shall provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication commission, Federal Aviation Administration, Ohio Department of Transportation)
  - (d) Any applicant requesting permission to install a new tower shall co-locate their wireless service on an existing wireless communication tower if technically feasible. If not technically feasible, the applicant's wireless communication tower shall not be located within 2.25 miles of any existing tower.
  - (e) All providers utilizing towers shall present a report to the Township Trustees and the Township Zoning Office notifying them of any tower facility location in Champion Township whose use will be discontinued and the date this use will cease. If at any time the use of the facility is discontinued for 180 days, the Township Trustees and the Township Zoning Office may declare the facility abandoned. The facility's owner/operator will receive written notice from the Township Trustees and the Township Zoning Office and will be instructed to either reactivate the facility's use within 180 days, or dismantle and remove the facility. If reactivation or dismantling does not occur, Champion Township will remove or contract to have the facility removed and assess the owner/operator the costs. Thus the owner/operator must have proof of a bond for the purpose of removal of the tower.
- (5) Development Standards:
- (A) General: The following requirements apply to all Telecommunications Towers and Facilities:
    - (1) Security fencing eight feet in height with a locking gate shall surround the tower, equipment shelter and guide wires either completely or individually as determined by the Zoning Inspector.
    - (2) The following landscaping and buffering of communication towers shall be required around the perimeter of the tower and accessory structures:
      - (b) A row of trees a minimum of eight feet tall and a maximum of ten feet apart shall be planted around the perimeter of the fence.
      - (c) A continuous hedge at least thirty inches high at the time of planting, capable of growing to at least thirty-six inches in height within eighteen months, shall be planted in front of the tree line referenced above.
      - (d) All required landscaping shall be of the evergreen variety.
      - (e) All required landscaping shall be properly maintained to ensure good health and vitality.
    - (3) Required landscaping shall be installed outside the fence or wall.
    - (4) No advertising is permitted anywhere on the facility, with the exception of identification signage.
    - (5) No tower less than 150 feet tall shall be artificially lighted except to assure safety or as required by the FFA. Any tower greater than 150 feet in height shall follow safety marking and obstruction lighting as prescribed by the FFA. Security lighting around the equipment shelter is permitted.

- (6) ‘No Trespassing’ signs shall be posted around the facility with a telephone number of whom to contact in the event of an emergency.
- (7) The primary building material shall be split face block, brick or wood and shall have an equal level of finish on all sides. Exposed concrete block shall be prohibited on any part of the building. Communication towers not requiring FFA painting/markings shall have either a galvanized finish or painted a dull blue or gray finish.
- (8) The area inside and outside of the security fence shall be maintained in a well-kept condition.
- (B) Sole Use on Lot:
  - (1) Minimum front, side and rear yard shall be 1.5 times the tower height.
  - (3) Maximum tower height including antenna shall be 200 feet.
- (C) The Wireless Telecommunication Tower and Facility shall be fully automated and unattended on a daily basis, shall be visited only for periodic and necessary maintenance.
- (D) The development standards shall be the same as if the facility were a sole use on a lot.
- (E) Combined With an Existing Structure
  - (1) Where possible an antenna for a wireless telecommunications facility shall be attached to an existing structure or building subject to the following conditions:
  - (2) Maximum height – 20 feet or 20% of the building height above the existing building or structure, whichever is greater.

### **Cellular Towers**

- (1) **Zoning Certificate Required.** No cellular communication tower may be erected on a property unless a Zoning Certificate is issued for such use by the Champion Township Zoning Office.
- (2) **Notification of Intention to erect a tower required.** The Township Trustees and Township Zoning Office shall be notified by certified mail at least 60 days prior to the planned erection of any telecommunication tower in the township. Such notice shall clearly indicate the location of the property on which the tower is proposed to be located, the dimensions of the tower and set-backs off of the property lines, the name of the company proposing to erect such tower, as well as the address, name, and phone number of a contact person with the telecommunication tower company.
- (4) **Location of Towers on existing tower sites and public land and structures encouraged.** Champion Township strongly encourages that telecommunication towers be restricted to Industrial/Manufacturing Sites.
- (5) **Applicability of set-back requirements and design standards.** A new tower structure that is not erected on previously existing tower, structure, or building shall conform to all set-back requirements and design standards.
- (6) **Co-Location Agreement Required.** Before a zoning permit is issued for the erection of a new cellular tower, the cellular company shall sign an agreement certifying that the tower

will be available for the co-location of other telecommunication equipment by other cellular service providers.

(Adopted May 10, 2006)

## Co-Location Agreement

I, as the authorized agent for the telecommunication company indicated below, do hereby certify that the tower in question will be available to other telecommunication providers for the co-location of telecommunication equipment, in an effort to support Champion Township's policy of protecting the health, safety, and welfare, of its residents through the co-location of telecommunication towers.

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Authorizing Agent's Name

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Title

---

Phone Number

---

Cellular Provider's Name

---

Address

---

Location of Cellular Tower

---

Date

**SECTION 29: SMALL WIND PROJECTS/WIND TURBINES  
CONSISTING OF ONE UNIT OF LESS THAN  
1 MW AS A CONDITIONAL USE**

**Intent:**

The intent of the small wind project resolution is to establish guidelines for the location of small wind projects in Champion Township. The township recognizes in some specific instances and under carefully controlled circumstances, it may be in the public interest to permit the placement of small wind projects consisting of one unit less than 1 MW in certain areas of the township. The Trustees also recognize the need to protect the scenic beauty of the township from unnecessary and unreasonable visual interference, noise radiation and environmental impacts and that small wind projects may have negative health, safety, welfare and aesthetic impacts upon adjoining and neighboring uses. As such, this resolution intends to:

1. Protect residential and agricultural areas from any potential adverse impact from wind turbines.
2. Permit said wind turbines in selected areas by on-site residential, commercial or industrial users, subject to the terms and conditions hereof.
3. Ensure the public health, welfare and safety of the township's residents in connection with wind turbines.
4. Avoid potential damage to real and personal property from wind turbines or the failure of such structures and their related operations.

**Definitions:**

Accessory Structure: structures such as sheds, storage sheds, pool houses, unattached garages and barns.

Anemometer: an instrument that measures force and direction of wind.

Clear fall zone: an area surrounding the wind turbine unit, in which the wind turbine and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined with the property lines of the primary parcel where the turbine is located. The purpose of the clear fall zone is such that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.

Cowling: a streamlined removable cover that encloses the turbine's nacelle.

Decibel: a unit of relative sound equal to ten times the common logarithm of the ratio of two readings. For sound, decibel scales run from zero for the least perceptible to 130 for sound that causes pain.

Mono-pole tower: a single piece tower that is placed on a minimum size 6 feet x 6 feet concrete pad, constructed with 8.5 cubic yards of concrete and buried at 48 inches.



Nacelle: sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.

Primary structure: for each property, the structure that one or more persons occupy the majority of the time on that property for either business or personal reasons. Primary structures include residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, garages and barns.

Professional engineer: a qualified individual licensed in Ohio as a Professional Engineer.

Megawatt (MW): a unit of power equal to one million watts.

Small wind project: any wind project less than 1 MW, which includes the wind turbine generator and anemometer.

Wind power

Turbine owner: person(s) who own the wind turbine.

Wind power

Turbine tower: the support structure to which the turbine and rotor are attached.

Wind power

Turbine tower

Height: the distance from the rotor blade at its highest point to the top surface of the ground at the site.

## **Wind Projects**

Wind projects as defined herein shall be permitted in all zoning districts with the township as a conditional use, subject to the following conditions:

A. Wind projects of 1 MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) and at the Public Utilities Commission of Ohio (PUCO), and shall be required to meet all OPSB regulations.

B. Maximum Height: the maximum heights of any turbine tower shall be determined by the size of the lot on which it is to be sited; however, no wind turbine shall exceed 125 feet. For the purposes of this Resolution, the maximum height shall be considered to be the total height of the turbine system, including

the tower and the maximum height of the turbine's blades. Maximum height shall, therefore, be calculated by measuring the length of the blade at maximum vertical rotation to the top surface of the ground.

C. Setbacks: Any turbine tower erected on a parcel of land shall comply with accessory structure set backs and side and rear yard clearances provided within the zoning district in which the tower is erected. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the

property where the turbine is located and would not strike any structures including the primary dwelling, and accessory buildings or uses. Siting a turbine tower in front of the primary structure will require an appeal to the Zoning Appeals Board.

- D. Maintenance: Wind turbines shall be maintained in good working order. The current turbine tower owner or property owner shall, within 30 days of permanently ceasing operation of a wind turbine, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine may stand no longer than 12 months following abandonment. All costs associated with the demolition of any wind turbine and associated equipment shall be borne by the current wind turbine owner or current property owner. A wind turbine is considered to be abandoned when it ceases transmission of electricity for 30 consecutive days. Wind turbine towers/small wind projects that become inoperable for more than 12 months must be removed by the current wind turbine owner or current property owner within 30 days of the issuance of a zoning violation. Removal includes the removal of all apparatuses, supports, and/or other hardware associated with the existing wind turbine tower or other small wind project.
- E. Decibel levels: Decibel levels shall not exceed 60 dBA as measured at the closest neighboring inhabited dwelling. Any and all noise complaints shall be civil matters between the property owners and shall be handled through the civil court system.
- F. Wiring and Electrical Apparatuses: All wires and electrical apparatuses associated with the operation of the wind turbine unit shall meet all applicable local, state and federal codes, including the County Building Regulations and Residential Building Code of Ohio.
- G. Fencing: The wind turbine shall be fenced with a minimum 6 feet and maximum 10 feet in height fence, in such a manner as to prevent unauthorized persons from having access to the structure and equipment.
- H. Warning signs: Appropriate warning signs to address voltage and trespassing issues shall be posted in a visible location on the fence surrounding the turbine tower and shall conform to all existing sign requirements. Signage shall also display current emergency contact numbers.
- I. Other signage: Other signage than that described in “H” above, including advertising on the wind turbine tower or surrounding fence is strictly prohibited.
- J. Lighting: The only permitted lighting on a wind turbine tower is that required by the Federal Aviation Association (FAA) and the Federal Communications Commission (FCC).
- K. Building permits: All small wind projects and parts thereof shall obtain all applicable building permits from the State of Ohio and County Building Regulations where required.
- L. Only mono-pole towers shall be permitted as conditional uses.
- M. Zoning permits: A permit shall be required before construction can commence on an individual wind project system, including wind turbine towers. As part of the permit process, the applicant shall consult with the County Building Inspector as to whether

additional height restrictions or other regulations are applicable due to the unit's location in relation to any local airports. Applicant shall then provide the Zoning Inspector with the following items and/or information when applying for a permit:

1. The total size of the unit.
2. If applicable, the total size and depth of the unit's foundation structure as well as soil and bedrock data.
3. A list and/or depiction of all safety measures that will be on the unit, including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring, anchors, warning signs and any necessary FAA and/or FCC lighting.
4. Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
5. A hazardous materials disposal plan.
6. The maximum decibel level of the particular unit. The information shall be obtained by the unit's manufacturer.
7. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public rights of way, and neighboring property lines.
8. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit application and permit.
9. Verification from the County Building Inspector that no additional regulations apply to the wind project.
10. Utility company documentation as to what will happen to any excess power that may be generated.
11. Documentation that addresses ice throw, with engineering data that the setbacks and/or composition of the rotors will be sufficient to prevent damage from ice throw from the blades.
12. Total size and depth of the concrete mounting pad, and any other required specifications for the turbine, its tower, base and other parts.
13. The turbine, including prop blades, turbine, cowling, tower etc. shall remain in the color provided by the manufacturer, in a non-reflective neutral such as white or gray. And logos, advertising, or identification marks other than those of the manufacturer and model type are strictly prohibited.

N. Utility companies regulate the types of turbines that can be installed into their grids, and limit 300 kw hours on 3 phase grids and 25 kw hours on 1 phase grids.

**Aesthetics:**

The following provisions shall be applied to the aesthetic issue of wind turbines:

- A. The turbine, including prop blades, turbine, cowling, tower, etc. shall remain in the color provided by the manufacturer, preferably a non-reflective neutral such as white or gray, with logos, advertising, or identification marks other than those of the manufacturer and model type to be prohibited.
  - B. A requirement as to color being neutral and non-reflective assures that the wind turbine will have less aesthetic impact on neighboring properties.
- Resolution (Z 2011-15) (Effective 4/2011)

## SECTIONS 30: DEFINITIONS

Words used in this resolution in the present tense shall be interpreted to include the future tense, words used in the singular number shall include the plural number, and the plural number shall include the singular number. The word "shall" as used in the resolution is mandatory and not directory. The word "structure" shall include the word "building." The masculine gender as used in this resolution shall include the feminine and neuter gender and vice versa.

**AGRICULTURE** shall mean framing; 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 not secondary to, such husbandry or production.

**AFFECTED AREA** The area affected as referred to in ORC. 519. 12, Amendments, shall mean an area having a radius of one half (1/2) mile from the proposed change, unless the reason for the proposed change, is of such magnitude as to reasonably affect the whole Township, then said Township shall be the affected area.

**AN ACCESSORY USE** or "ACCESSORY BUILDING" or "STRUCTURE" for the purpose of these resolutions is a use, building or structure with one or more enclosed sides or roof located on the same lot and of a nature customarily incidental and subordinate to the primary use, structure, building, or dwelling located on the lot. ( Effective January 29, 2005)

**AN APARTMENT HOUSE** wherever mentioned in these solutions is a multi-family unit, an independent principle structure, arranged, intended, designed, and constructed or reconstructed to be occupied by three (3) or more families.

**APPROVED SEWAGE DISPOSAL PLANT** a plant approved by state and county sanitary officers giving primary and secondary treatment to sewage and operated and maintained by assessments against the property served; said assessment being collected by the county of Trumbull.

**BARRIER** enclosing fence or boundary wall.

**BATHROOM** wherever mentioned in these Resolutions is a room within the structure containing at least a wash basin and water basin and water closet and a permanently Installed tub or shower bath.

**BLINKING** The rapid movement of a message on and off.

**BOARDER** whenever mentioned in this Resolution is a person furnished with lodging or food at another's house at a stated charge; one who rents a room or lodging.

**BUFFER** wherever mentioned in these Resolutions means a strip of land reserved for the purpose of blocking the view from a use of the abutting commercial or industrial use by landscaping material (trees, shrubs, etc.) or a fence to a height of at least six (6) feet. If a fence is

utilized, it must be of a material or design sufficient to obscure a view of the abutting commercial or industrial use, and the side facing the residential use must be finished so as to provide a good cosmetic appearance. Such a fence must also conform to all regulations in this Resolution for fences. The landscaping material or fence must be located along the inside edge of the buffer strip and not on the property line. The buffer strip shall be clear of any structures or driveways, and no parking or other uses related to the commercial or industrial use shall be permitted within the strip. The regulation for fences within the set back area is modified to allow for a four (4) foot minimum fence, but it shall not be located any closer than fifty (50) feet from the right-of-way of the street along the front property line.

**COLLOCATION:** The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

**CONSTRUCTION** whenever mentioned in this resolution shall not mean the actual commencement of the erection or alteration of a building, structure or other object, and shall be deemed to have begun only when either of the following have occurred.

- (a) A footer is completed.
- (b) Raw materials are affixed to the real property so as to become a permanent part of the building, structure or other object to be erected. **CONSTRUCTION** shall not include mere preparatory work or activity such as planning and design, demolition of existing structures, grading, preliminary excavation work, or the removal of debris.

A **CORNER LOT** for the purpose of this resolution is a lot, two sides of which are bounded by margins of intersecting dedicated public highways.

**DANGEROUS PETS** refers to any animal, reptile, bird, fish or insect, which is trained, restrained, confined and cared for in a way which demonstrates ownership and which poses a threat of physical harm to humans or which creates a nuisance to the neighborhood.

**DRIVEWAY** refers to that area of a lot reserved for ingress and egress to the main structure and consisting of a hard surface of gravel, asphalt, concrete, brick or stone.

**DUPLEX DWELLING** a duplex family dwelling is a dwelling entirely detached and independent from any other principle structure, arranged, intended, designed and constructed or reconstructed to be occupied by two families.

**EFFECTIVE DATE** wherever mentioned in these Resolutions-means; the date at which time these Champion Township Zoning Resolutions were initially adopted. Effective date for Champion Township is Nov. 17, 1957. and any dates of Amendments thereto, as adopted by the Champion Township Trustees.

**EXCAVATE** unearth.

**FARM MARKET AND/OR ROADSIDE STAND** whenever mentioned in these Resolutions is a structure used for the display and sale of agricultural products, subject to the limitations as set forth under "FARM MARKETS AND/OR ROADSIDE STANDS" in Section 4; Classification of Uses, paragraph 7. in the Champion Township Zoning Resolution.

**FENCE:**

A barrier intended to prevent intrusion or escape, or to mark a boundary, including but not limited to construction of posts and wires, boards, metal, living materials, brick, stone and/or plastic or similar durable materials. Decorative structures designed as barriers shall be included. **Resolution # Z-2017-20 (03-2017)**

**FLASHING** An EMC sign or portion of an EMC sign whose illumination is characterized by a continuous cycle of illumination and non-illumination.

**FOOT CANDLE** A unit of illumination. One foot candle equals one lumen of light flux distributed evenly on one square foot of surface.

**FREE STANDING SIGN** **A free standing sign is a sign that stands alone or on its own foundation, pole or support, free of any other supporting structure or attachment to any other support structure.** (Effective 8/2012) (Resolution # Z2012-39)

**FRONTAGE:** The distance as measured along the designated front property line of a lot or parcel abutting an accepted street or road, uninterrupted by any other lot, parcel, or public right of way.

**FRONT LOT LINE** or "front property line" or "property frontage" for the purpose of this resolution shall be construed to be coincident with the principle road line of the lot. If there is no established right-of-way side line for road or street, said line shall be deemed to be thirty (30) feet from the center of the road.

**GARAGE** for the purpose of this Resolution is a building or space used as an accessory to a main building permitted in any residential district and providing for the storage of motor vehicles and in which no business, occupation or service for profit is in any way conducted.

**GARAGE SALE** means a sale held by a property owner or renter of a property in a garage, on a driveway, parking lot, porch, attic, basement or lawn but not in the living area of any property.

**GREEN AREAS** whenever mentioned in these Resolutions means an area of the parcel or lot that shall be set aside for grass or vegetation to be maintained, exclusive of driveways, parking areas and structures. Whenever parking areas, as required by these Resolutions, create a large area, it is requested that they be broken up with small planter areas, including trees. These planter areas will be included in the mandated green area.

**A HIGHER USE** wherever mentioned in this resolution is a more restricted use and "lower" is a less restricted use.

**LANDFILL DISPOSAL** of construction materials and/or demolition materials, must meet all environmental Zoning restrictions.

**LANDSCAPING BUSINESS:** A Landscaping Business is the manufacturing, processing, locating or storage of aggregate landscaping materials including but not limited to top soil, dirt, sand, mulch; landscaping stones, bricks, pavers, or rocks of any material; fencing or decorative lawn ornaments, trees, shrubs, bushes and plants of any kind, not grown and harvested on the premises, for wholesale or retail sales; the locating, storage or operation of landscaping

equipment and vehicles on the property; and the locating or storage of vehicles, equipment, machinery, mowers, and chemicals for off-premises lawn and yard maintenance, tree removal, yard and plant weed and pest control and fertilizer. The operation and maintenance of a Landscaping Business in a Residential District may be permitted as a "conditional use" by the board of zoning appeals upon such reasonable conditions, limitations and restrictions as the board in their discretion deems necessary to preserve the health, safety and residential character of the neighborhood and to avoid any adverse effect on or detriment to the adjoining and neighborhood properties, including but not limited to, the scope, size and manner of operation, times of operation, number of employees, number and location of buildings, types, amounts and location of landscaping materials stored on the premises, types and numbers of vehicles and equipment used or stored on the premises, fencing, screening and signage and that the use of said premises for a landscaping business shall not by reason of noise, vibration, dust, odor or other contaminant constitute a nuisance. (Adopted October 8, 2004)

**AN OVERALL LENGTH LINE OF A PRINCIPLE RESIDENTIAL STRUCTURE** no overall dimension of any side of a principle residential structure shall be less than twenty (20) feet.

**A LINE OF A BUILDING** or "building line" wherever mentioned in this resolution is either the main foundation wall or the line of any covered porch extending outside the main foundation wall, not including steps or walks, which ever is nearer the lot line in question.

**LOGGING AND/OR TIMBER CUTTING** to cut into logs, slabs or other by products, to cut down trees, to gather timber.

**LOT** as used in this resolution shall be a parcel of land occupied by, or legally capable of being occupied by a principle building and the accessory building or buildings or uses, customarily incident to it and to include such open yard areas as are required by this resolution and such further open areas that are herein permitted to be arranged and designed to be used in connection with such building.

**MANUFACTURED AND/OR MOBILE HOME** mean a manufactured, relocatable, single-family dwelling unit, suitable for year-round occupancy, containing a water supply, waste disposal and heating system, and electrical conveniences.

**MANUFACTURED AND/OR MOBILE HOME PARK** is a tract of land not less than twenty (20) acres which has been zoned, planned, improved and developed for the placement of manufactured mobile homes.

**METAL SHIPPING CONTAINER**, also known as an Intermodal Freight Container, is a metal container designed to be moved from one mode of transportation to another without unloading for reloading the contents. It is a standardized re-sealable steel transportation box used for unitized freight handling which has strength suitable to withstand shipping, storage, and handling. (Effective 6-4-2018) (resolution Z-2018-40)

**A NON-CONFORMING USE** for the purpose of this resolution, is one that does not comply with the regulations established for the particular use district or zone in which it is situated.

**POND** a man made artificially enclosed body of water.

**PORCH** wherever mentioned in this resolution is a roofed open structure projecting from the front, side or rear wall of the building.

PROFESSIONAL as referred to in Section 4: Classification of Uses; includes a doctor of medicine, doctor of osteopathy, optometrist, dental, surgeon, oral surgeon, orthodontist, periodontist, doctor of veterinary medicine, chiropractor, podiatrist, audiologist, speech pathologist, psychologist, attorney, architect, accountant, professional engineer, and such other persons who can, upon proper appeal to the Champion Board of Zoning Appeals, clearly establish that they practice a profession as opposed to an occupation which is predominately commercial or mechanical in nature.

PROPERTY OWNER the owner of recorded real estate.

**PUBLIC-RIGHT-OF-WAY** Public right-of-way shall mean the area included in the boundaries of a highway, street, road, alley or thoroughfare dedicated to the public use on record with the Trumbull County Recorder's Office. The determination of the location of the area and boundaries of a right of way that extends beyond the paved portion of a highway, street, road, alley or thoroughfare, shall be made by taking one half (1/2) of the total width of the dedicated right-of-way measured from the centerline of the highway, street, road, alley or thoroughfare. (Effective 8/2012) Resolution # (Z2012-39)

REAR LOT LINE or REAR PROPERTY LINE for the purposes of these Resolutions shall be the property line opposite the front lot line as defined in these Resolutions. If a lot is not in the form of a rectangle, but is irregular in shape, there shall be no rear lot line unless the principle building on said lot faces an angle, thereof, the one side of said angle shall be the front lot line and the line opposite said angle shall be the rear lot line.

A REAR YARD or "back yard" or "rear area" or "back area" for the purpose of this resolution is a space unoccupied by buildings or any structure of any type between the rear lot line and the building line nearest thereto on said lot.

REPAIR GARAGE for the purpose of these Resolutions is a building or space for the storage of motor vehicles at which repairs on any kind of motor vehicle is permitted or at which the sale of accessories and filling service is permitted.

A SET-BACK LINE wherever mentioned in these resolutions is the distance between the front lot line in question and the nearest principal building line.

A SIDE YARD or "side area" for the purpose of this resolution is a space unoccupied by building between a side lot line and the building line nearest thereto on said lot.

A SIGN BOARD or BILLBOARD including both permanently installed or portable for the purpose of these resolutions is any structure, or part thereof, on which lettered or pictorial matter is displayed for publicity or advertising purposes.

SIGN, CHANGEABLE COPY A permanent sign or a portion thereof with letters, characters or graphics that are not permanently affixed to the structure, framing or background allowing the letters, characters or graphics to be modified manually.

SIGN, ELECTRONIC MESSAGE CENTER (EMC) A changeable copy sign or a portion thereof that utilizes computer generated message or some other electronic means of changing copy.



A SINGLE FAMILY DWELLING is a dwelling entirely detached and independent from any other principle structure, arranged, intended, designed and constructed or reconstructed to be occupied by a single family. A family wherever mentioned in these resolutions is any number of individuals related by blood, marriage or adoption living and cooking together on the premises as a single-housekeeping unit and including domestic employment.

STRUCTURE or "BUILDING" for the purpose of this Resolution is anything erected, constructed or reconstructed on a foundation, posts, piles, blocks, skids, sills or support, whether such foundation, posts, piles, blocks, skids, sills or other support is or is not permanently located in, or attached to, the soil.

A STRUCTURAL CHANGE wherever mentioned in these resolutions means any change in the supporting members of a building such as bearing walls or partitions, columns, beams, or girders, excepting such structural change as may be required for the safety of the building.

TELECOMMUNICATION: The technology which enables information to be exchanged through the transmission of voice, video, or data signals by means of electrical or electromagnetic systems.

TENT wherever mentioned in this Resolution is a temporary structure of canvas or other similar material for adult occupancy and is not intended to include a child's play tent.

The words "street", "road", "highway" or "lane", are for the purpose of this Resolution considered to be synonymous and each is defined as a public way located, assigned and dedicated for public use.

TRANSIENT VENDOR AND/OR SOLICITOR, Transitory, passing through, staying only for a brief period. Examples of transient vending/ soliciting but not entirely inclusive: door to door vending and/or solicitation i.e. magazine and book sales, curb painters, home improvement businesses, out side location sales of merchandise i.e. furniture, flowers, plants, produce, etc. -

VEHICLE for the purpose of these Resolutions shall mean any auto, truck, bus, van, trailer, camper, boat secured to a trailer and that which is mobile and has wheels, tracks, etc., for mobility.

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.

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.

WIRELESS TELECOMMUNICATION TOWER: A structure intended to support equipment used to transmit and/ or receive telecommunications signals including monopolies, guided and lattice construction steel structure.

ZONING USE PERMIT: A document used by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the lots, structures, and uses. **Resolution # Z-2017-20 (03-2017)**

RESIDENTIAL ZONE, referred to as “R,” shall be all the township with the exception of these areas otherwise zoned as listed below.

**BUSINESS ZONE NO. 1 --** West side of Mahoning Avenue, south of State Road – Parcel No. 1:

Said are being bounded on the South by the North line of lands of Warren City Hospital; West by the center line of Mahoning Avenue; North by the center line of State Road, and Westerly by the following described line:

Beginning at a point in the center line of State Road, which said point is North 63° 5 ½’ West a distance of 524.9 feet from the intersection of the center line of State Road and Mahoning Avenue; thence from said place of beginning South 43° West 241.6 feet to a point; thence South 89° 53’ West a distance of 179.14 feet to the northwesterly corner of Sub Lot No. 512 in the North Warren Heights Township Plat, said point being also the northerly line of Fairgreen Avenue in said Plat; thence easterly along the northerly line of Fairgreen Avenue, to a point at the intersection of the easterly line of Magnolia Avenue, with the northerly line of Fairgreen Avenue at the southwesterly corner of 513 in said North Warren Heights Township Plat; thence southerly along the easterly line of Magnolia Avenue and across the intersection of said line with Cleveland Avenue to the southwesterly corner of Sub Lot No. 574 in said North Warren Heights Township Plat; thence on a line South 19° 38 ½’ West and parallel with the center line of Mahoning Avenue to the northerly line of lands of Said Warren City Hospital.

Lands situated on the West side of Mahoning Avenue, North of State Road, South of Marshall Avenue – Parcel No 2:

Being known as the easterly 200 feet by perpendicular measurement of Lots Nos. 1,2,3,4,5 and all of Lots Nos. 6,7,8,9 and 10 in McAllister Allotment Number 2 as recorded in Volume 14 at Page 44, Trumbull County Records of Plats, and the easterly 200 feet by perpendicular measurement of Lots Nos. 1,2,3,4,5,6,7 and 8 in the McAllister Allotment, recorded in Volume 13 at Page 8, Trumbull County Records of Plats.

Lands situated on the East side of Mahoning Avenue from County Home to Marshall Avenue Extended – Parcel No. 3.

Bounded by the west by the center line of Mahoning Avenue; bounded on the north by the southerly line of Marshall Avenue extended easterly; bounded on the south by the North line of lands of Trumbull County Infirmary Farm; and bounded on the east by a line located 120 feet easterly from the easterly line of Mahoning Avenue as now established as to lands situated in the North Warren Heights Township Plat, and by a line located 200 feet easterly from the easterly line of Mahoning as not established as to lands between the north line of North Warren Heights Township Plat and the southerly line of Marshall Avenue extended easterly.

Lands west of Mahoning Avenue, north of Marshall Avenue and south of Lauder Avenue – Parcel No. 4.

Bounded on the east by Mahoning Avenue; bounded on the south by Marshall Avenue; bounded on the west by the rear lot lines of parcels which front on Mahoning Avenue; founded on the north by Lauder Avenue.

**BUSINESS ZONE NO. 2**

Lands West of Mahoning Avenue, North of Lauder Avenue and South of Champion Avenue. – Parcel 1

Bounded south by the north line of Lauder Avenue in part and the north line of the Thomas Allotment in part; North by the center line of Champion Avenue and west in part by the easterly line of the Kimmy Plat and by the easterly line of the Hyland Park Allotment No.1 in part and in part by the easterly line of Lot No. 3 in the Thomas Allotment; east by the center line of Mahoning Avenue.

Lands on the easterly side of Mahoning Avenue, north of Lauder Avenue and South of Champion Avenue – Parcel 2

Bounded on the south by the north line of Lauder Avenue and bounded on the north by the center line of Champion Avenue, and bounded easterly by the following described line:

Beginning at a point in the north line of Lauder Avenue at the southeasterly corner of Lot No. 5 in the Champion Heights Homesites Plat; thence northerly along the easterly line of Lots 5,4,3,2,1 to the northeasterly corner of Lot no. 1; thence continuing northerly on a line parallel with the center line of Mahoning Avenue as now established and 270.76 feet easterly there from to the center line of Champion Avenue; west by the center line of Mahoning Avenue.

Lands on the westerly side of Mahoning Avenue, north of Champion Avenue – Parcel No. 3.

Bounded south by the center line of Champion Avenue, east by the center line of Mahoning Avenue and north by the north line of Lot No. 3 in Clearview Little Farms Plat, and west by a line parallel with the center line of Mahoning Avenue and 244.17 feet westerly from the westerly line of Mahoning Avenue as shown by said Clearview Little Farms Plat.

Lands on the easterly side of Mahoning Avenue, north of Champion Avenue – Parcel No. 4.

Bounded south by the center line of Champion Avenue; bounded west by the center line of Mahoning Avenue; bounded north by the northerly line of Lot No. 9 in the Mahoning Avenue Farms Allotment and bounded on the east by the following described line:

Beginning at a point in the center line of Champion Avenue located 240 feet easterly from the intersection of the easterly line of Mahoning Avenue with said center line; thence northerly parallel with the center line of Mahoning Avenue to the southerly line of Lot No. 9 in said Plat; thence easterly on the southerly line of Lot No. 9 to the southeasterly corner thereof; thence northerly on the easterly line of Lot No. 9 to the northeasterly corner of said Lot No. 9.

### **BUSINESS ZONE NO. 3**

Lands west of Mahoning Avenue and north of State Route 305 – Parcel No. 1.

Bounded south by the center line of Route 305; east by the center line of Mahoning Avenue; north by the north line of lands of the Board of Education, Champion Local School District, and west by a line parallel to the center line of Mahoning Avenue and 181.5 feet westerly therefrom.

Parcel No. 1a.

Bounded on the west by Mahoning Avenue; bounded on the north by the north line of Section 37; bounded on the south by a line parallel to the north line of Section 37 and 500 feet distant therefrom; and bounded on the east by a line parallel with Mahoning Avenue and 200 feet distant therefrom.

Parcel No. 1b.

Bounded on the west by State Route 45; on the south by the south line of land now or formerly owned by R.P. and G. Laner; on the east by a line 200 feet easterly from and parallel to Mahoning Avenue and on the north by a line parallel to the south line of said Laner and 230 feet northerly therefrom.

Parcel No. 1c.

Bounded on the west by Mahoning Avenue; bounded on the south by the south line of Section 30 and 500 feet distant therefrom; and bounded on the east by a line parallel with Mahoning Avenue and 200 feet distant therefrom.

Lands east of Mahoning Avenue, and north of State Route 305 – Parcel No. 2.

Bounded west by the center line of Mahoning Avenue; south by the center line of Route 305; north by the south line of the Weiss Plat, extended easterly and east by the westerly line of lands Champion Township Trustees.

Parcel No. 2a.

And known as being all of Lot No. 1 in the Earl S. Durst Plat No. 1 and being a parcel of land situated at the northwest corner of Edward Street and Mahoning Avenue.

Parcel No. 2b

Bounded on the east by Mahoning Avenue; on the south by the south line of Section 6; on the north by the north line of Section 5; and on the west by a line parallel to Mahoning Avenue and 400 feet distant therefrom.

Lands east of Mahoning Avenue, south of State Route 305 – Parcel No. 3.

Bounded west by the center line of Mahoning Avenue; north by center line of Route 305; south by south line of Dean R. Spithaler and north line of Frank McCombs; east by easterly line of lands of Clyde Klingemier, et al, Ward H. Vesey, et al and Dean R. Spithaler, et al.

Lands west of Mahoning Avenue, south of State Route 305 – Parcel No. 4.

Bounded on the east by the center line of Mahoning Avenue; north by center line of Route 305; west by the east line of lands of F.C. McCombs, and south by the north line of R. & J. Deehr.

#### **BUSINESS ZONE NO. 4**

Lands at State Road and Champion Avenue Intersection **(changes made) see map amendments**

Parcel No. 1.

Bounded on the north by the south line of Champion Avenue; bounded on the south by the north line of State Road; bounded on the east by the west line of Lots Nos. 2 and 11 in McAllister Little Farms No. 1 Plat, and being Lot no. 1 in said Plat.

Parcel No. 2.

Bounded on the south by the center line of State Road, so-called; bounded on the east by the extension northerly of the center line of Bailey Leavittsburg-Johnson Road; bounded west by the westerly line of lands now or formerly owned by John R. Kuszmaul, being also the westerly line of Section No. 83 in the original survey of said Township; and bounded north by a line parallel with the center line of State Road as now established and at all points 250 feet northerly therefrom by perpendicular measurement. **(changes made see map amendments)**

#### **BUSINESS ZONE NO. 5**

Glendola and Mahoning Ave.

Parcel No. 1

Northwesterly and southwesterly corners of Glendola and Mahoning Avenue.

All of Lots Nos. 3, 8, 9 in Mahoning Avenue Homesites Sub Division No. 1 recorded Volume 13 at Page 26, Trumbull County Record of Plats.

#### **BUSINESS ZONE NO. 6**

Lands north of Champion Avenue near Park Avenue

Parcel No. 1

Bounded on the east by the extension northerly of the center line of Park Avenue Extension from original Lot No. 77; on the south by the center line of Champion Avenue; on the west by a line parallel to the easterly line of this parcel and 600 feet westerly therefrom; on the north by a line parallel with the center line of Champion Avenue and 300 feet northerly therefrom.

Parcel No. 2

Bounded on the north by the center line of Champion Avenue; bounded on the east by the center line of Park Avenue Extension; bounded on the south by a line parallel to the center line of Champion Avenue and 300 feet

southerly therefrom; bounded on the west by a line parallel to the center line of Park Avenue Extension and 600 feet westerly therefrom.

Southeasterly corner of Champion Avenue and Park Avenue Extension.

Parcel No. 3.

Bounded on the north by the center line of Champion Avenue; bounded on the west by the center line of North Park Avenue Extension; bounded on the south by a line parallel to the center line of Champion Avenue and 300 feet southerly therefrom; bounded on the east by a line parallel to the center line of North Park Avenue Extension and 300 feet easterly therefrom.

## **INDUSTRIAL ZONE**

Located in part of the Reservation Tract and parts of original Lots Nos. 97, 98, 99, 100, 101 and 102 and further described as follows:

Parcel No. 1.

Bounded on the east by the center line of Mahoning Avenue; bounded on the north by the following irregular line:

Beginning in the center line of Mahoning Avenue the southeasterly corner of lands of Grace W. Campbell; thence westerly along the south line of Campbell to the southwesterly corner of said Campbell; then north on the west side of Campbell to the south line of North Warren Heights Townsite Plat; thence west along the south line of said Plat to the southwest corner thereof; thence north on the west line of said Plat to the southeasterly corners of lands of R. Preston; thence westerly along the northerly line of lands of McAllister Dairy Farms, Inc. to the easterly line original Lot No. 101; thence westerly in a straight line to the intersection of the northerly line of lands of the Baltimore & Ohio Railroad with the easterly line of North Leavitt Road; thence northwesterly along the northerly line of said Railroad to a point 400 feet westerly by rectangular measurement from the center line of said North Leavitt Road to a point which would be the extension, easterly of the most northerly line of McAllister Allotment No. 4; thence easterly on the northerly line of said McAllister Allotment No. 4 extended a distance of 400 feet to the center line of North Leavitt Road; thence northerly on the center line of said Road to a point 300 feet southerly from the center line of State Road; thence westerly on a line parallel with the center line of State Road; thence westerly on a line parallel with the center line of State Road and 300 feet southerly therefrom by perpendicular measurement to the northeasterly corner of Brainard Allotment No. 1; thence south to the southeast corner of said Brainard Allotment No. 1; thence westerly on the southerly line of said Brainard Allotment No. 1 to the easterly line of original Lot No. 96.

Bounded on the west by the east line of original Lot No. 96; and bounded on the south by the following described irregular line:

Beginning on the westerly line of original Lot No. 97 at a point 600 feet northerly from the northerly line of original Lot No. 104; thence easterly on a line parallel with the northerly line of Lot Nos. 104, 103, and 102 to the center line of North Leavitt Road; thence north on the center line of North Leavitt Road to the southerly line of R. Walker, et al; thence easterly on the southerly line of said Walker to the southeasterly corner of said Walker lands; thence southerly on a line parallel with the easterly line of original Lots 101 and 102 to the Township line between Champion and Warren Township; thence easterly on the Township line to the center line of Mahoning Avenue.

Located in original Lot No. 89, 94, 93, and 90.

Parcel No 2.

Bounded on the south by the center line of State Road in part and Virginia Anthony in part; bounded east by lands of Charles Kays; north by the projection westerly of the southerly line of Ray Anthony, et al; westerly in part by the center line of Oak Hill Drive and the Westerly line of W.J. Stipeck, between the Baltimore & Ohio Railroad and the center line of State Road.

# Zone Amendments

## Map amendments

Passed April 21, 2004 went into effect May 21, 2004 petition filed by **Paul W. Ventling** Zone change from residential to commercial property is Lot No. 7 Clearview Little Farms Addition Champion Township recorded in Trumbull County records of plats. Volume 10, pages 124 and 125 frontage on the west side of Mahoning Ave. NW of 94.69 feet extending back between parallel lines a distance of 418.50 feet on the north side and a distance of 436.18 feet on the south side and having a rear or western boundary of 93.004 feet, and containing within .912 acres +-

Passed August 18, 2004 went into effect Sept 18, 2004 petition filed by **Champion Health Real Estate LLC**. Zone change from "R" district to "RA" district Residential Apartments on 7.95 acres located at 200 E. Glendola Avenue.

Passed September 2, 1997 went into effect October 2, 1997 petition filed by **Rite-Aid Corporation** Zone change from Residential to Business property a 0.22 acre lot, and known as being part of Lot No. 1 and part of Lot No.2 in Clearview Little Farms Addition to said township, known as part of the Reservation Tract in said township, as recorded in Trumbull County Records of Plate Volume 10, page 124. located at 128 Champion Avenue West. Said parts of Lots 1 and 2 is bounded and described as follows: Beginning at the point in the north line of Champion Ave. 244.17 feet west from the west line of Mahoning Avenue; thence North 193 feet; thence west parallel with the North line of Champion Ave. 50 feet; thence South 193 feet; thence East along the North line of Champion Ave. 50 feet to the place of beginning.

Passed May 26, 1998 went into effect June 26, 1998 petition filed by **Don Kinn, Marathon Ashland Petroleum** to change from residential to commercial property located lots 66, 67, 68 and 69 in the north Warren Heights townsit allotment (Bond Street) in Champion Township.

Passed Dec 6, 1999 went into effect Jan 6, 2000 petition filed by **Broannlyn Limited** to change from residential to commercial property located at 5634 Mahoning Ave. NW, Section 60, lots 2 and 4 located in Champion Township.

Passed 9/8/2004 went into effect 10/8/04 petition filed by **Randall Caldwell** for Zone change from residential to commercial for Parcel #1 at 5013 N. Park Ave., part of section #74, located in Champion Township.

Passed January 26, 2005 went into effect Feb 26, 2005 petition filed by **Christopher Bart** for Zone change from residential to office/institutional for 2 parcels, first parcel is described at Sub Lot No. 1 in the Fairview Plat No. 1 on Clearview Ave. Said Lot No. 1 has a frontage of 75 feet on the northerly therefrom parallel lines a distance of 210 feet according to said plat. The second parcel is described at Lot No. 14 in Mahoning Ave. Homesites No. 1 on Mahoning Ave. Said Lot No. 14 has a frontage of 60 feet on the west side of Mahoning Ave. and extends back by its north line a distance of 200 feet, by its south line a distance of 200.99 feet and is 60 feet wide in the rear as shown by said plat.

Passed Dec 5, 2002 went into effect on Jan 5, 2003 petition filed by **Ted Bloom** a zone change from residential to Industrial manufacturing for one parcel with 140 feet frontage on Kincaid East with a depth of 760 feet of 2.443 acres parcel of 46-069250 Legal (1091140F2.443 S E Pt Townline RD) which abuts the existing industrial property owned by T. Bloom.

Passed October 4, 2012 went into effect November 5, 2012 petition filed by Wayne Kuszmaul a zone change from (C) Commercial to (R) Residential for one parcel with 2.6 Acres, Section 83 (parcel ID number 46-373592) located frontage off of State Road. **Parcel (46-373592) rezoned from "C" Commercial to "R" Residential) (Effective 11/2012) (Resolution Z2012-51)**

Passed Jan 29, 2009 went into effect February 29, 2010 petition filed by the Champion Township Zoning Board a zone change from "R" Residential to "C" Commercial for property located at the rear westerly half of Lot No. 3 in the Clearview Little Farms Plat, located at **5033 Mahoning Ave** ( Thus bringing the entire parcel into the "C" classification) currently owned by M. Pazitka, Parcel ID 46-277160 **(Effective February 29, 2009) (Resolution Z2009-09)**

Map Amendments Continued

Know as being all of Section No. 72 or the original survey of Champion Township. Save and excepting therefrom a strip of land extending the south line of Sec. No. 72 to the north line of sec. 72 and having a depth of 300 feet from the center line of the **Pierce Road**. **Parcel #3 rezoned from "I" Industrial to "R" Residential) (Effective 8/2012) (Resolution Z2012-40)**

Petition filed by **Stephen Sandberg** for Zone change  
From Residential "R" to Residential Apartment "RA", for .7209 acres (front portion replat 36A) with 125.01 feet frontage of land located at 626 Champion Street West. Parcel ID #46-058850  
**Resolution #2007-20 Passed October 15, 2007 went into effect November 15, 2007**

**Passed March 26, 2008, went into effect April 26, 2008**, petition filed by **The Champion Township Zoning Board** for Zone Change from Commercial "C" to Residential "R" for 977 State Road Parcel ID #46-328910, 979 State Road Parcel ID #46-903809, 997 State Road Parcel ID #46-238250, 1007 State Road Parcel ID #46-209585, 1013 State Road Parcel ID #46-209351, 1027 State Road Parcel ID #46-153920, 1037 State Road Parcel ID #46-209450, 1047 State Road Parcel ID #46-209326, 1057 State Road Parcel ID #46-902067, 1065 State Road Parcel ID #46-901918, 932 State Road Parcel ID #46-185600, 944 State Road Parcel ID #46-240025, 1006 State Road Parcel ID #46-181000, 1020 State Road Parcel ID #46-180600. **Resolution #Z2008-22.**

**Passed January 29, 2009, went into effect February 29, 2009**, petition filed by **The Champion Township Zoning Board** for Zone Change for rear portion from Residential "R" to Commercial "C" for 5033 Mahoning Ave., NW, Parcel ID #46-277160 bringing the whole parcel to Commercial Zoning reflecting the use. **Resolution # Z2009-09**

**Passed March 23, 2017, went into effect April 23, 2017**, petition filed by **Ted Bloom** for Zone change from (I) Industrial Manufacturing to (R) Residential for property at 4445 Kincaid Road Parcel 46-904009  
**Resolution #Z2017-21**