LUCAS COUNTY PLAN COMMISSION REPORT

August 27, 2014

Toledo-Lucas County Plan Commissions
One Government Center, Suite 1620, Toledo, OH 43604
Phone 419-245-1200, FAX 419-936-3730

MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

TOLEDO CITY PLAN COMMISSION

CATHERINE G. HOOLAHAN
(Chairman)

CYNTHIA A. GERONIMO
(Vice Chairman)

BALSHARAN SINGH GREWAL

KEN FALLOWS

OLIVIA HOLDEN

LUCAS COUNTY PLANNING COMMISSION

DON MEWHORT
(Chairman)

KEVIN X. SMITH
(Vice Chairman)

CYNTHIA A. GERONIMO

CATHERINE G. HOOLAHAN

TINA SKELDON WOZNIAK
(County Commissioner)

PETER GERKEN
(County Commissioner)

CAROL CONTRADA
(County Commissioner)

KEITH G. EARLEY

RICHARD G. MOSES

KEN FALLOWS

MEGAN MALCZEWSKI

THOMAS R. LEMON, SECRETARY

LISA COTTRELL, ADMINISTRATOR

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING SCHEDULE - 2014

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION *(HEARINGS BEGIN AT 2PM)*			
November 25	December 23	December 27	January 9
December 30	January 27	January 31	February 13
January 28	February 24	February 28	March 13
February 25	March 24	March 28	April 10
March 25	April 21	April 25	May 8
April 29	May 26	May 30	June 12
May 27	June 23	June 27	July 10
July 1	July 28	August 1	August 14
July 29	August 25	August 29	September 11
August 26	September 22	September 26	October 9
September 23	October 20	October 24	November 6*
October 21	November 17	November 21	December 4*
COUNTY PLANNING COMMISSION *(HEARINGS BEGIN AT 9AM)*			
December 9	January 6	January 10	January 22
January 13	February 10	February 14	February 26
February 10	March 10	March 14	March 26
March 10	April 7	April 11	April 23
April 14	May 12	May 16	May 28
May 12	June 9	June 13	June 25
June 9	July 7	July 11	July 23
July 14	August 11	August 15	August 27
August 11	September 8	September 12	September 24
September 8	October 6	October 10	October 22
October 6	November 3	November 7	November 19*
November 3	December 1	December 5	December 17*

* County deadlines are for Preliminary Drawings

LC/lc: 10/7/13

Conversion Table
Toledo Zoning Code Update - Zoning District Designations

Existing District	New District Effective June 6, 2004
R-A, Single Family	RS12, Single Dwelling
R-B, Single Family	
R-1, Single Family	RS9, Single Dwelling
R-2, Single Family	RS6, Single Dwelling
R-3, Two Family	RD6, Duplex
R-2A, Restricted Multi Family	RM12, Multi Dwelling
None	RM24, Multi Dwelling
R-4, Multi Family	RM36, Multi Dwelling
R-4A, Multi Family	
R-5, Multi Family	
R-MH, Manufactured Home	RMH, Manufactured Housing Park
Commercial Districts	
C-1, Neighborhood	CN, Neighborhood
N-MX, Neighborhood Mixed Use	
C-2, Restricted Office	CO, Office
C-7, Office Park	
C-6-HS Redevelopment - Heritage South*	CS, Storefront
C-6-LA, Redevelopment - Lagrange*	
C-MX, Community Mixed Use	CM, Mixed Use
C-3, Commercial	CR, Regional
C-4, Shopping Center	CR-SO, Regional - Shopping Ctr. Sign Overlay
C-5, Central Business District	CD, Downtown
Industrial District	
M-1, Restricted Industrial	IL, Limited Industrial
M-2, Industrial	IG, General Industrial
M-4, Warehouse	
M-3, Planned Industrial	IP, Planned Industrial/Business Park
Special Purpose District	
P, Parks	POS, Park & Open Space
None	IC, Institutional Campus
Overlay Districts	
CUP, Community Unit Plan	None
D.O.D, Downtown	-DO, Downtown
HD, Historic District	-HO, Historic District
MR-O, Maumee River	-MRO, Maumee River
None	-UNO, Urban Neighborhood
None	-PO, Pedestrian
None	-SO, Shopping Center Sign

***The Heritage South and Lagrange C-6 Standards remain unless repealed**

AN, 3-31-11

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

August 27, 2014 **9:00 A.M.**

PUBLIC HEARING WILL BE HELD AT ONE GOVERNMENT CENTER

AT JACKSON BOULEVARD AND ERIE STREET

IN COUNCIL CHAMBERS

ON THE FOLLOWING CASES

AGENDA

ROLL CALL – Lucas County Planning Commission

PROOF OF NOTICE

SWEARING IN

MINUTES

FINAL PLATS

S-13-14 Final Plat of CRYSTAL RIDGE PLAT 4, located at Strayer and Monclova Roads, Monclova Township (27 lots)

ZONING – SYLVANIA TOWNSHIP

1. Z20-C964: Zone Change from A-4 to C-2 at 3246 & 3250 King Road (jl)

SUBDIVISION – SYLVANIA TOWNSHIP

2. S-12-14: Final Plat of WARMSTREAM, a replat of part of Lot 1 of the COLDSTREAM subdivision, located at Corey Road and Coldstream Road

ZONING – SPRINGFIELD TOWNSHIP

3. Z19-C627: Zone Change from R-A to C-2 at 1012 N. McCord Road (jl)

ZONING – SWANTON TOWNSHIP

4. Z33-C142: Zone Change from A to C-1 at 2785 S. Berkey-Southern Road (jl)

ZONING – SPENCER TOWNSHIP

5. Z30-C114: Special Use Permit for cell tower, equipment shelter and generator at 10637 Old State Line Road (jl)

SUBDIVISION – MONCLOVA TOWNSHIP

6. S-14-14: Preliminary Drawing Review of BLYSTONE VALLEY PLATS 9 & 10, located East of Black Road, south of Monclova Road (jl)

ZONING – MONCLOVA TOWNSHIP

7. Z17-C338: Text Amendment regarding major updates to the zoning resolution (jl)

CHAIRMAN'S REPORT

DIRECTOR'S REPORT

ADJOURNMENT

REF: Z20-C964
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Zone change from A-4 *Rural Residential* to C-2 *General Commercial*
Location	-	3246 & 3250 King Road, Sylvania Township
Owner	-	William A. Gorsuch 9981 County Road 4 Delta, OH 43515 Erik S. Engel 541 S. Highland St. Dearborn, MI 48124
Applicant	-	King Central Development, LLC. C/O Sam Zyndorf Four Seagate, Ste. 608 Toledo, OH 43604

Site Description

Zoning	-	A-4 *Rural Residential*
Area	-	± 1.45 Acres
Frontage	-	± 187 Feet along King Road
Existing Use	-	Single Family Residential
Proposed Use	-	N/A

Area Description

North	-	Meijer Entrance, Self-Storage / C-2 *General Commercial* & M-2 *Restricted Industrial*
South	-	Single Family Residential / A-4 *Rural Residential*
East	-	Undeveloped / C-2 *General Commercial*
West	-	Single Family Residential, Commercial / C-2 *General Commercial*

Parcel History

No case history on file.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

- Sylvania Township Zoning Resolution
- Sylvania Township Land Use Plan 2007
- Lucas County Subdivision Rules and Regulations
- Lucas County Land Use Policy Plan (within the "expansion zone")

STAFF ANALYSIS

The request is a zone change from A-4 *Rural Residential* to C-2 *General Commercial* for property located at 3246 and 3250 King Road. Two single-family residences are located on the subject property. Adjacent land uses include the Meijer driveway and a self-storage facility to the north, undeveloped land to the east, single family residential to the south, and single family residential and commercial uses to the west.

The applicant is requesting the zone change so that the zoning is consistent with the recently acquired former Central Elementary. There are no proposed plans for the property on King Road at this time. The 2007 Sylvania Township Land Use Plan recommends the area from Central Avenue to Portman Drive for *General Commercial* uses. The request for commercial is also consistent with nearby properties, including a portion of the single-family neighborhood on the west side of King Road.

STAFF RECOMMENDATION

The staff recommends that the Lucas County Planning Commission recommend approval of Z20-C964, a zone change request from A-4 *Rural Residential* to C-2 *General Commercial* at 3246 & 3250 King Road, to the Sylvania Township Zoning Commission and Trustees for the following two (2) reasons:

1. The request is consistent with the 2007 Sylvania Township Land Use Plan; and

2. The request is consistent with nearby commercially zoned parcels.

ZONE CHANGE
SYLVANIA TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z20-C964
DATE: August 27, 2014
TIME: 9:00 a.m.

JL/bp
Two (2) sketches follow

GENERAL LOCATION

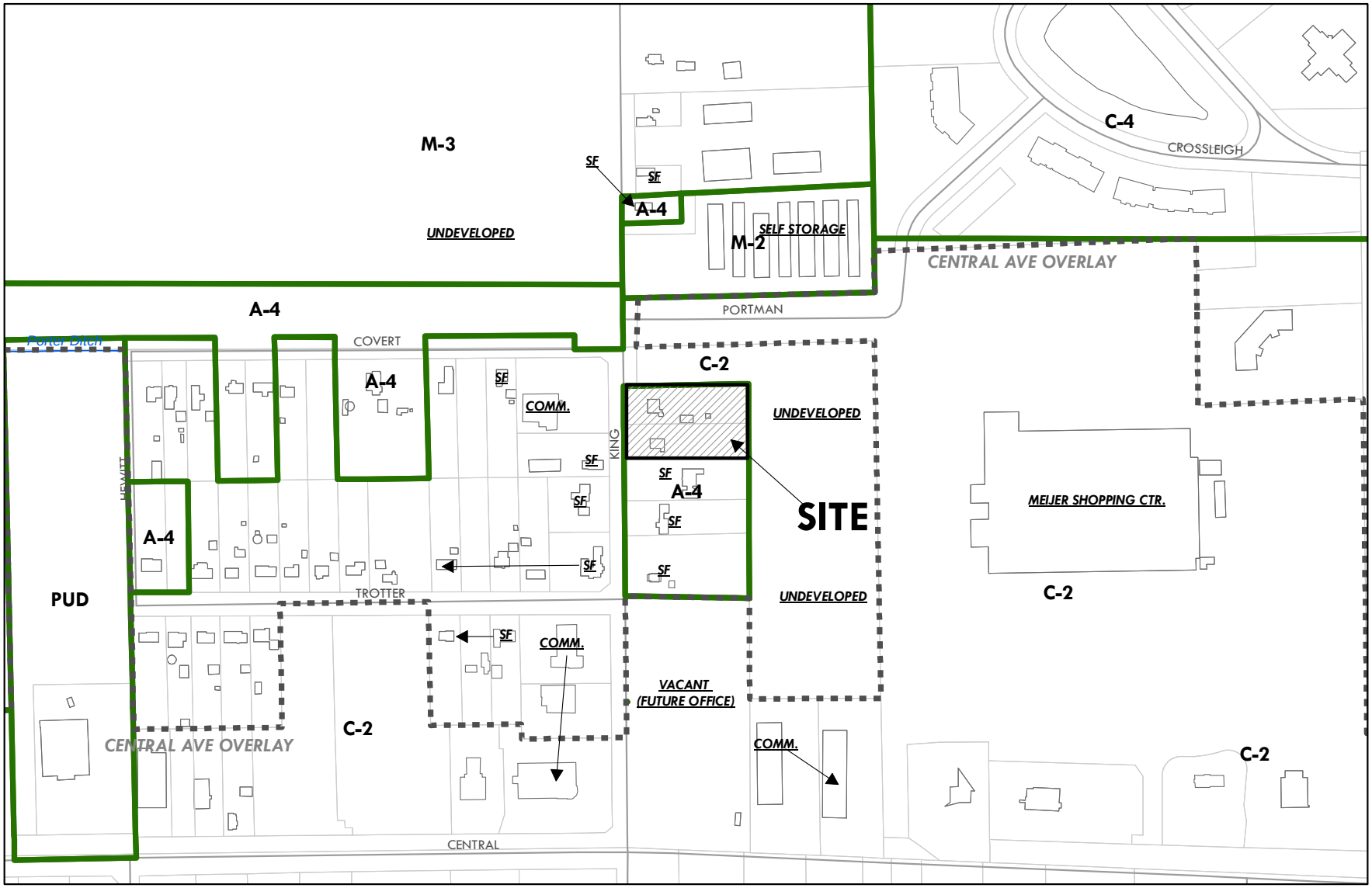
Z20-C964
ID 110

N

ZONING & LAND USE

Z20-C964
ID 110

N



REF: S-12-14 (S-6-65)
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Final Plat for WARMSTREAM a replat of part of Lot One of COLDSTREAM
Location	-	East of Corey Road and South of Coldstream Road, Sylvania Township
Applicant	-	Corey Liber 6180 Hagman Road Toledo, OH 43623
Engineer	-	Bryan D. Ellis, P.E., P.S. Glass City Engineering 7057 Barendt Road Toledo, OH 43617

Site Description

Zoning	-	A-4 *Rural Residential*
Area	-	± .82 acres
Frontage	-	± 180 Feet along Coldstream Road ± 215 Feet along Corey Road
Existing Use	-	Undeveloped Land

Area Description

North	-	Single-Family Residential / PUD *Planned Unit Development*
South	-	Single Family Residential / A-4 *Rural Residential* and R-1 *Residential*
East	-	Single-Family Residential / R-1 *Residential*
West	-	Single-Family Residential / A-4 *Rural Residential*

Parcel History

T-58-13	-	Lot split for .82 acres. Plan Commission approved June 27, 2013.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

- Sylvania Township Zoning Resolution
- Sylvania Township Land Use Plan 2007
- Lucas County Subdivision Rules and Regulations
- Lucas County Land Use Policy Plan (within the "expansion zone")

STAFF ANALYSIS

The request is a final plat for WARMSTREAM a replat of part of Lot One of the COLDSTREAM plat. The owner is requesting the replat in order to reduce the setback along Corey Road for Lot One of COLDSTREAM. The existing configuration was created through a lot split that was approved in 2013. The Coldstream plat requires a 65 foot setback along Corey Road and the replat proposes a 35 foot setback. The 35 foot setback is consistent with the front setback for the A-4 zoning district.

Most subdivisions platted along this portion of Corey Road included a special setback, although there does not appear to be a specific standard applied. Setbacks for structures south of the subject site range between 45 feet and 135 feet. Corey Creek, directly to the north, was approved with 45 foot setbacks in 2006. The 35 foot setback would be below what is typical for this area, but would be consistent with the A-4 zoning district.

Sidewalks are usually required along all streets, however this requirement is typically not applied to the replat of an existing lot where development has already occurred.

STAFF RECOMMENDATION

The staff recommends that the Lucas County Planning Commission approve the final plat for WARMSTREAM a replat of part of Lot One of COLDSTREAM, located east of Corey Road and south of Coldstream Road in Sylvania Township. The plat complies will all applicable subdivision regulations. All final clearances have been received.

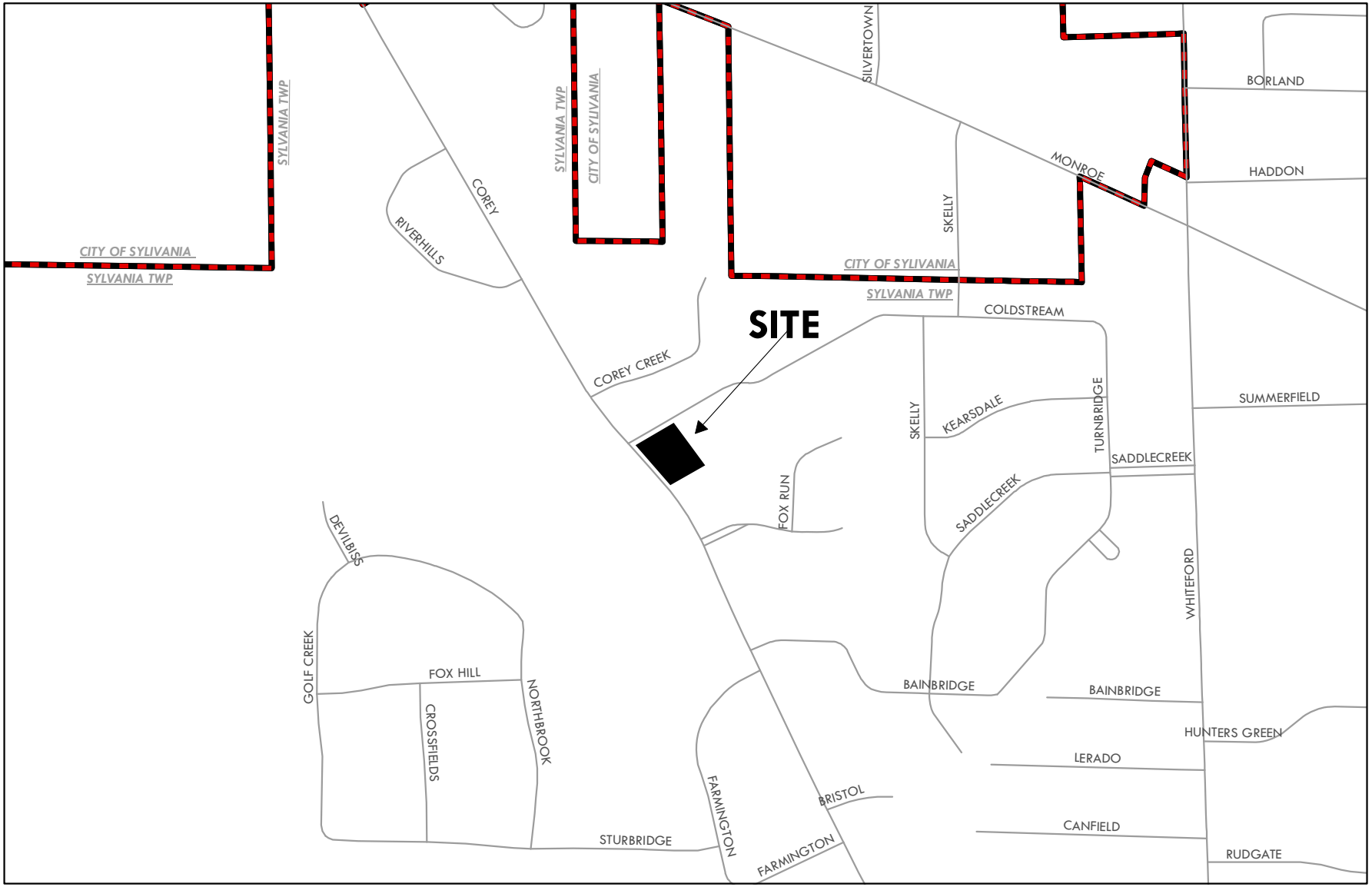
FINAL PLAT
SYLVANIA TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: S-12-14 (S-6-65)
DATE: August 27, 2014
TIME: 9:00 A.M.

JL/bp
Three (3) sketches follow

GENERAL LOCATION

S-12-14 (S-6-65)
ID 111

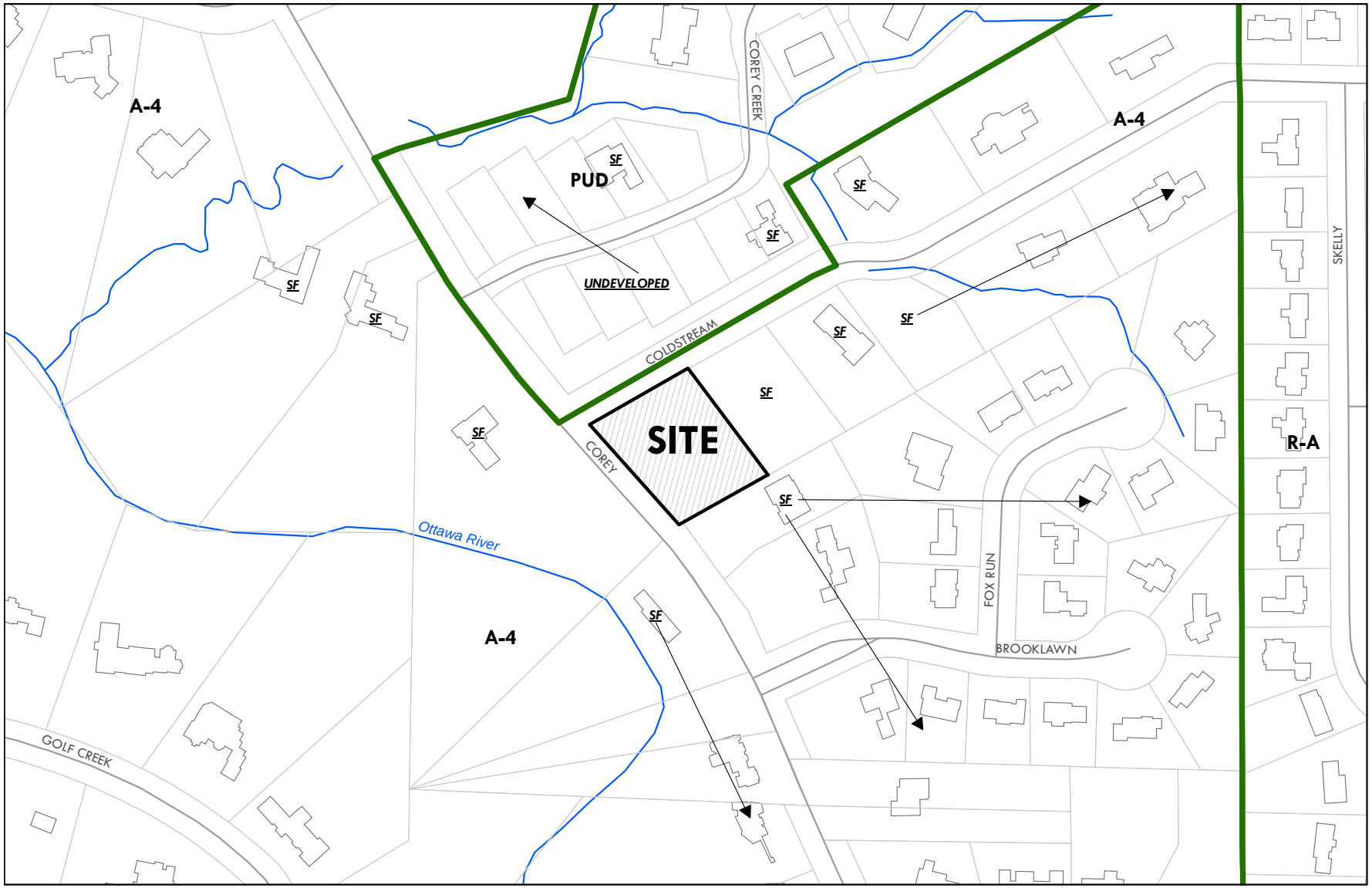
N



ZONING & LAND USE

S-12-14(S-6-65)
ID 111

N



FINAL PLAT

S-12-14 (S-6-65)
ID 111

N

WARMSTREAM

REPART OF PART OF LOT 1 OF COLDSTREAM SUBDIVISION, SYLVANIA TOWNSHIP, LUCAS COUNTY, OHIO

LEGAL DESCRIPTION FOR LOT "A"

A parcel of land being part of the Lot 1 of Coldstream Subdivision, recorded in Plat Volume 61, Page 48 in the Office of the Recorder, Sylvania Township, Lucas County, Ohio, which is more particularly described as follows:

Beginning at a found Plat Monument being a ¾" Iron Pin in a 6" Concrete Monumment at the Southwest corner of said Lot 1 of Coldstream Subdivision;

thence N44°58'11"W, on and along the Easterly line of Corey Road (R/W varies), also being the Westerly line of said Lot 1 of Coldstream Subdivision, a distance of 218.86' (feet), to a found 5/8" Iron Pin;

thence, N55°48'42"E, on and along the Southerly line of the Coldstream Road (60' R/W), also being the Northerly line of said Lot 1 of Coldstream Subdivision, a distance of 180.00' (feet), to a set Iron Pin;

thence S41°04'05"E, a distance of 216.56' (feet) to a set Iron Pin;

thence S55°48'42"W, on and along the Southerly line of said Coldstream Subdivision, also being the Southerly line of said Lot 1 of Coldstream Subdivision, a distance of 165.00' (feet) to the True Point of Beginning for the split off said Lot 1 of Coldstream Subdivision;

Containing 0.851 Ac., 37,087 SF of land more or less, of which and subject to all legal highways leases, easements and restrictions of record.

MONUMENT LEGEND

- SET 6" DIA. X 30" CONCRETE CYLINDER WITH 2" DIA. ALUMINUM DISK STAMPED "BRYAN D. ELLIS #8292" WITH "X" PUNCH AND IRON PIN. TO BE SET BY SURVEYOR.
- IPS SET 5/8" X 30" REBAR WITH YELLOW CAP STAMPED "BRYAN D. ELLIS 8292"
- RPS SET REFERENCE 5/8" X 30" REBAR WITH YELLOW CAP STAMPED "BRYAN D. ELLIS 8292"
- FOUND 6" DIA. X 30" CONCRETE CYLINDER

LEGEND

D.E. – DRAINAGE EASEMENT
U.E. – UTILITY EASEMENT
BSB. – BUILDING SETBACK LINE
A.V.A.E. – ANTI VEHICULAR ACCESS EASEMENT
(R) – RECORD
(M) – MEASURED
P.O.B. – POINT OF BEGINNING
P.O.C. – POINT OF COMMENCEMENT

MONUMENT LEGEND

MONUMENT	DESCRIPTION
A, B	EXISTING 1" IRON PIN IN A MONUMENT BOX
C,D,E,F,G	EXISTING 1" IRON PIN IN A 6" CONCRETE MONUMENT
H,I	FOUND 5/8" IRON PIN WITH CAP STAPED "ESA" AT SURFACE
J	FOUND 5/8" IRON PIN
K	SET DRILL HOLE IN CONCRETE SIDEWALK
N	SET MAG NAIL IN ASPHALT

NOTE

THIS REPLAT IS TO MODIFY THE EXISTING FRONT BUILDING SETBACK FOR COREY ROAD. THE PROPOSED BUILDING SETBACK MATCHES THE CURRENT ZONING CODE FOR A PARCEL ZONED A-4 WITH A 35' FRONT SETBACK.

SURVEYORS CERTIFICATE

I do hereby certify that during May 2014, I surveyed the property hereon described, subdividing the same into Lot A.

Distances are given in feet and decimal parts thereof.

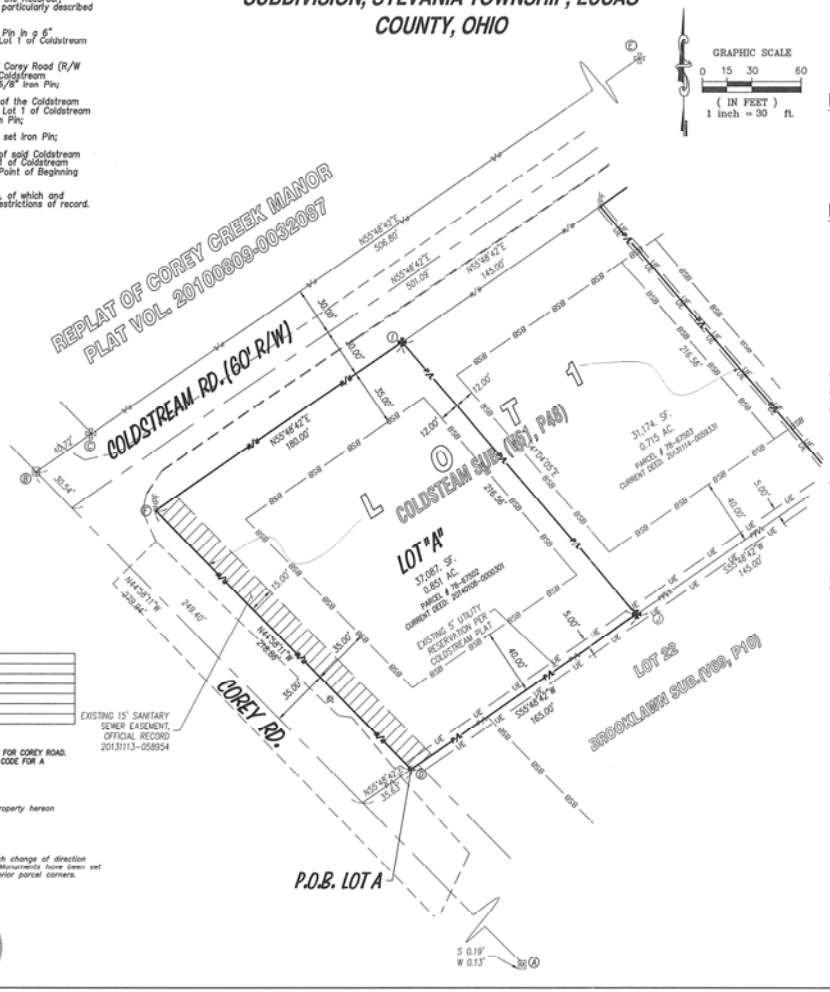
Concrete Monuments marked thus ✠ have been found.

Concrete Monuments marked thus ✠ have been set at each change of direction of the boundary of the plat or offsets as shown. Other Monuments have been set as indicated on the drawing have been set at all other interior parcel corners.

GLASS CITY ENGINEERING & SURVEYING, LLC.

BRYAN D. ELLIS, P.S.
REG. OHIO SURVEYOR #8292

STATE OF OHIO BRYAN D. ELLIS 8292 PROFESSIONAL SURVEYOR



ZONING INSPECTOR APPROVAL

I HAVE EXAMINED THIS PLAT AND FIND IT IN COMPLIANCE WITH THE PROVISIONS OF THE SYLVANIA TOWNSHIP ZONING RESOLUTION.

Signed this _____ day of _____, 2014.

TOWNSHIP ZONING INSPECTOR

LUCAS COUNTY PLANNING COMMISSION APPROVAL

We hereby certify that this plat is approved by the Lucas County Planning Commission in accordance with the Subdivision Rules and Regulations for Lucas County, Ohio.

Signed this _____ day of_____, 2014.

Chairman — Secretary

LUCAS COUNTY BOARD OF COUNTY COMMISSIONERS, OHIO, APPROVAL

We hereby approve and accept this plat

this____ day of_____, 2014

President of Lucas County Board of Commissioners — Commissioner — Commissioner

LUCAS COUNTY TAX MAP DEPARTMENT APPROVAL

Ownership of the property comprising this plat is correctly shown hereon

this____ day of_____, 2014

Tax Map Department

LUCAS COUNTY AUDITOR APPROVAL

This plat has been submitted for the purpose of appraisement

this____ day of_____, 2014

Lucas County Auditor, Anita Lopez

LUCAS COUNTY RECORDER APPROVAL

Received for record this ___day of_____, 2014 at____o'clock ___m.

and recorded in Volume ____, Page____, Book of Plats.

Lucas County Recorder, Phil Copeland

LUCAS COUNTY ENGINEER APPROVAL

I find that the streets shown on this plat have been constructed or adequate financial guarantees have been approved in accordance with the specifications shown hereon.

this____ day of_____, 2014

Lucas County Engineer, Keith Earley

OWNER'S CERTIFICATION

I(We), the undersigned owners of the property hereon described, do hereby adopt this subdivision as shown hereon and establish setback lines as shown.

The Development of this lot is subject to review and approval of the City of Toledo Plan Commission.

Signed and acknowledged in the presence of:

OWNERS:
COREY D. LIBER

By: _____

STATE OF OHIO)
COUNTY OF LUCAS) S.S.

On this_____day of_____, 2014,

before me personally appeared COREY D. LIBER, by _____, who acknowledged the signing of this plat to be their free act and deed for the purpose hereon mentioned. Witness my hand and seal the day and year above written.

Notary Public in and for Lucas County, Ohio

My Commission expires

GLASS CITY
ENGINEERING & SURVEYING, LLC
7057 Barendt Road, Toledo, Ohio 43617
(419) 283-8362, Fax (419) 539-9867

SCALE	DATE	REVISED	DRAWN BY	ORDER NO.
30	6-20-2014		BDE	815-1402

BLANK PAGE

REF: Z19-C627
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Zone change request from R-A *Suburban Residential* to C-2 *General Commercial*
Location	-	1012 N. McCord Rd., Springfield Township
Applicant	-	Tom Spy 8557 Sylvania Metamora Rd. Sylvania, OH 43560

Site Description

Zoning	-	R-A *Suburban Residential*
Area	-	± .78 Acres
Frontage	-	± 112 Feet along McCord Road
Existing Use	-	Single Family Residential

Area Description

North	-	Commercial / C-2 *General Commercial*
South	-	Single Family Residential / R-A *Suburban Residential*
East	-	Self-Storage / RA-3 *Large Lot Rural Residential*
West	-	Commercial / C-2 *General Commercial*

Parcel History

No case history on record.

Applicable Plans and Regulations

- Springfield Township Zoning Resolution
- Springfield Township Community Master Plan 2003

STAFF ANALYSIS

The request is for a zone change at 1012 N. McCord Road R-A *Suburban Residential* to C-2 *General Commercial*. The .77 acre parcel contains a single family residence. The applicant has indicated that he would like to operate a day care facility from the property. Day care facilities are a permitted use in C-2 zoning.

The 2003 Springfield Township Community Master Plan recommends this property and the area near McCord Road and Dorr Street for Neighborhood Commercial uses. The plan suggests commercial within 1,320 feet of the intersection, which functions as a transitional area between commercial and residential in the area. The request is consistent with the 2003 Master Plan. The request is also compatible with commercial land uses located near the intersection of McCord Road and Dorr Street.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission, recommend approval of Z19-C627, a zone change from R-A *Suburban Residential* to C-2 *General Commercial*, located at 1012 N. McCord Road, to the Springfield Township Zoning Commission and Township Trustees, for the following two (2) reasons:

1. The request is consistent with the 2003 Springfield Township Community Master Plan; and

2. The request is compatible with commercial land uses located near the intersection of McCord Road and Dorr Street.

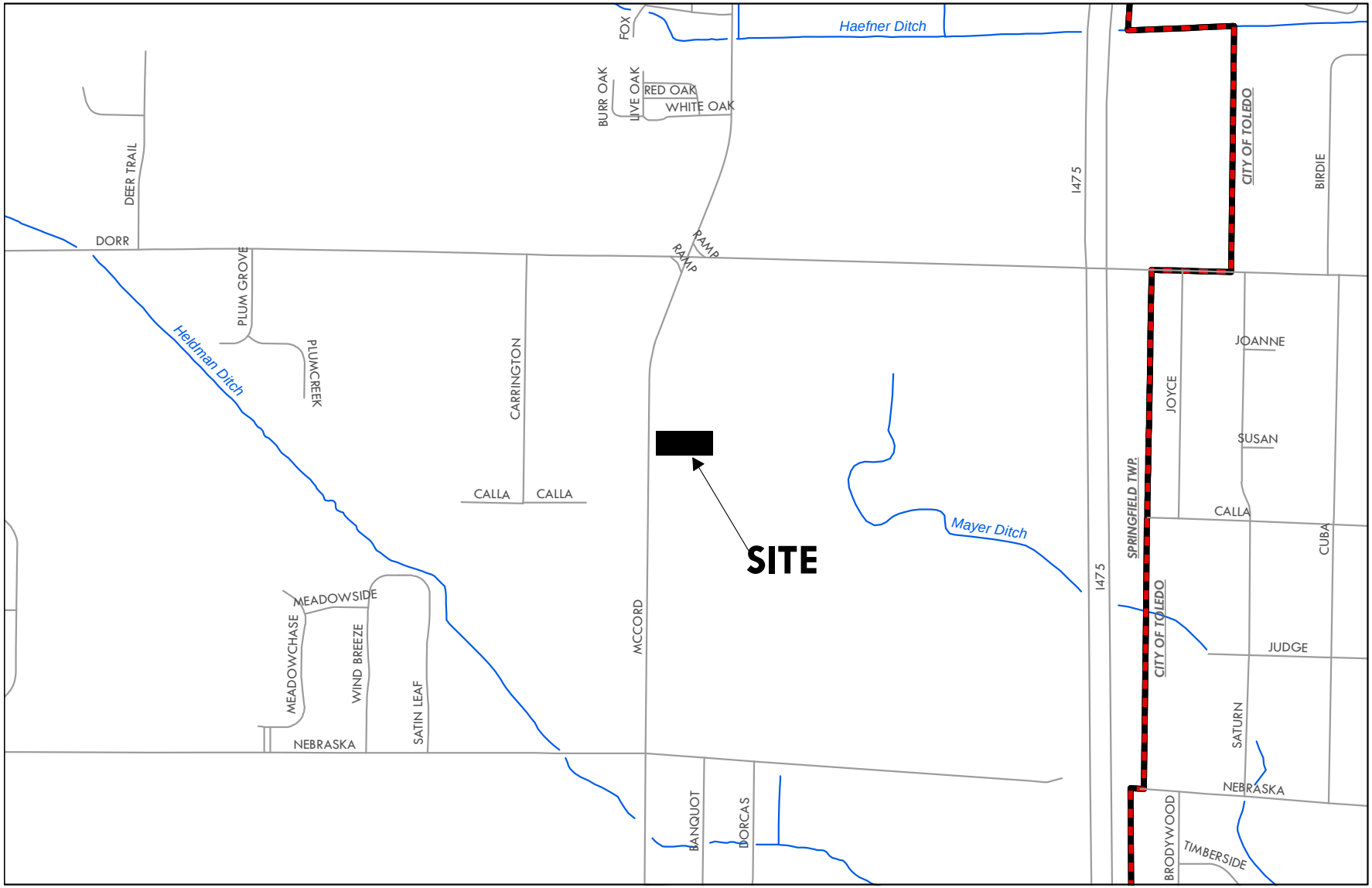
ZONE CHANGE
SPRINGFIELD TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z19-C627
DATE: August 27, 2014
TIME: 9:00 A.M.

JL/bp
Two (2) sketches follow

GENERAL LOCATION

Z19-C627
ID 127

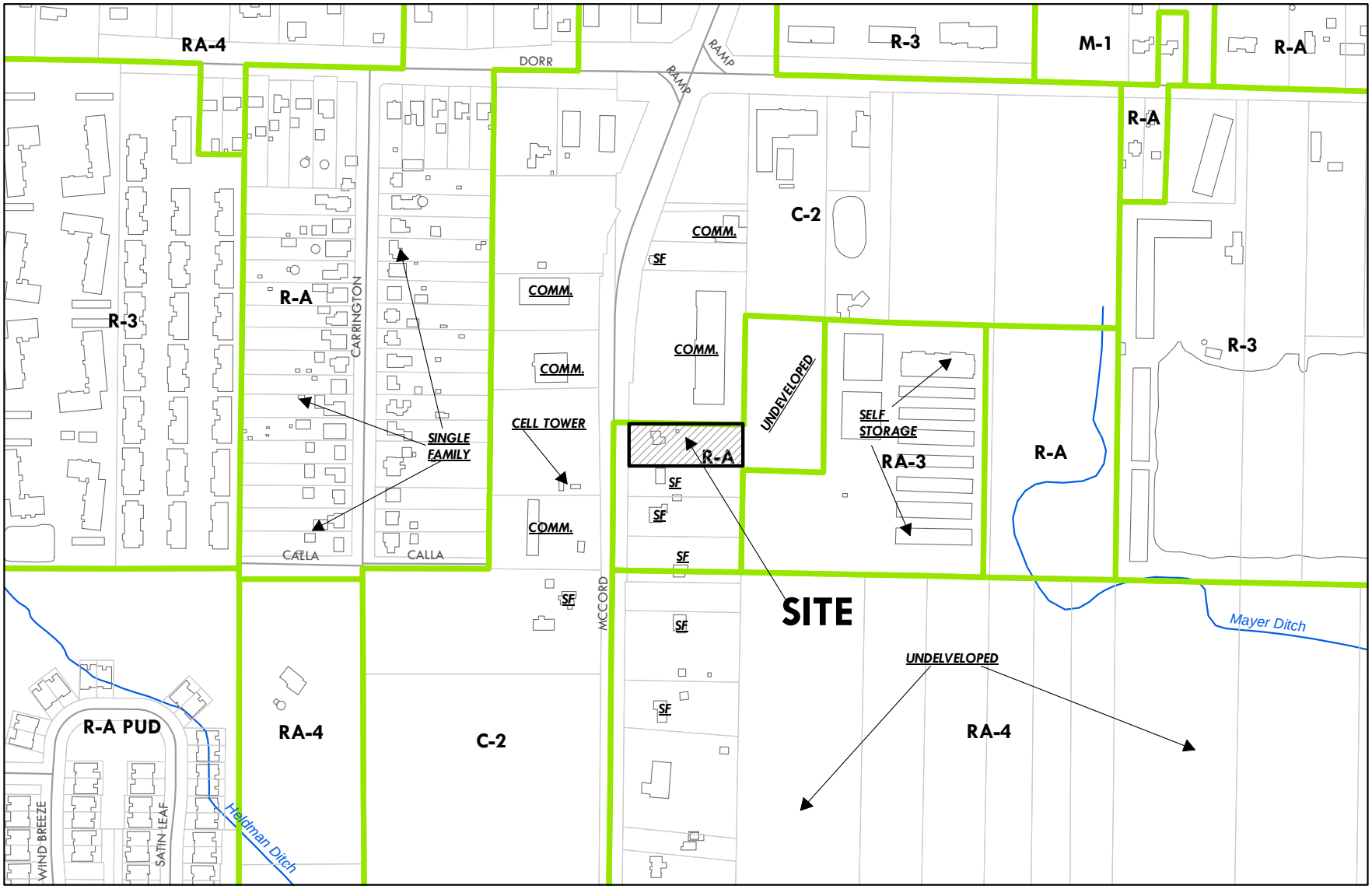
N



ZONING & LAND USE

Z19-C627
ID 127

N



REF: Z33-C142
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Zone change request from A *Agricultural* to C-1 *Restricted Commercial*
Location	-	2785 S. Berkey Southern Rd., Swanton Township
Applicant	-	Kevin Wallace & Jenetta Miller 2785 S. Berkey Southern Rd. Swanton, OH 43558

Site Description

Zoning	-	A *Agricultural*
Area	-	± .33 Acres
Frontage	-	± 63 Feet along Berkey Southern Road
Existing Use	-	Single Family Residential
Proposed Use	-	Office

Area Description

North	-	Single Family Residential / A *Agricultural*
South	-	Commercial / C-2 *General Commercial*
East	-	Single Family Residential & Commercial / C-4 *Highway Commercial*
West	-	Single Family Residential / A *Agricultural*

Parcel History

T-461-56	-	Lot split for a .67 acre parcel along Berkey Southern Road. Plan Commission approved August 7, 1956.

Applicable Plans and Regulations

- Swanton Township Zoning Resolution
- Swanton Township Land Use Plan 2008

STAFF ANALYSIS

The request is for a zone change at 2785 S. Berkey Southern Road from A *Agricultural* to C-1 *Restricted Commercial*. The parcel currently contains a single family residence, which the applicant is using to operate an office for a real estate and auction company. The use is in violation of the zoning, however the township is staying any violations pending the review of the proposed zone change. Offices are a permitted use in the C-1 zoning district.

Adjacent land uses include single family residential to the north and west, single family residential and commercial to the east, and commercial to the south. The 2008 Swanton Township Land Use Plan recommends Commercial uses for all property within 660 feet from the centerline of Airport Highway. The C-1 category is designed for commercial uses that are low generators of traffic and in close proximity to residential uses. The zoning is appropriate for the parcel and will serve as a transitional area between residential and commercial uses.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission, recommend approval of Z33-C142, a zone change from A *Agricultural* to C-1 *Restricted Commercial*, located at 2785 S. Berkey Southern Road, to the Swanton Township Zoning Commission and Township Trustees, for the following two (2) reasons:

1. The request is consistent with the 2008 Swanton Township Land Use Plan; and

2. The request is appropriate for the parcel and will serve as a transitional area between residential and commercial uses.

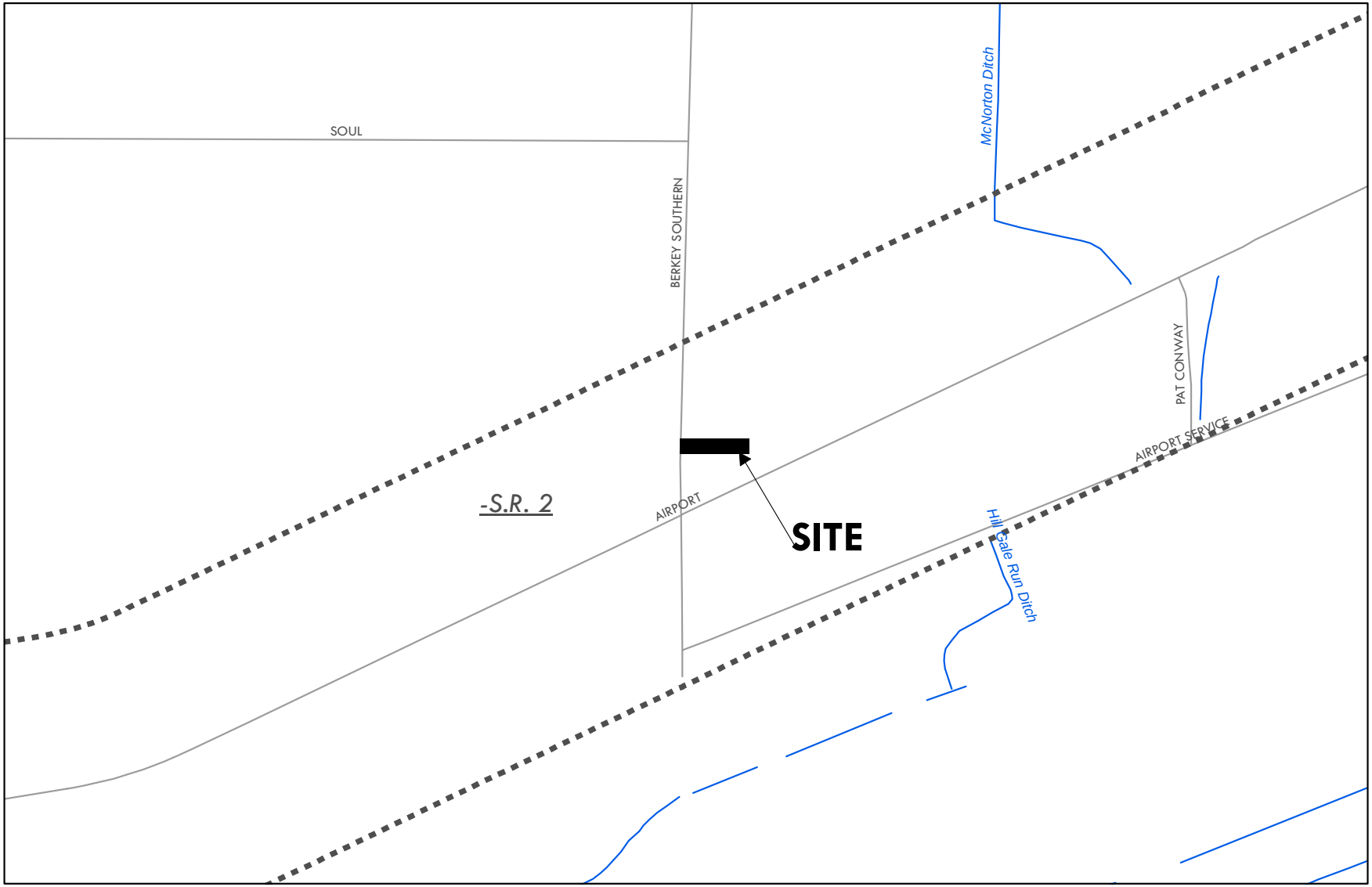
ZONE CHANGE
SWANTON TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z33-C142
DATE: August 27, 2014
TIME: 9:00 A.M.

JL/an
Two (2) sketches follow

GENERAL LOCATION

Z33-C142
ID 128

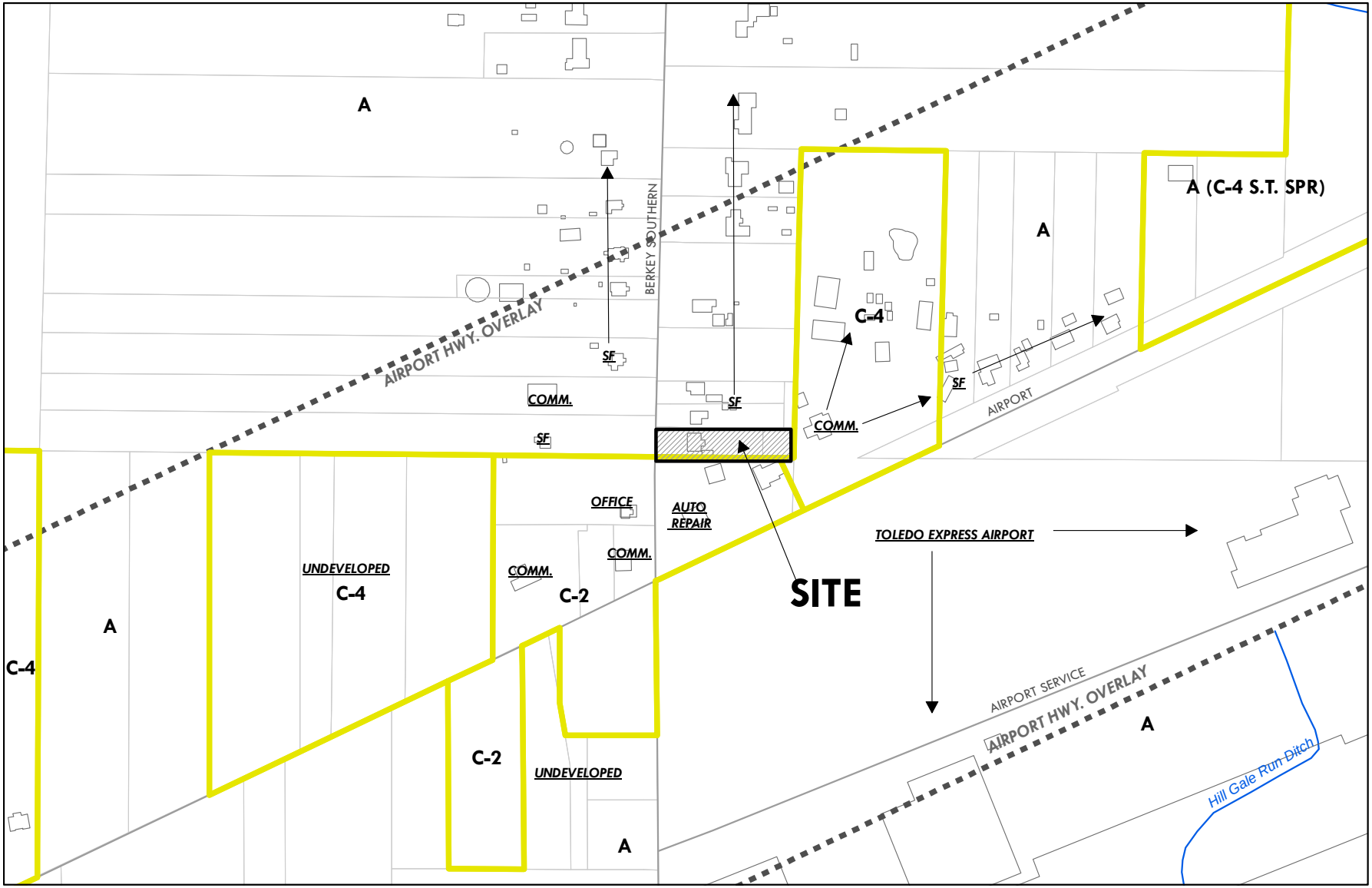
N



ZONING & LAND USE

Z33-C142
ID 138

N



REF: Z30-C114
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Cellular Tower, Equipment Shelter, and Generator
Location	-	10637 Old State Line Rd., Spencer Township
Owner	-	Frank Badgett 8255 Nebraska Ave. Toledo, OH 43617
Applicant	-	AT&T Mobility 7425 Royalton Rd. North Royalton, OH 44133
Agent	-	GPD Group 520 Main St., Ste. 2531 Akron, OH 44311

Site Description

Zoning	-	R-A *Residential*
Area	-	± 5.1 Acres
Frontage	-	± 103 Feet along Old State Line Road
Existing Use	-	Undeveloped

Area Description

North	-	Single Family Residential / R-A
South	-	Undeveloped / R-A
East	-	Single Family Residential / R-A
West	-	Single Family Residential / RA-4

Parcel History

No history on file.

Applicable Plans and Regulations

- Spencer Township Zoning Resolution
- Spencer Township Land Use Plan 1999

STAFF ANALYSIS

The request is for a Special Use Permit for a cellular tower, equipment shelter, and generator at 10637 Old State Line Road. The 5.1 acre parcel is undeveloped and within a residential area of the township. Surrounding land uses include single family residential to the north, east, and west, and undeveloped land to the south. The Westwinds Industrial Park is located a quarter of a mile south east from the proposed lease site.

The leased area is a 6,000 sq. ft. area (75' x 80') and will be located 796 feet back from Old State Line Road. The tower will be a monopole design and 118 feet in height. It will be located in a heavily wooded area accessible by a 12 foot gravel driveway. The zoning resolution requires a 22 foot minimum width for a driveway and it must be paved with asphalt or concrete. The township may consider waiving these requirements because of the low traffic impact of the proposed use. All accessory buildings for a cellular tower shall be screened with fencing or landscaping. A chain link fence is proposed, but the wooded location will provide screening to minimize the impact of the use on the area.

As part of the review, the zoning resolution requires proof that all other necessary reviews are complete and that no suitable site exists in a non-residential area. The agent has submitted documentation to address both issues. The tower is being proposed in order to fill a service gap in the area. It was approved by the Federal Aviation Administration (FAA) subject to certain height restrictions due to the proximity of the Toledo Express Airport. The only nearby non-residential area is the Westwinds Business Park, but relocating there would reduce the height of the tower and decrease the effectiveness. The same issues would apply if the tower were moved further to the south of the subject parcel. Coverage maps are included as a report exhibit.

NOTE

Not all agency comments were received at the time of printing. A revised staff report will be submitted prior to the hearing.

STAFF RECOMMENDATION

Staff recommends that the Lucas County Planning Commission, recommend approval of Z30-C114, a Special Use Permit for a cellular tower, equipment shelter, and generator, located at 10637 Old State Line Road, to the Spencer Township Zoning Commission and Township Trustees, for the following two (2) reasons:

1. The applicant has demonstrated that the location is necessary to provide adequate coverage in the area; and

2. The heavily wooded location, set back from Old State Line Road, will minimize the impact of the use on the area.

The staff further recommends that the Lucas County Planning Commission recommend approval to the Spencer Township Zoning Commission and Trustees, subject to the following **three (3)** conditions:

STAFF RECOMMENDATION (cont'd)

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Lucas County Sanitary Engineer

No comments or objections.

Lucas County Engineer

Comments not received at the time of print.

Lucas County Health Department

Comments not received at the time of print.

Spencer Township Fire and Rescue

No comments or objections.

Plan Commission

1. A twenty two foot driveway is required per Spencer Township Zoning Resolution Sec. 1801.02.

2. All off street driveways shall be paved with asphalt, concrete or a masonry-type material per Spencer Township Zoning Resolution Sec. 1801.05. Stone or gravel is not considered a masonry-type material.

3. All accessory buildings shall be screened with fencing, masonry, shrubbery or other screening as approved by the Board of Township Trustees per Spencer Township Zoning Resolution Sec. 1312.C.

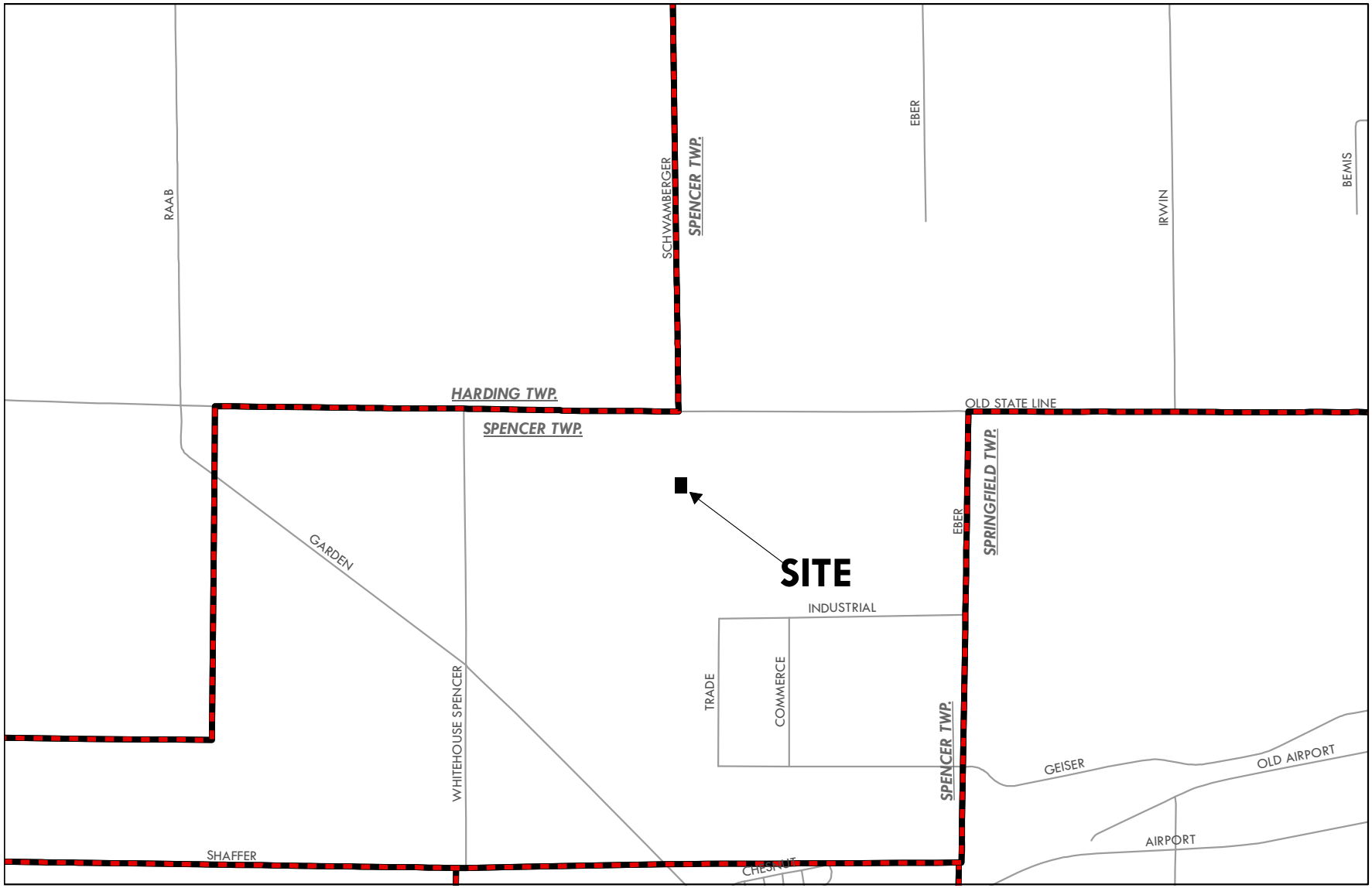
SPECIAL USE PERMIT
SPENCER TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z30-C114
DATE: August 27, 2014
TIME: 9:00 A.M.

JL/an
Six (6) sketches follow

GENERAL LOCATION

Z30-C114
ID 127

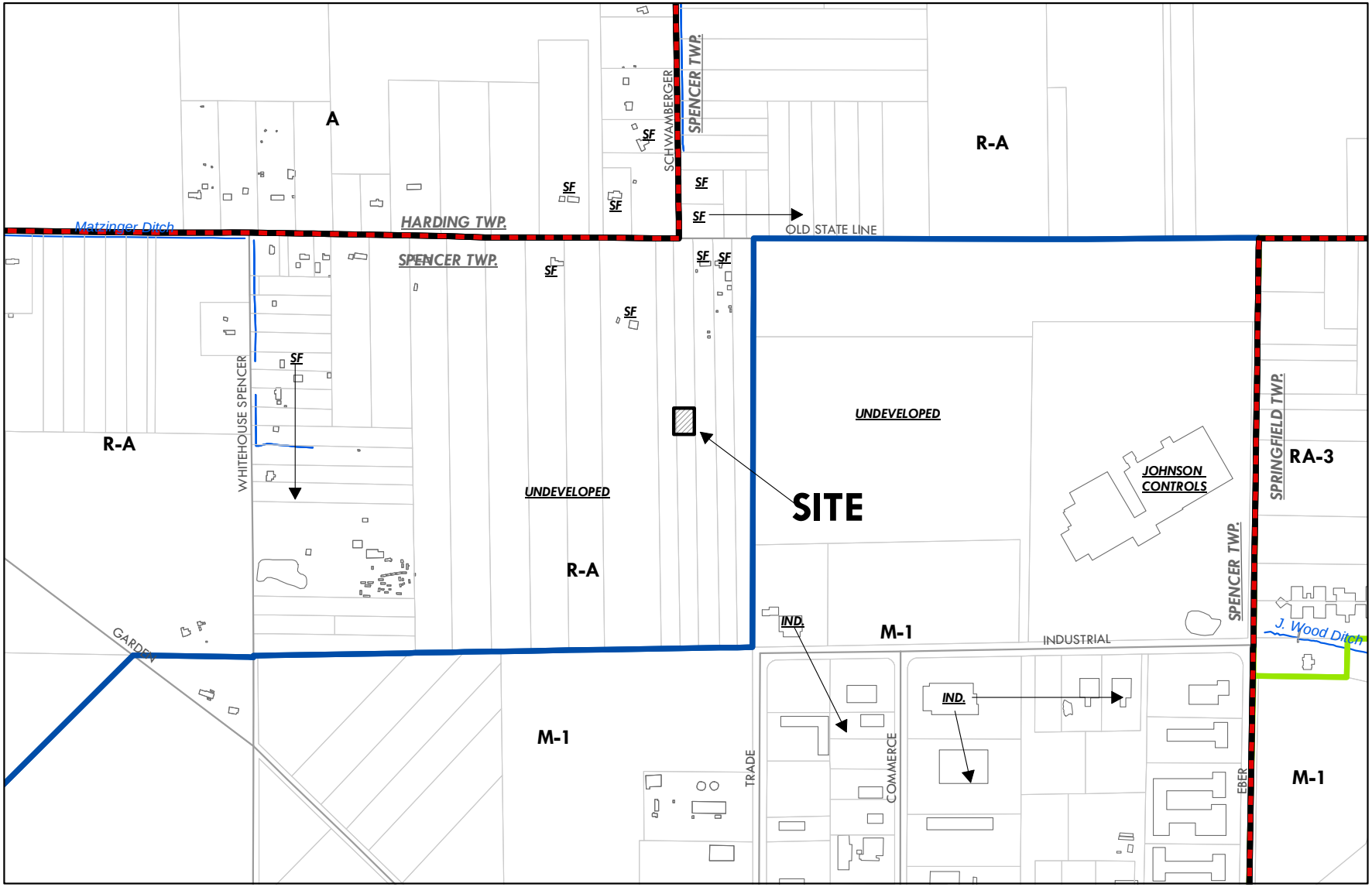
N



ZONING & LAND USE

Z30-C114
ID 127

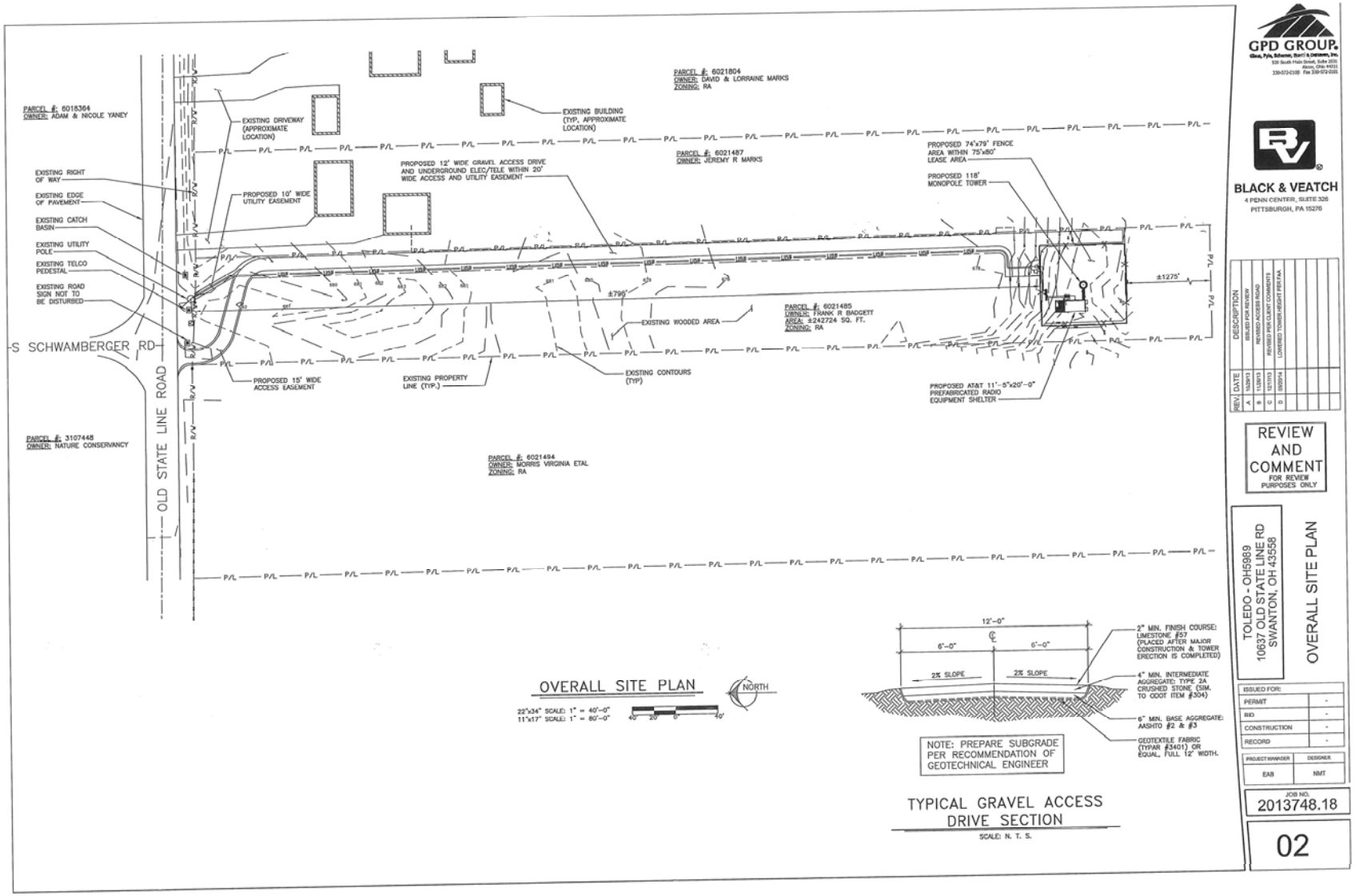
N



SITE PLAN

Z30-C114
ID 127

N



ELEVATION

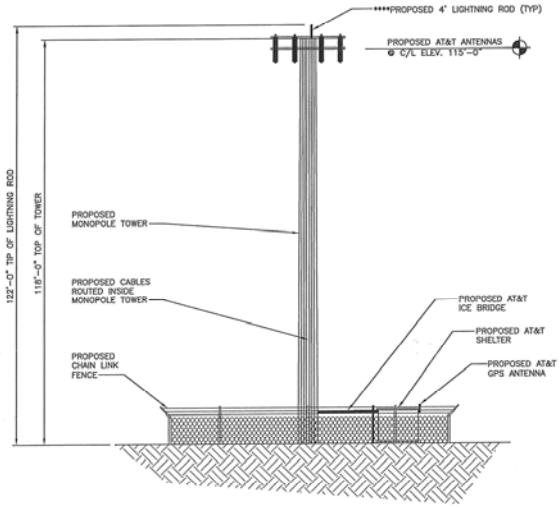
Z30-C114
ID 127

*CONTRACTOR SHALL REFER TO LATEST RFDS FROM AT&T FOR FIBER TRUNK REQUIREMENTS PRIOR TO CONSTRUCTION. REF AT&T LTE GUIDE LINES REV. 1.9 PAGE 13 TABLE 2.1.2.

**CONTRACTOR SHALL REFER TO LATEST RFDS FROM AT&T FOR DC POWER TRUNK REQUIREMENTS PRIOR TO CONSTRUCTION. REF AT&T LTE GUIDE LINES REV 1.9 PAGE 14 TABLE 2.1.3.

***CONTRACTOR SHALL FURNISH & INSTALL ALL ADDITIONAL PARTS IN ORDER TO COMPLY WITH LOCAL AND/OR STATE REQUIREMENTS, WHICHEVER IS MORE STRINGENT.

****TOWER AND ALL APPURTENANCES SHALL NOT EXCEED 122' PER FAA REGULATIONS



TOWER ELEVATION

SCALE: N.T.S.

TOWER ELEVATION DETAIL | 1

PROJECT DESCRIPTION

PROPOSED SHELTER

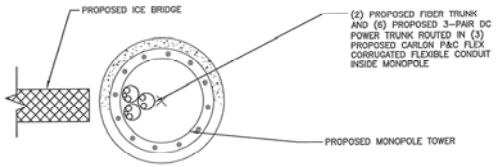
QTY	PART #	ITEM
2	COPPER B-LINE SB558084XU	FIF RACK
1	EMERSON NETSURE 710	DC POWER RACK
1	EMERSON NETSURE 24BA1200-23	BATTERY RACK (BBU)
1	RAYCAP DC12-48-60-RM	SURGE PROTECTION UNIT (INDOOR)
1	RAYCAP DC6-48-60-RM	SURGE PROTECTION UNIT (INDOOR)
1	ROSENBERGER RB-SLFC001-000	FIBER DISTRIBUTION PANEL
1	ALCTEL-LUCENT eNODEB 9926	LTE BASE BAND UNIT (BBU)
1	ALCATEL-LUCENT eNODEB 9396	UMTS BASE BAND UNIT (BBU)
1	PCTEL PN#GPS-TMG-HR-SPI-26NCB	LTE GPS UNIT
1	PCTEL P/N#GPS-TMG-HR-SPI-26NCB	UMTS GPS UNIT
2	ROSENBERGER CX401-EB110118	4" CABLE ENTRY PORT
1	HOFFMAN ENCLOSURE A24R208HCR	TELCO BOX
1	XXX	METER
2	ADC DIM-1C2033	SIAD DSX PANEL
1	ANDREW ATJB200-A01004	RET CONTROLLER
1	INTERSECT MP3320042-3R	AC SERVICE ENTRANCE PANEL & MANUAL TRANSFER SWITCH

PROPOSED SITE

QTY	PART #	ITEM
1	SITE PRO IB240-216V	ICE BRIDGE
1	FIBERBOND	11'-5"x20'-0" EQUIPMENT SHELTER
1	***GENERAC SD050	***50KW DIESEL FUELED GENERATOR
1	***U.L. 142 M.D.E.Q. 190 GALLON FUEL TANK BASE	***GENERATOR FUEL TANK
1	***GENERAC	***GENERATOR SOUND ATTENUATED ENCLOSURE

PROPOSED TOWER

QTY	PART #	ITEM
9	ANDREW SBNH-1D65C	ANTENNAS LTE/UMTS
6	ALCATEL-LUCENT RRH2X60-1900	LTE/UMTS RRH'S
3	ALCATEL-LUCENT RRH2X40-07-L-AT	LTE RRH'S
3	ALCATEL-LUCENT RRH4X25-WCS	LTE RRH'S
4	SITE PRO 1 MG42461-K	GROUND BARS
2	RAYCAP DC6-48-60-18-8F	SURGE PROTECTION UNIT
1	RAYCAP DC6-48-60-0-8F	SURGE PROTECTION UNIT
18	ROSENBERGER FB-L98B-035-5000	FIBER JUMPER
6	ROSENBERGER WR-VG1225T-BRDA	DC POWER JUMPER
2	PCTEL PN#GPS-TMG-HR-SPI-26NCB	2" FLEX CORRUGATED FLEXIBLE CONDUIT
3	SITE PRO 1 GRIP214-C	2-1/4" CLOSED HOISTING GRIP (FOR 2" CONDUIT)
6	**ROSENBERGER WR-VG86T	DC POWER TRUNK
6	ROSENBERGER CX062-HGRSP	HOISTING GRIPS (FOR DC POWER TRUNK)
2	*ROSENBERGER FB-L98B-034-75000	FIBER TRUNK
9	ANDREW	RET CABLE
1	VALMONT RMQLP-496 (OR APPROVED EQUAL)	PLATFORM
1	VALMONT HRK14 (OR APPROVED EQUAL)	HANDRAIL KIT



COAX ROUTING DETAIL | 3

GPD GROUP.
Gluck, Pyle, Scherer, Burns & Dallmann, Inc.
520 South Main Street, Suite 2531
Akron, Ohio 44311
330-572-2100 Fax 330-572-2101

BLACK & VEATCH
4 PENN CENTER, SUITE 325
PITTSBURGH, PA 15276

REV	DATE	DESCRIPTION
A	10/29/13	ISSUED FOR REVIEW
B	11/15/13	REVISED ACCESS ROAD
C	12/17/13	REVISED PER CLIENT COMMENTS
D	05/07/14	LOWERED TOWER HEIGHT PER FAA

REVIEW AND COMMENT
FOR REVIEW PURPOSES ONLY

TOLEDO - OH5989
10637 OLD STATE LINE RD
SWANTON, OH 43558

TOWER ELEV., PROJECT DESCRIPTION AND COAX ROUTING DETAIL

ISSUED FOR:	
PERMIT	-
BID	-
CONSTRUCTION	-
RECORD	-

PROJECT MANAGER	DESIGNER
EAB	NMT

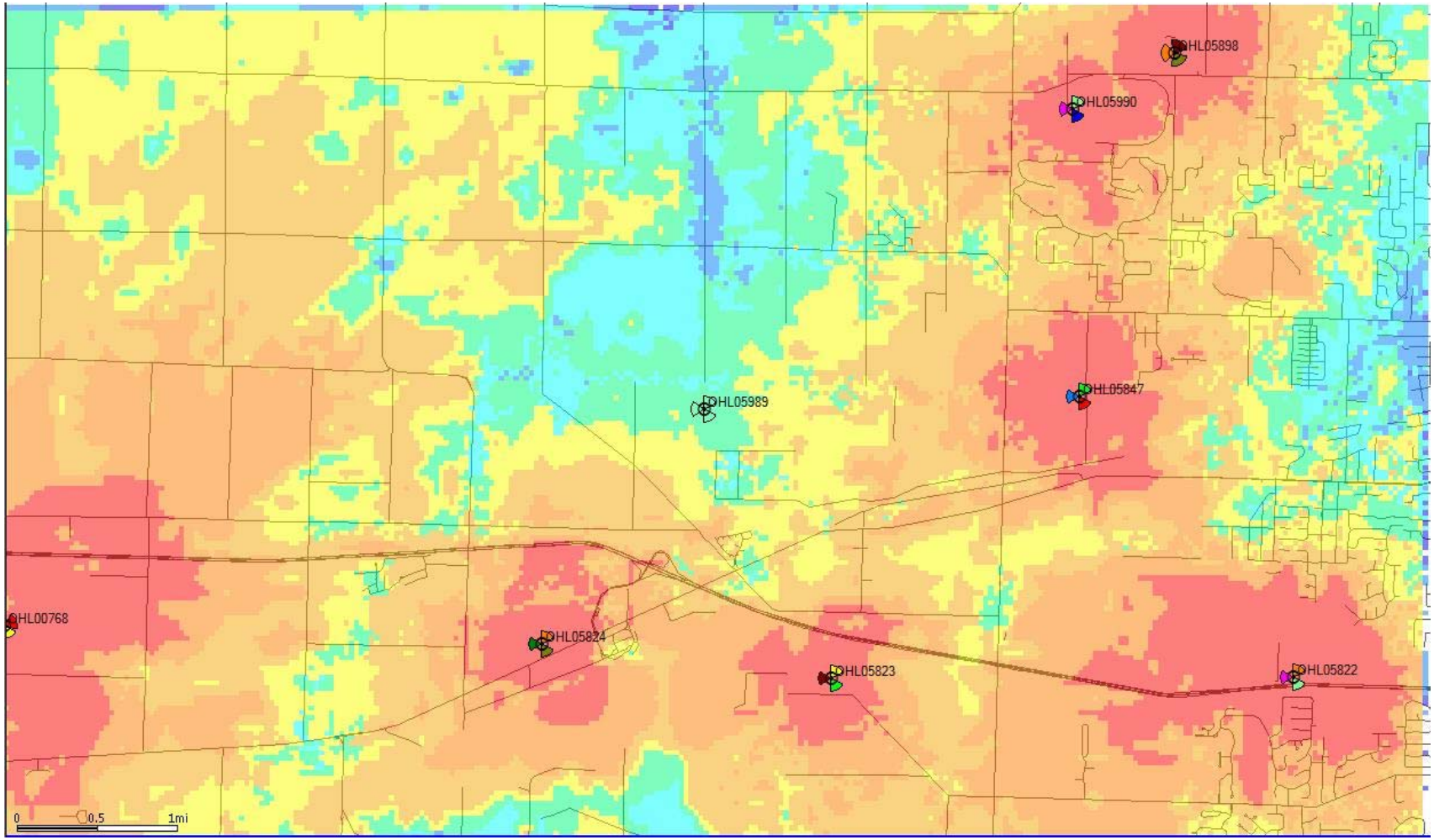
JOB NO.
2013748.18

05

EXISTING COVERAGE MAP

Z30-C114
ID 127

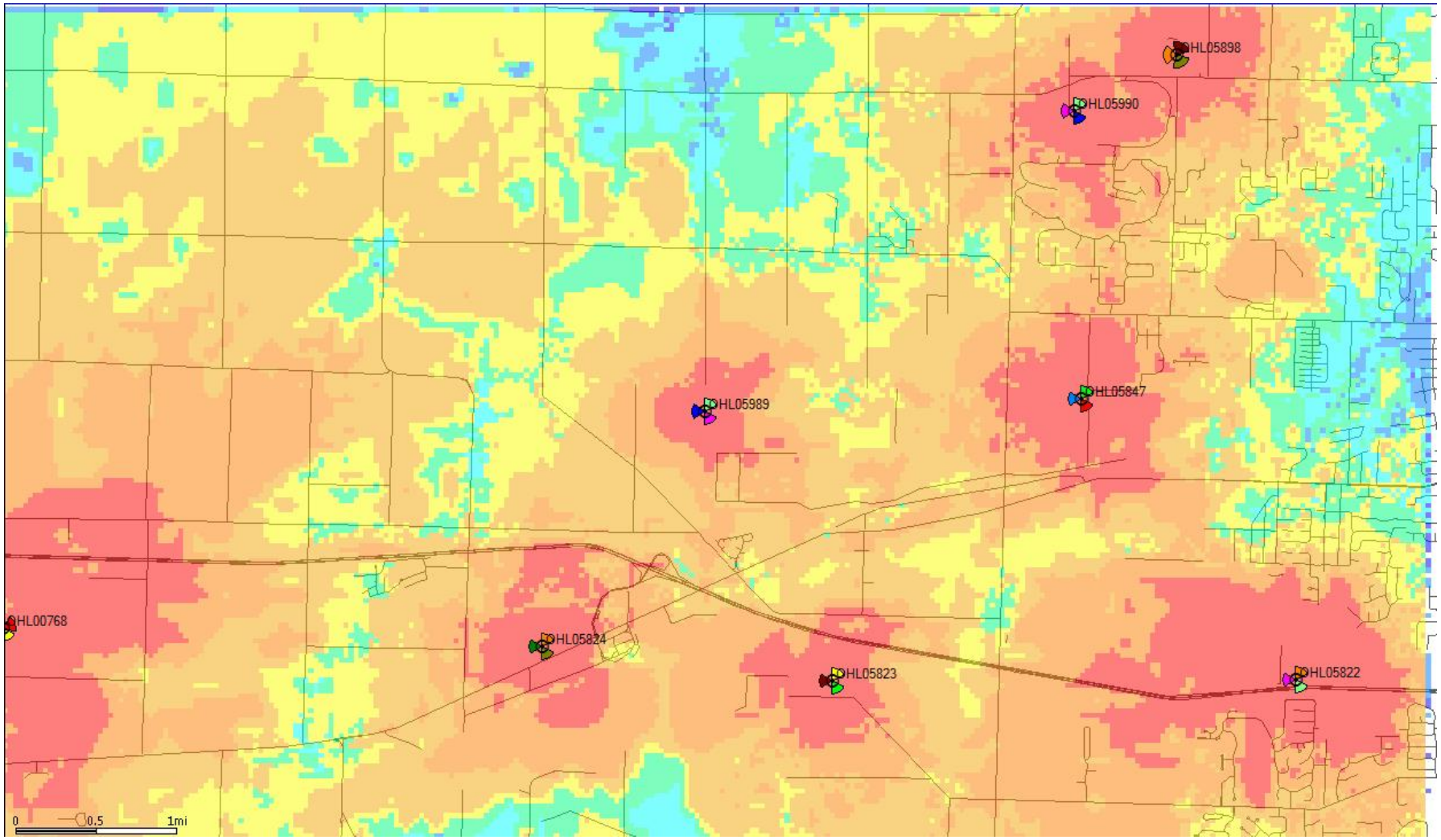
N



PROPOSED COVERAGE MAP

Z30-C114
ID 127

N



BLANK PAGE

REF: S-14-14 (S-10-97)
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Preliminary Drawing for BLYSTONE VALLEY PLATS 9 & 10
Location	-	East of Black Road, south of Monclova Road, Monclova Township
Applicant	-	Blystone/Crosscreek Development Co. 3410 Briarfield Boulevard, Ste. A Maumee, OH 45357
Engineer	-	Feller, Finch and Assoc. 1683 Woodlands Drive Maumee, OH 43537

Site Description

Zoning	-	R-A *Suburban Residential* & A/R *Agricultural Residential*
Area	-	± 31.25 Acres
Frontage	-	± 408 Feet along Black Road
Existing Use	-	Undeveloped
Proposed Use	-	Single-Family Residential

Area Description

North	-	Single Family Residential / R-A *Suburban Residential*
South	-	Single Family Residential & Senior Housing / R-1 PUD *Single Family Residential* & C-1 PUD *Neighborhood Commercial*
East	-	Single Family Residential / R-1 PUD *Single Family Residential*
West	-	Single Family Residential & Undeveloped / A/R *Agricultural / Residential* & R-A *Suburban Residential*

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

Z17-C282	-	Zone change from A-R to R-A at 5005 Black Road. Plan Commission recommended approval April 27, 2005. Trustees approved June 6, 2005. Required 3.8 acres of open space in future subdivision.

Applicable Plans and Regulations

- Monclova Township Zoning Resolution
- Monclova Township Contemporary Land Use Plan 2009
- Lucas County Subdivision Rules and Regulations
- Lucas County Land Use Policy Plan (within the "expansion zone")

Project Description

Number of Lots	-	54 lots
Maximum Density	-	113 lots
Average Lot Size	-	12,375 sq. ft. – 13,200 sq. ft.
Roadway	-	60 ft. public right-of-way, 25 ft. roadway, 35 ft. sidewalk and utility easements
Public Utilities	-	Sanitary sewer, water lines and storm sewer

STAFF ANALYSIS

The request is a preliminary drawing for BLYSTONE VALLEY PLATS 9 & 10 located east of Black Road and south of Monclova Road in Monclova Township. The original preliminary drawing for BLYSTONE VALLEY was approved on May 22, 1997, but it did not include the area for Plats 9 & 10. Adjacent land uses include single family residential to the north, west, and east, and single family residential and senior housing to the south.

The plan proposes fifty-four (54) single-family lots and nine (9) acres of open space located around Blystone Ditch. The open space area fulfills a township requirement of original zone change approved on June 6, 2005. The density for the development is 1.7 lots per acre. Access to the development would be from Black Road to the south or the existing BLYSTONE VALLEY subdivision through Copper Ridge Drive to the north.

Development will likely occur from Copper Ridge Drive and work south towards Black Road. Until the Black Road connection is made all traffic will travel north through the existing BLYSTONE VALLEY subdivision. The half mile trip is a point of concern for the development, given the length of travel, safety issues, and wear on the existing subdivision streets. In order to mitigate some of these issues a gravel construction drive is recommended from Black Road to reduce trips through the subdivision.

STAFF ANALYSIS (cont'd)

The layout has one subdivision requirement that needs to be addressed. The relevant section of the *Lucas County Subdivision Rules and Regulations* and the associated conditions of approval are included in bold. Conditions will need to be amended or removed by the Planning Commission or the preliminary drawing will need to be revised.

- **Subdivision Sec. 404.d / Condition #21 -** The block between Black and Copper Ridge measures ±1,985 feet and exceeds the allowable maximum of 1,500 feet without providing a cross street. The block length is necessary due to the unique parcel configuration and ensuring the secondary connection to the existing Blystone Valley. Staff is supportive of the waiver.

The 2009 Monclova Contemporary Land Use Plan provides a number of guiding principles for development. The plan stresses the importance of protecting the rural nature of the township by promoting lower density development and encouraging open space. The preliminary drawing designates 28.9% of the project towards open space. The proposed amendment is consistent with these principles.

Additionally, the westerly portion of the development was not included in the 2005 zone change and remains A-R *Agricultural Residential.* It contains portions of the open space area for the development and does not affect any single family residential lots. As a result, a zone change is not necessary for approval but strongly encouraged to provide the development with a single zoning district.

NOTE

Not all agency comments were received at the time of printing. A revised staff report will be submitted prior to the hearing.

STAFF RECOMMENDATION

The staff recommends that the Lucas County Planning Commission approve S-14-14 (S-10-97), a preliminary drawing for BLYSTONE VALLEY PLATS 9 & 10 located east of Black Road, South of Monclova Road, subject to the following **twenty four (24)** conditions:

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

<u>Lucas County Sanitary Engineer</u>

1. Water main taps and services shall be installed at time of construction by City of Toledo – Division of Water and shall meet their standards and specifications. This shall be stated on the plans.

2. Sanitary sewer services shall be provided to all units within the development and shall meet LCSE standards and specifications.

STAFF RECOMMENDATION (cont'd)

Lucas County Sanitary Engineer (cont'd)

3. A The Lucas County Sanitary Engineer's office shall receive an approved set of plans from the OEPA prior to beginning construction.

4. The Lucas County Sanitary Engineer's office shall receive 2 sets of approved plans including title sheets with all necessary signatures.

5. An electronic drawing will be needed to be submitted to our office by the completion of the project in order for our office to complete the water and sewer as-builts for our records.

6. LCSE surveyor will lay out the water main and sewer line and all appurtenances prior to any and all construction taking place. LCSE shall be notified 48 hours in advance of staking needed.

7. All water and/or sewer main construction shall be inspected by a LCSE representative. LCSE shall be notified 48 hours in advance of construction taking place.

8. This site is subject to Lucas County water supply and sanitary sewer connection fees and shall be paid in full prior to issuance of permits.

9. This site is also subject to the review of the local fire department and the City of Toledo – Engineering Service.

10. The developer shall enter into a private agreement with the Lucas County Board of County Commissioners.

11. A preconstruction meeting will be required prior to any construction taking place.

12. LCSE would also like the signed mylar title sheet.

Monclova Township Fire Department

No comments or objections.

Buckeye Cablesystem

13. A 10' utility easement shall be included along the front of all lots and open space for cable facilities.

STAFF RECOMMENDATION (cont'd)

Lucas Soil and Water Conservation District

14. A SWPPP (Stormwater Pollution Prevention Plan) or erosion and sediment control plan will have to be prepared for this site in accordance with the Ohio EPA general construction permit.

15. A sediment settling pond is required by the OEPA NPDES program if flows will exceed the capacity of traditional sediment barriers. Refer to the Rainwater and Land Development manual on design guidelines for sediment basins and temporary modifications to permanent stormwater ponds.

16. The Urban Stormwater Specialist for LSWCD should be contacted whenever land clearing is beginning to ensure compliance with the SWPPP and stormwater BMP's to be installed before and during construction. The Specialist can be reached at 419-893-1966 ext. 1.

17. Routine inspections of the site will be performed to ensure compliance with the Ohio EPA general construction permit and the approved SWPPP.

18. A soil survey was prepared and is available upon request; a field visit was not done by the SWCD.

19. Hydric soils comprise 45% of the site. The presence of a hydric soil may indicate the need for a wetland delineation, as hydric soils are one of the components of a wetland. Contact the Army Corps of Engineers at 419-726-9014.

Lucas County Engineer

Comments not received at time of print.

Plan Commission

20. Per Lucas County Subdivision Rules and Regulations **Sec. 518.a**, sidewalks shall be required in all subdivisions, including along Black Road.

21. Per Lucas County Subdivisions Rules and Regulations **Sec. 404.d,** blocks shall not exceed 1,500 feet without a cross street provided.

22. A zone change is encouraged for the remaining A/R portion of the open space so that the development is under a single zoning district.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

23. A plat recitation and deed covenant shall provided that it is the duty of each lot owner, at their own expense, to keep and maintain the sidewalks adjacent to his lot in a good and sufficient manner and to clear the aforesaid sidewalk of snow, ice, dirt and other debris within twenty-four (24) hours after such deposit, and the owner shall indemnify and hold Lucas County and the Township harmless from any liability to any person for their neglect, failure or refusal in performing such duty.

24. The Preliminary Drawing shall be valid for a three (3) year period from the date of approval by the Planning Commission.

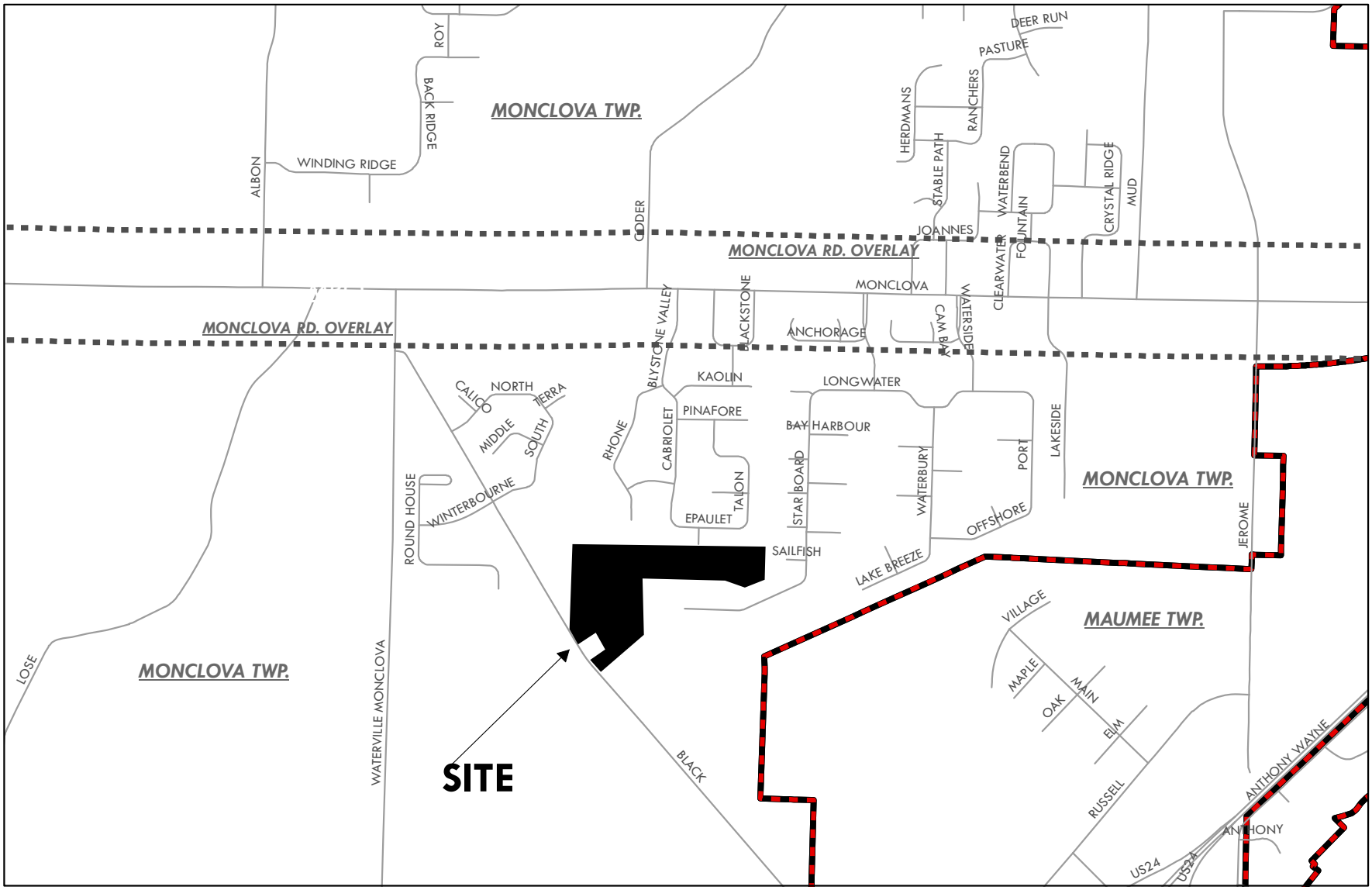
PRELIMINARY DRAWING
MONCLOVA TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: S-14-14 (S-10-97)
DATE: August 27, 2014
TIME: 9:00 a.m.

JL/ks
Three (3) sketches follow

GENERAL LOCATION

S-14-14(S-10-97)
ID 140,139

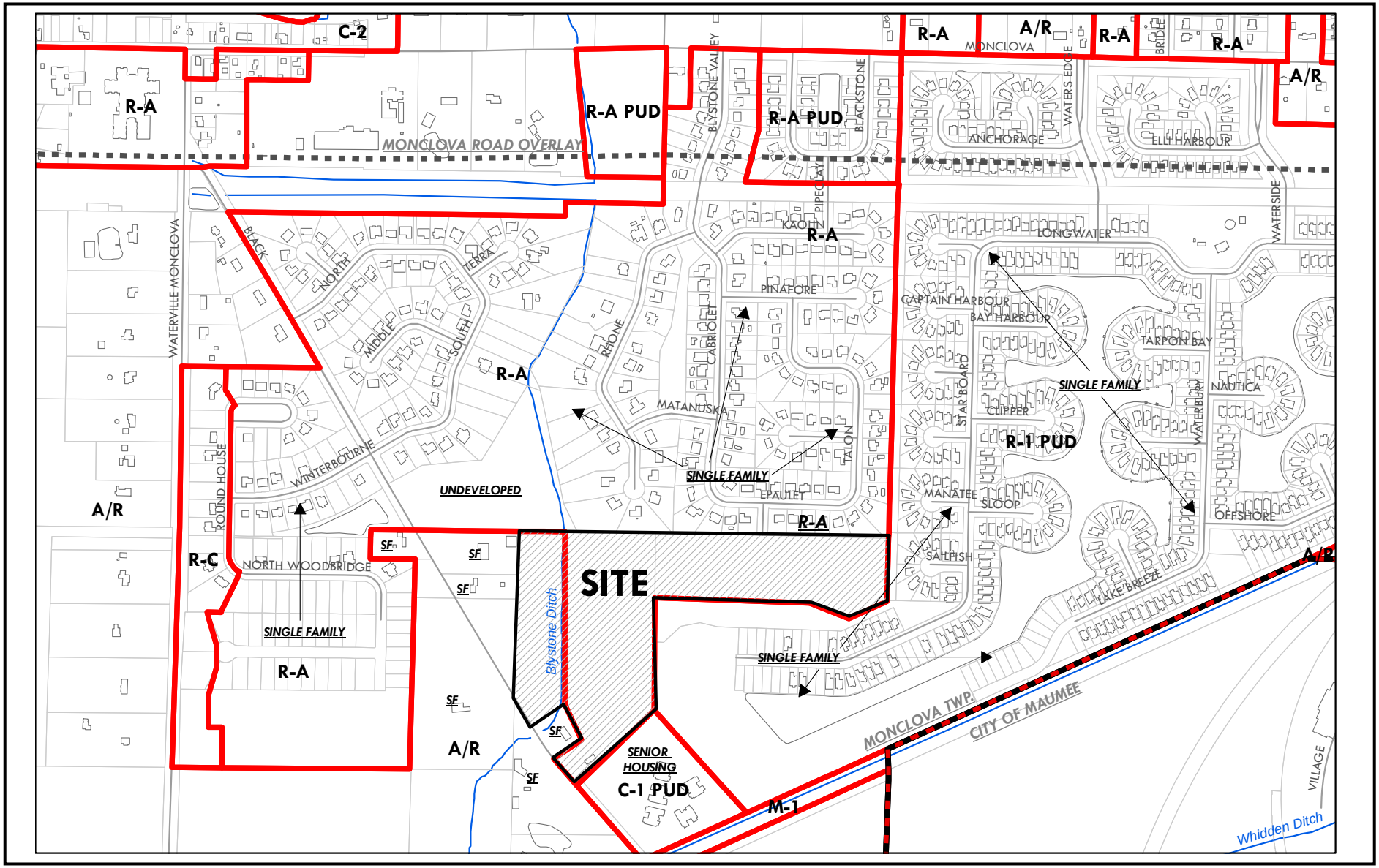
N



ZONING & LAND USE

S-14-14(S-10-97)
ID 140,139

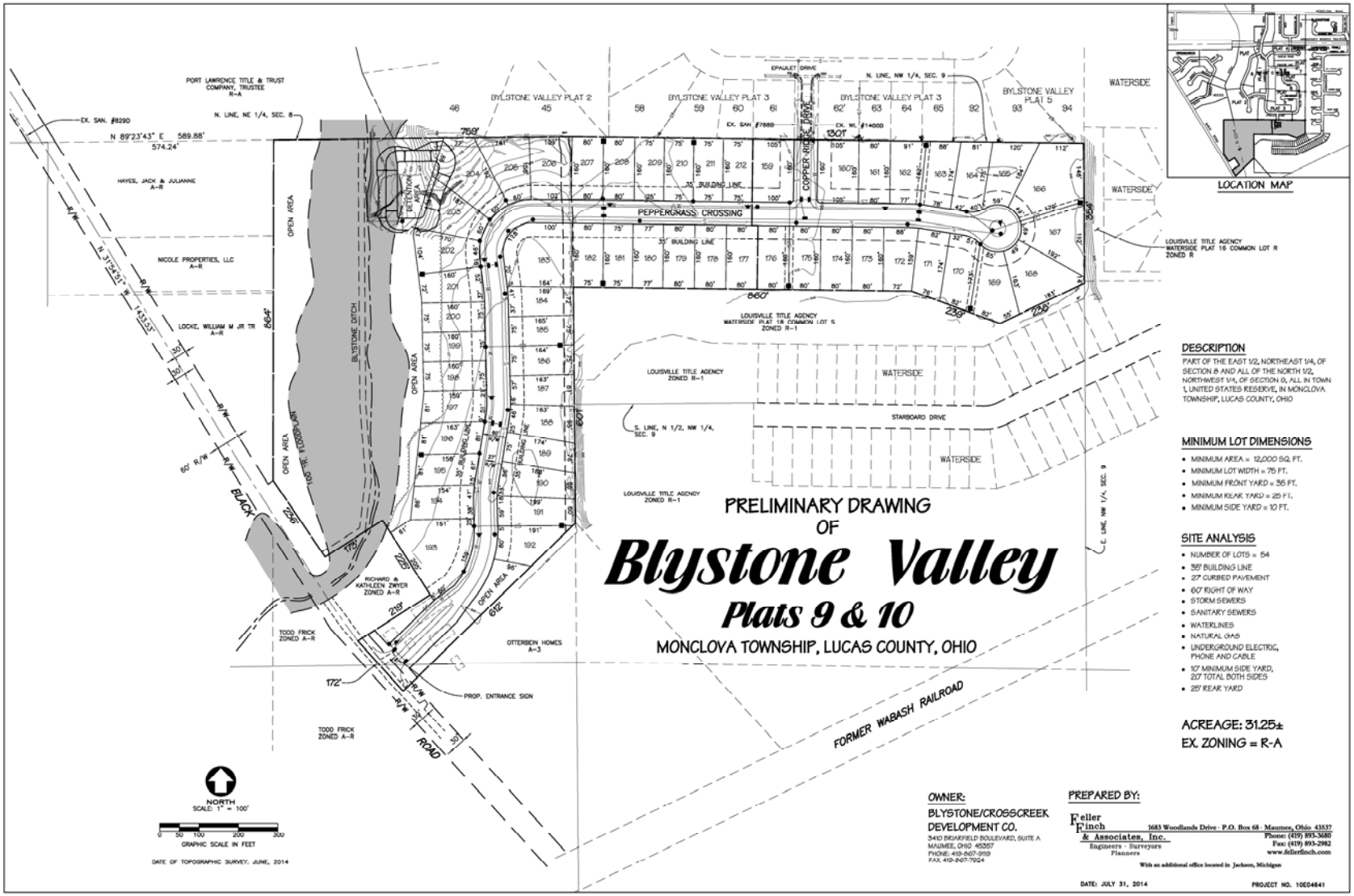
N



PRELIMINARY DRAWING

S-14-14(S-10-97)
ID 140,139

N



BLANK PAGE

REF: Z17-C338
DATE: August 27, 2014

GENERAL INFORMATION

Subject

Request	-	Text Amendment regarding major updates to the zoning resolution
Location	-	Monclova Township
Applicant	-	Monclova Township Zoning Commission

STAFF ANALYSIS

UPDATE

This case was deferred from the July 23rd Planning Commission hearing to provide additional time for review. The Commission specifically wanted to review Planned Unit Development open space standards and requested a comparison with similar townships in Lucas County. Staff prepared the information and a copy is included in Exhibit "C" of this report. No changes are proposed.

ORIGINAL REPORT

The Monclova Township Zoning Commission requests a text amendment regarding major updates to the Monclova Township Zoning Resolution. The draft resolution reflects the efforts of staff and the township. A broad overview of key changes is listed below. Exhibit "A" lists the table of contents for the existing resolution. Exhibit "B" lists the table of contents for the amended resolution. Exhibit "D" includes the entire amended resolution.

- Changes to the chapter organizational structure of the zoning resolution.
- Zoning information consolidated by zoning category instead of spread out over multiple chapters.
- Merged Special Uses with Supplementary Regulations.
- Replaced the Special Provisions chapter with individual chapters for Site Plans and Landscaping and moved remaining parts to Supplemental Regulations. The new chapters outline specific requirements and provide a detailed overview of the review process.
- Added Supplementary Regulations for uses such as Yard Sales, Mixed Use Buildings, and Outdoor Wood Furnaces.
- Changed from Special Use Permits approved by Trustees to Conditional Use Permits approved by Board of Zoning Appeals to conform with Ohio Revised Code.
- Added a chapter for the Zoning Commission.
- Added terms to the Definition chapter.
- Added an Applicability chapter that covers special provisions on the use of land or buildings, agriculture, and special exceptions.

STAFF RECOMMENDATION

The staff recommends that the Lucas County Planning Commission recommend approval of Z17-C338, a text amendment regarding major updates to the zoning resolution, as outlined in Exhibit "D", to the Monclova Township Zoning Commission and Trustees.

TEXT AMENDMENT
MONCLOVA TOWNSHIP
LUCAS COUNTY PLANNING COMMISSION
REF: Z17-C338
DATE: August 27, 2014
TIME: 9:00 a.m.

JL/bp
Exhibit "A" follows
Exhibit "B" follows
Exhibit "C" follows
Exhibit "D" follows

Exhibit 'A'

EXISTING - TABLE OF CONTENTS

			Page
SECTION	**1**	**General Provisions**	**1 - 1**
	1.1	Authority	1 - 1
	1.2	Purpose	1 - 1
	1.3	Interpretation and Conflict	1 - 1
	1.4	Compliance with Regulations	1 - 1
	1.5	Uses Exempted from Provisions of Resolution	1 - 2
	1.6	Validity	1 - 2
SECTION	**2**	**Definitions**	**2 - 1**
	2.1	Interpretation of Terms or Words	2 - 1
SECTION	**3**	**Establishment of Districts**	**3 - 1**
	3.1	Agricultural Districts	3 - 1
	3.2	Residential Districts	3 - 1
	3.3	Commercial Districts	3 - 1
	3.4	Industrial Districts	3 - 2
	3.5	District Map	3 - 3
	3.6	District Boundaries	3 - 3
SECTION	**4**	**Use Regulations**	**4 - 1**
	4.1	Permitted & Special Uses	4 - 1
	4.2	District Use Restrictions	4 - 4
	4.3	Special Uses	4 - 4
	4.4	Minimum Dimensional	4 - 4
	4.5	Minimum Floor Area Requirements for Dwellings	4 - 7
	4.6	Basic Yard, Area, Lot Coverage and Height Requirements for All Buildings Other than Dwellings	4 - 8
	4.7	Exceptions	4 - 10
	4.8	U.S. 20A (Maumee-Western) Zoning Overlay District	4 - 14
	4.9	Monclova Road Zoning Overlay District	4 - 23
SECTION	**5**	**Special Uses**	**5 - 1**
	5.1	Purpose	5 - 1
	5.2	Special Uses and Procedures	5 - 1
	5.3	Motor Vehicle Salvage Yards And Junk Yards	5 - 3
	5.4	Extraction Industries	5 - 5
	5.5	Manufactured Home Parks	5 - 5
	5.6	Large-Scale Retail Projects	5 - 6
	5.7	Sexually Oriented Businesses and Employees	5 - 9
	5.8	Small Wind Turbines and Other Power Generators	5 - 11
SECTION	**6**	**Off-Street Parking & Loading**	**6 - 1**
	6.1	Purpose	6 - 1
	6.2	Off-street Parking and Loading Requirements	6 - 1
	6.3	Space Requirements	6 - 5

Exhibit 'A' (cont'd)
EXISTING - TABLE OF CONTENTS (cont'd)

			Page
SECTION	**7**	**Supplementary District Uses and Structures**	**7 - 1**
	7.1	General	7 - 1
	7.2	Accessory Buildings	7 - 1
	7.3	Dish Antennas	7 - 1
	7.4	Fencing	7 - 1
	7.5	Home Occupation	7 - 2
	7.6	Kennels	7 - 3
	7.7	Manufactured Homes	7 - 3
	7.8	Ponds	7 - 3
	7.9	Self Storage Facilities	7 - 5
	7.10	Signs and Outdoor Advertising Structures	7 - 6
	7.11	Dumping and/or Spreading of Sewer Sludge	7 - 14
	7.12	Raising of Livestock	7 - 14
	7.13	Farm Markets	7 - 14
	7.14	Swimming Pools	7 - 14
	7.15	Private Tennis Courts	7 - 14
	7.16	Nursery and Landscaping-Lawn Care Services	7 - 15
	7.17	Temporary Structures	7 - 15
	7.18	Telecommunication Towers	7 - 16
	7.19	Blighting Factors or Causes of Blight	7 - 16
SECTION	**8**	**Special Provisions for Multi-Family, Non-Residential, Commercial and Industrial Uses**	**8 - 1**
	8.1	Environmental Standards	8 - 1
	8.2	Open Storage and Display of Material and Equipment	8 - 1
	8.3	Temporary Buildings and Uses	8 - 2
	8.4	Landscaping	8 - 2
	8.5	Site Plan Review	8 - 2
	8.6	Architectural Review Requirements	8 - 4
SECTION	**9**	**Non-Conforming Lots, Structures and Uses**	**9 - 1**
	9.1	Intent of Resolution Concerning Non-Conformities	9 - 1
	9.2	Avoidance of Undue Hardship	9 - 1
	9.3	Single Non-Conforming Lots of Record	9 - 1
	9.4	Non-Conforming Lots of Record in Combination	9 - 1
	9.5	Non-Conforming Uses of Land	9 - 2
	9.6	Non-Conforming Structures	9 - 2
	9.7	Non-Conforming Use of Structures or of Structures and Land in Combination	9 - 3
	9.8	Expansion, Repair and Maintenance	9 - 4

Exhibit "A" (cont'd)
EXISTING - TABLE OF CONTENTS (cont'd)

			Page
SECTION	**10**	**Planned Unit Development**	**10 - 1**
	10.1	Purpose	10 - 1
	10.2	Description	10 - 1
	10.3	Procedure	10 - 1
	10.4	Additional Information	10 - 2
	10.5	Standards	10 - 2
	10.6	Change to Approved Plan	10 - 4
	10.7	Expiration and Extension of Approval Period	10 - 5
SECTION	**11**	**Enforcement**	**11 - 1**
	11.1	Zoning Administrator	11 - 1
	11.2	Zoning Certificates	11 - 1
	11.3	Conditions Under which Certificates are required	11 - 1
	11.4	Application and Issuance of Zoning Certificates	11 - 2
	11.5	Fees	11 - 3
	11.6	Violations & Penalties	11 - 3
	11.7	Violations & Remedies	11 - 4
SECTION	**12**	**Board of Zoning Appeals**	**12 - 1**
	12.1	General	12 - 1
	12.2	Jurisdiction	12 - 1
	12.3	Procedures	12 - 4
SECTION	**13**	**Amendments**	**13 - 1**
	13.1	Authority	13 - 1
	13.2	Procedures	13 - 1
	13.3	Effective Date & Referendum	13 - 3

Exhibit "B"

TABLE OF CONTENTS

Section 1	**General Provisions**		
1.1	Authority		1 - 1
1.2	Purpose		1 - 1
1.3	Interpretation and Conflict		1 - 1
1.4	Compliance with Regulations		1 - 2
1.5	Uses Exempted from Provisions of Resolution		1 - 2
1.6	Validity		1 - 3
Section 2	**Applicability**		
2.1	General Applicability of Zoning Resolution		2 - 1
2.2	Regulations of Agriculture		2 - 2
2.3	Exceptions		2 - 3
Section 3	**Official Zoning Map**		
3.1	Official Zoning Map		3 - 1
3.2	Interpretation of District Boundaries		3 - 1
3.3	Establishment of Districts		3 - 1
Section 4	**Use Regulations**		
4.1	P/O	Public/Open Space	4 - 1
4.2	A/R	Agricultural/Residential	4 - 2
4.3	R-C	Suburban Residential District	4 - 4
4.4	R-B	Suburban Residential District	4 - 5
4.5	R-A	Suburban Residential District	4 - 6
4.6	R-1	Single Family Residential District	4 - 7
4.7	R-3	Multi-Family Residential District	4 - 8
4.8	C-1	Neighborhood Commercial District	4 - 10
4.9	C-2	General Commercial District	4 - 12
4.10	C-3	Office Commercial District	4 - 14
4.11	M-1	Industrial/Office Research District	4 - 15
4.12	M-2	General Industrial	4 - 17
4.13	Minimum Room Area Requirements for Dwellings		4 - 20
4.14	Exceptions		4 - 20
4.15	Setback of Buildings on Main Roadways		4 - 22
Section 5	**Overlay Districts**		
5.1	U.S. 20A (Maumee-Western Road) Zoning Overlay District		5 - 1
5.2	Monclova Road Zoning Overlay District		5 - 11
Section 6	**Off-Street Parking and Loading**		
6.1	Purpose		6 - 1
6.2	Off-Street Parking and Loading Requirements		6 - 1
6.3	Off-Street Parking Design Standards		6 - 8

Exhibit "B" (cont'd)
TABLE OF CONTENTS (cont'd)

Section 7	**Signs and Outdoor Advertising**	
7.1	Purpose	7 - 1
7.2	Definitions	7 - 1
7.3	General Provisions	7 - 3
7.4	Commercial or Industrial District Signs	7 - 7
7.5	Setback Requirements	7 - 8
7.6	Illumination	7 - 9
7.7	Violations	7 - 10
Section 8	**Conditional Uses**	
8.1	Purpose	8 - 1
8.2	Standards	8 - 1
8.3	Procedure	8 - 1
8.4	Requirements	8 - 1
8.5	Conditions of Approval	8 - 1
8.6	Expiration or Revocation of Conditional Use	8 - 2
Section 9	**Supplemental Regulations**	
9.1	General	9 - 1
9.2	Accessory Building or Structures	9 – 1
9.3	Antennae Dish	9 - 2
9.4	Sexually Oriented Businesses and Employees	9 - 2
9.5	Small Wind Turbine and Other Wind Powered Generators	9 - 4
9.6	Motor Vehicle Salvage Yards and Junk Yards	9 - 11
9.7	Extraction Industries	9 - 12
9.8	Large Scale Retail Projects	9 - 13
9.9	Fences	9 - 16
9.10	Home Occupation	9 - 17
9.11	Kennels	9 - 19
9.12	Ponds	9 - 19
9.13	Self Storage Facilities	9 - 21
9.14	More Than One Principal Building	9 - 22
9.15	Swimming Pools	9 - 23
9.16	Private Tennis Courts	9 - 23
9.17	Nursery and Landscaping – Lawn Care Services	9 - 23
9.18	Temporary Structures	9 - 24
9.19	Telecommunications Towers	9 - 24
9.20	Blighting Factors or Causes of Blight	9 - 25
9.21	Environmental Standards	9 - 26
9.22	Open Storage and Display of Material and Equipment	9 - 27
9.23	Yard/Garage Sales	9 - 27
9.24	Vehicle Sales in Residential Districts	9 - 28
9.25	Access for Fire Protection	9 – 28

Exhibit "B" (cont'd)
TABLE OF CONTENTS (cont'd)

Section 9	**Supplemental Regulations** (cont'd)	
9.26	Dwelling Units Above the Ground Level	9 - 28
9.27	Waste Disposal Facility	9 - 28
9.28	Internet Gaming Establishments/Cafes	9 - 29
9.29	Manufactured Home Parks	9 - 30
9.30	Manufactured Homes	9 - 31
9.31	Dumping and/or Spreading of Sewage Sludge	9 - 31
9.32	Farm Markets	9 - 31
9.33	Outdoor Wood Furnaces	9 - 32
9.34	Dirt Mounds	9 - 33
Section 10	**Non-Conforming Lots, Structures and Uses**	
10.1	Intent of Resolution Concerning Non-Conformities	10 - 1
10.2	Avoidance of Undue Hardship	10 - 1
10.3	Single-Nonconforming Lots of Record	10 - 1
10.4	Nonconforming Lots of Record in Combination	10 - 2
10.5	Nonconforming Uses of Land	10 - 2
10.6	Nonconforming Structures	10 - 3
10.7	Nonconforming Uses of Structures or of Structures and Land in Combination	10 - 3
10.8	Expansion, Repair and Maintenance	10 - 4
Section 11	**Planned Unit Development**	
11.1	Purpose	11 - 1
11.2	Description	11 - 1
11.3	Procedure	11 - 1
11.4	Additional Information	11 - 2
11.5	Standards	11 - 2
11.6	Change to Approved Plan	11 - 5
11.7	Expiration and Extension of Approval Period	11 - 6
Section 12	**Site Plan & Architecture Review**	
12.1	Purpose	12 - 1
12.2	Applicability	12 - 1
12.3	Requirements	12 - 2
12.4	Architectural Review Requirements	12 - 4
12.5	Approval Procedure	12 - 6
12.6	Expiration and Extension of Site Plan Approval	12 - 7
Section 13	**Landscape Plan**	13 - 1
13.1	Purpose	13 - 1
13.2	Applicability	13 – 1

Exhibit "B" (cont'd)
TABLE OF CONTENTS (cont'd)

Section 13	**Landscape Plan** (cont'd)	
13.3	Requirements	13 - 3
13.4	Plan Material Specifications	13 - 4
13.5	Maintenance and Replacement	13 - 5
Section 14	**Zoning Administrator and Zoning Certificates**	
14.1	Zoning Administrator	14 - 1
14.2	Zoning Certificates	14 - 1
14.3	Conditions Under Which Zoning Certificates Are Required	14 - 1
14.4	Application and Issuance of Zoning Certificates	14 - 2
14.5	Fees	14 - 3
14.6	Violations and Penalties	14 - 4
14.7	Violations - Remedies	14 - 4
Section 15	**Zoning Commission**	
15.1	Monclova Township Zoning Commission	15 - 1
15.2	Organization	15 - 1
15.3	Meetings	15 - 1
15.4	Powers and Duties of the Zoning Commission	15 - 1
Section 16	**Zoning Changes and Text Amendments**	
16.1	Authority	16 - 1
16.2	Procedures	16 - 1
16.3	Effective Date and Referendum	16 - 4
Section 17	**Board of Zoning Appeals**	
17.1	General	17 - 1
17.2	Jurisdiction	17 - 1
17.3	Procedure	17 - 4
Section 18	**Definitions**	
18.1	Interpretation of Terms or Words	18 - 1
Appendix A	*Use Table*	19 -1

Exhibit "C"

Comparative Analysis of Township PUD Open Space Requirements

REQUIREMENTS	MONCLOVA	SPRINGFIELD	SYLVANIA	WATERVILLE
GENERAL:				
40% Max. Gross Parcel Coverage	X	X	X	X
15% Min. Open Space	X	X	X	
20% Min. Open Space				X
ADDITIONAL OPEN SPACE:				
1/3 Restriction on Ponds/Lakes	X			X
Useable & Accessible to Residents	X	X	X	X
PERIMETER OPEN SPACE:				
2x Rear Setback Abutting 'A' 'R' or 'P/O'	X	X		X
40 Feet When Abutting 'C' or 'I' Zoning			X	
75 Feet When Abutting 'C' or 'I' Zoning	X	X		X

Produced by Toledo Lucas County Plan Commissions 8/4/14

Exhibit "D"

MONCLOVA TOWNSHIP
LUCAS COUNTY, OHIO

BOARD OF TRUSTEES

Brian D. Craig
Chuck Hoecherl
Barbara Lang

Gavin S. Pike, Fiscal Officer

ZONING COMMISSION

Bill Strayer
Diane Ohns
Tom Baker
Adam Hoff
Dan Grna
Jerry Stover

Kathleen Stewart Kuns, Secretary

ZONING BOARD OF APPEALS

Karen Lemle
Ron Loeffler
Louis Brigham
Melva Plocek
Dan Downey

ZONING ADMINISTRATOR

Eric Wagner

TOWNSHIP ADMINISTRATOR

Harold Grim

Draft Revised June 17, 2014

BLANK PAGE

Exhibit "D" (cont'd)

TABLE OF CONTENTS

Section 1	**General Provisions**		
1.1	Authority		1 - 1
1.2	Purpose		1 - 1
1.3	Interpretation and Conflict		1 - 1
1.4	Compliance with Regulations		1 - 2
1.5	Uses Exempted from Provisions of Resolution		1 - 2
1.6	Validity		1 - 3
Section 2	**Applicability**		
2.1	General Applicability of Zoning Resolution		2 - 1
2.2	Regulations of Agriculture		2 - 2
2.3	Exceptions		2 - 3
Section 3	**Official Zoning Map**		
3.1	Official Zoning Map		3 - 1
3.2	Interpretation of District Boundaries		3 - 1
3.3	Establishment of Districts		3 - 1
Section 4	**Use Regulations**		
4.1	P/O	Public/Open Space	4 - 1
4.2	A/R	Agricultural/Residential	4 - 2
4.3	R-C	Suburban Residential District	4 - 4
4.4	R-B	Suburban Residential District	4 - 5
4.5	R-A	Suburban Residential District	4 - 6
4.6	R-1	Single Family Residential District	4 - 7
4.7	R-3	Multi-Family Residential District	4 - 8
4.8	C-1	Neighborhood Commercial District	4 - 10
4.9	C-2	General Commercial District	4 - 12
4.10	C-3	Office Commercial District	4 - 14
4.11	M-1	Industrial/Office Research District	4 - 15
4.12	M-2	General Industrial	4 - 17
4.13	Minimum Room Area Requirements for Dwellings		4 - 20
4.14	Exceptions		4 - 20
4.15	Setback of Buildings on Main Roadways		4 - 22
Section 5	**Overlay Districts**		
5.1	U.S. 20A (Maumee-Western Road) Zoning Overlay District		5 - 1
5.2	Monclova Road Zoning Overlay District		5 - 11
Section 6	**Off-Street Parking and Loading**		
6.1	Purpose		6 - 1
6.2	Off-Street Parking and Loading Requirements		6 - 1
6.3	Off-Street Parking Design Standards		6 - 8

Exhibit "D" (cont'd)

TABLE OF CONTENTS (cont'd)

Section 7	**Signs and Outdoor Advertising**	
7.1	Purpose	7 - 1
7.2	Definitions	7 - 1
7.3	General Provisions	7 - 3
7.4	Commercial or Industrial District Signs	7 - 7
7.5	Setback Requirements	7 - 8
7.6	Illumination	7 - 9
7.7	Violations	7 - 10
Section 8	**Conditional Uses**	
8.1	Purpose	8 - 1
8.2	Standards	8 - 1
8.3	Procedure	8 - 1
8.4	Requirements	8 - 1
8.5	Conditions of Approval	8 - 1
8.6	Expiration or Revocation of Conditional Use	8 - 2
Section 9	**Supplemental Regulations**	
9.1	General	9 - 1
9.2	Accessory Building or Structures	9 – 1
9.3	Antennae Dish	9 - 2
9.4	Sexually Oriented Businesses and Employees	9 - 2
9.5	Small Wind Turbine and Other Wind Powered Generators	9 - 4
9.6	Motor Vehicle Salvage Yards and Junk Yards	9 - 11
9.7	Extraction Industries	9 - 12
9.8	Large Scale Retail Projects	9 - 13
9.9	Fences	9 - 16
9.10	Home Occupation	9 - 17
9.11	Kennels	9 - 19
9.12	Ponds	9 - 19
9.13	Self Storage Facilities	9 - 21
9.14	More Than One Principal Building	9 - 22
9.15	Swimming Pools	9 - 23
9.16	Private Tennis Courts	9 - 23
9.17	Nursery and Landscaping – Lawn Care Services	9 - 23
9.18	Temporary Structures	9 - 24
9.19	Telecommunications Towers	9 - 24
9.20	Blighting Factors or Causes of Blight	9 - 25
9.21	Environmental Standards	9 - 26
9.22	Open Storage and Display of Material and Equipment	9 - 27
9.23	Yard/Garage Sales	9 - 27
9.24	Vehicle Sales in Residential Districts	9 - 28
9.25	Access for Fire Protection	9 - 28
9.26	Dwelling Units Above the Ground Level	9 - 28
9.27	Waste Disposal Facility	9 - 28

Exhibit "D" (cont'd)

TABLE OF CONTENTS (cont'd)

Section 9	**Supplemental Regulations** (cont'd)	
9.28	Internet Gaming Establishments/Cafes	9 - 29
9.29	Manufactured Home Parks	9 - 30
9.30	Manufactured Homes	9 - 31
9.31	Dumping and/or Spreading of Sewage Sludge	9 - 31
9.32	Farm Markets	9 - 31
9.33	Outdoor Wood Furnaces	9 - 32
9.34	Dirt Mounds	9 - 33
Section 10	**Non-Conforming Lots, Structures and Uses**	
10.1	Intent of Resolution Concerning Non-Conformities	10 - 1
10.2	Avoidance of Undue Hardship	10 - 1
10.3	Single-Nonconforming Lots of Record	10 - 1
10.4	Nonconforming Lots of Record in Combination	10 - 2
10.5	Nonconforming Uses of Land	10 - 2
10.6	Nonconforming Structures	10 - 3
10.7	Nonconforming Uses of Structures or of Structures and Land in Combination	10 - 3
10.8	Expansion, Repair and Maintenance	10 - 4
Section 11	**Planned Unit Development**	
11.1	Purpose	11 - 1
11.2	Description	11 - 1
11.3	Procedure	11 - 1
11.4	Additional Information	11 - 2
11.5	Standards	11 - 2
11.6	Change to Approved Plan	11 - 5
11.7	Expiration and Extension of Approval Period	11 - 6
Section 12	**Site Plan & Architecture Review**	
12.1	Purpose	12 - 1
12.2	Applicability	12 - 1
12.3	Requirements	12 - 2
12.4	Architectural Review Requirements	12 - 4
12.5	Approval Procedure	12 - 6
12.6	Expiration and Extension of Site Plan Approval	12 - 7
Section 13	**Landscape Plan**	13 - 1
13.1	Purpose	13 - 1
13.2	Applicability	13 - 1
13.3	Requirements	13 - 3
13.4	Plan Material Specifications	13 - 4
13.5	Maintenance and Replacement	13 - 5

Exhibit "D" (cont'd)

TABLE OF CONTENTS (cont'd)

Section 14	**Zoning Administrator and Zoning Certificates**	
14.1	Zoning Administrator	14 - 1
14.2	Zoning Certificates	14 - 1
14.3	Conditions Under Which Zoning Certificates Are Required	14 - 1
14.4	Application and Issuance of Zoning Certificates	14 - 2
14.5	Fees	14 - 3
14.6	Violations and Penalties	14 - 4
14.7	Violations - Remedies	14 - 4
Section 15	**Zoning Commission**	
15.1	Monclova Township Zoning Commission	15 - 1
15.2	Organization	15 - 1
15.3	Meetings	15 - 1
15.4	Powers and Duties of the Zoning Commission	15 - 1
Section 16	**Zoning Changes and Text Amendments**	
16.1	Authority	16 - 1
16.2	Procedures	16 - 1
16.3	Effective Date and Referendum	16 - 4
Section 17	**Board of Zoning Appeals**	
17.1	General	17 - 1
17.2	Jurisdiction	17 - 1
17.3	Procedure	17 - 4
Section 18	**Definitions**	
18.1	Interpretation of Terms or Words	18 - 1
Appendix A	**Use Table**	
		19 -1

Exhibit "D" (cont'd)

AMENDMENT OF THE ZONING RESOLUTION FOR MONCLOVA TOWNSHIP

AMENDMENT OF THE ZONING RESOLUTION FOR MONCLOVA TOWNSHIP A RESOLUTION AMENDING THE ZONING RESOLUTION FOR MONCLOVA TOWNSHIP, Lucas County, Ohio, by regulating, in accordance with a comprehensive plan, the location, height, area, number and size of buildings and other structures, percentages of lot area which may be occupied, size of yards, courts and other open spaces, density of population, uses of buildings and other structures and the uses of land; and for such purposes dividing the area of the township into districts and zones of such number, shape and area as are deemed best suited to carry out said purposes, providing a method of administration, and prescribing penalties and proceedings for the administration and enforcement of this Resolution.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF MONCLOVA TOWNSHIP, LUCAS COUNTY, STATE OF OHIO:

SECTION 1
GENERAL PROVISIONS

SECTION 1.1 AUTHORITY

The Board of Township Trustees of Monclova Township, Lucas County, Ohio, in accordance with enabling legislation for township zoning as provided in Chapter 519 of the Ohio Revised Code hereby provides as follows:

SECTION 1.2 PURPOSE

This resolution is adopted for the purpose of protecting and promoting public health, safety, morals, comfort and general welfare; conserving and protecting property and facilitating adequate but economical provision of public improvements; securing the most appropriate use of the land, in accordance with the adopted Monclova Township Land Use Plan, 2009 and amending the Zoning Resolution of the Board of Trustees of Monclova Township, Lucas County, Ohio, effective November 17, 1950, as amended to the date of the adoption of this amending resolution, in each and every part thereof that is inconsistent with this amending resolution.
(Revised 2/6/06 - Z17-C292)

SECTION 1.3 INTERPRETATION AND CONFLICT

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

SECTION 1.4 COMPLIANCE WITH REGULATIONS

A. No Building or structure shall be located, erected, constructed, reconstructed, enlarged or structurally altered except in conformity with the area, height and yard regulations of the district in which such building or structure is located.

B. No building, structure or lot shall be used for any purpose other than that which is permitted in the district in which such building, structure or lot is located.

C. No yard or other open space existing about any building or structure shall be so reduced in area or dimension as to make it less than the minimum required by this resolution.

D. No lot held under one ownership at the time of the effective date of this resolution shall be reduced or subdivided in any manner below the minimum area and yard provision required by this resolution.

E. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one (1) main building on one (1) lot except as specifically provided in Section 17.2.B.

F. Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties of unnecessary hardships in carrying out the strict letter of this Resolution providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Section 17. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations.

SECTION 1.5 USES EXEMPTED FROM PROVISIONS OF RESOLUTION

A. The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture, shall be permitted in all districts established by this Resolution, and no zoning certificate shall be required for any such building or structure, except where regulated within platted areas on lots of less than five (5) acres, or for farm markets.

SECTION 1.5 **USES EXEMPTED FROM PROVISIONS OF RESOLUTION** (cont'd)

B. The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services as herein defined shall be permitted in all districts established by this Resolution and no zoning certificate shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.

C. The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted.

D. The use of any land owned or leased by an industrial firm shall not be prohibited for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm's used for the operation of its plants.

SECTION 1.6 **VALIDITY**

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

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

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 2
APPLICABILITY

SECTION 2.1 GENERAL APPLICABILITY OF ZONING RESOLUTION

No structure, or part thereof shall be placed upon or moved onto land, constructed, reconstructed, enlarged, or structurally altered, nor shall any structure, building or land be used or occupied in a manner which does not comply with the district regulations established by this Resolution for the district in which the building, structure, and/or land is located.

A. Lot Size Requirements and the Subdivision of Land

No lot or lot of land held under one ownership, with or without a building, at the time this Resolution became effective, shall be reduced, nor shall any such lot be subdivided in any manner below the minimum lot width and lot area required by this Resolution. No lot(s) shall be built on unless the lot has frontage along a public street or private place.

B. Reductions in Yard Requirements

No building may be enlarged which would result in decreasing a yard setback to less than the minimum requirements of the applicable zoning district.

C. Location of Uses on a Single Lot

Unless otherwise specifically allowed in Section 9 - Supplemental Regulations, every principal building whether presently existing or hereafter constructed, relocated or structurally altered shall be located on a single lot.

D. Unsafe Buildings

Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition of any structure or part thereof declared unsafe by a proper authority.

E. Conversion of Dwellings

The conversion of any structure into a dwelling or the conversion of any dwelling to accommodate an increased number of dwelling units is permitted only in accordance with all requirements of this Resolution.

F. Parking Requirements

No land use may change from one use to another use without first meeting the parking requirements for the new use.

G. Accessory Structures and Uses

Accessory structures, ponds or uses must be located on the same parcel where the main structure is located. If not, parcels must be combined in order to receive a zoning certificate.

SECTION 2.2 REGULATIONS OF AGRICULTURE

A. In any platted subdivision approved under R.C. 711.05, 711.09, or 711.10, or in any area consisting of fifteen or more lots approved under R.C. 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, agriculture is regulated as follows:

1. On lots of one acre or less, within such subdivision or area, agriculture is prohibited. This provision does not prohibit the raising of fruits or vegetables for consumption by the residents of a dwelling located on such lot.

2. On lots greater than one acre but not greater than five acres, within such subdivision or area, buildings or structures incident to the use of land for agricultural purposes shall conform to all set back building lines, height and size requirements of this Resolution; provided however, that such buildings or structures are not permitted within 50 feet of a dwelling or an adjacent property line, excepting fences as are more specifically provided for herein; and all such buildings or structures shall be adequately screened from view.

3. On lots greater than one acre but not greater than five acres, within such subdivision or area, dairying and animal and poultry husbandry, which includes, but is not limited to, the care and raising of livestock, equine, and fur-bearing animals, are regulated as follows:

a. When at least thirty-five per cent of the lots within such subdivision or area 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 and mobile homes under R.C.4503.06, dairying and animal and poultry husbandry shall be considered nonconforming uses of land and buildings or structures.

b. For health and safety reasons, use of any such lot for dairying and animal and poultry husbandry shall not exceed one animal for each whole acre, excluding the first whole acre. (Examples provided for interpretation purposes: A lot of 1.5 acres in size may not have any animals; a lot of 2.0 acres or greater in size may have one animal; a lot of 3.0 acres or greater in size may have two animals; a lot of 4.0 acres or greater in size may have three animals; a lot of 5.0 acres in size may have four animals; a lot of 4.95 acres in size may have three animals; a lot greater than 5.0 acres is not regulated by this Section.)

c. Keeping animals in excess of the number permitted herein shall be deemed to constitute a public nuisance affecting the health, safety and welfare of Township residents.

SECTION 2.2 **REGULATION OF AGRICULTURE** (cont'd)

d. Animals are not permitted within 50 feet of any dwelling. Animals are not permitted within 5 feet of an adjacent property line. Areas within a lot where animals are permitted shall be securely fenced and adequately screened from view. Fences must contain any animals at least 50 feet away from any dwelling and at least 5 feet away from any adjacent property line. Fences required by this Section are also subject to regulation under Section 9 of this Zoning Resolution.

B. The Zoning Administrator shall determine whether any particular lot is located within such subdivision or area as is regulated by this Section of the Resolution and shall make such other determinations as may be required under this Section. Appeal from the determination of the Zoning Administrator may be made to the Board of Zoning Appeals.

SECTION 2.3 **EXCEPTIONS**

Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties or unnecessary hardships in carrying out the strict interpretation of this Resolution providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Section 17. Hardship shall be based on the physical limitations of the land or structures and shall not encompass financial considerations.

Exhibit "D" (cont'd)

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 3
OFFICIAL ZONING MAP

SECTION 3.1 OFFICIAL ZONING MAP

The zoning district locations and boundaries are shown on the map titled "The Official Monclova Township Zoning Map." This map is on file in the Monclova Zoning Office and is hereby declared to be a part of this Resolution.

SECTION 3.2 INTERPRETATION OF DISTRICT BOUNDARIES

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

A. Parallel District Boundaries

Where district boundaries appear to be approximately parallel with the center line or right-of-way lines of streets, roads, or highways, such district boundaries shall be construed as parallel therewith and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.

B. Lot Lines, Railroad Lines, and Waterways

Where district boundaries approximately follow lot lines such lot lines shall be construed as a boundary of a zoning district. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line. Where the boundary of a district follows (or is parallel with) a waterway, such boundary shall be deemed to be located in the middle of the waterway.

C. Interpretation by Board of Zoning Appeals

Any questions of interpretation of the Official Zoning Map, which cannot otherwise be resolved, shall be referred to the Board of Zoning Appeals for determination, in accordance with Section 17 - Board of Zoning Appeals.

SECTION 3.3 ESTABLISHMENT OF DISTRICTS

For the purpose of regulating and restricting the location of buildings, structures and land use, Monclova Township is divided into zoning districts as shown on the Official Zoning Map. These districts include the following and are illustrated on the Official Zoning Map:

Exhibit "D" (cont'd)

ZONING DISTRICTS

P/O	Public/Open Space District
A/R	Agricultural/Residential District
R-A	Suburban Residential District
R-B	Suburban Residential District
R-C	Suburban Residential District
R-1	Single Family Residential District
R-3	Multi Family Residential District
C-1	Neighborhood Commercial District
C-2	General Commercial District
C-3	Office Commercial District
M-1	Industrial/Office Research District
M-2	General Industrial District

Exhibit "D" (cont'd)

SECTION 4
USE REGULATIONS

SECTION 4.1 P/O PUBLIC/OPEN SPACE DISTRICT

A. Purpose

The purpose of the Public/Open Space (P/O) District is to preserve and protect significant natural areas, drainage ways and flood plains, and to designate land for public use in Monclova Township.

B. Permitted Uses

The following uses are permitted in the Public/Open Space District:

Accessory Uses
Agriculture (See Sec. 2.2)
Cemetery
Community/Public Swimming Pools
Conservation Area(s)
School (K-12)
Public Uses
Public Parks/Recreation
Public Service Facilities
Semi-Public Uses

C. Conditional Uses

The following use(s) may be approved pursuant to Section 8 - Conditional Uses:

Banquet Hall
Telecommunication Tower (See Sec. 9.19)

D. Development Standards

All main buildings and lots shall meet the following development standards:

Area:	1 Acre
Width:	--
Front Yard:[1]	35'
Side Yard:[2]	10% of Width or 10' Whichever is Less
Rear Yard:	35'
Max. Height:	45'

[1] Larger front yards are required for certain streets as shown in Section 4.15.
[2] The full setback shall be applied to both sides of a parcel.

Exhibit "D" (cont'd)

SECTION 4.2 A/R AGRICULTURAL/RESIDENTIAL

A. Purpose

The Agricultural/Residential District is to provide for agricultural and agriculturally related uses and very low density residential uses. This may include some commercial activities which are an integral part of agriculture, such as nursery and greenhouse sales areas churches and other related nonprofit facilities and single-family dwellings. Intense residential development is discouraged.
(Revised 12/7/01 – Z17-C240)

B. Permitted Uses

The following uses are permitted in the Agricultural/Residential (A/R) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Agriculture Product Sales
Commercial Grain Elevator / Storage
Dwelling, Single-Family
Home Occupation (See Sec. 9.10)
Kennel
Permanently Sited Manufactured Homes
Oil and Gas Drilling Wells
Stabling of Horses
Public Service Facilities

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Animal Care Facilities
Banquet Hall
Bed and Breakfast
Cemetery
Church or Place of Worship
Club
Community/Public Swimming Pools
Day Care Facility
Dwellings, Two Family
Golf Course
Institutional Health Care Facilities
Landscaping Lawn Care Services
Nursery
Nursing Home
Public Uses
Recreational Facility, Indoor/Outdoor
School (K-12)
Semi-Public Uses
Small Wind Turbine and Other Wind Powered Generators (See Sec. 9.5)
Sports Field Indoor/Outdoor
Telecommunication Tower (See Sec. 9.19)

D. Development Standards

All main buildings and lots shall meet the following development standards:

	Single Family	Two Family	All Other
Area:	1 Acre	1 Acre	3 Acres
Width:	100'	200'	250'
Front Yard:[1]	35'	35'	60'
Side Yard:[2]	20'	20'	50'
Rear Yard:	25'	25'	60'
Max. Height:[3]	35'	35'	45'
Max. Stories:[3]	2 ½	2 ½	3
Min. Floor Area: One Story (Sq. Ft.)	900	900	--

(cont'd)

Exhibit "D" (cont'd)

SECTION 4.2 **A/R AGRICULTURAL/RESIDENTIAL** (cont'd)

	Single Family	Two Family	All Other
Min. Floor Area: Two Story+ (Sq. Ft.)	1,200	1,200	--

(Revised 05/15/95. Z17-C157; Revised 10/18/99. Z17-C208; Revised 12/17/01. Z17-C240.)

[1] Larger front yards are required for certain streets as shown in Section 4.15.

[2] The side yard setback must be applied to all side yards.

[3] Buildings are subject to height limits in both feet and stories.

SECTION 4.3 R-C SUBURBAN RESIDENTIAL DISTRICT

A. Purpose

The Suburban Residential District provides for low to medium density, residential development where public water and public sanitary sewers are available. It is intended that uses within this district be contained within a neighborhood setting, with minimal intrusion of nonresidential uses.

B. Permitted Uses

The following uses are permitted in the Suburban Residential (R-C) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Dwelling, Single-Family
Home Occupation (See Sec. 9.10)
Permanently Sited Manufactured Homes
Public Service Facilities

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Banquet Halls
Church of Place of Worship
Clubs
Community / Public Swimming Pools
Day Care Facilities
Golf Courses
Public Uses
School (K-12)
Semi-Public Uses
Sports Field / Indoor / Outdoor
Telecommunication Tower (See Sec. 9.18)

D. Development Standards

All main buildings and lots shall meet the following development standards:

	Single Family	All Other
Area:	20,000 sq. ft.	2 Acres
Width:	100'	200'
Front Yard:[1]	35'	60'
Side Yard:[2]	20'	50'
Rear Yard:	25'	60'
Max. Height:[3]	35'	40'
Max. Stories:[3]	2 ½	2
Min. Floor Area: One Story	1,200 sq. ft.	--
Min. Floor Area Two Story+	1,500 sq. ft.	--

(Revised 05/15/95. Z17-C157; Revised 10/18/99. Z17-C208; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

Exhibit "D" (cont'd)

SECTION 4.4 R-B SUBURBAN RESIDENTIAL DISTRICT

A. Purpose

The Suburban Residential District Provides for low-medium density, residential development where public water and public sanitary sewers are available. It is intended that uses within this district be contained within a neighborhood setting, with minimal intrusion of nonresidential uses.

B. Permitted Uses

The following uses are permitted in the R-B Suburban Residential (R-B):

Accessory Uses
Agriculture (See Sec. 2.2)
Dwelling, single- family
Home Occupation (See Sec. 9.10)
Permanently Sited Manufactured Homes
Public Service Facilities

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Banquet Halls
Church of Place of Worship
Clubs
Community / Public Swimming Pools
Day Care Facilities
Golf Courses
Public Uses
School (K-12)
Semi-Public Uses
Sports Field / Indoor / Outdoor
Telecommunication Tower (See Sec. 9.19)

D. Development Standards

All main buildings and lots shall meet the following development standards:

	Single Family	All Other
Area:	16,000 sq. ft.	2 Acres
Width:	80'	200'
Front Yard:[1]	35'	60'
Side Yard:[2]	10'	50'
Rear Yard:	25'	60'
Max. Height:[3]	35'	40'
Max. Stories:[3]	2 ½	2
Min. Floor Area: One Story	1,200 sq. ft.	--
Min. Floor Area Two Story+	1,500 sq. ft.	--

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

Exhibit "D" (cont'd)

SECTION 4.5 R-A SUBURBAN RESIDENTIAL DISTRICT

A. Purpose

The Suburban Residential District provides for low to medium density residential development where public water and public sanitary sewers are available. It is intended that uses within this district be contained within a neighborhood setting, with minimal intrusion of nonresidential uses.

B. Permitted Uses

The following uses are permitted in the Suburban Residential (R-A) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Dwelling, Single-Family
Home Occupation (See Sec. 9.10)
Permanently Sited Manufactured Homes
Public Service Facilities

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Banquet Halls
Church of Place of Worship
Clubs
Community / Public Swimming Pools
Day Care Facilities
Golf Courses
Public Uses
School (K-12)
Semi-Public Uses
Sports Field / Indoor / Outdoor
Telecommunication Tower (See Sec. 9.19)

D. Development Standards

All main buildings and lots shall meet the following development standards:

	Single Family	All Other
Area:	12,000 sq. ft.	2 Acres
Width:	75'	200'
Front Yard:[1]	35'	60'
Side Yard:[2]	10'	50'
Rear Yard:	25'	60'
Max. Height:[3]	35'	40'
Max. Stories:[3]	2 ½	2
Min. Floor Area: One Story	1,200 sq. ft.	--
Min. Floor Area Two Story+	1,500 sq. ft.	--

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

Exhibit "D" (cont'd)

SECTION 4.6 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

A. Purpose

The Single Family Residential District is to provide for medium density residential development when public water and public sanitary sewers are available. It is intended that uses within this district be contained with a neighborhood setting, and non-residential uses be directly related to needs of the neighborhood.

B. Permitted Uses

The following uses are permitted in the Single Family Residential (R-1) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Dwelling, Single-Family
Home Occupation (See Sec. 9.10)
Permanently Sited Manufactured Homes
Public Service Facilities

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Banquet Halls
Church or Place of Worship
Clubs
Community/Public Swimming Pools
Day Care Facilities
Golf Courses
Public Uses
School (K-12)
Semi-Public Uses
Sports Field Indoor/Outdoor
Telecommunication Tower (See. Sec. 9.19)

D. Development Standards

All main buildings and lots shall meet the following development standards:

	Single Family	Other
Area:	9,000 sq. ft.	1 Acre
Width:	70'	200'
Front Yard:[1]	30'	50'
Side Yard:[2]	8'	40'
Rear Yard:	35'	50'
Max. Height:[3]	35'	35'
Max. Stories:[3]	2 ½	2
Min. Floor Area: One Story	900 sq. ft.	--
Min. Floor Area Two Story+	1,200 sq. ft.	--

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

Exhibit "D" (cont'd)

SECTION 4.7 R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

A. Purpose

The Multi-Family Residential District is to provide for medium to high density residential development on lots which are served by public water and public sanitary sewers and located in proximity to community services such as public transportation, shopping and related urban level services.

B. Permitted Uses

The following uses are permitted in the Multi-Family Residential (R-3) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Dwelling, single- family
Dwelling, Two-Family
Home occupation (See Sec. 9.10)
Permanently Sited Manufactured Homes
Public Service Facilities

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Accessory Dwelling
Banquet Halls
Boarding House
Church or Place of Worship
Clubs
Community/Public Swimming Pools
Day Care Facilities
Golf Courses
Health Care Clinics
Manufactured Home Park
Nursing Home
Professional Services
Public Uses
School (K-12)
Self Service Storage Facility (with or without dwelling unit for an on-site manager)
Semi Public Use
Sports Field, Indoor/Outdoor
Telecommunication Tower (See Sec. 9.19)

D. Development Standards

All main buildings and lots shall meet the following development standards.

	Single Family	Two Family	Multi Family	Other
Area:	8,500 sq. ft.	6,000 sq. ft.	5,000 sq. ft.	1 Acre
Width:	70'	90'	120'	200'
Front Yard:[1]	30'	30'	30'	50'
Side Yard:[2]	6'	10'	15'	40'
Rear Yard:	30'	30'	30'	50'
Max. Height:[3]	35'	35'	40'	45'
Max. Stories:[3]	2 ½	2 ½	3	2
Min. Floor Area: One Story	900 sq. ft.	900 sq. ft.	--[4]	--[4]
Min. Floor Area Two Story+	1,200 sq. ft.	1,100 sq. ft.	--[4]	--[4]

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246) (Cont'd)

[1]Larger front yards are required for certain streets as shown in Section 4.15.
[2]The side yard setback must be applied to all side yards.
[3]Buildings are subject to height limits in both feet and stories.

SECTION 4.7 R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

D. Development Standards (cont'd)

[4] Minimum floor area per apartment unit is as follows:

	Sq. Ft.
Efficiency	400
1 Bedroom	540
2 Bedroom	700
3+ Bedrooms	900
Project Avg.	620

Exhibit "D" (cont'd)

SECTION 4.8 C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

A. Purpose

The Neighborhood Commercial District provides for businesses which primarily serve nearby residential areas with convenience goods and services. Business should be of the type, which are low generators of traffic and compatible with surrounding residential areas. All uses and activities shall be inside buildings unless related to the existing primary use of the property.

B. Permitted Uses

The following uses and similar uses are permitted in the Neighborhood Commercial (C-1) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Caterer
Community/Public Swimming Pools
Day Care Facility
Health Care Clinics
Financial/Insurance Services
Mortuary
Nursing Home
Personal Services
Photo, Dance, Art, Music Studio
Professional Services
Professional/Trade School
Public Service Facilities
Public Uses
Retail
Semi-Public Uses

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Accessory Dwelling
Any Use With Outdoor Seating
Banquet Halls
Bar/Lounge
Church or Place of Worship
Club
Golf Courses
Hospital
Manufactured Home Park
Motor Vehicle Service Station
Restaurant
School (K-12)
Self Service Storage Facility (with or without dwelling unit for an on-site manager)
Single, Two, Or Multiple-Family Floor Dwelling Units Above the Ground Level (See Sec. 9.26)
Small Wind Turbines and Other Wind Powered Generators (See Sec. 9.5)
Sports Field, Indoor/Outdoor
Telecommunication Tower (See Sec. 9.19)

D. Development Standards

All buildings, lots and land uses within the Neighborhood Commercial (C-1) District shall meet the following development standards:

	Other
Area:	25,000 sq. ft.
Width:	100'
Front Yard:[1]	40'
Side Yard:[2]	N/A
Rear Yard:	10'

(cont'd)

SECTION 4.8 **C-1 NEIGHBORHOOD COMMERCIAL DISTRICT** (cont'd)

D. **Development Standards** (cont'd)

	Other
Max. Height:[3]	35'
Max. Stories:[3]	2
Max. Building Coverage:	60%

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)
[1]Larger front yards are required for certain streets as shown in Section 4.15.
[2]The side yard setback must be applied to all side yards.
[3]Buildings are subject to height limits in both feet and stories.

1. **Maximum Floor Area Requirement**

All Neighborhood Commercial (C-1) District uses shall meet the following requirements: the gross floor area of any multi-tenant structure shall not exceed twenty-five thousand (25,000) square feet and a single permitted use shall not exceed (10,000) square feet.

SECTION 4.9 C-2 GENERAL COMMERCIAL DISTRICT

A. Purpose

The General Commercial District provides for businesses which serve a regional market. Businesses may be grouped into small shopping centers located along a major thoroughfare, or at corners of major intersections on large lots to allow for ingress, egress, internal circulation and adequate parking. Typically these businesses will be high generators of traffic. Examples of these include, but not limited to, shopping centers, malls, drive-through businesses, hotels, restaurants, gas stations, etc. Large-scale retail projects may be allowed subject to the review and approval of a Conditional Use Permit. All uses and activities shall be inside buildings unless related to the existing primary use of the property.

B. Permitted Uses

The following uses are permitted in the General Commercial (C-2) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Agriculture Implement Sales & Service
Agriculture Product Sales
Animal Care Facility
Banquet Halls
Bar/Lounge
Business, Highway
Business General
Business Neighborhood
Building Material Supplies/Storage
Car Wash
Caterer
Club
Community/Public Swimming Pool
Day Care Facilities
Financial/Insurance Services
General Business
Golf Courses
Hospital
Hotel/Motel
Institutional Health Care Facilities
Internet Gaming Establishments
Marine Sales and Service
Manufactured Home Sales
Mortuary
Motor Vehicle Body Shop
Motor Vehicle Sales and Rental
Motor Vehicle Service Station
Movie Theater
Personal Services
Photo, Dance, Art, Music Studio
Printing and Publishing
Professional Services
Public Uses
Public Service Facilities
Recreation Vehicle Sales/Service
Restaurant (With or Without Drive-Thru or Outdoor Seating)
Self-Services Storage Facility
Semi Public Uses
Sports Field, Indoor/Outdoor
Sexually Oriented Business (See Sec. 9.3)
Telecommunication Tower (See Sec. 9.19)
Veterinary Hospital

SECTION 4.9 **C-2 GENERAL COMMERCIAL DISTRICT** (cont'd)

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Accessory Dwelling
Adult Oriented Uses
Amusement Centers
Arena/Convention Center
Church or Place of Worship
Club
Kennel
Large Scale Retail Project
School (K-12)
Small Wind Turbine and Other Wind Powered Generators (See Sec. 9.5)
Single, Two, or Multiple-Family Floor Dwelling Units-Above the Ground Level (See Sec. 9.26)

D. Development Standards

All main buildings, lots and land uses within the General Commercial (C-2) District shall meet the following development standards:

Area:	25,000 sq. ft.
Width:	100'
Front Yard:[1]	40'
Side Yard:[2]	N/A
Rear Yard:	10'
Max. Height:[3]	35'
Max. Stories:[3]	2
Max. Building Coverage:	60%

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

SECTION 4.10 C-3 OFFICE COMMERCIAL DISTRICT

A. Purpose

The Office Commercial District is to provide for offices, service laboratories, and professional buildings which provide health, legal, finance, insurance or similar business services. Related businesses may be included, also, such as warehousing or restaurants, when serving primarily employees or firms on the site. No drive-through facilities shall be permitted unless completely contained within a building. All other uses and activities shall be inside buildings unless related to the existing primary use of the property.

B. Permitted Uses

The following uses are permitted in the Office Commercial (C-3) District:

Accessory Uses
Agriculture (See Sec. 2.2)
Day Care Facilities
Financial/Insurance Services
Offices
Personal Services
Printing and Publishing
Professional Services
(Revised 2/6/06- Z17-C292)
Public Service Facilities
Restaurant (When Accessory to an Office Building)
Self-Service Storage Facilities
Service Laboratories
Telecommunication Tower
Warehousing

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Accessory Dwelling
Hospital
Research Laboratories
Restricted Manufacturing
Small Wind Turbines and Other Wind Power Generators (See Sec. 9.5)

D. Development Standards

All main buildings, lots and land uses within the Office Commercial District shall meet the following development standards:

Area:	1 Acre
Width:	80'
Front Yard:[1]	60'
Side Yard:[2]	30'
Rear Yard:	40'
Max. Height:[3]	45'
Max. Stories:[3]	3
Max. Building Coverage:	60%

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

SECTION 4.11 M-1 INDUSTRIAL/OFFICE RESEARCH DISTRICT

A. Purpose

The Industrial/Office Research District is to provide for light industrial, research laboratories, warehousing types of businesses which may be conducted in areas proximate to residential and commercial area with attempts to provide as much isolation as possible. These uses may include activities of manufacturing, processing, or assembly of products or the provision of services. No offensive or hazardous conditions shall be created by an industry and other disruptive activities shall be minimized to maintain tranquility if near commercial or residential areas. This would include such things as excessive traffic, dust, dirt, noxious gases, smoke, noise, fumes or vibrations. Since certain industrial uses as a part of their operation may have been for sales distribution and sales outlets, it may be permitted only as an accessory use providing that goods and services are produced at the site or are an integral part of a warehousing distribution system. Wherever possible work activities and material handling will be confined to buildings or enclosures. When possible, materials and products will be stored in enclosed structures or areas screened from view of adjoining property. External areas of structures will be landscaped and maintained. Undeveloped areas will be kept free of debris, weeds and routinely maintained by cutting grassed areas.

B. Permitted Uses

The following uses and similar uses as determined by the Zoning Administrator are permitted in the Industrial/Office Research (M-1) Zoning District:

Accessory Uses
Agriculture (See Sec. 2.2)
Building Material Supplies/Storage
Construction and Contractors Materials and Equipment and Storage with No Outside Storage
Day Care Facilities
Financial/Insurance Services
Metal Stamping/Machine Shop
Oil and Gas Drilling/Wells
Offices
(Revised 2/6/06- Z17-C292)
Printing and Publishing
Professional Services
Research Laboratories
Restaurant (When Accessory to an Office Building)
Restricted Manufacturing
Self Service Storage Facility
Service Laboratories
Telecommunication Tower
Truck Transport Terminal
Warehousing

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Accessory Dwelling
Manufacturing, General
Small Wind Turbines and Other Wind Powered Generators (See Sec. 9.5)

SECTION 4.11 **M-1 INDUSTRIAL/OFFICE RESEARCH DISTRICT** (cont'd)

D. Development Standards

All main buildings, lots and land uses within the Limited Industrial (M-1) District shall meet the following development standards:

	Other
Area:	1 Acre
Width:	150'
Front Yard:[1]	50'
Side Yard:[2]	30'
Rear Yard:	40'
Max. Height:[3]	45'
Max. Stories:[3]	3
Max. Building Coverage:	60%

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

SECTION 4.12 M-2 GENERAL INDUSTRIAL

A. Purpose

The "M-2" General Industrial District provides for industries which by their nature and function require large parcels for development, and access to utilities and major transportation networks. These uses may be objectionable to adjacent residential or commercial properties and therefore should be grouped together where similar uses are located. Certain industries may need special consideration because of their potential spill-over effect on surrounding areas. These are provided for as a Conditional Use. These industries may include such activities as fabricating, processing, smelting and refining, extraction of minerals and stone, foundries, blast furnaces and similar industries which have the potential of creating impacts in the area adjacent to and near the industrial activity. Sales distribution and sales outlets may be permitted as an accessory use providing that goods and services are produced at the site or are in integral part of a warehousing distribution system.

B. Permitted Uses

The following uses are permitted in the General Industrial (M-2) Zoning District:

Accessory Uses
Agriculture (See Sec. 2.2)
Commercial Grain Elevator/Storage
Construction and Contractor Materials and Equipment and Storage with No Outside Storage
Day Care Facilities
Manufacturing, General
Metal Stamping/Machine Shop
Motor Vehicle Salvage
Oil and Gas Drilling/Wells
Public Service Facilities
Research Laboratories
Self Service Storage Facility
Telecommunication Tower
Truck Transport Terminals
Warehousing

C. Conditional Uses

The following uses may be approved pursuant to Section 8 - Conditional Uses:

Accessory Dwelling
Manufacturing, Heavy
Extraction Industries (See Sec. 9.7)
Motor Vehicle Salvage Yards and Junk Yards
Small Wind Turbines and Other Wind Powered Generators (See Sec. 9.5)

D. Development Standards

All main buildings, lots and land uses within the General Industrial (M-2) District shall meet the following development standards:

SECTION 4.12 **M-2 GENERAL INDUSTRIAL** (cont'd)

D. Development Standards (cont'd)

	Other
Area:	5 Acres
Width:	250'
Front Yard:[1]	50'
Side Yard:[2]	30'
Rear Yard:	40'
Max. Height:[3]	60'
Max. Stories:[3]	4
Max. Building Coverage:	60%

(Revised 5/15/95. Z17-C157; Revised 3/18/02. Z17-C246)

[1]Larger front yards are required for certain streets as shown in Section 4.15.

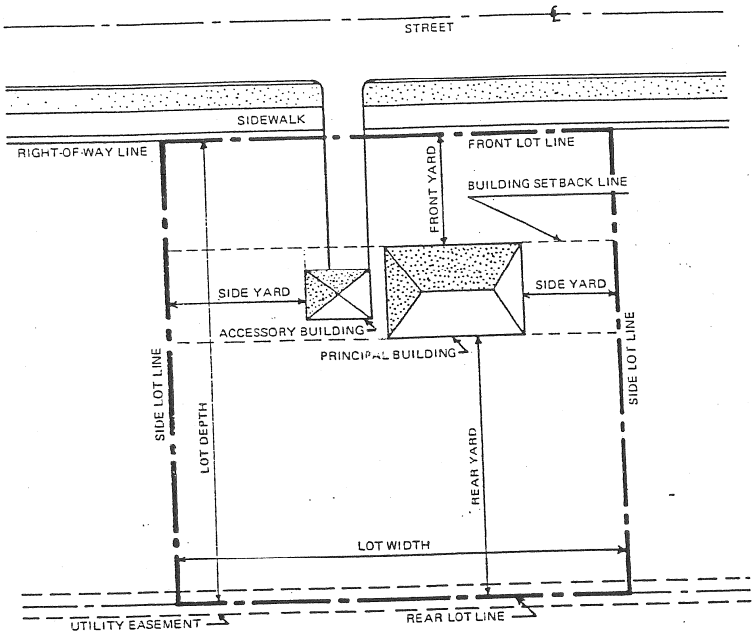
[2]The side yard setback must be applied to all side yards.

[3]Buildings are subject to height limits in both feet and stories.

Exhibit "D" (cont'd)

FIGURE 4 – 1

LOT TERMS

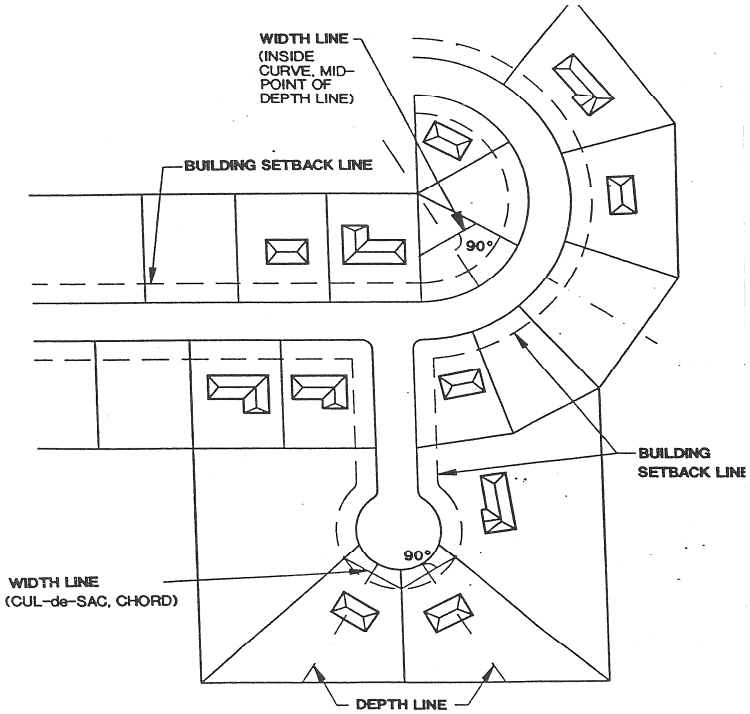


LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED BY BUILDING

FIGURE 4-2

LOT TERMS



SECTION 4.13 MINIMUM ROOM AREA REQUIREMENTS FOR DWELLINGS

In addition to meeting applicable room area requirements contained in the Lucas County Building Code, where more than two persons occupy a room used for sleeping purposes, the required room area shall be increased at the rate of 50 sq ft for each occupant in excess of two (2).
(Revised 8/19/96 - Z17-C162)

SECTION 4.14 EXCEPTIONS

A. Nonresidential Uses Abutting or Opposite an "A" or "R" District

When the boundary line of two (2) zoning districts divide a lot held in single ownership, the following yard requirements shall apply and extend from the zoning district line.

TABLE 4 - 1
Minimum Yards

Use	Front	Side	Rear
Public / Semi-Public	100'	50'	100'
Commercial	50'	30'	30'
Industrial	100'	50'	100'

B. Height

1. Buildings

The maximum height of buildings and number of stories specified under Section 4 may be exceeded for public and semi-public buildings, commercial, industrial and apartment buildings provided the required front, side and rear yards are increased by one (1) foot for each foot of additional building height to a maximum height of 60 feet and a maximum of four stories.
(Revised 3/18/02 - Z17-C246)

2. Structures

Height regulations of buildings shall not apply to telecommunication towers, monuments, church spires/bell towers, water, or fire towers, chimneys or cooling towers, silos, flagpoles except where the height of such structure will present a hazard to the safe landing and takeoff of aircraft at an established airport.

C. Architectural Projections

Open covered structures such as porches, canopies, balconies, platforms, and carports; structures such as patios, balconies, platform or decks that are covered and similar architectural projections, shall be considered a part of the building to which attached and shall not project into the required minimum front, side, or rear yard. (Revised 12/30/89 - Z17 - C115)

Exhibit "D" (cont'd)

FIGURE 4 - 3
BASEMENT & STORY

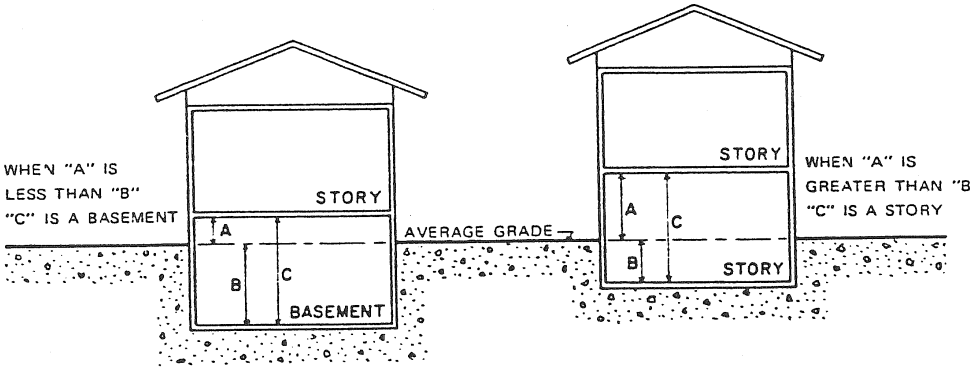


FIGURE 4 - 4
ROOF TYPES AND BUILDING HEIGHT

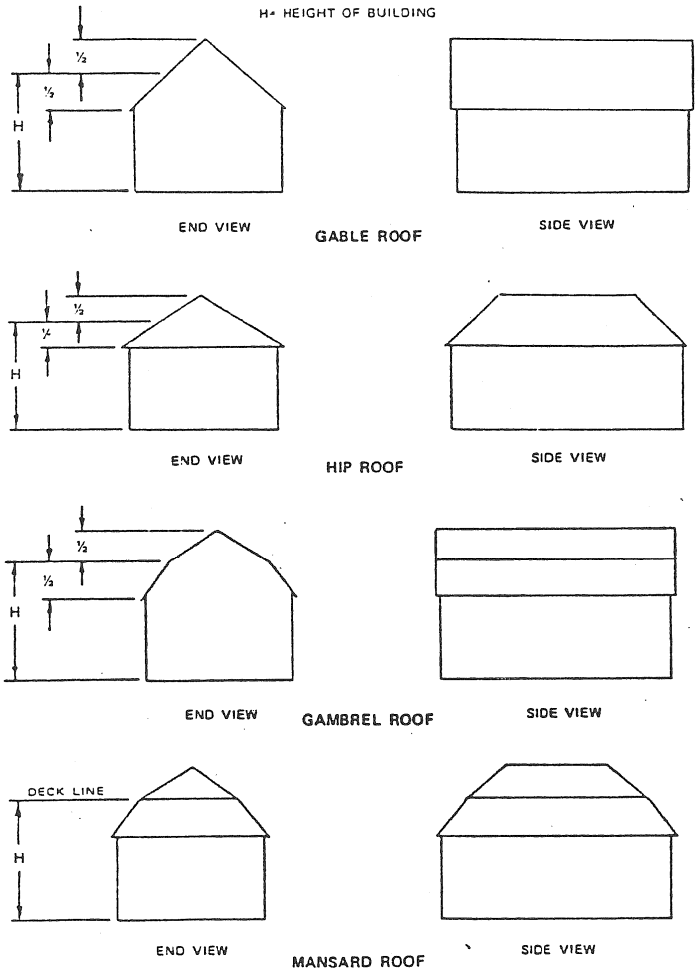
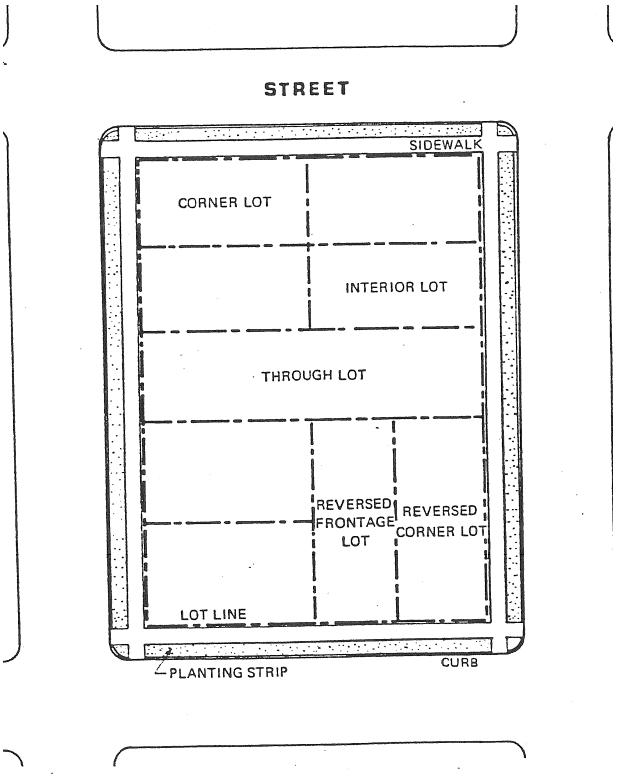


Exhibit "D" (cont'd)

FIGURE 4 - 5

TYPE OF LOTS



SECTION 4.14 **EXCEPTIONS** (cont'd)

D. Corner Lots

Corner lots and lots having frontage on more than one (1) street shall provide the minimum front yard requirements on each street as specified by the zoning district.

E. Day Care Facilities

Day Care facilities which are accessory uses are exempt from provisions of this Section.

(Revised 1/7/94 – Z17-C147)

SECTION 4.15 **SETBACKS OF BUILDINGS ON MAIN ROADWAYS**

On lots and lands abutting the following roads, no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than:

Exhibit "D" (cont'd)

SECTION 4.15 **SETBACKS OF BUILDINGS ON MAIN ROADWAYS** (cont'd)

100 feet on all Lucas County roadways, including but not limited to: (Revised 3/5/07 – Z17-C305)

Albon Road	Salisbury Road (US 23/I-475 to Crissey Road)
Black Road	South Jerome Road
Briafrield Boulevard	Strayer Road (US20A to Salisbury Road)
Crissey Road	Stitti Road
Eber Road	Technology Drive
Garden Raod	Waterville-Monclova Road
Holloway Road	Weckerly Road (20A to South Township Boundary Line)
Monclova Road	Whitehouse-Spencer Road (East Side)
North Jerome Road	

75 feet on all non platted Township Roads, including but not limited to:

Bucher Road	Obee Road (North Side)
Butz Road	Ramm Road
Coder Road	Reed Road
Keener Road	River Road (Except South-East Side 40' Setback)
LaPlante Road	Salisbury Road (Crissey Road to Eber Road)
Lose Road	Schaffer Road
Manley Road (North of Salisbury Road)	Strayer Road (Unimproved)
	Weckerly Road (North to Township Line)

All platted roadways shall observe setbacks as provided for in the platting requirements.

On lots and lands abutting the state and federal roads, no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than:

100 feet on all State and Federal roadways, including but not limited to:

Airport Highway (State Route 2)
Anthony Wayne Trail (US 24)
Maumee-Western (US20A) See Section 5 for increased setback
(Revised 7-19-06 – Z17-C294)

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 5
OVERLAY DISTRICTS

SECTION 5.1 U.S. 20A (MAUMEE WESTERN ROAD ZONING OVERLAY DISTRICT)

A. Purpose and Intent

The purpose of the U.S. 20A Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering U.S. 20A in Monclova Township. U.S. 20A is a major east-west route through Monclova Township, is the site of a planned future interchange with I-475/U.S. 23, and is designated as a major access road to Toledo Express Airport. The area in the vicinity of U.S. 20A is emerging as a significant growth corridor for residential, commercial, and industrial development. U.S. 20A is maintained under the jurisdiction of the Ohio Department of Transportation (ODOT). The U.S. 20A Overlay District provides standards intended to preserve and enhance the environmental and aesthetic qualities of the U.S. 20A Corridor and manage access to abutting property and the airport in a manner that will maintain traffic safety and roadway capacity.

The U.S. 20A Zoning Overlay District is intended to provide additional zoning controls for the U.S. 20A Corridor in order to better manage access and land use in this area. The establishment of the Overlay District was included as a recommendation in the Monclova Township Land Use Plan (amended 2009) and is intended to help implement and support the plan. Inclusion of parcels within the overlay district boundaries is not intended to change the land use designations shown for those parcels in the plan.

B. U.S. 20A Overlay District Boundaries

The boundaries of the District are hereby established as shown on the Zoning District Map. The District includes those parcels with frontage along the U.S. 20A right-of-way to a depth of 600 feet from the centerline of the right-of-way along both sides, extending from I-475/U.S. 23 (at the Maumee border) to Whitehouse-Spencer Road (at the Swanton Township border).

SECTION 5.1 **U.S. 20A (MAUMEE WESTERN ROAD ZONING OVERLAY DISTRICT)** (cont'd)

C. Review and Approval Procedures

Site plan review and approval shall be necessary for all new development and for any existing structure that is enlarged by 50% or more or when the enlargement contains 5,000 square feet or more in floor area. Single-family residences are exempt from these site plan review requirements but are required to obtain the ODOT driveway access permit noted below. Site plan review shall be required if any portion of the parcel lies within the overlay boundaries, even if all or part of the structure does not. The site plan review shall be as specified in Section 12 with the additional requirement that review and recommendation by the Lucas County Planning Commission staff and Township Zoning Commission be mandatory. Site plans will also be reviewed for conformance with ODOT's U.S. 20A Access Management Plan (July 2002 plan and any future updates). In addition, ODOT requires a driveway access permit application for any new or modified access, as well as for a change in use for existing driveways. ODOT may require a performance bond for this permit.

D. Appeals Process

An appeal of the Zoning Administrator's decision on a site plan review under this section may be made to the Board of Zoning Appeals in accordance with the process provided for appeals in Section 17. The Board of Zoning Appeals shall give formal consideration to the recommendation of the Zoning Commission.

E. Permitted and Conditional Uses

All uses which are permitted are Conditional Uses in the underlying zoning district(s) except the uses expressly excluded by Section 4.

Excluded Uses

Adult-oriented uses
Auction market with outdoor display and storage
Automobile/truck repair garage when not in conjunction with new automobile/ truck sales
Billboards
Boat storage
Flea market with outdoor sales or storage
Internet Gaming Establishment/Café
Junkyard
Landfill
Manufactured home, mobile home or industrialized dwelling unit sales
Manufactured home park
Motor vehicle body shop
Motor vehicle salvage yard
Outdoor storage of construction materials and equipment
Sale of fireworks
Used car sales when not in conjunction with new car sales

SECTION 5.1 **U.S. 20A (MAUMEE WESTERN ROAD ZONING OVERLAY DISTRICT)** (cont'd)

F. Non-Conforming Lots, Structures and Uses

Lots, structures and uses which are lawful before the adoption of the U.S. 20A Overlay District but which become non-conforming under the terms of the overlay district shall be permitted to continue under the grandfather provisions contained in Section 10.

G. Development Standards

1. Minimum Front Yard Setback

a. The minimum front yard setback along U.S. 20A shall be the greater of 50 feet from the right-of-way line or 150 feet from the centerline of the U.S. 20A pavement as of the date of adoption of this overlay district. Parcels with frontage on more than one street shall have a minimum front yard setback from the right-of-way line of the minor street as specified in Sections 4.14.D.

b. In the event that any dwelling existing or under construction at the date of adoption of the U.S. 20A Zoning Overlay district is damaged so extensively that it must be rebuilt, the replacement dwelling may be constructed in accordance with the 100 foot from centerline front yard setback requirement in effect prior to adoption of the overlay district.

c. The 100 foot front yard setback requirement in effect prior to adoption of the overlay district will remain in effect for any existing lot of record, or any portion of an existing lot of record under a single zoning district for split-zoned parcels, with a depth of 300 feet or less from the U.S. 20A centerline.

2. Minimum Side Yard Setback

As specified in the underlying zoning district.

3. Minimum Rear Yard Setback

As specified in the underlying zoning district. In addition, a twenty-five (25') foot rear yard landscape area shall be provided where the rear yard abuts an agricultural or residential zoning district outside the overlay district. Single-family residences are exempt from the rear yard landscape area requirement.

4. Maximum Building Height

As specified in the underlying zoning district.

5. Minimum Front Yard Landscape Area

Twenty-five (25') feet along U.S. 20A and 10 feet along side streets. The landscape area shall be located outside of the right-of-way within the front yard setback area(s) and no off-street parking shall be located within the landscape area. Single-family residences are exempt from the front yard landscape area requirement. In those instances where a parallel service road is provided within the required front yard the minimum landscape area width shall be ten (10') feet.

SECTION 5.1 **U.S. 20A (MAUMEE WESTERN ROAD ZONING OVERLAY DISTRICT)** (cont'd)

G. Development Standards (cont'd)

6. Lot Frontage

No existing lot that has frontage U.S. 20A may be subdivided in such a manner so as to reduce such frontage on U.S. 20A to less than 200 feet for any one lot, unless a Traffic Impact Study is reviewed and approved by the Lucas County Engineer and ODOT. Existing lots of record at the time of this amendment's adoption with widths of under 200 feet retain their legal status in accordance with Section 9 of the Zoning Resolution.

7. Parking Requirements

Parking is prohibited in the front yard landscape area (see Section 6) and in the rear yard setback when adjoining a residential district. Efforts to break up large expanses of pavement are to be encouraged by the interspersing of appropriate planting areas wherever possible. The number of parking spaces required are as established in Section 6 of this Resolution depending upon the zoning and the intended land use.

H. Landscape Requirements

Site plan review shall also include the review of landscape design elements and conformance with all applicable requirements.

1. General Landscape Requirements

In addition to the required front yard landscape area, landscaping for all uses except single-family dwellings, shall be provided in the following areas:

a. At the perimeter of sites to buffer, separate, and/or screen adjacent land uses.

b. At the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses.

c. In the interior of parking lots to provide shade and break up large expanses pavement.

d. Around the perimeter of buildings to enhance the appearance of structures.

e. When barriers or fences are utilized, plant material shall be included.

f. Plants, fencing and other landscape material areas shall not include any portion of the right-of-way.

g. All loading areas shall be landscaped for screening purposes.

h. Trash receptacles and refuse containment shall be screened from public view and shall not be placed within any required setback areas.

i. All rooftop HVAC units shall be adequately screened from the view of neighboring properties.

H. Landscape Requirements (cont'd)

2. Specific Landscape Requirements

These requirements shall be met unless an alternative landscape plan providing equivalent screening and buffering is approved by the Zoning Administrator. Landscaping is not required within utility easements.

a. A planting strip at least five (5') feet in width shall be located along any parking area perimeter abutting a public roadway. The planting strip shall not be located within the right-of-way but may be included within the front yard landscape area required per Section 5.1.G.5. Within this planting strip there shall be one (1) two and a half (2.5") inch caliper deciduous shade tree per fifty (50) linear feet of perimeter parking area. There shall also be a four (4) foot tall hedge (at maturity) of shrubs (evergreen or deciduous) to provide screening. An alternative arrangement of perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the site plan review process. The planting strip should be setback at least five (5) feet from the parking lot pavement edge for maintenance purposes.

b. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff but also to break up visually the expanse of paved areas. Landscape islands with shade trees shall be strategically placed throughout the parking lot. Landscaping within parking areas will be required as follows:

i. Any open parking area (including loading areas and aisle ways) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide a permeable interior landscaping area equal to at least five percent (5%) of the total parking area.

ii. For parking areas over thirty thousand (30,000) square feet in size, the required landscaping shall be designed to break up the visual expanse of pavement with landscape features such as boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses, if designed so as to provide an attractive natural asset to the site.

iii. The minimum required plant materials for the interior of parking areas shall be one deciduous tree for every three thousand (3,000) square feet of parking area. Where site distance or maneuvering conflicts exist, trees shall have a clear trunk of at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two feet in height.

SECTION 5.1 **U.S. 20A (MAUMEE WESTERN ROAD ZONING OVERLAY DISTRICT)** (cont'd)

H. Landscape Requirements (cont'd)

2. Specific Landscape Requirements (cont'd)

c. Foundation planting is required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. Ten (10) shrubs shall be required for every one hundred (100) lineal feet of horizontal exterior building wall visible from the road, street, or highway. If foundation plantings are deemed not practical due to unique features of the site and/or building, an alternative plan may be considered as part of the site plan review process.

d. The required front yard landscape strip shall be unoccupied except for landscape material, steps, walks, terraces and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1), two and one-half (2 ½") inch caliper deciduous or two (2), six (6') foot high evergreen trees or a combination, shall be installed for each one hundred (100') feet of property frontage along with other appropriate landscape materials.

e. All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicular encroachment.

f. An irrigation system shall be installed in all required landscape areas unless drought resistant, native species are utilized.

3. Landscape Maintenance and Replacement Requirements

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

a. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.

b. All trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.

c. Replacement plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within the next planting season.

d. As part of the site plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Administrator to ensure the landscape material is installed and maintained for a two (2) year period. No Zoning Certificate shall be issued until the bond, escrow or other suitable guarantee is accepted.

I. Access to Individual Parcels

Access along U.S. 20A shall be reviewed relative to the distance from other drive approaches and from roadway intersections and shall conform to ODOT's U.S. 20A Access Management Plan. Access shall be reviewed by the Lucas County Engineer and ODOT prior to approval. When deemed appropriate by the Lucas County Engineer or ODOT, the developer may be required to prepare a traffic impact study. Left and right turn lanes are encouraged and may be required as conditions of approval by the controlling jurisdiction (Lucas County Engineer or ODOT).

1. Access Permits

All access permits shall be reviewed and approved by the Lucas County Engineer and ODOT. Design and location of access driveways onto U.S. 20A must be in compliance with applicable ODOT guidelines and regulations.

2. Access Options

The preferred method of providing access to parcels is to reduce or eliminate driveways and curb cuts by using front access drives (frontage roads), rear access drives, cross access easements and shared drive approaches. When parcels abut more than one roadway, the preferred access option is to locate access points on a county or township road near the intersection with U.S. 20A.

J. Traffic Impact Study

If required by the Lucas County Engineer or ODOT, a traffic impact study shall be prepared by a qualified professional engineer at the developer's expense. The study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc. to protect the safety and welfare of the traveling public. The traffic impact study shall be in accordance with current ODOT access management guidelines and shall include the following elements:

1. A description of the site and study area.

2. Anticipated development of adjacent parcels.

3. Existing and projected future traffic volumes.

4. Trip generation and distribution.

5. Traffic assignment resulting from the development.

6. An assessment of the impact resulting from driveway alternatives.

7. Recommendations for site access and transportation improvements needed to maintain traffic flow at an acceptable and safe level of service.

8. An evaluation of the effects the proposed development will have on the level of service and roadway capacity.

K. Other Requirements

1. Pole Signs

No pole signs shall be permitted in the U.S. 20A Zoning Overlay District.

SECTION 5.1 **U.S. 20A (MAUMEE WESTERN ROAD ZONING OVERLAY DISTRICT)** (cont'd)

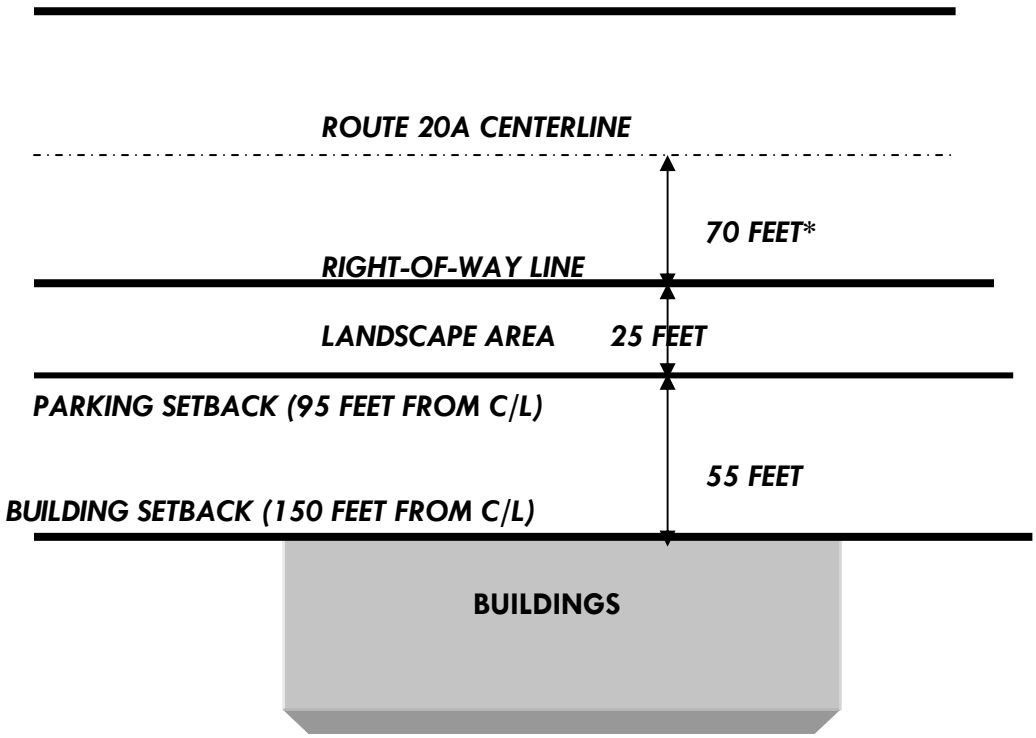
K. Other Requirements (cont'd)

2. Semi-truck Loading Areas
Semi-truck loading berths or bays for merchandise and materials which face U.S. 20A shall be suitably screened by landscaping or fencing.

3. Utilities
Utilities for new development shall be underground.

4. Lighting
In reviewing the lighting proposed for a development, factors to be considered include the following: safety, security, prevention of light spillage or glare onto adjoining residential properties or streets, and height/placement of lighting based on the use.

FIGURE 5-A DEVELOPMENT STANDARDS EXAMPLE



(70 foot half right-of-way per ODOT U.S. 20A Access Management Plan recommended right-of-way width for segment from Strayer Road to Weckerly Road. Typical existing half right-of-way width 40 to 50 feet.)

Exhibit "D" (cont'd)

SECTION 5.2 MONCLOVA ROAD ZONING OVERLAY DISTRICT

A. Purpose and Intent

The purpose of the Monclova Road Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare for those who reside on or near and those who travel Monclova Road. It is the desire of Monclova Township to institute development and use standards to provide for aesthetic balance, compatible uses and preservation of historical and rural qualities presently found along Monclova Road. Monclova Road is a major east-west route through Monclova Township with easy access to US-24 and the City of Maumee.

Monclova Road has three geographical sections, with the Eastern Section largely developed (residential and commercial), the Central Section and the Western Section, which is largely rural.

The establishment of the Monclova Road Overlay District is recommended in the adopted Monclova Township Land Use Plan. The Monclova Township Land Use Plan is a guideline of basic desires of Monclova Township as it relates to land use matters. The Monclova Road Overlay District and the Monclova Township Land Use Plan are designed to assist with effective planning within the parameters provided for in the Monclova Township Zoning Resolution and the Ohio Revised Code.

B. Monclova Road Overlay District Boundaries

The boundaries of the District are hereby established as shown on the Zoning District Map. The District includes those parcels with frontage along the Monclova Road right of-way to a depth of 600 feet from the centerline of the right-of-way along both sides (net total 1,200 feet), extending from the I-475/U.S. 23 overpass (at the Maumee/Monclova Township border) to Whitehouse-Spencer Road (at the Swanton Township/Monclova Township border).

The overlay district is divided into three sections as follows:

1. **Eastern Section**: Provisions are intended to allow for harmonious development of both residential and commercial properties along Monclova Road. Present developments have largely defined this section with predominant residential uses on the west and commercial on the east. Compliance with the overlay is designed to allow for effective assimilation of new uses into this developed area as well as to provide for mixed uses.

   This section runs from the township border on the east (I-475/U.S. 23 overpass) to Coder Road on the west.

SECTION 5.2 **MONCLOVA ROAD ZONING OVERLAY DISTRICT** (cont'd)

B. Monclova Road Overlay District Boundaries (cont'd)

2. Central Section: Intended to provide for the enhancement and preservation of the historic "Downtown" area of Monclova. The renovation and/or continued use of suitable structures are desired along with development of new structures that shall be compatible with a classical, historical or period architectural style. Development planning in this area shall utilize standard urban principles along with provisions for mixed use, street parking and pedestrian traffic management. Planned Unit Development provisions of the Monclova Township Zoning Resolution will greatly enhance the ability of the township to gain this end result. Specific architectural standards along with applicable building ornamentation will be subject to the site plan review criteria for the township. This section encompasses the downtown area of Monclova from Coder Road on the east to Albon Road on the west.

3. Western Section: Intended to provide for the preservation of the rural character for all uses within this section. Open space allocations and aesthetic buffering requirements will be implemented. This section extends from Albon Road on the east to Whitehouse-Spencer Road (at the Swanton Township/Monclova Township border) on the west.

C. Exceptions

Single-family residential properties, as allowed by the Monclova Township Zoning Resolution, shall not require any site plan review and approval for construction, alteration, or removal so long as the construction, alteration and/or removal results in it's continued use as a residential structure. See also agricultural exemption in Section 2.2 of the Monclova Township Zoning Resolution.

D. Review and Approval Procedures

Site plan review and approval as specified in Section 12 - Site Plan Review and of the Monclova Township Zoning Resolution shall be required for the following:

1. For any new construction other than single-family residential.

2. For any modification to an existing structure other than single-family residential that enlarges the same 25% or greater or by 2,000 square feet or more, or alters the front elevation/front landscape.

3. For any existing use other than single-family residential that desires to alter, modify, improve or remove any or part of a structure, landscaping, signage and/or drainage area visible from the Monclova Road right-of-way (Signage nameplate modification is exempt).

4. Structures that are 400 square feet or less are exempt.

SECTION 5.2 **MONCLOVA ROAD ZONING OVERLAY DISTRICT** (cont'd)

D. Review and Approval Procedures (cont'd)

5. Site plan review shall be required if any portion of the parcel lies within the overlay boundaries, even if all or part of the structure does not. Site plans will be reviewed for conformance with the Lucas County Access Management Regulations as well as any access permit requirements from others. (See Section 12 Site Plan Review of the Monclova Township Zoning Resolution).

6. Upon approval of both the site plan and architectural plan (if applicable) by the Monclova Township Zoning Commission, the applicant shall apply for any applicable Zoning Certificate for the scope of work approved and other required permits. The township Zoning Certificate shall reference the site plan/building plan as approved and shall provide for all of the terms and conditions of the site plan review and architectural review as a condition of use for said permit.

E. Appeals Process

An appeal of the Zoning Administrator's and/or the Zoning Commissions decision on a site plan review, or any specific conditions provided for by the same, may be made to the Monclova Township Board of Zoning Appeals in accordance with Section 17 of the Monclova Township Zoning Resolution.

F. Permitted, Special Use and Excluded Uses

All uses which are permitted or special uses as provided for and approved for in the underlying zoning district(s) may be allowed, except the following prohibited uses:

For the area defined as Eastern Section:
Adult-oriented uses
Billboards
Boat storage
Flea market with outdoor sales or storage
Internet Gaming Establishment/Café
Junkyard
Landfill
Manufactured home, mobile home or industrialized dwelling unit sales
Manufactured home park§
Motor vehicle salvage yard

For the area defined as Eastern Section:
Outdoor storage of construction materials and equipment without proper screening
Outside animal kennels, outside training or outside boarding
Pole and roof signs
Sale of fireworks
Used car sales when not in conjunction with new car sales

SECTION 5.2 MONCLOVA ROAD ZONING OVERLAY DISTRICT (cont'd)

F. Permitted, Special Use and Excluded Uses (cont'd)

For the area defined as Central Section:

Adult-oriented uses
Amusement centers as a primary business (video arcades, billiards, etc.)
Auction market with outdoor display and storage
Billboards
Boat storage
Building materials supplies and storage
Flea market with outdoor sales or storage
Highway businesses
Internet Gaming Establishment/Café
Junkyard
Large-scale retail projects
Landfill
Manufactured home, mobile home or industrialized dwelling unit sales
Manufactured home park and/or sales
Marine sales and services
Motor vehicle body shop
Motor vehicle salvage yard
Motor vehicle sales and rental
Motor vehicle service station
Outdoor storage of construction materials and equipment
Outside animal kennels, outside training or outside boarding
Pole and roof signs
Sale of fireworks
Self-storage facilities
Telecommunication towers
Warehousing

SECTION 5.2 MONCLOVA ROAD ZONING OVERLAY DISTRICT (cont'd)

F. Permitted, Special Use and Excluded Uses (cont'd)

For the area defined as Western Section:
Adult-oriented uses
Auction market with outdoor display and storage
Automobile/truck repair garage
Billboards
Extraction industries
Flea market with outdoor sales or storage
Internet Gaming Establishment/Café
Junkyard
Landfill
Manufactured home, mobile home or industrialized dwelling unit sales
Manufactured home park
Motor vehicle body shop
Motor vehicle salvage yard
Outside storage in rear yard without approved proper screening
Outdoor storage of construction materials and equipment
Pole and roof signs
Sale of fireworks
Used car sales when not in conjunction with new car sales

G. Nonconforming Lots, Structures and Uses

Lots, structures and uses which are lawful before the adoption of the Monclova Road Overlay District shall remain as such. No provision in the Monclova Road Overlay District is intended to create non-conformity as stated in Section 10 of the Monclova Township Zoning Resolution. The provisions of the Overlay District that renders a parcel or parcels as non-conforming shall be of no force or affect for said parcels. The balance of the overlay district regulations shall be in full force and effect.

H. Development Standards

1. Parcels with frontage on more than one street shall have a minimum front yard setback from the right-of-way line of the minor street as specified in Section 4 of the Monclova Township Zoning Resolution.

In the event that any dwelling/structure existing or under construction at the date of adoption of the Monclova Road Overlay District is damaged so extensively that it must be rebuilt, the replacement dwelling/structure may be constructed in accordance with the one hundred (100') foot from centerline front yard setback requirement in effect prior to adoption of the overlay district.

SECTION 5.2 **MONCLOVA ROAD ZONING OVERLAY DISTRICT** (cont'd)

H. Development Standards (cont'd)

The one hundred (100') foot front yard setback requirement in effect prior to adoption of the overlay district will remain in effect for any existing lot (parcel) of record, or any portion of an existing lot of record under a single zoning district for split-zoned parcels, with a depth of three hundred (300') feet or less from the Monclova Road centerline. This exception does not apply if said parcel is joined with additional parcels as a part of a comprehensive development plan where the combined parcels provides for a contiguous depth of greater than 300 feet.

2. Minimum Side Yard Setback:
As specified in the underlying zoning district.

3. Minimum Rear Yard Setback:
As specified in the underlying zoning district, with an additional twenty-five (25') foot rear yard landscape area to provide additional buffering where the rear yard abuts agricultural or residential zoning. Residential properties that are not a part of a platted single family or multi-family development are exempt from the rear yard landscape area requirement.

4. Minimum Front Yard Landscape Area:
The minimum area shall be twenty-five (25') feet along Monclova Road and ten (10') feet along side streets. The landscape area must be located outside of the right-of-way within the front yard setback area(s) and no off-street parking shall be located within the landscape area. Single-family residential properties are exempt from the front yard landscape area requirement. In those instances where a parallel service road is provided within the required front yard the minimum landscape area width shall be ten (10') feet.

Parcels in the Central Section may be exempt from the aforementioned front yard landscaping provisions if the area provided for contains parking, sidewalks and/or lighting as approved by the Township Site Plan Review.

5. Lot Frontage:
As specified in the underlying zoning district(s) in the Monclova Township Zoning Resolution.

6. Maximum Building Height:
As specified in the underlying zoning district(s) in the Monclova Township Zoning Resolution.

SECTION 5.2 **MONCLOVA ROAD ZONING OVERLAY DISTRICT** (cont'd)

H. Development Standards (cont'd)

7. Building Ornamentation:
For buildings subject to review per Section 12.4, the architectural review shall suggest specific building materials to be approved. Ornamentation, color sequences, style and compatibility are all criteria for approval by the Zoning Commission pursuant to Section 12.4 of the Township Zoning Resolution. Historical significance should be a primary criterion for materials and building styles selected for improvement or modification in the Central Section.

8. Parking:
See Section 6 for Off-Street Parking and Loading requirements of the Monclova Township Zoning Resolution.

I. Landscape Requirements
Site plan review shall also include the review of landscape design elements and conformance with:

1. General Landscape Requirements:
In addition to the required front yard landscape area, landscaping for all uses except single-family dwellings shall be provided in the following areas:

a. At the perimeter of sites to buffer, separate, and/or screen adjacent land uses.

b. Mounding, landscaping and fencing shall be provided for when access is not impeded.

c. Landscaping at the perimeter of parking lots shall provide buffering or screen the view of parked cars from adjacent streets and land uses except as provided for in Section 6.

d. Landscaping in the interior of parking lots shall provide shade and break up large expanses of pavement.

e. Landscaping around the perimeter of buildings when and where appropriate shall enhance the appearance of the structure.

f. Plants, fencing and other landscape material areas shall not include any portion of the right-of-way.

g. All loading areas shall be landscaped or buffered for screening purposes.

h. Trash receptacles and refuse containment will be screened from public view and will not be placed within any required setback areas.

i. All mechanical (HVAC) units shall be screened from the view.

SECTION 5.2 **MONCLOVA ROAD ZONING OVERLAY DISTRICT** (cont'd)

I. Landscape Requirements (cont'd)

2. Specific Landscape Requirements:
These requirements shall be met unless an alternative landscape plan providing equivalent screening and buffering is approved by the Zoning Commission via the site plan review.

a. A planting strip at least five (5') feet in width shall be located along any parking area perimeter abutting a public roadway. The planting strip shall not be located within the right-of-way but may be included within the front yard landscape area as specified. Within this planting strip there shall be one (1) two and a half (2.5") inch caliper deciduous shade tree per fifty (50) linear feet of perimeter parking area. There shall also be a four (4) foot tall hedge (at maturity) of shrubs (evergreen or deciduous) to provide screening. An alternative arrangement of perimeter landscaping material such as mounding, fencing or walls may be permitted subject to approval via the site plan review process. The planting strip shall be setback at least five (5) feet from the parking lot pavement edge for maintenance purposes.

b. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff but also to break up visually the expanse of paved areas. Landscape islands with shade trees shall be strategically placed throughout the parking lot. Landscaping within parking areas will be required as follows:

i. Any parking area (including loading areas and aisle ways) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide a permeable interior landscaping area equal to at least five percent (5%) of the total parking area.

ii. For parking areas over thirty thousand (30,000) square feet in size, the required landscaping shall be designed to break up the visual expanse of pavement with landscape features such as boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses to provide an attractive natural asset to the site.

I. Landscape Requirements (cont'd)

2. Specific Landscape Requirements: (cont'd)

iii. The minimum required plant materials for the interior of areas six thousand (6,000) feet or more shall be one deciduous tree for every three thousand (3,000) square feet of parking area. Where site distance or maneuvering conflicts exist, trees shall be trimmed of all branches at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two feet in height.

iv. Parking areas from adjoining parcels that are approved for connection and simultaneous use shall be required to meet the aforementioned specifications based upon the collective surface and parking space allocations for the site versus the coverage of each parcel individually. If approved, perimeter landscaping for the joined section of the parking lot(s) only, shall be waived.

c. Foundation planting is required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. Ten (10) shrubs shall be required for every one hundred (100) lineal feet of horizontal exterior building wall visible from the road, street, or highway. If foundation plantings are deemed not practical due to unique features of the site and/or building, an alternative plan may be submitted as part of the site plan review process.

d. The required front yard landscape strip shall be unoccupied except for landscape material, steps, walks, terraces and through driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1), two and one-half (2 ½") inch caliper deciduous or two (2), six (6') foot high evergreen trees or a combination, shall be installed for each one hundred (100') feet of property frontage on Monclova Road with other appropriate landscape materials.

e. Entrance feature landscaping shall include plantings of no less than 10 items per 1,000 square foot of area and shall conform to all other aspects of landscaping provisions; signage, illumination and placement of these features shall be submitted and approved by the township.

f. All required landscape areas shall be protected by curbing when applicable or a suitable barrier to prevent vehicular damage to the landscaping.

SECTION 5.2 **MONCLOVA ROAD ZONING OVERLAY DISTRICT** (cont'd)

I. Landscape Requirements (cont'd)

2. Specific Landscape Requirements: (cont'd)

g. An irrigation system shall be installed in all required landscape areas of five thousand (5,000) square feet or less unless drought resistant, native species are utilized.

3. Landscape Planting, Maintenance and Replacement Requirements:
The lot owner shall be responsible for the installation of all landscaping. The following requirements shall apply:

a. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.

b. Installation of planting materials shall conform to the approved plan and shall be completed within 30 days of the issuance of an occupancy permit by the Lucas County Building Authority. If installation is not practical due to weather or other uncontrollable factors, the applicant shall provide the township an acceptable schedule for the improvements as approved.

c. Replacement trees, shrubs, ground cover and other plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within 6 months or the next planting season, whichever comes first.

d. Failure to comply with the aforementioned landscape installation and/or maintenance standards shall require the applicant to provide payment equal to the cost of installation and/or replacement plus 15% or minimum of $50 to Monclova Township for costs incurred in providing compliance with the approved landscaping plan.

J. Access to Individual Parcels

Access along Monclova Road shall be reviewed relative to the distance from other drive approaches and from roadway intersections and shall conform to Lucas County's Access Management Regulations. Access shall be reviewed by the Lucas County Engineer prior to approval.

Left and right turn lanes are encouraged and may be required as conditions of approval by the Lucas County Engineer. When a parcel abuts more than one roadway, the preferred access point should be located on the lower functional class roadway. When required by the Lucas County Engineer, the applicant shall prepare a traffic impact study or traffic assessment study.

K. Traffic Impact Study

If required by the Lucas County Engineer a traffic impact study shall be prepared by a qualified professional engineer at the applicant's expense. The study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc. to protect the safety and welfare of the traveling public. The traffic impact study shall be in accordance with current Lucas County Access Management Regulations and shall include the following elements:

1. A description of the site and study area.
2. Anticipated development of adjacent parcels.
3. Existing and projected future traffic volumes.
4. Trip generation and distribution.
5. Traffic assignment resulting from the development.
6. An assessment of the impact resulting from driveway alternatives.
7. Recommendations for site access and transportation improvements needed to maintain traffic flow at an acceptable and safe level of service.
8. An evaluation of the effects the proposed development will have on the level of service and roadway capacity.

L. Traffic Assessment Study

In lieu of a Traffic Impact Study, the Lucas County Engineer may request a Traffic Assessment Study to accompany the site plan for review and consideration. The study shall be prepared by a qualified Professional Engineer at the applicant's expense.

The following information shall be included with the Traffic Assessment Study:

SECTION 5.2 MONCLOVA ROAD ZONING OVERLAY DISTRICT (cont'd)

L. Traffic Assessment Study

1. Proposed and/or existing building size and use, driveways, parking areas, and drive aisles.

2. Current use, parking areas, drive aisles and driveways from all properties opposite and adjacent the proposed site.

3. Road details including public right-of-way within the limits of the traffic impact, including the number and type of vehicular traffic lanes, traffic signal locations, and traffic control signs such as stop and yield.

4. Anticipated daily and peak hour traffic volumes at site access points.

M. Other Requirements

1. **Signs**: All signs shall be applied for pursuant to Section 7 of the Monclova Township Zoning Resolution. No pole signs shall be permitted in the Monclova Road Overlay District and commercial illuminated signs shall be limited to indirect/back light illumination or specific direct illumination subject to approval.

2. **Semi-truck Loading Areas:** Semi-truck loading berths which face Monclova Road shall be suitably screened by landscaping or fencing. When possible, these areas should not be placed along Monclova Road.

3. **Utilities:** On-site utilities for new development shall be underground.

4. **Lighting**: In reviewing the lighting proposed for a development, factors to be considered include the following: safety, security, prevention of light spillage or glare onto adjoining residential properties or streets, and height/placement of lighting based for the use.

5. **Architectural Review**: All non-single family residential properties shall be subject to the requirements of Section 12.4 of the Monclova Township Zoning Resolution.

Exhibit "D" (cont'd)

SECTION 6
OFF-STREET PARKING AND LOADING

SECTION 6.1 PURPOSE

It is the purpose of this Section to regulate land use by providing adequate space for off-street parking, loading and maneuvering for all principal and accessory uses. The following provisions are intended to provide safe ingress and egress to all lots, minimize traffic congestion, limit on street parking and reduce noise and visual impact of vehicular movement and loading activities.

SECTION 6.2 OFF-STREET PARKING AND LOADING REQUIREMENTS

A. General

1. When a building or structure is erected, changed or enlarged by 50% or more in floor area, or increases by 50%, the number of employees, customers/users, dwelling units, or seating capacity it shall comply with the requirements of this Section.

2. When there is a new use of an existing building or structure, which does not require enlargements or additions, it shall comply with the requirements of this Section.

3. Where a lot abuts a public or private alley or easement of access there shall be provided an access drive not less than eight (8) feet in width for a single-family dwelling and not less than 20 feet in width for an access drive leading to parking, loading, or storage spaces herein required for multiple dwellings and nonresidential uses.

4. Total number of spaces required shall equal the sum of all the requirements for each separate primary and accessory use.

5. All off-street parking and loading spaces, as required by this Section, shall be located on the same parcel as the building or use requiring the spaces, except as provided for under Section 13.

6. Off-street parking and loading spaces required for any use not specifically listed herein shall be the same as that required for a similar use as determined by the Zoning Administrator.

a. A request for a reduction of parking and/or loading requirements may be submitted to the Board of Zoning Appeals as provided for in Section 17.

SECTION 6.2 OFF-STREET PARKING AND LOADING REQUIREMENTS (cont'd)

B. Special Requirements

1. **Setback**: Parking areas for multi-family and nonresidential uses shall be no closer than five (5) feet of a street, alley or right-of-way.

2. **Joint Use**: Two (2) or more nonresidential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement, approved by the Township Attorney and accepted by the Board of Zoning Appeals, shall be filed with the application for a zoning certificate.

3. **Off-site parking**: Parking spaces may be located on a lot within 300 feet other than that containing the principal use or on a lot within 600 feet for uses within a commercial or industrial district for spaces designated for employees with a written agreement approved by the Township Attorney and approval by the Board of Zoning Appeals, to be filed with the application for a zoning certificate.

4. **Surfacing and drainage**: All off-street parking and loading areas and driveways for multi-family and non-residential uses shall be surfaced with concrete, bituminous asphalt or other dust free material other than gravel or loose fill and graded to drain all surface water towards the interior of the parking lot. An internal storm drainage system shall be provided and connected to the nearest outlet subject to regulations and approval of the Lucas County Engineer. Concrete curbs may also be required as part of the overall drainage design for all or part of the parking lot or driveway perimeter. Hard surface dust free permeable pavement with an alternative drainage plan is permissible with approval of Lucas County Engineer.

5. **Wheel stop device**: Whenever a parking lot extends to a property line, sidewalk, planting strip or building, a wheel stop device consisting of concrete, asphalt or plastic stops, a permanent concrete curb or an expanded sidewalk shall be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian circulation way or sidewalk, or damaging any structure or landscaping. Minimum height shall be five (5) inches and the minimum length six (6) feet. A wheel stop device shall not be required where a guardrail is provided to prevent intrusion into a protected area.

SECTION 6.2 **OFF-STREET PARKING AND LOADING REQUIREMENTS** (cont'd)

B. Special Requirements (cont'd)

6. Striping and Marking: Parking spaces and aisles shall be clearly designated and marked to assure approved utilization of space, direction of traffic flow and general safety. Parking spaces for the disabled shall be reserved and designated with a standing sign (not painted on the pavement), displaying the symbol of accessibility.

7. Disabled Parking

a. All parking areas must comply with current federal Americans with Disabilities Act (ADA) requirements.

b. Parking spaces shall be at least 96 inches wide and shall have an adjacent access aisle 60 inches wide minimum. Parking access aisles shall be part of the accessible route to the building or facility entrance and shall comply with applicable sections of the Ohio Basic Building Code. Two (2) accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clearance of an accessible circulation route.

c. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 in (2440 mm) wide minimum and shall be designed "van accessible." All such spaces may be grouped on one level of a parking structure.

d. Curb ramps shall be required for disabled access. Minimum width shall be 36 inches with a minimum ramp slope of 1:12.

8. Landscaping and screening: Notwithstanding the landscaping requirements of Section 6, off-street parking and loading areas for multi-family dwellings and nonresidential uses which lie within 20 feet of a building on an adjoining lot or within 10 feet of a lot line shall be separated from the building or lot line with landscaping and screening not less than four (4) feet nor greater than six (6) feet in height.

9. Lighting: Any lighting used to illuminate any off-street parking areas shall be so a arranged as to reflect light away from adjoining residential properties or public way.

SECTION 6.2 **OFF-STREET PARKING AND LOADING REQUIREMENTS** (cont'd)

B. Special Requirements (cont'd)

10. Parking and Storage of Vehicles and Trailers:

a. No commercial vehicles as herein defined or other vehicle which infringes on the residential character of an "A/R" or "R" district shall be stored or parked in that district, excluding vehicles which are stored in an enclosed building or vehicles used in agriculture which are an integral part of the on-site agricultural business. Infrequent short term parking of a commercial vehicle for conveying tools and materials to premises for use on the premises, and the delivery or moving of goods to or from a dwelling unit are exempted from this Section.

b. No disabled vehicle shall be parked within an "A/R" or "R" district for a period of more than two (2) weeks, but may be stored in an enclosed building providing no business is conducted in connection therewith while such vehicle is parked or stored.

c. Recreational vehicles, boats, boat trailers and/or trailers shall not be parked or stored in a front or side yard nor in the rear yard of an "R-1" or "R-3" District, except when loading and unloading for a temporary period not to exceed 24 hours. The aforementioned shall not be parked/stored in the front yard of an "A/R" District nor the front or side yard of an "R-B", "R-A" or "R-C" District. A maximum of two (2) of the above vehicles/trailers may be stored in the appropriate yard, and must be a minimum of 10 feet from a lot line.

11. Drive-up Staging Area: Any use having a drive-up window shall provide a staging area on site to minimize off-site traffic congestion while waiting for service. The Zoning Commission shall review and provide recommendations on all drive-up proposals.

12. Trash Receptacle Area: A trash receptacle area, when provided, shall be in a designated location that does not interfere with any aisle, driveway, parking space, loading space or other circulation area. The location of this area, if provided, shall be shown on the site plan with proper loading and maneuvering space and for the purpose of location, shall be treated as an accessory structure. A trash receptacle area shall be screened from view on three (3) sides. Such area shall not be located in any required yard or setback and shall be maintained according to the requirements of the Toledo-Lucas County Board of Health.

SECTION 6.2 **OFF-STREET PARKING AND LOADING REQUIREMENTS** (cont'd)

B. Special Requirements (cont'd)

13. Maintenance: The owner or operator of property used for parking and loading shall maintain such area in good condition so that it is safe, clean, dust-free, attractive and free of any hazard, nuisance or other unsafe condition. Striping for parking spaces shall be maintained in good condition.

14. Maneuvering: Every parking and loading space shall have sufficient access and maneuvering area. The maneuvering area for a parking space may occur anywhere on a parcel except within the required minimum front, side and rear setback area. It may include an aisle or circulation area. For single and two-family residences it may include a driveway, street or parking space. The Board of Zoning Appeals may waive these requirements for lots which have an operator on duty during all hours of operation.

15. Loading Spaces: Loading spaces must be located at the rear yard, but not in the required rear yard setback area.

C, Space Requirements

1. Dimensions and Design
All parking lot areas shall meet the current requirements of the Federal Americans with Disabilities Act (ADA) law and the current Ohio Building Code.

2. Number of Spaces
The following lists are minimum requirements. Some situations may require additional spaces for proper operation.

USE	**PARKING SPACES REQUIRED**
a. Residential Dwellings	
Boarding House, Tourist Home, Dormitory	One (1) for each sleeping room or tenant, whichever is greater
Single, Two Family	Two (2) for each unit
Multi-Family	Two (2) for each unit

Exhibit "D" (cont'd)

SECTION 6.2 **OFF-STREET PARKING AND LOADING REQUIREMENTS** (cont'd)

USE	**PARKING SPACES REQUIRED**
b. Semi-Public/Institutional	
Adult Day Care, Community Centers, Church Social Centers	One (1) for every 300 square feet of gross floor area
Child Day Care or Nursery	Six (6) or two for each classroom whichever is greater
Church or Temple	One (1) for every five (5) sets in main assembly area/auditorium
Elementary School	Two (2) for each classroom or one (1) for every five (5) seats in the main auditorium, whichever is greater
High School, College or Technical School	Four (4) for each classroom or one (1) for every four (4) seats in the main auditorium, whichever is greater
Hospital	One (1) for every four beds
Institutional Health Care Facility, including Skilled Nursing Facilities, Independent Living Facilities, Assisted Living Facilities	One (1) for every four beds + one (1) per employee
Libraries, Museums, Art Galleries, or Community Centers	10 or one (1) for every 300 square feet of gross floor area whichever is greater
c. Recreational Facility	
Bowling Alley	Four (4) for each alley plus one (1) for each 100 square feet or gross floor area used for bar, restaurant or entertainment areas.
Campground	1.5 spaces for each site
Golf Course	Four (4) for each hole
Health Spa	One (1) for every 300 square feet of floor area
Lodge or Club	One (1) for every five (5) members

Exhibit "D" (cont'd)

SECTION 6.2 **OFF-STREET PARKING AND LOADING REQUIREMENTS** (cont'd)

USE	**PARKING SPACES REQUIRED**
c. Recreational Facility (cont'd)	
Skating Rinks	One (1) for every 100 square feet of gross floor area
Swimming Pools	One (1) for every 50 square feet or water surface area and one (1) for every 30 square feet of gross floor area for spectator seating
Tennis Courts/Racquet Clubs	Two (2) for each court
d. Commercial	
Auditorium, Theaters, Arenas or Conference Centers	One (1) for every four (4) seats or one (1) for every 30 square feet of gross floor area, whichever is greater
Banks ~~or~~/Financial ~~Institutions~~ Services	One (1) for every 300 square feet of gross floor area
Banquet/Recreational Hall	One (1) for every 200 square feet of gross floor area
Bar, Restaurant or Tavern	Three (3) for every 100 square feet of gross floor area
Funeral Home/Mortuary	One (1) for every 200 square feet of gross floor area
Hotel/Motel	One (1) for every room and one (1) for every 100 square feet of gross area of bar, restaurant, and conference room
Motor Vehicle, Agricultural Implement, Recreational Vehicle, or Manufactured Home Sales	One (1) for every 5,000 square feet of lot area plus one (1) for every 300 square feet of gross floor area
Motor Vehicle Service/Repair	Two (2) for each service bay or one (1) for every two (2) pumps, whichever is greater

Exhibit "D" (cont'd)

SECTION 6.2 **OFF-STREET PARKING AND LOADING REQUIREMENTS** (cont'd)

USE	**PARKING SPACES REQUIRED**
d. Commercial (cont'd)	
Offices	One (1) for every 300 square feet of gross floor area
Retail Store (appliance, printing, salon, hardware, carry-out, furniture, etc.)	One (1) for every 300 square feet of gross floor area
Self Service Storage Facility	Four plus number of employees on peak shift
Shopping Center	One (1) for every 200 square feet of leasable area
Internet Gaming Establishment/Café	One (1) per terminal + one (1) per employee
e. Manufacturing/Industrial	
Manufacturing/Processing/Warehousing	One (1) for every two (2) employees on the shift of the highest number of employees and one (1) for each motor vehicle used in the business

f. **Loading Spaces:** A loading space shall be required for each building, use or occupancy which has a gross floor area of 10,000 square feet. One (1) additional space shall be required for each 20,000 square feet of gross floor area thereafter.

SECTION 6.3. **OFF-STREET PARKING DESIGN STANDARDS**

All off-street parking, including driveways, entrances, exits, circulation and maneuvering areas, aisles and interior lands, and parking spaces shall be in accordance with the following minimum standards and specifications:

A. Parking Space Dimensions

All new or altered parking lots shall conform to the parking space stall width and length and aisle width (numbers indicated are in feet measurements), as set out in Table 1 and illustrated in Figure 1.

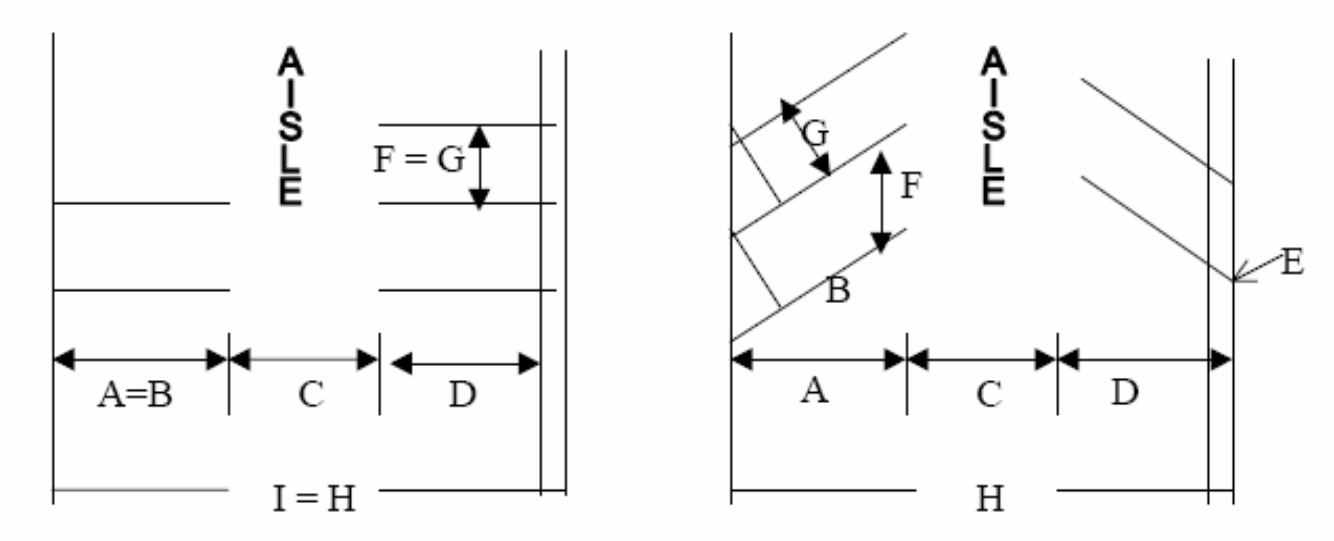
Exhibit "D" (cont'd)

SECTION 6.3 **OFF-STREET PARKING DESIGN STANDARDS** (cont'd)

TABLE 1

DIMENSION		**ANGLE**	**45**	**60**	**75**	**90**
A.	STALL DEPTH TO WALL		17	18.5	19	18
B.	STALL DEPTH PARALLEL TO		18	18	18	18
C.	VEHICLE AISLE WIDTH		12	18	22	25
D.	STALL DEPTH TO INTERLOCK		15	17	18	18
E.	STALL DEPTH REDUCTION DUE TO INTERLOCK		2	1.5	1	0
F.	STALL WIDTH PARALLEL TO AISLE		12.7	10.4	9.3	9
G.	STALL WIDTH PERPENDICULAR TO VEHICLE		9	9	9	9
H.	MODULE WIDTH WALL TO WALL		46	54	60	61
I.	MODULE WIDTH INTERLOCK TO INTERLOCK		42	51	58	61

FIGURE 6-1



EXCEPTION TO TABLE 1 AND FIGURE 1:

1. For bumper overhang deduct one and one-half (1 1/2') feet from stall depth to wall or three (3') feet from wall to wall for 45 degree and 60 degree parking. The equivalent dimensions for 75 degree and 90 degree parking are two (2') feet and four (4') feet respectively.

SECTION 6.3. OFF-STREET PARKING DESIGN STANDARDS

EXCEPTION TO TABLE 1 AND FIGURE 1: (cont'd)

2. Where natural and/or man-made obstructions or other features such as landscaping, support columns, or grade difference exist, the Zoning Administrator may consider a reduction in required stall width, length, and/or aisle width as part of the Site Plan review process. In all instances where a reduction is requested, emergency vehicle access shall be considered and incorporated in the parking lot design.

Exhibit "D" (cont'd)

SECTION 7
SIGNS AND OUTDOOR ADVERTISING

SECTION 7.1 PURPOSE

This section provides standards for the time, place and circumstances in the use of signs. These standards are to provide for the public health and safety, pedestrian and traffic safety, and to control adverse effects of signs on public and private property; and (where legislatively permitted) to provide for the general welfare of the public.

SECTION 7.2 DEFINITIONS

Abandoned Sign - A sign or sign structure which no longer identifies or advertises a business, service, owner, product, or activity, or is in disrepair. Such sign and sign structure shall be removed within 30 days of notice to the property owner by the Zoning Administrator.

Animated Sign - A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means of power. Such signs have lights or illuminations that change the visual image depicted, including visual images that may flash, move, rotate, flicker, depict text, or a sign which has revolving, or rotating parts or other visible mechanical movements. An animated sign does not include a Changeable Copy Sign.

Announcement/Professional Sign - A sign which serves an incidental or secondary use within a residential dwelling as provided for under Section 9.10.

Area Identification Sign - A sign which identifies a subdivision, development, or an industrial park or commercial complex.

Area Identification Structure - A structure located at the entrance of a subdivision, development or an industrial park intended to provide an entry way feature, with or without an attached area identification sign.

Awning/Canopy Sign - A sign attached to an awning covering a doorway, window, or face of the building. Awning/Canopy signs are wall signs, as provided in this section.

Banner - Means a temporary sign displayed on a flag, or strip of lightweight material made of paper, cloth or fabric attached to a frame at one or more of its edges.

Bulletin Board - A sign which announces or informs of events or activities for churches, schools or other public or semi-public institutions.

Directional Sign - A sign which designates the location or direction of any place or area.

Electronic Message Center - A sign whose visual display includes alphabetic, numeric or symbolic content that can be changed or altered on a fixed display screen composed of electronically illuminated segments.

Exempted Sign – Exempted from sign permit requirements.

SECTION 7.2 **DEFINITIONS** (cont'd)

Flag - Any fabric, banner or bunting containing colors, patterns or symbols, used as a symbol of government, political subdivision or other entity.

Free-Standing Sign - A sign supported by one or more poles, or other supports, which are attached to the ground.

Identification Sign - A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.

Non-conforming Sign - A sign which was placed on the lot legally, but which does not comply with Section 7 of this Resolution.

Portable Sign - Any sign which is not permanently attached to the ground or a building.

Roof Sign - Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof and located within the vertical extension(s) of the building exterior wall(s).

Sign Area - Total area of all sign faces.

Sign Face - Total area of sign upon which copy can be placed.

Suspended Sign - A sign which is supported by a frame or brackets which are attached to a building.

Temporary Sign - A sign which is limited in use for a designated period of time to serve an event, activity or the sale or rental of property.

Wall Sign - A sign attached to a building or painted on the surface of a building.

Symbolical Sign - A sign which represents a product or service or is used as an advertising logo of the product or service which is sold on the premises.

Billboard/Poster Panels - An outdoor advertising structure which may be a free standing or a wall sign.

Low Profile Sign - A free-standing sign erected near ground and limited to identifying the name of the building or institution on the premises.

Real Estate Sign - Any sign pertaining to the sale, lease or rental of land or buildings.

SECTION 7.2 **DEFINITIONS** (cont'd)

Window Sign - A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in the window.

Outdoor Advertising Structure - An off site sign which advertises a product or service or announces an event or activity not necessarily provided for or sold on the premises and directs persons to an off site location. Outdoor Advertising Structures shall include billboards, poster panels, painted wall murals and signs.

Pole Sign - A sign other than a low profile sign that is supported by upright structures or supports that are anchored in the ground and that are independent from any building or other structure.

Political Sign - A temporary sign used for and/or in connection with local, state, or national elections.

SECTION 7.3 **GENERAL PROVISIONS**

A. Announcement or professional signs for home occupations shall not exceed two (2) square feet in area.

B. Bulletin boards and signs for a church, school, community or other public or semi-public institutional building shall not exceed 32 square feet in area per sign face.

C. A free standing low profile sign shall be permitted in all agricultural and residential districts and shall not exceed 42 inches in height nor contain greater than 10 inch high letters.

D. A single identification sign indicating the name and address of the building and the name of the management, and telephone number shall be permitted for buildings other than single-family dwellings. The sign shall be attached to the structure and shall not exceed 12 square feet in area.

E. Area Identification Signs and Area Identification Structures

1. Location and Design

An area identification sign or area identification structure may be located only at the intersection of streets of the subdivision with major streets of the Township. An area identification sign shall be a part of a wall or fence, decorative in nature, and shall contain only the name of the subdivision or development. No area identification sign or area identification structure shall be located in the public right-of-way unless approved by the Lucas County Engineer and Monclova Township. In general, location within the public right-of-way will only be approved if within the median of an entrance boulevard. Area identifications signs and area identification structures shall be located in a manner that does not create a traffic hazard with regard to sight distance or roadside obstructions.

SECTION 7.3 **GENERAL PROVISIONS** (cont'd)

2. Size and Setback

a. The sign face of an area identification sign shall not exceed 32 square feet in area and 42 inches in height. The letters of identification on the sign shall be no larger than 10 inches in height. The maximum area and height of an area identification structure depend on the structure's setback and shall be reviewed on a case by case basis.

b. Area identification signs and area identification structures located outside of the right-of-way shall be setback at least 10 feet from the right-of-way. Area identification signs and area identification structures located within the right-of-way shall be setback at least five (5) feet from the curb if within a boulevard median and at least eight (8) feet from the curb if not within a boulevard median.

3. Permits and Waiver of Liability

a. An area identification sign, including the structure to which it is attached, shall require a sign permit from Monclova Township. An area identification structure without an attached area identification sign shall require a zoning permit from Monclova Township.

b. A permit for an area identification sign or structure shall include a waiver of liability for the Township modeled on the liability waiver attached to utility permits issued by the Lucas County Engineer's Office.

c. All area identification signs and area identification structures shall be reviewed for sight distance and other issues. Those located within the public right-of-way shall require a utility permit and liability waiver from the Lucas County Engineer's Office.

d. The developer shall provide the Township with a written statement detailing ownership and maintenance responsibilities for the area identification sign or structure.

F. Private directional signs shall be permitted for off-street parking areas provided:

1. Height does not exceed three (3) feet above grade.

2. Each sign shall not exceed five (5) square feet per sign face.

SECTION 7.3 **GENERAL PROVISIONS** (cont'd)

G. The following temporary signs shall be permitted with the following provisions:

1. Signs announcing special public or institutional events, the erection of a building, displaying the architect, the builders or contractors name may be erected for a period of 60 days plus the construction period.

2. Political signs may be placed at or on a parcel provided the sign face size per side not exceed 15 square feet in area and may not be located within the right-of-way or in such a manner so as to interfere with vehicular sight distance. No zoning certificates are required for political signs.

3. Real estate signs shall be located on the property advertised.

4. Real Estate Signs - Maximum Dimensions

Classification

a.	"A/R", "R" Single Family Districts (Revised 5/15/95 – Z17-C115)	15 square feet
b.	"R-3" Multi-family, Commercial and Industrial Districts	32 square feet
c.	All land containing greater than 300 feet frontage (Revised 12/30/89 – Z17-C115)	72 square feet

* Excludes permanent "For Rent" or "For Lease" signs under Part P of this Section.

Temporary signs other than political signs shall be removed no later than 10 days after completion of the event or transaction.

H. No portable signs shall be permitted, except for a one-time opening of a business but not to exceed 30 days.

I. No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than 20% of the window surface.

J. All signs shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign.

K. No sign shall project into any public right-of-way nor obstruct traffic visibility at street or highway intersections.

SECTION 7.3 **GENERAL PROVISIONS** (cont'd)

L. All signs other than temporary signs shall require a permit and be subject to site plan review by the Zoning Administrator. The Zoning Administrator may seek information and recommendations from the Monclova Township Zoning Commission or other appropriate agencies to aid in their review of the site plan.

M. Each application for a sign permit shall include a drawing of the proposed sign, dimensions, color, illumination, location in relation to the building and roadway, and construction details.

N. All nonconforming signs and billboards will be permitted to remain in place, but when replaced or changed significantly shall be subject to review under this section.

O. All signs will be maintained and subject to review by the Zoning Administrator. If it is in a state of needed repair, it will be deemed temporarily nonconforming for a period of 30 days. Upon re-inspection, the sign must conform to requirements under this section or be removed.

P. "For Rent" or "For Lease" signs which advertise dwelling units on the premises shall be considered a permanent sign and shall not exceed 12 square feet in area.

Q. Banners shall not be used as permanent signs, but shall be permitted in all Non-Residential Districts and for Non-Residential Uses in an "A" or "R" District for a period not to exceed the event or activity or a maximum of 30 days and shall meet the following provisions:

1. Maximum length - 15 feet

2. Total area - 30 square feet

3. Vertical Clearance

a. Sidewalks, private drive or parking lot - 9 feet

b. Public street - 15 feet

4. Banners shall not be permitted within a required minimum yard per Sections 4 when abutting an "A/R" or "R" District.

R. Flags - The flags, emblems or insignia of any nation, or political subdivision or corporate flag is exempt from regulation under this section.

Exhibit "D" (cont'd)

SECTION 7.4 COMMERCIAL OR INDUSTRIAL DISTRICT SIGNS

A. Each business shall be permitted one flat wall sign or a sign suspended from the principal building/ frontage and one free-standing sign permanently affixed to the ground and located on site of that business.

B. The area of all permanent advertising signs other than billboards and symbolical signs shall be determined and limited as follows:

Width of building in (feet) x one (1) and one-half (1/2) (feet) = sign area (square feet), but not to exceed 100 square feet.

Sign area includes total area of all sign faces.

C. Flat Wall Signs

1. Sign width shall be limited by the width of the building frontage parallel to the street line. On corner lots, either frontage may be used to determine this width.

2. Sign projection shall not exceed two (2) feet from the building.

D. Free-Standing Signs

1. There shall be only one free-standing sign for each premises having frontage on a public right-of-way. This may serve a single business or a group of businesses all of which must be occupants of that building.

2. The sign shall not exceed 15 feet in height.

E. Suspended Signs

1. Signs shall not project more than 42 inches from a building.

2. The bottom of the sign shall be a minimum of nine (9) feet above grade or above the sidewalk.

F. Pole Signs of Symbolical Design

1. Signs shall not exceed 45 square feet per sign face.

2. Signs shall have a maximum height of 20 feet.

3. Signs shall be located on site of the business advertised.

SECTION 7.4 **COMMERCIAL OR INDUSTRIAL DISTRICT SIGNS** (cont'd)

G. Outdoor Advertising Structures - Off Site

1. Off site advertising structures will be limited to Billboards and/or Poster Panels.

2. Billboards and Poster Panels shall not exceed 72 square feet per sign face with a limit of two sign faces maximum.

3. Height of Billboards and Poster Panels shall not exceed 15 feet above grade.

H. Area Identification Sign

One sign may be erected to identify an industrial park or commercial complex. The sign shall be located at the intersection of principal streets of the development with major streets of the community. It shall contain only the name of the development in letters no larger than 24 inches in height with a 100 square foot maximum area per sign face.

SECTION 7.5 **SETBACK REQUIREMENTS**

A. Real estate signs and bulletin boards for a church, school or any other public or semi-public, religious, or educational institution may be erected within 10 feet of the established right-of-way line of any street or highway.

B. Free-standing signs or signs of symbolical design shall not be located closer than 20 feet to any street right-of-way line and closer than 30 feet to any adjoining lot line.

C. Billboards and/or poster panels shall be set back at least as far as the required front yard depth for a principal use in that district. No sign or advertising structure shall be closer than 50 feet of a side or rear lot line.

D. No such sign or advertising structure, which faces the front or side lot line of any lot in any agricultural or residential district, shall be permitted within 100 feet of such lot line, nor within 300 feet when facing any public parkway, public square or entrances to any public park, public or parochial school, library, church, or similar institution.

SECTION 7.6 **ILLUMINATION**

The following provisions shall be observed in the illumination of signs and advertising structures:

A. All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged so as to reflect away from the adjoining premises and provided that such illumination shall not be placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.

B. No illumination involving movement or causing the illusion of movement by reason of the lighting arrangement or other devices shall be permitted which cause confusion or a hazard to traffic or conflict with traffic control signs or lights.

SECTION 7.6 **ILLUMINATION** (cont'd)

C. No sign may be animated by means of a flashing, scintillating, blinking, or traveling lights or any other means not providing constant illuminations.

D. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

E. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. This section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations or similar services.

F. Announcement signs, except those for professional and home occupations, shall be removed by the person or persons responsible for posting same within 10 days after the completion of such scheduled event.

SECTION 7.7 **VIOLATIONS**

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Administrator shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this resolution. Failure to comply with any of the provisions of this Chapter shall be deemed a violation and shall be punishable under Section 14 of this Resolution. Political signs posted in violation of this resolution are subject to removal five (5) days after written notice of violation has been given.

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 8
CONDITIONAL USES

SECTION 8.1 PURPOSE

In addition to those uses specifically permitted in each Zoning District, there are certain uses that are necessary for the good of the public, but due to the potential impact on the community, require additional review and consideration.

SECTION 8.2 STANDARDS

The Board of Zoning Appeals shall review each proposed Conditional Use and shall consider the following:

A. The proposal will be in accordance with the general objectives, or with any specific objectives of the Monclova Township Contemporary Land Use Plan;

B. The proposal is harmonious with the existing or intended character of the general vicinity of the lot and will not change the essential character of the area;

C. The proposal will not be hazardous or disturbing to existing or future neighboring uses;

D. The proposal will be served adequately by essential public facilities and services;

E. The proposal 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, glare, vibration or odors.

SECTION 8.3 PROCEDURE

A Conditional Use may be requested by the lot owner or their authorized agent. The procedure set forth in Section 17 – Board of Zoning Appeals shall be complied with.

SECTION 8.4 REQUIREMENTS

All Conditional Uses shall comply with the requirements of the underlying zoning district in which the proposed Conditional Use is located, and the standards of Section 8.2.

SECTION 8.5 CONDITIONS OF APPROVAL

In granting any Conditional Use, the Board of Zoning Appeals may require the following items to protect the general health, safety and welfare (where permitted) of the community:

SECTION 8.5 **CONDITIONS OF APPROVAL** (cont'd)

A. Increased landscaping requirements.

B. Screening between proposed Conditional Use and adjacent property and/or roadway.

C. The location of parking areas.

D. Hours and/or days of operation.

E. Lighting locations, source, intensity, and areas to be illuminated.

SECTION 8.6 **EXPIRATION OR REVOCATION OF CONDITIONAL USE**

A Conditional Use shall expire if the permitted activity has not commenced within one (1) year from the date on which the Conditional Use was granted by the Board of Zoning Appeals, or any permitted construction is not started within one year, or if for any reason the use shall cease for more than a two (2) year continuous period. An extension of this time limit may be approved by the Board of Zoning Appeals. Violation of any condition(s) of approval shall be cause for the revocation of the Conditional Use by the Board of Zoning Appeals.

Exhibit "D" (cont'd)

SECTION 9
SUPPLEMENTAL REGULATIONS

SECTION 9.1 GENERAL

In additional to the zoning district requirements, the following Supplemental Regulations shall regulate the uses and structures in Monclova Township:

SECTION 9.2 ACCESSORY BUILDING OR STRUCTURE

An accessory building or structure shall be subject to the following requirements:

A. It shall be located behind or adjacent to the principle building, but may not project in front of the principle building.

B. The minimum distance of the accessory building or structure from the principal building shall be fifteen (15') feet in all districts.

C. The minimum distance of the accessory building or structure in a residential district from a side or rear lot line shall be based upon the following:

Building Height	Setback
20 Feet or Less	5 Feet
21 – 25 Feet	10 Feet
26 – 30 Feet	15 Feet
31 – 35 Feet	20 Feet

D. The minimum distance of the accessory building or structure in a non-residential district from a side or rear lot line shall be ten (10') feet.

E. In any Residential District, accessory building(s) shall not exceed twenty (35') feet in height, and may not occupy greater than 30% of the required rear yard.

F. In any non-residential district, accessory buildings shall not exceed the maximum allowable height of the district.

G. No accessory building or structure shall be constructed, reconstructed, or structurally altered nearer to the centerline of the road as regulated in Section 4.15.

H. Where the accessory building is located on a corner lot, the rear of which abuts upon the side lot line of another lot, the accessory building shall not project within the front yard line required on the lot in the rear of such corner lot.

I. No accessory building shall be located within any required planting strip pursuant to Section 13.

SECTION 9.2 **ACCESSORY BUILDING OR STRUCTURE** (cont'd)

J. A canopy is an accessory structure shall be permitted in a General Commercial (C-2) District on a lot used for gasoline sales or in a Neighborhood Commercial (C-1) District on a lot with an approved Conditional Use Permit for gasoline sales; to which:

1. The requirements of Section 9.2.A are not applicable to such canopy.

2. The canopy shall be subject to all applicable coverage and setback requirements of the district for which it is approved.

K. A trash receptacle container (dumpster) is an accessory structure that shall conform to the provisions of this section and shall be screened on all sides with a solid material.

SECTION 9.3 **DISH ANTENNAS**

Any dish antenna in any "A" or "R" district shall be located toward the rear of the lot, shall be at least 10 feet from any main building, shall have rear and side property line setbacks equal to or greater than the height of the proposed structure, and, in the case of a corner lot, shall not project beyond the front yard required or existing on the adjacent lot. Where a dish antennae is proposed to be mounted on the roof of a building, it shall not extend more than 15 feet above the highest point of the roof of the building which it serves.

SECTION 9.4 **SEXUALLY ORIENTED BUSINESSES AND EMPLOYEES**

Sexually Oriented Businesses and Employees: As used or defined in Sections 503.51 to 503.53 of the Ohio Revised Code including, "adult arcade," "adult bookstore," "adult novelty store," "adult video store," "adult cabaret," "adult entertainment," "adult entertainment establishment," "adult motion picture theater," "adult theater," "distinguished or characterized by their emphasis upon," "nude or seminude model studio," "nudity," "nude," "state of nudity," "regularly features," "regularly shown," "seminude," "state of semi-nudity," "sexual encounter establishment," "specified anatomical areas," and "specified sexual activity" have the same meanings as in Section 2907.39 of the Ohio Revised Code, the Monclova Township Zoning Resolution and Monclova Township Resolution No. 30507-1.

Monclova Township may exercise all lawful powers of local self-government regarding the operation of Sexually Oriented Businesses and Employees within Township limits and may adopt and enforce within Township limits any local police, sanitary, and similar regulations regarding the operation of the same. The regulations may include, but are not limited to, anti-nudity restrictions, limitations on hours of operation, interior configuration requirements, and requirements that Sexually Oriented Businesses and Employees obtain licenses or permits to operate as or to be employed by a Sexually Oriented Businesses establishment. The authority granted under this division may provide for civil sanctions and fines for violations of regulations established under Township Resolutions. All proceeds from fines for violations shall be paid into the Township general fund.

SECTION 9.4 **SEXUALLY ORIENTED BUSINESSES AND EMPLOYEES** (cont'd)

All Sexually Oriented Businesses and Employees, as herein defined shall be first required to obtain a Conditional Use permit as prescribed in Section 8 of this resolution. Once obtained, the applicant must file for and be granted a Sexually Oriented Businesses License as provided for and detailed in Monclova Township Resolution No. 30507-1.

Requirements (Township overlay zoning districts have additional requirements and/or prohibitions):

A. Sexually Oriented Businesses and Employees shall not be located within a 500 foot radius of any residentially or agriculturally zoned district, public or private school, church, public or private park, public or private playground or all other uses for the activities of minors. The distance shall be measured, by radius, from the closest property line of the proposed Sexually Oriented Businesses and Employees to the closest property line of the prohibitive use class.

B. Sexually Oriented Businesses and Employees shall not be located within a 1,000 foot radius of any other Sexually Oriented Businesses and Employee. The distance shall be measured, by radius, from the closest property line of the proposed Sexually Oriented Businesses and Employees to the closest property line of the existing Sexually Oriented Businesses and Employees.

C. Off-street parking shall be provided in accordance with Section 6 - Off-Street Parking and Loading.

D. The Township shall reserve the right to review facilities established under this section after it has been in operation for a period of one year upon the recommendation of the Zoning Commission and/or initiation by the Township Trustees. Failure to review annually does not rescind the right of future annual review.

E. The Township shall reserve the right to revoke the Conditional Use Permit for any and all sexually oriented uses for any one of the following reasons:

1. An applicant gave false or misleading information in the application or in any document or diagram related to the operation of the adult amusement or entertainment use;

2. An applicant or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;

3. An applicant or an employee has knowingly allowed prostitution on the premises;

4. An applicant or employee knowingly operated an adult amusement or entertainment business during a period of time when the applicant's Special Use Permit was suspended;

SECTION 9.4 **SEXUALLY ORIENTED BUSINESSES AND EMPLOYEES** (cont'd)

E. The Township shall reserve the right to revoke the Conditional Use Permit for any and all sexually oriented uses for any one of the following reasons: (cont'd)

5. An applicant has been convicted, pleaded guilty or no lo contendre for an offense or violation of Chapter 2907 of the Ohio Revised Code for which the time periods required in Sections V (A)(7)(a)(b) and (c) have not elapsed, or any violation of the resolution or of any other ordinance or state law equivalent to any offense contained in Chapter 2907;

6. An applicant or an employee has knowingly allowed sexual activity to occur in or on the Special Use Permit premises. The term "sexual activity" shall have the same meaning as it is defined in the Ohio Revised Code 2907.01;

7. An applicant is delinquent in payment to the County of taxes or fees related to adult amusement or entertainment business;

8. The liquor control commission has revoked, under Section 4301.25 of the Ohio Revised Code, a permit held by any one of the persons named on the application;

9. Allowing an individual, including, but not limited to, a patron, customer, or employee, who is under eighteen years of age on the premises of an adult entertainment establishment.

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS**

A. Purpose

The purpose of this section is to promote and accommodate small wind turbines and other wind powered generators in appropriate locations, while minimizing the adverse visual, safety and environmental impacts of the system. This section provides a review and permitting process for small wind turbines and other wind powered generators to ensure compliance with the standards established herein.

B. General Requirements:

1. Small wind turbines and other wind powered generators, as defined in Section 18 shall be limited to a rated capacity of not more than 50.1 kW and not less than 4.9 kW.

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS** (cont'd)

B. General Requirements: (cont'd)

2. Wind powered collection devices that are not greater than 4.9 kW, not greater than 35 foot of total system height from ground level and that produce of no more than 60 dBA of sound shall not be considered a Small Wind Turbine and Other Wind Powered Generators as defined in Section 18 of this resolution. Any exception to one or more of these conditions will require full application of the Small Wind Turbine and Other Wind Powered Generator Special Use Permit process and full compliance with the rules governing the same.

3. Small wind turbines and other wind powered generators shall be allowed only on parcels one (1) acre or greater in size and shall be located behind the main improved structure.

4. Small wind turbines and other wind-powered generators shall service only one residential structure per parcel. Other uses as permitted by zoning, contained within the subject parcel or on contiguous and adjoining parcels of identical ownership shall be permitted for additional use.

5. Code Compliance. A small wind turbine and other wind powered generators, including tower, shall comply with all applicable state construction and electrical codes, and the National Electrical Code.

6. Signal Interference. The owner of a small wind turbine or other wind-powered generator must take reasonable steps to prevent and eliminate any interference with the transmission and reception of electromagnetic communications, such as microwave, radio, telephone, or television signals.

7. Interconnection to the existing electrical grid is limited to one connection per parcel and is assumed capable whether the same is provided for. A small wind turbine or other wind-powered generator that connects to the electric utility must comply with all pertinent provisions of the Ohio Revised Code.

8. Small wind turbine or other wind-powered generators must be on a freestanding tower or other approved reinforced structure. The use of additional supports including guy wires are subject to approval by the Monclova Township Zoning Commission and shall be in accordance with all other regulations provided within this resolution.

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS** (cont'd)

B. General Requirements: (cont'd)

9. A meteorological tower may be used to determine wind power available before tower installation. The tower shall be permitted on a temporary basis for a period not to exceed 18 months and shall adhere to all height, fall zone, and guy wire requirements for any approved small wind turbine or other wind powered generator.

C. Specific Requirements

1. The applicant shall provide proof of notification to adjacent property owners as required by Ohio Revised Code Section 519.211 (telecommunication towers) and shall conform to ORC 519.213.

2. A minimum distance between the ground level and any protruding blades is 15 feet.

3. The proposed small wind turbine and other wind-powered generator shall maintain a clear fall zone of no less than 110% of the total system height of the structure from any property line, current or future structure, and public or private road right-of-way.

4. Subject to the clear fall zone requirements, no part of the wind system structure, including guy wire anchors if applicable, shall be closer than twenty (20') feet to the property boundaries of subject parcel.

5. Non Commercial and Non Industrial parcels may be permitted a small wind turbine and other wind-powered generator subject to the following conditions. Subject sites with contiguous parcels of identical ownership may be considered as one larger parcel by the township on a case by case basis. In determining the height, grade shall be determined by averaging the area around the proposed location of the small wind turbine and other wind powered generator subject to the following conditions:

Parcel Size:	Maximum Tower Height:	Maximum Generator Size:
1 to 4.9 acres	60 feet	15 kW
5 to 9.9 acres	80 feet	20 kW
10 to 14.9 acres	100 feet	25 kW
15 acres plus	125 feet	50 kW

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS** (cont'd)

C. Specific Requirements (cont'd)

No authority is provided to the township to approve any Small Wind Turbine or Other Wind Powered Generator in excess of 50.1 kW and or with a tower height greater than 125 feet from ground level or a total system height greater than 150 feet from ground level. By definition, systems that exceed these parameters are not classified as Small Wind Turbine and Other Wind Powered Generators and are prohibited on all land classifications in the township.

6. Commercial, Industrial, Recreational and Institutional parcels may be permitted a small wind turbine and other wind-powered generator subject to the following conditions. Subject sites with contiguous parcels of identical ownership may be considered as one larger parcel by the township on a case by case basis. Grade shall be determined by averaging the area around the proposed location of the small wind turbine and other wind-powered generator subject to the following conditions:

Parcel Size:	Maximum Tower Height:	Maximum Generator Size
1 to 4.9 acres	80 feet	20 kW
5 to 9.9 acres	125 feet	50 kW

No authority is provided to the Township to approve any Small Wind Turbine or Other Wind Powered Generator in excess of 50.1 kW and or with a tower height greater than 125 feet from ground level or a total system height greater than 150 feet from ground level. By definition, systems that exceed these parameters are not classified as Small Wind Turbine and Other Wind Powered Generators and are prohibited on all land classifications in the township.

7. Residential, commercial or industrial roof top and or combination units (utility lights with generators etc.) may be approved so long as no aspect of the above tower height or generator kW maximums are exceeded.

8. Any ground lighting shall be limited to necessary illumination with no spill effect on adjoining parcels. Small wind turbine and other wind-powered generator towers shall not be artificially lit unless such lighting is required by the Federal Aviation Administration. If lighting is required, the applicant shall provide a copy of the FAA determination to establish the required markings and/or lights for the structure.

9. Small wind turbines and other wind powered generators, as defined in 17 shall be limited to a rated capacity of not more than 50.1 kW. All devises with a rated capacity greater than 50.1 kW shall be prohibited except for public domain applications provided for by the Ohio Department of Public Utilities.

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS** (cont'd)

C. Specific Requirements (cont'd)

10. Noise generated from the small wind turbine and other wind-powered generator shall not exceed 60dBA at the nearest residential property line and 75dBA at the nearest commercial or industrial property line. Failure to adhere to this provision shall constitute an automatic violation of the special use permit and shall require the same to be null and void. (For example, the average background noise in a house is about 50 dBA, while a car driving down a street would be measured at 60 dBA at a distance of 300 feet. A vacuum cleaner emanates sound at 70 dBA.)

11. The supporting tower shall be enclosed with a six (6) foot high un-climbable and lockable fence unless the base of the tower is not climbable for a distance of twelve (12) feet from its lowest level.

12. All tower support bases shall be made of reinforced concrete. Any other proposed construction method shall meet all federal or state requirements for wind tower base construction.

13. Proper notice shall be provided to the Federal Aviation Agency for any proposed construction or alternation, if applicable, per FAA, Title 14, Section 77.13. The FAA shall have full authority in determining the applicability of a proposed construction or alternations required notice. Proof of FAA notice, when applicable, shall be provided to the township.

14. The applicant shall demonstrate through project site planning that a small wind turbine and other wind-powered generator visual impacts will be minimalized for surrounding properties and the community in general. This may include, but not be limited to information regarding the site selection, turbine design or appearance, buffering, and screening of ground mounted electrical and control equipment, all of which is subject to approval by the township.

15. Access for township inspection for compliance with there requirements shall be allowed.

16. Institutional, commercial, industrial and multi-family residential applications must comply with the fire code administered by Monclova Township.

17. Upgrades, modifications or improvements of any kind to any approved small wind turbines and other wind-powered generators and their associated improvements shall be reviewed by the township zoning administrator for compliance with the provisions of this section. Only modifications that adhere to the provisions herein contained shall be allowed.

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS** (cont'd)

C. Specific Requirements (cont'd)

18. No other use of the tower shall be provided for. This shall include the placement of signage, radio, cell antennas or any other use not provided for at the time of approval.

19. Abandoned small wind turbines and other wind-powered generators shall be dismantled within six months. Units taken out of service for indefinite but temporary reasons shall provide the township with proof of proper and effective maintenance. Units without proper maintenance shall be considered abandoned by the township.

20. The small wind turbine and other wind-powered generator supply wires shall be placed underground to any structures. All units shall be installed in conformance with all rules and codes governing the same.

21. The small wind turbine and other wind-powered generator shall either be the stock color from the manufacturer or painted with an approved non-reflective, unobtrusive color that blends in with the surrounding environment.

22. The small wind turbine and other wind-powered generator proposed to be connected to the power grid through net metering shall adhere to Ohio Revised Code Section 4928.67. And any other applicable codes or laws governing the same.

23. No Small Wind Turbine and Other Wind Powered Generators shall be located within 1,000 feet of or on any property designated by the Ohio Historical Society as an historic site or district.

24. All small wind turbines and other wind-powered generator shall be equipped with a redundant braking system which must include aerodynamic over-speed controls which include variable pitch, tip and other similar systems and; mechanical brakes which must be operable in fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over- speed protection.

25. The manufacturer shall have its name/logo, system model number, system output, and contact information near the base of the tower. No other signage or advertising is permitted on the system.

26. The Township may consult with any regulatory agency (for example: The Ohio Department of Natural Resources, The U.S. Fish and Wildlife Service, The Metroparks of the Toledo Area and any other appropriate agency).

SECTION 9.5 **SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS** (cont'd)

D. Application Procedure

Before installation of a small wind turbine and other wind-powered generator, a zoning certificate must be obtained; the following requirements must be met to obtain a zoning certificate for installation of a small wind turbine and other wind-powered generator:

1. A detailed site plan shall be required in accordance with the requirements of Section 12.

2. Detailed manufacturer information stating the size, shape and character of the proposed small wind turbine and other wind-powered generator. Information shall include generator kilowatt information, unit decibel criteria, tower height and construction specifications, shadow flicker potential, fencing information, clear fall zone, lighting plans and landscaping/buffering plans, plus any other information deemed necessary by the township.

3. Any other information deemed helpful by the township shall be provided so that proper and effective assimilation of the proposed use is provided for within the community.

4. Physical construction of the small wind powered turbine and other wind powered generator must begin within two (2) years of approval or the special use permit shall be null and void.

E. Expiration of Conditional Use Permit

In A "M-1" District:	Manufacturing – General Small Wind Turbines and Other Power Generators
In A "M-2" District:	Extraction Industries Manufacturing – Heavy Motor Vehicle Salvage Yards And Junk Yards Small Wind Turbines and Other Power Generators

SECTION 9.5 SMALL WIND TURBINE AND OTHER WIND POWERED GENERATORS (cont'd)

F. Expiration of Conditional Use Permit

A Conditional Use Permit shall be granted for only one (1) particular use and said permit shall automatically expire if, for any reason, the conditional use is not initiated within one (1) year of the granting of the permit or if the conditional use ceases to exist for more than two (2) years.

SECTION 9.6 MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS

A. General

1. The applicant shall provide a complete and accurate legal description of the entire site.

2. A site plan shall be submitted which, at minimum, includes the dimensions of the site, size of buildings, building locations, setbacks, storage areas, driveways and fencing.

B. Storage

1. When adding storage facilities, the applicant shall reduce the number of vehicles or junk in the storage yard.

2. Motor vehicle wrecking yards shall maintain a list of vehicles in stock and submit this list to the township upon request.

3. No vehicle shall be stored longer than six (6) months without written permission from the Board of Township Trustees.

C. Licensing

1. Applicants for junk yards shall be licensed as required under Chapter 4737 O.R.C. and file with the Township proof of licensing by Lucas County Auditor.

2. Applicants for motor vehicle wrecking yards shall be licensed as required under Chapter 4738 O.R.C. and file with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

D. Hours of Operation

Hours of operation shall be no earlier than 7:00 A.M. nor later than 6:00 P.M., Monday through Saturday.

SECTION 9.6 MOTOR VEHICLE SALVAGE YARDS AND JUNK YARDS (cont'd)

E. Fencing and Screening

Any area used as a motor vehicle wrecking yard or junk yard shall be effectively screened on all sides by means of walls, fences and plantings. Walls or fences shall be a minimum of six (6) feet in height with no advertising thereon. Storage of materials shall not exceed this height. A strip of land not less than 15 feet in width shall be planted and maintained on the exterior with evergreen hedge or shrubs and shall be equal to or greater than the height of the fence or wall.

F. Environmental Standards

Not withstanding the requirements set forth herein, all motor vehicle salvage yards and junk yards shall meet the Environmental Standards as set forth in Section 9.20.

G. Off-Street Parking and Loading

Off-Street parking and loading shall be provided as set forth under Section 6 - Off-Street Parking and Loading.

H Yard Requirements

1. Front Yard: There shall be a front yard of not less than 50 feet, but where such a yard is opposite an "A" Agricultural or "R" Residential district, it shall be a minimum of 100 feet and the first 25 feet thereof shall be used only for landscaping purposes.

2. Side Yard: There shall be a side yard of not less than 25 feet, but where abutting an "A" Agricultural or "R" Residential district it shall be a minimum of 50 feet. Storage of materials and parking of vehicles is prohibited in a side yard.

3. Rear Yard: There shall be a rear yard of not less than 50 feet, but where such a yard is abutting an "A" Agricultural or "R" Residential district, it shall be a minimum of 100 feet.

I. Pavement: All roadways internal to the site shall be paved or maintained to minimize dust.

SECTION 9.7 EXTRACTION INDUSTRIES

A. Removal

The removal of soil, sand and gravel, and or minerals shall not exceed 25% of the total surface area of a parcel. All extraction industries in the removal of products shall meet the requirements of Surface Mining and Reclamation 1514.10 O.R.C.

SECTION 9.7 **EXTRACTION INDUSTRIES** (cont'd)

B. Refilling

The refilling of an area which has been excavated for the extraction of soil, sand and gravel shall be considered waste disposal and shall meet the requirements set forth by the Lucas County Board of Health for solid waste disposal under 3734.05 O.R.C.

SECTION 9.8 LARGE SCALE RETAIL PROJECTS

A. General Requirements

1. Minimum lot area of five (5) acres.

2. Minimum frontage of 300 feet on a public roadway.

3. Submission of a site plan in conformance with requirements contained in Section 12 - Site Plan Review will be performed in conjunction with the Conditional Use permit application.

4. Submission of a traffic impact study prepared by a qualified professional engineer documenting the impact of the proposed large-scale retail project on adjacent streets and roadways, necessary roadway improvements and/or traffic controls, and the developer's plan to fund such improvements. The traffic impact study shall be subject to the review and approval of the Lucas County Engineer, Monclova Township and, if applicable, the Ohio Department of Transportation.

5. Compatibility with adjacent land uses and the adopted Monclova Land Use Plan. Items considered in determining compatibility include the following:

a. Provision of an appropriate step-down or transition between land uses;

b. Provision of adequate buffering and screening between land uses; and

c. Consistency with the intent of the adopted Monclova Township Land Use Plan.

SECTION 9.8 **LARGE SCALE RETAIL PROJECTS** (cont'd)

B. Design Requirements

1. The following design standards shall apply:

a. Ground floor facades greater than 100 feet in length that face streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than fifty percent of their horizontal length (See Figure 9-1, pg. 9-15).

b. Buildings shall have architectural features fully concealing rooftop equipment, such as HVAC units, from public view.

c. Predominant exterior building materials shall be high quality. These include, but are not limited to:

- brick
- wood
- natural or artificial stone
- tinted, textured concrete block or tilt- up masonry panels
- glass, or
- stucco

2. Predominant exterior building materials for the side(s) of the building visible from abutting street(s) or any adjacent residential zoning district(s) shall not include the following:

- smooth-faced concrete block
- smooth-faced tilt-up concrete panels
- pre-fabricated steel panels

3. Each building shall have a clearly defined, highly visible customer entrance(s) featuring at least three of the following elements:

- canopies or porticos
- overhangs
- recesses or projections
- arcades
- raised cornice parapets over the door
- peaked roof forms
- arches
- outdoor patios
- display windows
- architectural details such as tile work and moldings which are incorporated into the building structure and design
- integral planters that incorporate landscaped areas and/or places for sitting.

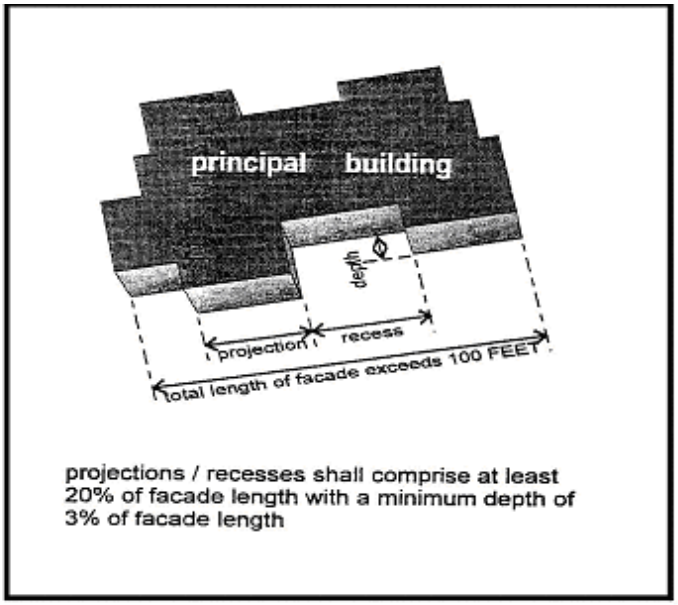
SECTION 9.8 **<u>LARGE SCALE RETAIL PROJECTS</u>** (cont'd)

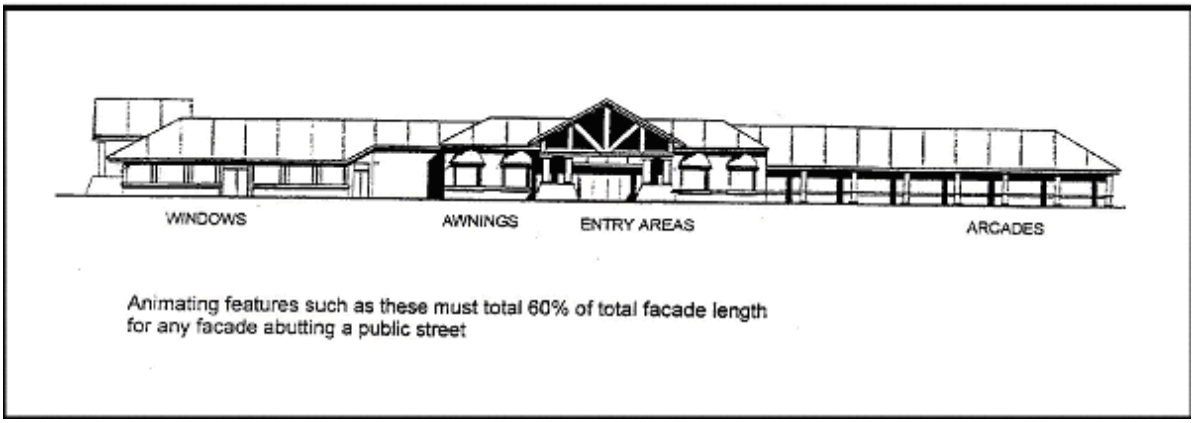
B. Design Requirements (cont'd)

4. No more than sixty (60) percent of the off-street parking area shall be located between the front façade of the principal building and the primary abutting street. Customer-oriented rear entrances are encouraged.

5. Exceptions to these design requirements may be permitted if specifically approved as part of the special use permit.

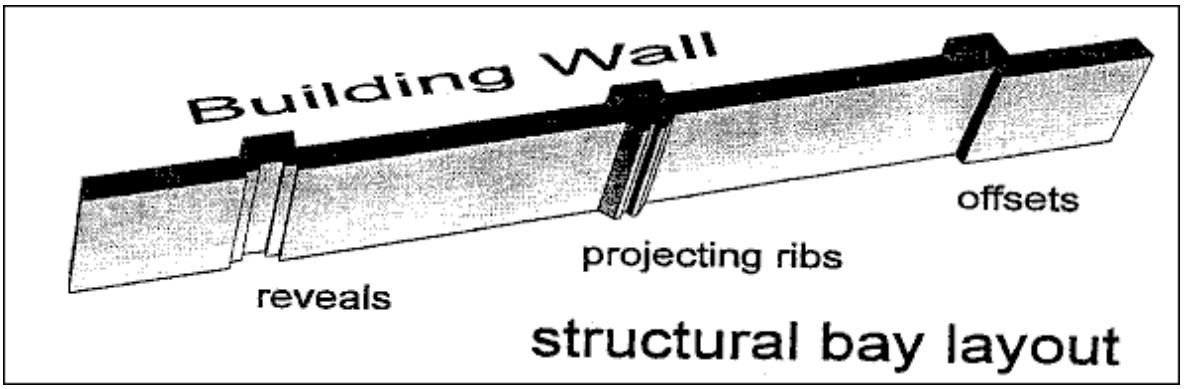
FIGURE 9-1





Expression of Architectural or Structural Bay

Exhibit "D" (cont'd)



SECTION 9.9 **FENCES**

A. General Requirements

1. A Zoning Certificate shall be obtained to construct, enlarge, alter and/or replace any fence.

2. Fences are permitted to be placed along a property line but shall not extend beyond the property line or into any right-of-way area. Fences shall not be located closer than one (1') foot from the edge of a public sidewalk or walkway. It is a property owner's responsibility to locate property lines and it is suggested that a surveyor locate property lines before installing fences.

3. All fences shall be properly maintained with respect to height, appearance, and safety so as not to become a nuisance.

B. Residential/Open Space Districts

The following regulations apply to all fences in any Residential or Public/Open Space District:

1. Fences between the principal building and a street shall not exceed forty-eight (48") inches in height above grade.

2. Fences between the principal building and both streets on corner lots cannot exceed forty-eight (48") inches in height above grade.

3. Fences to the side or rear of a building shall not exceed six (6') feet in height above grade.

4. A fence enclosing a swimming pool shall have a minimum height of forty-eight (48") inches and a maximum height of six (6') feet above grade and shall have a lockable, self-latching gate.

5. Fences installed as part of a subdivision entry feature shall have a maximum height of six (6') feet above grade.

SECTION 9.9 **FENCES** (cont'd)

C. Commercial/Office & Research/Industrial Districts

The following regulations apply to all fences in any Commercial, Office & Research or Industrial Office:

1. Fences between the principal building and a street shall not exceed forty-eight (48") inches in height above grade.

2. Fences between the principal building and both streets on corner lots shall not exceed forty-eight (48") inches in height above grade.

3. Fences to the side or rear of a building shall not exceed six (6') feet in height above grade in any Commercial or Office & Research District and shall not exceed eight (8') feet in height above grade in any Industrial District.

4. Fences installed as part of a business park entry feature shall have a maximum height of six (6') feet above grade.

D. Prohibited Fences

The following types of fencing are prohibited in all Districts:

1. Barbed wire, razor ribbon and similar types except in conjunction with agricultural activities.

2. Any fence that impedes the view of vehicular traffic or creates any type of safety hazard.

3. Fencing that is charged or connected with an electrical current, except in conjunction with agricultural activities.

SECTION 9.10 **HOME OCCUPATION**

A. A home occupation shall be classified as a home office or home based business as defined below.

1. Home Office: A secondary use of a residential dwelling for professional office activities. Typically the business or office use would be ancillary to a primary location elsewhere. Residences of accountants, architects, artists, authors, clergy, landscape architects, lawyers, professional engineers, professional land surveyors, real estate agents, teachers or similar professions used in the conduct of their professions where the home office use is incidental to the residential use of the premises. Home offices do not involve the use of special equipment or vehicles. A zoning certificate is not required.

SECTION 9.10 **HOME OCCUPATION** (cont'd)

A. (cont'd)

2. Home Based Business: A secondary use of a residential dwelling for business activities that does not meet the definition of a home office. A home based business is typically more intense than a home office and consists of a service-oriented commercial use that is still secondary to the residential use but may involve special equipment or vehicles. Agricultural and horticultural uses are not included in this definition. A zoning certificate is required.

B. **General Requirements**

1. For the A/R District, a home occupation may include the use of an accessory building as a place for operation of the home occupation or for purposes of storage of equipment or vehicles. The accessory building shall not exceed the lesser of ten (10) percent of the lot area or 2,000 square feet in area

2. For all "R" Districts, a home occupation shall be confined to the dwelling.

3. No more than one person, other than members of the family residing on the premises, shall be engaged in such occupation;

4. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of floor area of the dwelling unit shall be used in the conduct of the home occupation.

5. There shall be no change in the outside appearance of the building or premises, outside storage of materials incidental to the home occupation, nor other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated and in compliance with Section 7.

6. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in Section 6 and shall not be located in a required front yard;

7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

8. Parking of commercial vehicles shall conform to Section 6.

SECTION 9.11 KENNELS

A. General Requirements

1. Minimum lot area shall be two (2) acres.

2. Buildings, pens or enclosures used for housing or containing dogs shall be a minimum of 50 feet from all property lines and/or any dwelling unit.

3. Suitable fencing or landscaping shall be installed around pens and/or enclosures used for housing or containing dogs.

4. Hours of operation shall be between 7:00 A.M. and 7:00 P.M. for all days of the week.

5. Advertising signs shall be in accordance with Section 7.

6. On-site parking shall be provided in accordance with Section 6.

SECTION 9.12 PONDS

A. General Requirements

1. Ponds shall be permitted in the A/R District on parcels of three (3) acres or greater and in all "C" and "M" Districts.

2. Ponds shall be permitted in Suburban Residential Districts on parcels of five (5) acres or greater.

3. All ponds shall require a permit and meet requirements of Section 14.2 which includes written application for a zoning certificate accompanied with a site plan. Site plan review shall be required for ponds when accessory to residential uses on lots of five (5) acres or less and shall meet the additional requirements of Section 12 as applicable.

4. Ponds shall conform to the U.S. Soil Conservation Service specifications and recommendations.

5. If a pond is deemed to pose a safety hazard because of the density of development in the vicinity of the parcel, the township may require fencing be installed as specified under Section 9.14.

SECTION 9.12 **PONDS** (cont'd)

B. Area and Design Requirements

1. Minimum pond surface area shall be one half (1/2) acre. Maximum surface area shall not exceed 25% of the net acreage of the parcel.

2. The side slope of a pond shall be horizontal to vertical at a ratio of 3:1 except where a beach is desired. This ratio shall be maintained to a minimum depth of 17 feet.

3. Beach areas may be sloped no less than at a horizontal to vertical ration of 10:1 and shall not exceed 25 % of the pond surface area.

4. Ponds shall be graded not to exceed four (4) feet in height so it will not obstruct an adjoining property owner's view. Excess dirt may be redistributed on the parcel, but may not be removed from the site unless determined in the site plan approval that it is deemed necessary for landscaping or to provide adequate drainage of the site.

5. To prevent adverse effects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from pond development, then diverted to a suitable outlet or drainage ditch.

C. Setback

1. A pond shall have 100 feet minimum setback from any public road right-of-way and a minimum rear yard setback of 25 feet.

2. Ponds on parcels of five (5) acres or less shall have a side yard setback of not less than 10 percent of the width of the parcel, with a minimum setback of 25 feet. Ponds on parcels of more than five (5) acres shall have a minimum side yard setback of 25 feet.

3. A pond shall be located no closer than 100 feet to a septic tank, or leach field.

D. Refilling

The refilling of an area which has been excavated for the development of a pond shall be considered waste disposal and shall meet the requirements as set forth by the Lucas County Board of Health for solid waste disposal under 3734.05 O.R.C.

SECTION 9.13 SELF STORAGE FACILITIES

A. General Requirements

1. Self storage facilities shall be limited to rental of storage units and external vehicle storage spaces, pickup and deposit of stored items.

2. Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units. A copy of the lease agreement shall be filed with zoning administrator as a condition of the permit.

B. Specific Requirements

1. Lot Area:

a. Minimum lot area shall be two (2) acres.

a. Maximum lot area shall be three (3) acres for "R-3" Districts.

2. Lot coverage: Maximum lot coverage of units and storage areas shall be 50% of gross lot area.

3. Setback:

a. Front yard: 50 feet

b. Side or Rear Yard: 25 feet when abutting or opposite an "A" Yard or "R" District

c. 15 feet when opposite or abutting a "C" or "M" District

4. Height: Height of structures shall be in conformance with structures or equal the average height of structures on properties abutting or opposite to self storage facilities where no adjacent structures exist, the maximum height shall be 15 feet to highest point of building.

5. Lighting: Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arrange to reflect light away from adjoining residential property or any public way.

6. Site Plan: A site plan shall be required and subject to approval by the Zoning Commission, with review by the Planning Director of the Lucas County Planning Commission.

SECTION 9.13 **SELF STORAGE FACILITIES** (cont'd)

7. **Signs**: Shall conform to requirements under Section 7.

8. **Pavement**: All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement.

9. No door openings for any storage unit shall be constructed facing any residentially zoned property.

10. Fencing, walls, or landscaping/plant screening shall be required around the perimeter of the facility, where deemed appropriate under the site plan review setbacks may be waived and a unit wall approved in lieu of a fence or landscaping.

11. **Special Requirements**: Where abutting or opposite an "A" or "R" District:

a. Fencing or walls shall consist of decorative wood or stone, decorative concrete block or similar materials compatible with surrounding residential dwellings.

b. Hours of operation shall be no earlier than 7:00 A.M. nor later than 8:00 P.M. daily.

12. **External storage of vehicles**: External storage of vehicles shall be limited to cars, boats and recreational vehicles; shall be limited to one external vehicle storage space per 2,000 square feet of enclosed storage space; shall be prohibited within any required yard area; and shall be suitably screened and fenced.

SECTION 9.14 **MORE THAN ONE PRINCIPAL BUILDING**

No more than one (1) principle building may be located on a single lot, except for the following uses:

Group living	Multi-family dwellings
Church	Public Uses (School, Fire Station, etc.)
Greenhouses	Self storage facility
Manufactured Home Park	

SECTION 9.15 SWIMMING POOLS

A. Swimming pools shall not be permitted in a side or front yard in an A/R or R District.

B. Swimming pools exceeding 12 feet in diameter or length as applicable to the shape of the pool and has greater than two (2) feet of depth capacity for water shall be enclosed or protected by an adequate fence at least 42 inches high with all access gates provided with adequate key-type locks. Such fence shall be constructed so the horizontal and vertical members, other than supporting members, shall not be spaced more than one and three-fourths inches apart. The non supporting vertical and horizontal members must be located on the outside portion of the fence.

C. Portable Pools 42 inches or higher, require no fence if the pools are free of any cross bars and the ladder is withdrawn when the pool is not in use and placed where small children cannot reach it.

D. Pools shall be a minimum of 10 feet from any property line.

SECTION 9.16 PRIVATE TENNIS COURTS

Private tennis courts shall be permitted in any A/R or R District with the following requirements:

A. A site plan shall be submitted showing dimensions, and location of the court in relation to property lines, utility easements, septic fields where applicable, and setbacks from property lines. The site plan shall be subject to review by the Zoning Commission with recommendation to the Zoning Administrator.

B. Courts shall not be placed over any septic field or within any public right-of-way.

C. Maximum court dimensions shall be 120 x 60 feet or 7200 square feet in area.

D. The site plan shall indicate drainage flow and where appropriate, a drainage system shall be installed with suitable outlet, to prevent adverse effects of drainage onto adjoining properties.

E. Courts shall be fenced when court surface is within 20 feet of a property line. The fence shall not exceed 10 feet in height and be separated from the property line with landscaping and/or plant screening not to exceed four (4) feet in height.

F. Lighting where provided shall be so arranged as to reflect away from adjoining residential properties or public way.

SECTION 9.17 NURSERY AND LANDSCAPING – LAWN CARE SERVICES

A. General Requirements

1. Minimum lot size shall be subject to site plan review.

2. Location on a major street within the A/R District.

SECTION 9.17 NURSERY AND LANDSCAPING – LAWN CARE SERVICES (cont'd)

B. Specific Requirements

1. The only retail activity permitted is the sale of nursery stock. 50% or more of any nursery stock for retail sale shall be grown on-site.

2. Machinery or equipment shall not be stored within the required yard areas, and shall be suitably screened or fenced.

3. Any storage building or other non-residential building shall not be located within the required yard area for such buildings in the A/R zoning district.

4. Off-street parking shall be provided for any business vehicles, employee vehicles and customer vehicles.

SECTION 9.18 TEMPORARY STRUCTURES

Temporary real estate sales offices and temporary construction site offices are permitted subject to the following conditions:

A. The structure is not located on a permanent foundation.

B. The permit shall include a stated time limit not to exceed twelve (12) months. Twelve (12) month permit extensions may be granted subject to the review and approval of the Zoning Administrator.

C. Permit shall be subject to such conditions as to safeguard the health, safety and general welfare.

SECTION 9.19 TELECOMMUNICATIONS TOWERS

Pursuant to the Telecommunications Act of 1996 and ORC Section 519.211, this section sets forth standards for the Board of Zoning Appeals to consider when reviewing the conditional use request. These minimum standards include:

A. The applicant must 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).

B. The applicant shall provide proof of notification to adjacent property owners as required by ORC Section 519.211.

C. The applicant must demonstrate at the time of application that no technically suitable and feasible site is available in a nonresidential district and that the site is located in the least restrictive district that includes a technically suitable and feasible site.

SECTION 9.19 **TELECOMMUNICATIONS TOWERS** (cont'd)

D. The tower and all accessory structures shall be located in conformance with all setback requirements of the district. In addition, the distance from the base of the tower to any property line, supporting structure of another tower, or residential structure shall be a minimum of 100 percent of the proposed tower height.

E. The structure shall not exceed 135 feet in height.

F. Base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery or other screening materials. The height of this screening shall generally be five (5) feet or greater in order to adequately screen the view.

G. The applicant shall notify the Zoning Administrator within 30 days of ceasing operations at the site and shall remove the structure(s) within 60 days of ceasing operation.

H. No advertising or illumination other than that required by law may be located on the structure.

I. The applicant must demonstrate that "co-location" of the telecommunication tower with other telecommunication towers or facilities in the vicinity was considered. Co-location shall be encouraged wherever feasible.

SECTION 9.20 **BLIGHTING FACTORS OR CAUSES OF BLIGHT**

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. No person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighted factors upon any premises in Monclova Township owned, leased, rented or occupied by such person, firm or corporation.

A. The outdoor storage upon any premises of building materials unless a zoning permit has been issued by the Township and a building permit issued by the Lucas County Department of Building Regulations not more than one (1) year previously for construction upon said premises, and said materials are intended for use in connection with such construction. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure. Provided, that outdoor storage of building materials which is not in violation of applicable zoning or safety regulations is permitted if said materials are kept out of view of the public and abutting premises. Provided further, that all construction debris shall be removed from any premises within 30 days after occupancy thereof.

SECTION 9.20 **BLIGHTING FACTORS OF CAUSES OF BLIGHT** (cont'd)

B. The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 30 days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal or any other materials or other castoff materials of any kind whether or not same could be put to any reasonable use.

C. The existence of any vacant dwelling, garage, or other out-building unless the same is kept securely locked, windows kept glassed or neatly boarded up, and otherwise protected to prevent entrance thereto by vandals.

D. In any area the existence of any structure or part of structure which because of fire, wind or other natural disaster, or physical deterioration is no longer usable for its intended purpose.

E. In any area the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid zoning permit issued by the Township and a building permit issued by the Lucas County Department of Building Regulation and unless exterior construction is completed within one (1) year after issuance thereof.

F. Area identification signs or area identification structures in a state of physical deterioration. Notice regarding area identification signs or area identification structures deemed to be in a state of physical deterioration shall be provided to the responsible party identified in accordance with Section 7, and to the homeowners association and developer if applicable. Homeowners associations and/or lot owners may be assessed a proportionate share of the cost incurred by the township to remove or repair area identification signs and area identification structures if the responsible party, after due notice, fails to remedy the physical deterioration.

G. The emission of smoke, dust, particulates or odors which are objectionable or pose threat to the health and safety of the surrounding area.

SECTION 9.21 **ENVIRONMENTAL STANDARDS**

No land or building shall be used or occupied for commercial, industrial or nonresidential purposes which produces any dangerous, injurious, noxious or otherwise objectionable element or condition which could adversely affect the adjacent land nor pose a threat to the public health, welfare and safety of persons at the site or external to it. Such uses permitted by this resolution may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the following standards.

SECTION 9.21 **ENVIRONMENTAL STANDARDS** (cont'd)

A. Environmental standards will be maintained for air quality, water quality and solid waste disposal as required by the Ohio Environmental Protection Agency and the Ohio Department of Health.

B. Glare and Heat - No direct glare or reflected lights which are visible from other properties outside the industrial or commercial district shall be permitted.

C. Vibration and noise - Noises deemed objectionable to adjacent and nearby properties if determined a nuisance by the Township Trustees, shall not be permitted.

D. Smoke, dust, particulates and odors - The emission of smoke, dust, particulates or odors which are objectionable or pose a threat to the health and safety of the surrounding area shall not be permitted. Compliance shall be in accordance to Air Quality Standards of the State of Ohio as administered by the City of Toledo, Environmental Services Agency.

E. All roadways internal to the site will be paved or maintained to minimize dust.

F. Radiation or electromagnetic disturbance - No device or material which generates hazardous radiation or causes electromagnetic disturbances to nearby areas shall be permitted.

G. Electrical and telecommunication facilities - All electrical and telecommunication facilities should be hidden from view of adjoining properties and roadways and where feasible will be placed underground.

SECTION 9.22 **OPEN STORAGE AND DISPLAY OF MATERIAL AND EQUIPMENT**

The open storage and display of material and equipment incident to permitted or conditional nonresidential uses shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties by means of walls, fences or plantings. In no case shall this storage be maintained beyond the front building line. Walls or fences shall be a minimum of four (4) feet in height without advertising thereon. Notwithstanding the requirements of Section 13, in lieu of such wall or fence, a strip of land not less than 10 feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height at the time of planting may be substituted.

SECTION 9.23 **YARD/GARAGE SALES**

Yard/Garage Sales are permitted in all Residential Districts as an accessory use and are regulated as follows:

A. No more than two (2) yard/garage sales shall be conducted within any consecutive twelve (12) month period on any property.

SECTION 9.23 **YARD/GARAGE SALES** (cont'd)

B. Yard/Garage sales shall not to exceed three (3) consecutive days.

C. Items displayed for sale shall not encroach into the right-of-way at any time.

SECTION 9.24 **VEHICLE SALES IN RESIDENTIAL DISTRICTS**

A. No more than one automobile and/or recreational vehicle shall be sold at the same time in an A/R or R District. The vehicle shall not encroach into any right-of-way or create a safety hazard.

B. The sale of any commercial vehicle is prohibited in all A/R and R Districts.

SECTION 9.25 **ACCESS FOR FIRE PROTECTION**

Access for fire protection shall be provided to all lots and to all buildings and structures on all lots prior to construction of any building or structure thereon. "Access for Fire Protection" means an all-weather roadway capable of supporting fire department vehicles and related equipment from the public highway to the lot and to the building or structure located or proposed to be located thereon.

SECTION 9.26 **DWELLING UNITS ABOVE THE GROUND LEVEL**

Single-, two-, and multiple-family dwelling units in a C-1, C-2 District shall be subject to the following requirements:

A. All dwelling units shall be located above the ground level of a Permitted or Conditional Use in the district.

B. Off-street parking shall be provided in accordance with the provision of Section 6 of this Resolution in additional to the requirements of other uses on the site.

C. The maximum height of the structure may not exceed the maximum height requirement of the district the structure is located in.

D. The maximum density and minimum floor area requirements shall be calculated using the R-3 use standards of Section 4.7.

SECTION 9.27 **WASTE DISPOSAL FACILITY**

A. **Zoning Requirements**

No waste disposal facility shall be established, operated, used or located within the Township unless such facility is located, within an M-1 or M-2 Zoning District.

No waste disposal facility shall be established, operated or located within the Township unless such facility has been issued a Conditional Use Permit under Section 8 of this Resolution.

SECTION 9.27 **WASTE DISPOSAL FACILITY** (cont'd)

A Conditional Use Permit issued hereunder shall be conditioned on the operator and site having and maintaining valid permits, licenses and registrations required by any regulatory agency or authority having jurisdiction over such operations.

Except as specifically provided for and permitted under this section, no person shall dispose of waste nor operate any waste disposal facility or solid waste transfer facility within the unincorporated territory of the Township.

B. **Interpretation**

This Section is intended to be interpreted and applied so as not to be in conflict with the general laws of the State of Ohio.

Unless specifically defined otherwise in this Resolution, the terms used in Section 9.26.A shall have the same meanings as the definitions established for such terms in the Ohio Revised Code and Ohio Administrative Code.

SECTION 9.28 **INTERNET GAMING ESTABLISHMENTS/CAFES**

Monclova Township may exercise all lawful powers of local self-government regarding the operation of Internet Gaming Establishments/Cafés and Employees within Township limits and may adopt and enforce within Township limits any local police, sanitary, and similar regulations regarding the operation of the same. The regulations may include, but are not limited to limitations on hours of operation, interior configuration requirements, and requirements that Internet Gaming Establishments/Cafés and Employees obtain permits to operate as or to be employed by an Internet Gaming Establishment/Café. The authority granted under this division may provide for civil sanctions and fines for violations of regulations established under Township Resolutions. All proceeds from fines for violations shall be paid into the Township general fund.

All Internet Gaming Establishment/Cafés, as herein defined shall be first required to obtain a conditional use permit as described in Section 8 of this resolution.

Requirements (Township overlay zoning districts have additional requirements and/or prohibitions):

A. Internet Gaming Establishments/Cafés shall not be located within a 500 foot radius of any residentially or agriculturally zoned district, public or private school, church, public or private park, public or private playground or all other uses for the activities of minors. The distance shall be measured, by radius, from the closest property line of the proposed Internet Gaming Café/Sweepstakes Terminal Devices to the closest property line of the prohibitive use class.

B. Internet Gaming Establishments/Cafés shall not be located within a 500 foot radius of any other Internet Gaming Establishment/Café. The distance shall be measured, by radius, from the closest property line of the proposed Internet Gaming Establishment/Café to the closest property line of the existing Internet Gaming Establishment/Café.

SECTION 9.28 **INTERNET GAMING ESTABLISHMENTS/CAFES** (cont'd)

C. Off-street parking shall be provided in accordance with Section 6, "Off-Street parking and Loading."

D. The Township shall reserve the right to review facilities of an Internet Gaming Establishment/Cafés.

E. The Township shall reserve the right to revoke the Conditional Use for any and all Internet Gaming Establishments/Cafés for any one of the following reasons:

1. An applicant gave false or misleading information in the application or in any document or diagram related to the operation of the Internet Gaming Establishment/Café;

2. An applicant or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;

3. An applicant or employee knowingly operated an Internet Gaming Establishment/Café during a period of time when the applicant's Special/Conditional Use Permit was suspended;

4. An applicant has been convicted, pleaded guilty or no lo contendre for an offense or violation of Chapter 2915 of the Ohio Revised Code or any violation of the resolution or of any other ordinance or state law equivalent to any offense contained in Chapter 2915;

5. An applicant or an employee has knowingly allowed gambling activities prohibited by section 2915.02 of the Ohio Revised Code to occur in or on the Special/Conditional Use Permit premises. The term "gambling" shall have the same meaning as it is defined in the Ohio Revised Code 2907.02;

6. An applicant is delinquent in payment to the County/Township of taxes or fees related to Internet Gaming Establishment/Café;

7. Allowing an individual, including, but not limited to, a patron, customer, or employee, who is under eighteen years of age on the premises of an Internet Gaming Establishment/Café.

SECTION 9.29 **MANUFACTURED HOME PARKS**

A. General

1. The manufactured home park site shall contain not less than five (5) acres, shall be maintained as a single parcel of record, and the overall density shall not exceed ten (10) manufactured home units per gross acre.

SECTION 9.29 **MANUFACTURED HOME PARKS** (cont'd)

A. **General** (cont'd)

2. A manufactured home park site may contain less than five (5) acres if it is an extension or enlargement of an existing manufactured home park, and said extension or enlargement shall have no more than 10 manufactured home spaces per gross acre.

3. Every manufactured home park lot shall be designed to abut upon open space or recreational facilities.

4. Each manufactured home park shall contain a community building.

5. No unit shall be placed closer than 50 feet of a manufactured home park boundary line nor within 20 feet of another manufactured home unit.

6. A manufactured home park site shall not be so situated that either its rear property line or a side property line shall abut a commercial or industrial zone or an existing manufactured home park.

7. No commercial activity shall take place in a residentially zoned part of the manufactured home park.

8. No structure designed for year-round living purposes is added to manufactured homes in the park.

9. The land occupied by the park is maintained in single ownership or control, and no individual lot is transferred to other ownership.

10. Manufactured Home Parks shall comply with the rules of the Ohio Department of Health, Public Health Council, Manufactured Home Parks, Chapter 37-1-27 of the Administrative Code; and subject to site plan review.

SECTION 9.30 **MANUFACTURED HOMES**

Manufactured homes as defined under Section 18 shall not be permitted to be occupied as a residence in the township except as provided for under Section 9.28.

SECTION 9.31 **DUMPING AND/OR SPREADING OF SEWAGE SLUDGE**

The dumpling and/or spreading of sewage sludge, industrial sludge, and any by-product of the treatment of sewage or industrial waste is prohibited within the township.

SECTION 9.32 **FARM MARKETS**

A. **General**

Farm markets shall be permitted where 50% of more of the gross income received from the market is derived from produce raised on farms owned or operated by a market operator within a normal crop year.

SECTION 9.31 **FARM MARKETS** (cont'd)

B. Setback

To allow for safe ingress and egress of vehicles and temporary parking, no building, structure, produce stand, or vehicle used for produce sale or storage shall be closer than 20 feet of any road right-of-way.

SECTION 9.33 **OUTDOOR WOOD FURNACES**

A. General

1. An Outdoor Wood Furnace (OWF) is permitted as an accessory use in the A/R zoning district. A zoning certificate is required for installation and any modifications

2. An OWF shall only service the building(s) upon the lot the unit is located.

3. OWFs shall conform to the requirements of this section, the zoning resolution and all manufacturers guidelines and instructions. In the event of a conflict, the stricter requirements shall apply.

B. Location and Height

1. An OWF shall be located a minimum of 150 feet from any residence, including an attached garage, that is not served by the OWF.

2. An OWF is permitted in the rear yard only.

3. The chimney of any OWF shall extend at least five (5) feet above the peak of any residence located within 150 feet not served by the OWF unless the manufacturer regulations are higher.

C. Fuel

1. Fuel burned in any OWF shall be only natural untreated wood, wood pellets, corn products, biomass pellets or other listed fuels specifically permitted by the manufacturer.

2. The following fuels are specifically prohibited in any OWF:

a. Wood that has been painted, varnished or coated with similar material and/or has been pressure treated with preservatives and contains resins or glues as in plywood or other composite wood products.

b. Rubbish or garbage including but not limited to food wastes, food packaging or food wraps.

SECTION 9.33 **OUTDOOR WOOD FURNACES** (cont'd)

C. Fuel

2. The following fuels are specifically prohibited in any OWF: (cont'd)

c. Any plastic materials including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films and plastic containers.

d. Rubber, including tires or other synthetic rubber-like products.

e. Newspaper (other than used in small quantities to start an initial fire in the burn chamber), cardboard, or any paper with ink dye products.

f. Any other items not specifically allowed by the manufacturer, this section or deemed as a public nuisance by the zoning resolution.

D. Inspections

1. The Township Zoning Administrator or designee may periodically inspect any Outdoor Wood Furnace to assure that said OWF is in compliance with the provisions of the zoning resolution at all times. The owner of any OWF shall produce the manufacturer's owners manual, installation instructions and / or model number to the Township Zoning Administrator or his/her designee for review at any time, if requested.

SECTION 9.34 **DIRT PILES**

A. General

1. Dirt Stockpiles are permitted as a temporary use in all zoning districts. A zoning certificate is required before the construction of the dirt pile. Multiple dirt piles on a single property each require a separate zoning certificate.

2. A performance bond is required for each dirt pile constructed. Multiple dirt piles on the same property can be covered by one performance bond.

3. No dirt pile may be maintained on a property more than six months. An extension of this time period up to six months may be granted by the Zoning Administrator.

4. The property owner or agent shall submit a plan detailing the size, slope and location of the dirt pile. They also shall note if the dirt pile is soil or clean hard fill or a combination of the two. The application shall also note what date the dirt piles will be removed by.

5. These regulations are applicable for all activities where dirt piles are generated.

SECTION 9.34 **DIRT PILES** (cont'd)

A. General (cont'd)

6. Dirt piles resulting from the construction of single family homes are exempt from the zoning certificate and performance bond portion of the regulations but must follow all other regulations.

7. Dirt piles less than 6 feet tall are exempt from the zoning certificate and performance bond portion of the regulation but must follow all other regulations.

8. Landscaping mounds for residential and commercial properties are exempt and are subject to approval by the Zoning Administrator.

9. Licensed composting facilities are exempt from these regulations.

B. Location and Height and Size

1. A single pile of dirt shall not exceed the footprint of a half acre (21,780 square feet).

2. A single pile of dirt shall not exceed 25 feet in height above natural grade.

3. Side slope shall not exceed a 3:1 ratio.

4. Piles of dirt are not permitted in a stream buffer area.

5. No pile of dirt or related activities shall be allowed within 500 feet of an existing residential structure except for piles connected to construction of new residences.

6. No pile of dirt shall be located within 100 feet of any lot line, street or easements.

Exhibit "D" (cont'd)

SECTION 10
NON-CONFORMING LOTS, STRUCTURES AND USES

SECTION 10.1 INTENT OF RESOLUTION CONCERNING NON-CONFORMITIES

Within the districts established by this Resolution or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination, which were lawful before this resolution was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Resolution or future amendments. It is the intent of this resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

SECTION 10.2 AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which a valid building permit was issued, or actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

Any nonconforming structure that is ready for or under construction at the time of adoption or amendment of this Resolution may be completed and occupied in accordance with the requirements of a valid building permit and zoning permit issued prior to such adoption or amendment data.

SECTION 10.3 SINGLE-NONCONFORMING LOTS OF RECORD

In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any single lot of record existing at the effective date of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area and/or width that are generally applicable in the district. Yard dimensions and requirements other than those applying to area and/or width shall conform to the regulations for the district in which such lot is located.

Variances for district requirements, other than lot area or lot width, shall be obtained only through action of the Board of Zoning Appeals as provided in Section 17.

SECTION 10.4 NONCONFORMING LOTS OF RECORD IN COMBINATION

If two or more nonconforming lots, or portions thereof, with continuous frontage are in single ownership, the BZA may, upon appeal of the Zoning Inspector's decision to deny a zoning permit for failure to meet the requirements of this Resolution, determine that these lots are or are not to be an undivided parcel for the purpose of this Resolution. If considered an undivided parcel, no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of said parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.

If each said parcel is developed separately, a finding shall be made by the BZA that such development and density will not be a detriment to the surrounding area.

SECTION 10.5 NONCONFORMING USES OF LAND

Where, at the time of adoption of this Resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

A. No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this resolution;

B. No such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Resolution;

C. Additional structures which do not conform to the requirements of this Resolution shall not be erected in connection with such nonconforming use of land;

D. If any such nonconforming uses of land are discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located. A nonconforming use shall be considered voluntarily discontinued or abandoned;

1. When the intent of the owner to discontinue the use is apparent, or,

2. When the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the 2 year period, or,

SECTION 10.5 **NONCONFORMING USES OF LAND** (cont'd)

D. (cont'd)

3. When it has been replaced by a conforming use, or,

4. When it has been changed to another nonconforming use by first obtaining a permit from the Board of Zoning Appeals.

SECTION 10.6 **NONCONFORMING STRUCTURES**

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this resolution by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity;

B. Should such nonconforming structure or nonconforming portion of structure be damaged so extensively that such structure is rendered unfit for occupancy by any means, it shall not be reconstructed except in conformity with the provisions of this Resolution;

C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is move.

SECTION 10.7 **NONCONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION**

If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Resolution that would not be allowed in the district under the terms of this Resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No existing structure devoted to a use not permitted by this resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;

B. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building;

SECTION 10.7 **NONCONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION** (cont'd)

C. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed;

D. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land;

E. When a nonconforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located. A nonconforming use shall be considered voluntarily discontinued or abandoned:

1. When the intent of the owner to discontinue the use is apparent, or,

2. When the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the two year period, or,

3. When it has been replaced by a conforming use, or,

4. When it has been changed to another nonconforming use by first obtaining a permit form the Board of Zoning Appeals.

SECTION 10.8 **EXPANSION, REPAIR AND MAINTENANCE**

A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided that the cubic content (floor area) existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Exhibit "D" (cont'd)

SECTION 11
PLANNED UNIT DEVELOPMENT

SECTION 11.1 PURPOSE

The Planned Unit Development (PUD) is a voluntary procedure that provides an overlay zoning district that is intended to encourage innovative design, conservation of significant natural features and consolidation of open space and provide for a mixture of uses with an integrated design. The Planned Unit Development allows greater design flexibility so that natural features and open space may be preserved and enhanced through the siting of development in a coordinated and efficient manner.

SECTION 11.2 DESCRIPTION

The Planned Unit Development may be a residential, commercial, or industrial development or may be a combination of uses with no minimum site area required. Where a combination of uses are proposed, a proposed, a maximum of ten (10%) percent of the total acreage may be developed with uses not permitted in the underlying zoning district. The Board of Township Trustees shall review and find that the combination of uses meets the standards set forth in Section 11.5 of this Resolution. Signs for uses developed pursuant to the 10% provision shall conform to the sign regulations for the District in which the use is first permitted. All planned unit developments shall be platted in accordance with applicable subdivision rules and regulations.

SECTION 11.3 Procedure

The Planned Unit Development shall be submitted and processed pursuant to Section 16. The applicant shall submit a "Request for Zoning Change" application with 20 copies of the development plan and a reduction along with the required application fee. The application shall include the following:

A. General Information

1. Name, address, and phone number and e-mail if applicable of the applicant and their consultants.
2. Name and address of registered surveyor, engineer and/or landscape architect who prepared the plan.
3. Legal description of the property.
4. Present use of the property.
5. Conceptual overview of the development.
6. Proposed provision of utilities.
7. Proposed ownership and maintenance of common open space.
8. Anticipated timing and phasing of the development.

SECTION 11.3 PROCEDURE (cont'd)

B. Development Plan Information

1. A vicinity/project location map.
2. Location, type and density of development types.
3. Conceptual drainage plan.
4. Location and amount of open space(s).
5. Gross lot acreage, net lot acreage, maximum allowable density, proposed density with calculations indicated.
6. Maximum site coverage.
7. Topography at two foot contour intervals.
8. Existing features of the development site, including major wooded areas, streets, easements, utility lines, and land uses.
9. Street layout and names.
10. Existing buildings to remain or to be removed, and if the existing buildings remain, proposed use.
11. All proposed signs excluding street signs.
12. Proposed method of street lighting.
13. Landscape material to be used and proposed locations.
14. Location, area, and dimensions of all lots, setbacks, and building envelopes.
15. Required number of parking spaces and number of spaces proposed.
16. Area identification (entrance) structure.

SECTION 11.4 ADDITIONAL INFORMATION

The Board of Township Trustees, Zoning Commission, Zoning Administrator and/or review agencies may require additional information such as professionally prepared maps, survey drawings, studies or reports including environmental assessments and/or traffic impact studies for the development. The expense of providing this information is the responsibility of the applicant.

SECTION 11.5 STANDARDS

A. General

1. The development shall be in conformance with the goals and objectives of the Monclova Township Land Use Plan (adopted 2009), and Monclova Township Zoning Resolution.

2. The uses are compatible within the PUD and with surrounding land uses.

3. The arrangement of land uses and buildings on the site integrate the topography, natural features, views, traffic access and the arrangement of usable common open space.

SECTION 11.5 **STANDARDS** (cont'd)

B. Residential

1. The maximum number of dwelling units permitted shall not exceed the number of units permitted without the Planned Unit Development as determined by the underlying zoning district. The maximum number of dwelling units permitted in the Planned Unit Development shall be calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown below. For purposes of the calculation, net residential acreage equals 80% of the gross parcel acreage, and gross parcel acreage is the total parcel area excluding existing public rights-of-way and floodplain. The maximum number of dwelling units permitted per gross acre according to this calculation is listed below for each zoning district.

Zoning District	Maximum Dwelling Units Per Gross Acre
A/R	0.80
R-C	1.74
R-B	2.17
R-A	2.90
R-1	3.87
R-3	4.09 (single-family)
	5.80 (two-family)
	6.96 (multi-family)

2. No more than 40% of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway, and parking area pavement.

3. No less than 15% of the gross site acreage, none of which is part of any yard or perimeter open space, shall be allocated to usable, accessible and consolidated common open space and may be allocated on a plat by plat basis (one-third of the required common open space may be a lake or pond)

4. An open space area void of buildings, structures, parking areas, or other above-ground improvements except fencing shall be maintained along all perimeter property lines of the Planned Unit Development as follows:

a. When abutting an "A" or "R" District, the open space perimeter area shall be provided with a minimum depth equal to the required rear yard setback of the PUD's underlying zoning district;

SECTION 11.5 **STANDARDS** (cont'd)

B. Residential (cont'd)

b. When a residential area of a Planned Unit Development abuts a "C" or "M" District, a open space perimeter area shall be provided that has a minimum depth of 75 feet.

5. Building height shall be in accordance with the underlying zoning.

6. Telephone, electrical, cable, and other utility appurtenances and dumpsters shall be sufficiently screened.

C. Commercial

1. Commercial developments shall be planned with common parking areas and common points of ingress and egress. Parking requirements shall be provided pursuant to Section 6, Off-Street Parking and Loading, and the number of spaces required shall be determined by each specific use within the Planned Unit Development. Parking and lighting shall be screened in accordance with Section 13 - Landscaping.

2. An open space area void of buildings, structures, parking areas, or other above-ground improvements except fencing shall be maintained on all perimeter property lines of the Planned Unit Development:

a. A minimum open space depth of 30 feet shall be provided unless a greater setback is required as listed in the underlying zoning district;

b. A minimum open space distance of 75 feet shall be provided when abutting an "A" or "R" District.

3. No less than ten (10%) percent of the gross site acreage, none of which shall be a part of any yard, shall be allocated to usable, accessible and consolidated common open space (one-third of the required common open space may be a lake or pond).

4. No more than 65% of gross site acreage shall be devoted to coverage by buildings, structures, street, driveway and parking area pavement.

5. There shall be no minimum lot size, lot-width or building or structure setback requirements except as provided in Section 4.

6. Telephone, electrical, cable and other utility appurtenances and dumpsters shall be sufficiently screened.

SECTION 11.5 **STANDARDS** (cont'd)

D. Industrial

1. Industrial developments shall utilize natural features to screen lighting and parking. Parking and lighting shall be screened in accordance with Section 13 - Landscaping.

2. A minimum open space width of 75 feet void of buildings, structures, parking areas, or other above-ground improvements except fencing shall be provided and maintained on all perimeter property lines of the Planned Unit Development unless a greater setback is required by this Zoning Resolution.

3. No less than ten percent (10%) of the gross site acreage, none of which shall be a part of any yard, shall be allocated to usable, accessible and consolidated common open space (one-third of the required common open space may be a lake or a pond).

4. There shall be no minimum lot size, lot width, or building or structure setback requirements except as provided in Section 4.

SECTION 11.6 **CHANGE TO APPROVED PLAN**

Changes or alterations to the development plan as approved by the Board of Township Trustees that meet the criteria set forth in this section may be administratively reviewed and approved by the Zoning Administrator, except in the following circumstances:

A. Any change in the overall acreage or boundaries of the Planned Unit Development;

B. Any change in use in the Planned Unit Development;

C. Substantial alteration to open space areas and their location(s);

D. A significant change in street pattern;

E. An increase in the number of buildings or dwelling units;

F. Changes in the building/building envelope location(s) or lot lines that result in a significant change in the coverage ratio, yard area or lot area.

Changes that involve one of the above shall be processed in accordance with Section 16 Amendments.

SECTION 11.7 **Expiration and Extension of Approval Period**

If construction of any phase of the approved Planned Unit Development begins within three (3) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within three (3) years after the approval is granted, the Planned Unit Development shall be void and the land shall revert to the district regulations in which it is located. An extension of the time limit may be approved by the Board of Township Trustees.

Exhibit "D" (cont'd)

SECTION 12
SITE PLAN & ARCHITECTURAL REVIEW

SECTION 12.1 PURPOSE

The purpose of Site Plan Review is to ensure compliance with this Zoning Resolution. Site plan review provides a procedure with specific standards for development proposals. Items to be considered include but are not limited to: preservation of existing natural features, safe and efficient access for pedestrians and vehicles, lighting, landscaping, architectural design, off-street parking, storm water management, and compatibility with adjacent land uses, in a manner that will promote public safety, general welfare, and convenience.

SECTION 12.2 APPLICABILITY

A. Site plan review shall be required in the following situations:

1. All new main buildings.

2. All new commercial and industrial accessory buildings and structures greater than twelve hundred (1200) square feet in size.

3. An expansion to an existing building whereby the expansion is greater than five thousand (5,000) square feet.

4. An expansion to an existing building whereby the expansion is greater than twenty-five (25%) percent of the existing gross floor area.

5. When the number of parking spaces on a lot is increased by ten (10) or more.

6. All Telecommunication Tower(s)

7. Whenever expressly required by any other Section of this Zoning Resolution.

* Single family dwellings, two-family dwellings, and related accessory structures and buildings are exempt from the Site Plan Review procedure.

B. Accessory Structures

The following items (and similar items) may not require site plan review but shall first be reviewed by the Zoning Administrator to determine its compliance with Section 12.

1. Accessory structures less than 1,200 sq. ft.

2. An expansion to an existing building whereby the expansion is less than 5,000 square feet.

3. An expansion to an existing building whereby the expansion is less than 25% of the existing gross floor area.

4. Change in parking area/ drive aisles.

5. Co-locations of telecommunication equipment.

SECTION 12.3 **Requirements**

An applicant shall file with the Zoning Inspector the following documents along with the application fee:

A. Basic Requirements

1. A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan which contains the applicant's phone number, fax number, e-mail address, and mailing address.

2. The site plan documents shall include a complete legal description of the property and a general location sketch showing nearby section lines and/or residential and major roadways.

3. All site plans shall have a title - "Site Plan Review". The site plan shall indicate the scale of the drawing and shall use an engineer's scale. The scale of the site plan shall not exceed one (1") inch to sixty (60') feet. The site plan shall have the north arrow pointing either toward the top of the drawing or to the right side of the drawing. The location map and site plan orientation shall be the same.

4. The following documents shall be filed: Twenty (20) blue-line or black-line prints including, but not limited to: the site plan, lighting plan, landscaping plan, and building elevation plan on paper no larger than 24 inches by 36 inches. In addition, electronic files of all submitted plans shall be submitted.

B. Site Plan Requirements

The site plan and associated documents shall indicate the following:

1. The zoning classification(s) and existing uses of the property and all abutting property; the approximate location of buildings and driveway locations opposite to, and adjacent to the property.

2. The dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.

3. The distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to all property lines.

4. The name of all adjacent roadways and the width of the existing pavement and the right-of-way.

5. The location, height, and material of all existing and proposed fences and/or walls on the property.

6. The location, height, lighting and dimensions of existing or proposed signs on the property.

SECTION 12.3 **<u>REQUIREMENTS</u>** (cont'd)

B. Site Plan Requirements (cont'd)

7. The width and location of existing or proposed sidewalks, and the location of all drive approaches adjacent to and opposite the site. The proposed drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat. The plan shall also indicate the pavement composition of driveways and parking areas.

8. Any and all ditches, known wetlands and creeks, or other natural features that may affect the development of the property. Where appropriate, two (2') foot contours and the 100 year floodplain elevation shall be shown on the site plan. Information on this requirement may be obtained from the Lucas County Engineer's Office.

9. The storm water management design shall be based on the Lucas County Engineer's drainage criteria.

10. The location of the existing and proposed sanitary and storm sewers, water lines, and fire hydrants. In the event these improvements are not proposed, the site plan shall indicate the location of proposed or existing wells and sewage system both on-site and on abutting parcels.

11. The location and dimensions of existing or proposed off-street parking spaces and drive aisles, and the number of spaces proposed and required, including handicap spaces. If the off-street parking area is located next to an existing parking area or on another parcel, the plan shall indicate the method of circulation between the two areas.

12. A site plan with a proposed drive-thru window operation shall indicate where the vehicles will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.

13. Submittal of exterior elevations, pursuant to Section 12.4 - Architectural Review Requirements.

14. The location, height, wattage, and photo metrics of all proposed site lighting.

15. Existing and proposed grades including grades of abutting properties.

16. Proposed or existing dumpster size, location, and screening material(s).

17. Detailed Landscape Plan (See Section 13).

Exhibit "D" (cont'd)

SECTION 12. 4 ARCHITECTURAL REVIEW REQUIREMENTS

A. Architectural review is required for all site plan reviews and any building renovation or restoration exceeding 50% of the existing square footage. The review process shall follow Section 12.5. Consideration shall be given to the following elements:

1. Scale and proportion of subject parcel to neighboring properties
2. Architectural massing and ornamentation
3. Suitability of building materials
4. Building design and aesthetics in relation to surrounding buildings
5. Design of the proposed landscaping and aesthetics

B. Stamped, professional architectural plans for all structures shall be submitted to the Zoning Inspector that include:

1. Ground level elevations for all sides of said structure
2. Location of exterior mechanical improvements
3. Roof pitch and material
4. Schedules for all exterior materials, including doors, siding and windows
5. Color palate detailing all exterior colors
6. Wall mounted signage (if applicable) including location, size and illumination (examples permitted)

Eight (8) copies of the above requirements, along with any other reasonable request from the township shall be provided to the township zoning administrator.

C. The following standards shall apply to all building facades and exterior walls and represent the basic desires of the review procedure:

1. Ground floor facades that face the main access street shall have arcades, display windows, entry areas, awnings, or other such features along no less than fifty percent of their horizontal length or as approved by the Monclova Township Zoning Commission. Large expanses of blank walls are to be avoided (See Figure 5-1).

2. Buildings shall have parapets or other architectural features concealing flat roofs and rooftop equipment, such as HVAC units from public view. All roof top equipment, if visible, shall be painted to match the roof color to reduce their appearance. The average height of such parapets shall not exceed one-third of the height of the supporting wall and such parapets shall not be of a constant height for the entire length of the structure, unless otherwise approved by the Monclova Township Zoning Commission.

SECTION 12. 4 **ARCHITECTURAL REVIEW REQUIREMENTS** (cont'd)

C. (cont'd)

3. Predominant exterior building materials (60% or greater of the exterior surface) that should be encouraged include the following:

a. Brick
b. Wood
c. Natural stone
d. Faux stone
e. Tinted and/or textured, concrete block or tilt-up masonry panels
f. Fiber cement siding
g. Dry-vit or similar (stucco) product
h. Simulated natural material (stone, wood)
i. Glass

4. Predominant exterior building materials that should be discouraged include the following:

a. Smooth-faced concrete block (unless tinted or textures with approval)
b. Smooth-faced tilt-up concrete panels
c. Pre-fabricated steel panels

5. The use of high-intensity colors, metallic colors, blacks or fluorescent colors are discouraged. Building trim and accent areas may feature bright colors, including primary colors.

6. Each principle building on a site shall have a clearly defined, highly visible customer entrance and should feature at least three design elements including, but not limited to, the following:

a. Arches
b. Arcades
c. Architectural details such as tile work and moldings which are integrated into the building structure and design
d. Canopies or porticos
e. Display windows
f. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting
g. Outdoor patios
h. Overhangs
i. Peaked roof forms
j. Raised cornice parapets over the door
k. Recesses/projections

SECTION 12. 4 **ARCHITECTURAL REVIEW REQUIREMENTS** (cont'd)

D. Once approved and all other site plan requirements are complete, the applicant shall be entitled to receive a zoning certificate. All approved plans shall be adhered to with violations to be assessed by the zoning administrator as provided in Section 14 of the Monclova Township Zoning Resolution. All actions shall become a permanent part of the application.

E. Changes to an approved plan shall require a formal submission for change from the applicant to the township zoning administrator who may elect to administratively approve the changes or place the changes before the Zoning Commission for a recommendation or a formal hearing on the changes.

F. An appeal of the Zoning Administrator's and/or the Zoning Commissions decision on an architectural review, or any specific conditions provided for by the same, may be made to the Monclova Township Zoning Appeals in accordance with Section 17 of the Monclova Township Zoning Resolution. The Board of Zoning Appeals shall give formal consideration to the recommendation of the Zoning Commission when considering the merits of the appeal/variance/conditional use that is being sought.

SECTION 12.5 **APPROVAL PROCEDURE**

A. The property owner or an authorized representative, hereafter referred to as Applicant, submits the Site Plan Review Application consisting of the Site Plan Review Application, Letter of Submittal, Drawings Checklist, Plans, and other documents to the Springfield Township Zoning Department.

B. If the applicant fulfills all of the requirements of Section 12 of this Resolution then the application will be deemed complete and forwarded to the appropriate governmental review agencies for their review and recommendations. If the applicant does not meet the requirements of Section 12 of this Resolution, the application will be deemed incomplete and returned to the applicant. The review process will not commence until an application is deemed complete.

C. Comments from the Zoning Administrator and other review agencies will be sent to the applicant to make any required revisions. The applicant may ask to convene an administrative meeting with the Zoning Administrator to review comments. The Zoning Administrator and/or applicant may require further review from the Zoning Commission and/or Township Board of Trustees.

D. If the Zoning Administrator determines that a variance is required then an application to the Board of Zoning Appeals shall be submitted. Variances shall be reviewed and a decision rendered by the Board of Zoning Appeals prior to approval of the Site Plan Review application by the Zoning Administrator. A variance request usually adds an additional 30 to 45 days to the process depending on the schedule of the Board of Zoning Appeals and notice requirements.

SECTION 12.5 APPROVAL PROCEDURE

E. The Site Plan Review drawings reflecting the revisions requested by the review agencies shall be submitted to the Zoning Administrator for review and approval. If it is determined that the site plan conforms to all applicable requirements, a zoning certificate may be issued for the proposed project.

F. As part of the site plan review process, a bond, escrow, or other suitable guarantee to insure the implementation of site improvements shall be required by the Zoning Administrator before issuance of any permit.

G. Changes to the approved site plan shall require re-submittal for review pursuant to this Section. The Zoning Administrator shall review the changes and determine if the changes are in conformance with this Resolution. Further review by other agencies may be required.

SECTION 12.6 EXPIRATION AND EXTENSION OF SITE PLAN APPROVAL

If construction of any phase of the development begins within three (3) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within three (3) years after the approval is granted, the site plan's approval shall be void. An extension of the time limit may be approved at the discretion of the Zoning Administrator.

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 13
LANDSCAPING REQUIREMENTS

SECTION 13.1 PURPOSE

The purpose of this Section is to enhance the physical and environmental appearance of all property in the Township and encourage the preservation of native vegetation and natural features. This Section is designed to safeguard public health, safety and welfare, as well as to prevent air and water pollution, erosion, sedimentation, noise, glare and excessive heat and to protect and enhance the value of investments, the visual beauty and the environment. It is the further intent of this Section to encourage creativity and good practice in design, and flexibility in the application of the design standards, by placing emphasis on the use of a variety of elements and diverse planting groups to achieve the desired results. These include, but are not limited to, large canopy/shade trees, smaller trees, shrubbery, earth berms, and paving materials. Use of plants native to the region is encouraged, along with the use of rain gardens and bio-swales.

SECTION 13.2 APPLICABILITY

A landscaping plan shall be submitted for the following developments:

A. For all Site Plan Review submissions pursuant to Section 12 of this Resolution.

B. For all Planned Unit Development submissions pursuant to Section 11 of this Resolution.

C. For all multi-family developments.

NOTE: Landscaping plans are not required for single-family and two-family dwellings.

SECTION 13.3 REQUIREMENTS

An applicant shall file with the Zoning Administrator the landscaping plan along with all other required documents. All landscaping materials shall be installed in accordance with the approved landscaping plan.

A. General

1. The plan shall identify existing and proposed trees, shrubs, and ground covers; natural features; and other landscaping elements.

2. No new trees, shrubs, mounding, or any type of landscaping material shall be permitted in the right-of-way, except as may be required by other government agencies.

3. All loading areas shall be landscaped for screening purposes.

SECTION 13.3 **<u>REQUIREMENTS</u>** (cont'd)

B. Location

Landscaping shall be provided in the following areas:

1. Along the perimeter of the property to buffer, separate, and/or screen adjacent land uses;

2. Along the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses;

3. In the interior of parking lots to provide shade;

4. Along the perimeter of the building(s) visible from any roadway.

C. Minimum Landscape Requirements

1. A planting strip at least five (5') feet in width shall be located along the perimeter of a parking area but not within any right-of-way. Within this area, there shall be one (1) two and a half (2.5") inch caliper deciduous shade trees per fifty (50') linear feet of perimeter parking area. There shall also be a four (4') foot tall solid hedge of shrubs (evergreen or deciduous) to provide screening. An alternative arrangement of perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the site plan review process.

2. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff, but also to break up visually the expanse of paved areas. Parking islands shall be strategically placed throughout the parking lot. Shade trees in these landscape areas are required. Any parking area (including loading areas) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide an area equal to ten percent (10%) of the total area devoted to parking spaces and aisle ways shall be landscaped and permeable areas. The required landscaping shall be designed to break up the visual expanse of pavement with landscape features including boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses, if designed so as to provide an attractive natural asset to the site.

3. All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicle encroachment.

SECTION 13.3 **REQUIREMENTS** (cont'd)

C. Minimum Landscape Requirements (cont'd)

4. The required plant materials for the interior of parking areas shall be one (1) deciduous tree for every three thousand (3,000) square feet of area. Where site distance or maneuvering conflicts exist, trees shall have a clear truck of at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two (2') feet in height.

5. Foundation plantings are required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. One (1) shrub shall be required for every five (5) lineal feet of horizontal exterior building wall visible from the road. If foundation plantings are deemed not practical due to unique features of the site and/or the building, an alternative plan may be considered as part of the landscape plan review process.

6. A landscape strip adjacent to the road shall be provided along the full width of the lot. The width of this landscape strip shall be not less than fifteen (15') feet measured from the right-of-way line. The landscape strip shall be unoccupied except for landscape material, steps, walks, terraces and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1), two and one-half (2 1/2") inch caliber deciduous or two (2), six (6') foot high evergreen trees or a combination, shall be installed for each fifty (50') feet of property frontage along with other appropriate landscape materials.

7. An irrigation system shall be installed in all required landscape areas unless drought resistant, and/or native specie plant material is utilized.

D. Additional Buffering Requirements

When a use in a C-1, C-2, O/R, M-1, and M-3 district abuts a residentially zoned property, the required planting strip for that yard adjacent to the residentially zoned property shall be doubled along with the quantity of planting material. Mounding and/or fencing may also be required.

SECTION 13.4 **PLANT MATERIAL SPECIFICATIONS**

The following sections include specifications for plant materials. Alternatives to these specified plant materials, which demonstrate both the intent and requirements of this Resolution, may be approved as part of the Landscaping Plan.

SECTION 13.4 **PLANT MATERIAL SPECIFICATIONS** (cont'd)

A. Deciduous Trees

A minimum caliper of at least two and one-half (2 1/2") inches measured twelve (12") inches above ground level at time of planting.

B. Evergreen Trees

A minimum of six (6') feet high and a minimum spread of three (3') feet at time of planting.

C. Shrubs

Shrubs shall be at least thirty (30") inches average height and twenty-four (24") inches in width at the time of planting.

D. Ground Cover and Grass

Ground cover shall be planted a minimum of eight (8") inches on center and shall be planted in such a manner so as to present a finished appearance and seventy-five percent (75%) coverage after one complete growing season. If approved as part of a Site Plan, ground cover may also consist of rocks, pebbles, shredded bark, mulch, and other material. Grass shall be planted in species normally grown as permanent lawns.

E. Prohibited Tree/Shrub Species

The following tree and shrub species shall not be used unless already existing in the proposed landscape area:

Ash (Fraxinus)
Box Elder (Acer negundo)
Mulberry (Morus Alba)
Willow (Salix babylonica)
Siberian Elm (Ulmus pumila)
Hickory (Carya sp.)
European Alder-Buckthorn (Rhamnus frangula)
Common Buckthorn (Rhamnus cathartica)
Autumn Olive (Elaeagnus Umbellata)
Multiflora Rose (Rosa multiflora)
Purple Loosestrife (Lythrum salicaria)
Tree of Heaven (ailanthus altissima)
Black Walnut (Juglans nigra)
Silver Maple (Acer Saccharinum)
Black Locust (Robinia pseudo-acacia)
Catalpa (all species)
Cottonwood (Populus deltoids)
Native in the Oak Openings. Existing larger trees may be permitted to remain on site.

SECTION 13.4 PLANT MATERIAL SPECIFICATIONS (cont'd)

E. Prohibited Tree / Shrub Species (cont'd)

Poplar

This is a species of the genus Populus which Includes Cottonwoods. This also includes Aspens, which are native to the Oak Openings. Aspens should remain on-site if they exist at the time of development.

SECTION 13.5 MAINTENANCE AND REPLACEMENT

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

A. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.

B. Within two years of installation (or incorporation of existing vegetation), all trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.

C. Replacement plants shall conform to the approved Landscaping plan. Dead or unhealthy plants shall be replaced within the next planting season. Landscaping shall be maintained and shall be kept free of noxious weeds.

D. As part of the Landscaping Plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Administrator to ensure the landscape material is installed according to the approved landscaping plan. No Zoning Certificate shall be issued until the bond, escrow or other suitable guarantee is received.

Exhibit "D" (cont'd)

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 14
ZONING ADMINISTRATOR AND ZONING CERTIFICATES

SECTION 14.1 ZONING ADMINISTRATOR

A. It shall be the duty of the Zoning Administrator who shall be appointed by the Board of Trustees, to enforce this Resolution. It shall also be the duty of all officials and employees of the Township to assist the Zoning Administrator by reporting to him upon new construction, reconstruction, or land uses or upon observing violations.

B. Appeal from the decision of the Zoning Administrator may be made to the Board of Appeals, as provided in Section 17.
(Revised 2/15/93 – Z17-C148)

SECTION 14.2 ZONING CERTIFICATES

A. It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a zoning certificate has been issued by the Zoning Administrator. It shall be the duty of the Zoning Administrator to issue a zoning certificate, provided he is satisfied that the structure, building or premises, and the proposed use thereof conform with all the requirements of this Resolution. No permit for excavation, construction or reconstruction shall be issued by the Zoning Administrator unless the plans, specifications and the intended use conform to the provisions of this Resolution.
(Revised 2/15/93 – Z17-C148)

B. Upon written request from the owner or tenant, the Zoning Administrator shall issue a zoning certificate for any building or premises existing at the time of enactment of this Resolution certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this Resolution. No charge shall be made for issuing a zoning certificate in accordance with this paragraph.

SECTION 14.3 CONDITIONS UNDER WHICH ZONING CERTIFICATES ARE REQUIRED

A zoning certificate shall be required for any of the following, except as herein provided:

A. Construction or structural alteration of any building, including accessory buildings.

B. Change in use of an existing building or accessory building to a use of a different classification.

C. Occupancy and use of vacant land.

D. Change in the use of land to a use of a different classification.

E. Any change in the use of a nonconforming use.

SECTION 14.3 **CONDITIONS UNDER WHICH ZONING CERTIFICATES ARE REQUIRED** (cont'd)

F. The construction, installation or alteration of any fence, deck, or swimming pool (as defined in Section 9); the installation of any pond in excess of 100 square feet surface area; and the remodeling of any structure for which a building permit is required.
(Revised 9/15/03 – Z17-C263)

G. A zoning certificate may be required for all lawful nonconforming uses of land or buildings created by adoption of this Resolution or any amendments.

H. The conduct of a home based business.
(Revised 3/21/05 – Z17-C276)

SECTION 14.4 **APPLICATION AND ISSUANCE OF ZONING CERTIFICATES**

A. Written application shall be made for a zoning certificate for the construction of a new building or the alteration of an existing building. Said certificate shall be issued within 10 days after a written request for the same has been made to the Zoning Administrator or his agent, provided such construction or alteration is in conformity with the provisions of this Resolution.
(Revised 2/15/93 – Z17-C138)

B. Written application for a zoning certificate for the use of vacant land, or for a change in the use of land or of a building, or for a change in a nonconforming use, as herein provided, shall be made to the Zoning Administrator.
(Revised 2/15/93 – Z17-C138)

If the proposed use is in conformity with the provisions of this Resolution, the certificate therefore shall be issued within 16 days after the application for same has been made.

C. Every application for a zoning certificate shall be accompanied by a site plan in duplicate, and such plans as may be necessary to show the location and type of buildings to be erected or alterations to be made. Where construction or physical improvement of the land is involved, the lot and location of the buildings to be erected thereon shall be staked out on the ground before construction is started, and all dimensions shown on filed plans shall be based on an actual survey.

1. Each plan shall show:

a. The street providing access to the lot and the exact location of the lot in relation to the nearest cross street.

b. The name of the concerned lot plan, if any, and the lot numbers of the concerned and abutting properties.

SECTION 14.4 **APPLICATION AND ISSUANCE OF ZONING CERTIFICATES** (cont'd)

C. (cont'd)

1. Each plan shall show: (cont'd)

c. The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.

d. The location and size of the proposed structure and/or the proposed enlargement of the existing structure.

e. Any other information which in the judgment of the Zoning Administrator may be necessary to provide for the enforcement of this Resolution.

2. Each plan shall bear statements declaring:

a. That no part of the land involved in the application has previously been used to provide required yard space or lot area for another structure.

b. Which abutting land was formerly that of the owner of the land involved in the application, and, if any, the approximate date of title transfer.

3. Where complete and accurate information is not readily available from existing records, the Zoning Administrator may require the applicant to furnish a survey of the lot by a registered surveyor.

4. Each property owner or authorized agent shall be required to attest to the correctness of the statements and data furnished with the application.

5. A file of such applications and plans shall be kept in the office of the Zoning Administrator.

D. The Zoning Administrator shall not issue a zoning certificate for any application requiring site plan review by the Zoning Commission.

SECTION 14.5 **FEES**

A. The Board of Township Trustees shall by resolution establish a fee schedule for zoning certificates, amendments, conditional use permits, site plan reviews, appeals, variances and other matters pertaining to the administration and enforcement of this Resolution. The fee schedule shall be available in the Office of the Zoning Administrator, and may be revised as necessary only by resolution of the Board of Township Trustees. These fees shall not apply to any amendments initiated by the Board of Township Trustees or Township Zoning Commission in accord.
(Revised 5/19/03-Z17-C259)

SECTION 14.5 **FEES** (cont'd)

B. Fees shall be separate and cumulative where request is in combination or if multiple applications are required.
(Revised 8/22/90-Z17-C119)

C. The Zoning Administrator shall deposit all fees with the Township Fiscal Officer who shall credit such fees to the credit of the General Revenue Fund of the Township.

D. Every zoning certificate shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all zoning certificates shall be kept on file in the Office of the Zoning Administrator or his agent, and copies shall be furnished upon request to any person having proprietary or tenancy interest in the building or land affected.

SECTION 14.6 **VIOLATIONS AND PENALTIES**

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use, any building or land in violation of any regulation in or any provisions of this resolution or any amendment or supplement thereto adopted by the Board of Trustees. Any person, firm or corporation violating any regulation thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $500.00. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance, or use continues, may be deemed a separate offense.

SECTION 14.7 **VIOLATIONS – REMEDIES**

A. Any certificate issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the certificate shall be revoked by notice in writing to be delivered to the holder of the void certificate upon the premises concerned, or, if such holder be not found there, by posting the said notice or revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new certificate in accordance with this Resolution shall be deemed guilty of violation thereof.

B. 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 this Resolution or any amendment or supplement thereto, the Zoning Administrator, Township Solicitor, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute an injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

Exhibit "D" (cont'd)

SECTION 15
ZONING COMMISSION

SECTION 15.1 MONCLOVA TOWNSHIP ZONING COMMISSION

The Monclova Township Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Monclova Township and who shall be appointed by the Board of Township Trustees. The Board of Township Trustees shall fill by appointment any vacancies including un-expired terms. The Board of Township Trustees may appoint alternate members in accordance with the provisions of ORC 519.04.

SECTION 15.2 ORGANIZATION

The Zoning Commission shall organize and keep a written record of its actions and determinations, adopt rules and procedures to carry out its duties and obligations, all of which shall be filed in the Office of the Township Fiscal Officer.

SECTION 15.3 MEETINGS

At the first meeting of each year the Commission shall elect a Chairperson and Vice-Chairperson for a term of one (1) year. There shall be a fixed place of the meeting and all meetings shall be open to the public. The Commission shall keep a record of its proceedings showing the action of the Commission and showing the vote of each member on each request considered. All recommendations of the Zoning Commission shall be filed in the Office of the Township Fiscal Officer. A quorum to conduct a meeting shall consist of at least three (3) members of the Zoning Commission.

SECTION 15.4 POWERS AND DUTIES OF THE ZONING COMMISSION

The Township Zoning Commission shall have the following powers and duties:

A. Initiate proposed amendments to the Zoning Resolution and zoning map;

B. Consider, review, and make recommendations on all proposed Zoning Resolution amendments and zoning map changes to the Board of Township Trustees.

C. When reviewing proposed Zoning Resolution amendments and zoning map changes, the zoning commission shall consider, when applicable, the following:

1. The Monclova Township adopted Master Plan;

2. The affects the proposed change will have adjacent property values and on future uses in the area;

3. That there is not existing property already appropriately zoned to accommodate the use;

SECTION 15.4 **POWERS AND DUTIES OF THE ZONING COMMISSION** (cont'd)

C. (cont'd)

4. Affects that any proposed change will have on public utilities and fire protection;

5. How the change will affect the existing road and traffic in the area;

6. Lucas County Plan Commission and Staff, and Township Zoning Staff Recommendations.

D. May consider review, and make recommendations on site plan reviews;

E. Consider, review, and make recommendations on all proposed Planned Unit Development applications to the Board of Township Trustees.

Exhibit "D" (cont'd)

SECTION 16

ZONING CHANGES AND TEXT AMENDMENTS

SECTION 16.1 AUTHORITY

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

SECTION 16.2 PROCEDURES

A. Initiation of Zoning Amendments

Amendments to this resolution man be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;

2. By adoption of a resolution by the Township Trustees;

3. By the filing of an application by at least one (1) owner of said property proposed to be changed or affected by said amendment.

B. Application

1. The application for amendment or district changes shall be made on forms prescribed by, and obtainable at the Office of the Zoning Administrator. This application shall be accompanied by information or data indicating the necessity for, or desirability of, the change requested.

7. Applications for a zoning amendment, or revisions to a previously submitted application, must be submitted to the Zoning Administrator ten (10) business days prior to the Zoning Commission's regularly scheduled meeting. The application must be full and complete, per the regulations and standards as set forth in the Monclova Township Zoning Resolution, at the time of submission.
(Revised 9/1/05-Z17-C280)

C. Fees

A fee shall be paid upon the filing of the application in accordance with the fee schedule established by the Board of Township Trustees and available in the Office of the Zoning Administrator. All additional expenses incurred by the Township in excess of the minimum required fee shall be paid by the applicant. No action shall be taken on an application until all fees have been paid in full.
(Revised 5/19/03-Z17-C259)

SECTION 16.2 **PROCEDURES** (cont'd)

D. Transmittal to Zoning Commission

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner of the property, said resolution or application shall be transmitted to the Zoning Commission.

The date that the Zoning Commission accepts the said resolution or application shall constitute the official filing date. All time limits shall commence from said filing date. The Zoning Commission shall record, in the official minutes, actions taken on all resolutions and applications submitted to them for review (i.e. submitted to Lucas County Planning Commission for review, notification of incomplete application, have requested further information from applicant.)

E. Public Hearing and Notice by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for a zoning amendment. Said hearing shall be not less than 20 nor more than 40 days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application. Notice of such hearings shall be given as follows:

1. A notice of such hearing shall be given by the Zoning Commission by at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.

2. If the proposed amendment intends to rezone or redistrict 10 or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from such areas proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice shall not invalidate any such amendment. The notice shall contain the same information as required on notices published in the newspaper(s).

SECTION 16.2 **PROCEDURES** (cont'd)

F. Submission to the Lucas County Planning Commission

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map(s) pertaining to the case in question to the Lucas County Planning Commission. The Lucas County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

G. Recommendation by Zoning Commission

Within 30 days after the scheduled public hearing, the Zoning Commission shall recommend to the Board of Township Trustees that 1) the amendment be granted as requested; 2) it may recommend a modification of the amendment requested; or 3) it may recommend that the amendment not be granted.

The Commission shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Commission, and shall be a public record.

H. Public Hearing and Notice by Township Trustees

Within 30 days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such hearing shall be given by the Township Trustees by at least one (1) publication in one (1) or more newspapers of general circulation of the Township at least 10 days before the date of said hearing. This notice shall set forth the time and place of the public hearing and the nature of the proposed amendment.

I. Action by Board of Township Trustees

Within 20 days after the public hearing, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees deny or modify the recommendation of the Zoning Commission, a majority vote of the Board of Trustees shall be required.

SECTION 16.3 EFFECTIVE DATE AND REFERENDUM

Such amendment adopted by the Township Trustees shall become effective 30 days after the date of such adoption unless within 30 days after the adoption of the amendment there is presented to the 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 Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

Exhibit "D" (cont'd)

SECTION 17

BOARD OF ZONING APPEALS

SECTION 17.1 GENERAL

The Board of Zoning Appeals is hereby established by this Resolution and shall serve the purpose to hear and decide on appeals of a lawfully executed order by any administrative official in the enforcement of this Resolution. The Board shall consider and make a determination on request for variances from the terms and conditions of this resolution and consider appeals for exception for the use of land, buildings or other structures as applicable under the requirements and conditions of this Resolution.

SECTION 17.2 JURISDICTION

The Board shall have appellate jurisdiction relative to appeals and variances and original jurisdiction relative to conditional uses as provided herein.

A. Appeals

1. The Board shall have the power to hear and decide where it is alleged there is an error in any order, requirement, decision or determination made by any administrative official in the enforcement of this Resolution.

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

3. The Board may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its option ought to be made in the premises; and to that end, shall have all powers of the Zoning Administrator from whom the appeal is taken.

B. Exceptions

In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:

1. Interpretation

Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying the made a part of this Resolution where the street layout actually on the ground varies from the street layout as shown on the map aforesaid.

B. Exceptions (cont'd)

2. Replacement of Nonconforming Buildings

Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than 60% of its fair market value where the Board fins some compelling necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.

3. Modification of Parking and Loading Space Requirements

Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements; or permit (a) the waive r of the requirement that automobile parking space be provided on same lot dwelling, if other suitable and convenient parking space is available within or without a building; or (b) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

4. Public Parking Areas Location

Permit in the "A/R" or "R" Districts, public parking areas or storage garages adjacent to any existing or proposed use in the multiple dwelling, commercial or industrial districts.

5. Use Impact Determinations

Determine whether an industry should be permitted within an "M" Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.

6. Substitution of Nonconforming Uses

The substitution of a nonconforming use existing at the time of enactment of this Resolution for another nonconforming use, if no structural alterations except those required by law or resolution are made; provided, however that in an "A/R" or "R" District, no change shall be authorized by the Board to any use which is not a permitted or conditional use in any "A/R" or "R" District, and in a "C" District no change shall be authorized to any use which is not a permitted or conditional use in any "C" District.

SECTION 17.2 **JURISDICTION** (cont'd)

B. Exceptions (cont'd)

7. Temporary Structures and Uses

Permit the temporary use of a structure or premises in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this Resolution for the district in which it is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. A zoning certificate for such use shall be granted in the form of a temporary and revocable permit, for not more than a 12 month period in undeveloped sections of the Township and not more than six (6) months in developed sections, subject to such conditions as will safeguard the public health, safety, convenience and general welfare.

C. Variances

In hearing and deciding appeals, the Board shall have the power to authorize such variances from the provisions or requirements of this Resolution as will not be contrary to the public interest. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of this Resolution. On appeal where there is unnecessary hardship, the Board may grant a variance in the application of the provisions of the Zoning Resolution only if all of the following findings are made:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions generally created by the provisions of the Zoning Resolution in the neighborhood or district in which the property is located.

2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning resolution and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

3. That such unnecessary hardship has not been created by the appellant.

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

SECTION 17.2 **JURISDICTION** (cont'd)

D. Nonconforming Uses - Extensions or Permit

The Board shall have the authority to grant an extension or permit completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became nonconforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all 100% of the floor area of the existing building or buildings devoted to a nonconforming use.

E. The Board shall have the authority to review and decide on all Conditional Use applications in accordance with Section 8.

SECTION 17.3 **PROCEDURE**

Appeals, variances and exceptions which are granted by the Board shall conform to the procedures and requirements of this Resolution.

A. Application

1. Application: All applications shall be in writing, shall be signed by the owner of the property involved or his duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be filed in the office of the Zoning Administrator.

2. An appeal from any action, refusal or ruling of the Zoning Administrator shall be filed within 20 days after such action or refusal or the announcement of such ruling, by filing a written request in the office of the Zoning Administrator. Within five business days the Zoning Administrator shall transmit to the Secretary of the Board all the papers constituting the record upon which the action or ruling appealed from was taken.

B. Review by Other Officials

Upon consideration of an appeal, variance, or request for exceptions on the agenda of the Board of Zoning Appeal, the Board may request additional information or review of the appeal, variance, or request for exceptions prior to the issuance of a final decision. The Board may request additional information or review by other Township officials, County agencies, the Lucas County Planning Commission, or any other private or public person or agency as the Board deems appropriate. Said information or review shall be requested to be returned to the Board of Zoning Appeals within 45 days after the date the matter is first on the Board's agenda. If no response is received within 45 days, the board shall proceed without the additional information or review or grant an extension of time, not to exceed another 45 days. If a response is received, the Board shall consider the additional information or comments upon review at the hearing on the appeal, variance, or request for exceptions. The Board may continue the hearing from month to month until the additional information or comments upon review are available for consideration.

SECTION 17.3 **PROCEDURE** (cont'd)

C. Public Hearing and Notice

The Board shall hold a hearing on each appeal, variance, or request for exceptions after at least a 10 days notice, both in writing to the parties in interest and by publishing one time in one (1) or more newspapers of general circulation in the Township, stating the date, time and place thereof. The Board shall issue a written decision and conclusions of fact on each appeal, variance, or request for exceptions, not more than 40 days after the date the hearing is concluded. The approved minutes of the Board may serve as the written decision and conclusions of fact, or the Board in its sole discretion, may issue its written decision and conclusions of fact as documents separate from its minutes. After the conclusion of a hearing and the vote and announcement of a decision by the Board, the Zoning Administrator, in his sole discretion, may issue any necessary permits prior to the approval and issuance of the written decision and conclusions of fact by the Board. A copy of the written decision and conclusions of fact shall be transmitted to the applicant or appellant by the Board Secretary, by regular U.S, Mail posted within 3 business days following the action of the Board approving the said decision.

D. Supplemental Conditions and Safeguards

In granting any appeal, variances or an exception, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the use is granted, shall be deemed a violation of this Resolution and punishable under Section 14.

E. Schedule of Fees, Charges, and Expenses

The Board of Township Trustees shall, by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for appeals, variances, exceptions and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Administrator, and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

F. Record of Appeals, Variances, and Conditional Uses

A public record of all appeals, variances, and exception applications and disposition thereof shall be kept on file in the office of the Zoning Administrator.

G. Appeal of Board Decisions

If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made within 10 days of the Board's written decision.

H. The Board of Zoning Appeals has the power to revoke a variance or exception for noncompliance. The Board shall notify the affected party of their intent to revoke by the mailing of a notification by certified mail. The affected party has the right to request a hearing within 30 days of the mailing of the notification, in which case the board shall notify the party of the time and place of the hearing. Revocation of a variance or an exception shall become effective 30 days after notice has been given, unless a hearing has been requested.

Exhibit "D" (cont'd)

BLANK PAGE

Exhibit "D" (cont'd)

SECTION 18
DEFINITIONS

SECTION 18.1 INTERPRETATION OF TERMS OR WORDS

For the purpose of this Resolution certain terms and words are herein defined as follows:

The words "used for" include "designed for" and vice versa; words used in the present tense include the future; words in the singular number include the plural number and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; the word "lot" includes the word "plot"; and the word "shall" is mandatory and not directory.

Accessory Building: A detached subordinate building, the use of which is clearly incidental to that of the main building or the use of this land.

Accessory Dwelling: A structure subordinate to the main use of the site that is provided for a caretaker or manager as on-site living quarters. The minimum square footage shall be 900 square feet.

Accessory Use: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Agriculture: Includes farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry. Agriculture shall not include kennels.

Agricultural Implement Sales and Rental: The sale or rental of new or used agricultural implements and equipment to be displayed for sale on the premises.

Agricultural Product Sales: The sale of goods produced or services provided by person(s) engaged in agriculture.

Airport or Aircraft Landing Field: Any landing area, runway, or other facility designed, used, or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage, and tie down areas, hangars, and other necessary buildings and open spaces.

All-Terrain Vehicles: Self propelled motor vehicles designed for off-road usage on land and/or water. These include, but not limited to, snowmobiles, dirt-bikes, 3-wheel/4-wheel ATV's, and water ski-scooters.

Alley: A public thoroughfare less than 30 feet wide.

Alteration, Structural: Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Amusement Centers/Arcades: A business establishment offering for public use five or more of any form of game machine, instrument or apparatus operated by coin, slug, or similar medium, but not including automatic machines for vending food, soft drinks, or tobacco, and outside service vending machines.

Animal Care Facilities: Structures, buildings, or enclosures used for medical treatment, care and temporary housing of animals, receiving treatment, with temporary housing being limited to 48 hours. Uses include but not limited to veterinary clinics and animal hospitals.

Apartment: See "Dwelling Unit"

Apartment Hotel: A building or portion thereof designed for or containing both individual guest rooms or suites of rooms and dwelling units.

Apartment House: "Dwelling Unit, Multiple"

Applicant: The landowner or his authorized representative, who requests a zoning permit as authorized by this Resolution.

Application: Written request for a change in zoning classification or use authorization as provided for under this Resolution.

Aquaculture: A parcel or building where commercial water dependent fishery facilities are located, including structures for the packing, processing, canning, or freezing of fin fish, crustaceans and mollusks, including related activities such as wholesale and retail sales, product storage facilities, off-loading docks, shellfish culture operations necessary for aquaculture operations.

Auction Market: A building, structure or site which is used primarily for selling goods, merchandise, land, etc. by a bidding process.

Bank: A financial institution, with or without a drive-up window, that is open to the public and engaged in deposit banking and that performs closely related functions such as making loans, investments, and fiduciary activities.

Banquet Hall: An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations.

Bar or Lounge: Any premises wherein alcoholic beverages are sold at retail for consumption on the premises.

Basement: A story partly or wholly underground, for purposes of height measurement, a basement shall be counted as a story where one-half (1/2) its height is above average level of the adjoining ground.

Bed and Breakfast: An establishment located within a single-family dwelling that is the principle residence of the operator, where short-term lodging is offered for compensation and which includes the service of one or more meals to guests.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Billboard or Poster Panels: Any sign or advertising structure used to advertise goods, products, services or facilities which are located off-site from where the sign is installed and maintained.

Board: Shall mean Board of Zoning Appeals.

Board of Township Trustees: The Board of Township Trustees for Monclova Township, Lucas County, Ohio.

Boarding House: A building or portion thereof, other than a hotel where meals, or lodging and meals for three (3) or more persons are provided for compensation.

Boat Storage: The storage of boats, similar watercraft and marine equipment.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, property, or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building.

Building Area: The space remaining on a lot after the minimum open-space requirements (coverage, yards, setbacks) have been met.

Building, Community: A building used by public or private nonprofit agencies or organizations which provide social, educational and recreational activities and services to a neighborhood or community.

Building Coverage: The amount of land covered or permitted to be covered by a building measured on a horizontal plane at mean grade level and excluding uncovered porches, terraces and steps.

Building Height: The vertical distance measured from the adjoining curb grade to the highest point of the roof surface, if a flat roof; to the deckline of a mansard roof; and to the mean height level between eaves and ridges for a gable, hip, or gambrel roof, provided that where the buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

Building Line: A setback line for a main building on a platted lot.

Building, Main: A building in which is contained the principal use of the lot.

Building Unit Group: Two (2) or more buildings (other than dwellings) grouped upon a lot and held under one (1) ownership such as universities, hospitals and institutions.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Bus Shelter: An open structure with a roof used as a protection or shield from wind, rain, snow etc. Usually a place for persons to stay awaiting a bus or passenger vehicle. Size not to exceed 4' x 4' (length X width) X 7' in height.

Business: The sale, purchase, or exchange of goods or services.

Business, General: Retail and service establishments which, in addition to catering to the community residents' and workers' daily needs for convenience goods and services, also include establishments offering comparative type shopping facilities. General business includes, but is not limited to, supermarkets and stores and for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar or related activities which can be grouped by design into a unified shopping center. General business includes retail projects with an aggregate floor area less than 30,000 square feet.

Business, Highway: Includes commercial uses requiring locations on major thoroughfares and at their principal intersections. Highway uses include motels, motor vehicle service stations, motor vehicle repair, restaurants, drive-in establishments, building trades and services, commercial recreation and similar commercial activities, when maintained inside an enclosed building.

Business, Neighborhood: Retail and service establishments which primarily serve local market areas and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion, local retail and service uses include only those enterprises which normally employ less than 10 persons. Permitted uses include drug stores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, and hardware and grocery stores if less than 10,000 square feet of floor area. Other small businesses of an equally restricted and local nature may be permitted, based on the discretion of the Board of Zoning Appeals.

Campground: Land used or intended to accommodate two (2) or more recreational vehicles, tents, or other individual camping units to be used as temporary housing for recreational purposes.

Caterer: An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

Cemetery: Land used or intended to be used for the burial of the human or animal dead, including associated buildings such as chapels, mausoleums, crematories, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Chimney: Flue or flues that carries off exhaust from an Outdoor Wood Furnace firebox or burn chamber.

Church or Place of Worship: A place that people regularly attend for religious services, meetings, and other activities, which may include day care services. The word "Church" shall not carry a secular connotation. Church shall include buildings in which religious services and related activities of any denomination are held.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Clear fall zone: The area, defined as the furthest distance from the tower base, in which a tower will fall in the event of a structural failure.

Club: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

Commercial Grain Elevator/Storage: Buildings or complexes of buildings for storage and shipment of grain.

Commercial Vehicle: Any vehicle with a carrying capacity of over 6000 pounds and used or designed to be used for business or commercial purposes.

Commercial structure: Any building intended for carrying out a business or service.

Commission: Shall mean the Zoning Commission of Monclova Township.

Computerized sweepstake device: Means any computer, machine, game or apparatus which, upon the insertion of a card, coin, token, or similar object, or upon payment of anything of value wherein a product or service is provided, may be operated by the public generally for use as a contest of skill, chance, entertainment, or amusement, whether or not registering a score, and which in no way tends to encourage gambling.

Conditional Use (Special Exception): A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a specific provision for such special exception made in this resolution. A conditional use is not considered to be a nonconforming use.

Conservation Areas: Land preserved to protect the natural environment and/or restrict development.

Construction Materials and Equipment: Materials and equipment used for construction projects or maintenance purposes by a business.

Court: An open unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

1. **Inner Court** - A court other than an outer court. The length of an inner court is the minimum horizontal dimension measured parallel to its longest side. The width of an inner court is the minimum horizontal dimension measured at right angles to its length.

Court (cont'd)

2. **Outer Court** - A court which opens onto a required yard, or street or alley. The width of an outer court is the minimum horizontal dimension measured in the same general direction as the yard, street or alley upon which the court opens. The depth of an outer court is the minimum horizontal dimension measured at right angles to its width.

Covenant: A private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded.

Cul-de-sac: A short street having one (1) end open to traffic and being terminated by a vehicle turn-around.

Curb Grade: The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the County Engineer shall establish such curb grade or its equivalent for the purpose of this Resolution.

Day Care Facilities: A place other than the permanent residence, which administers to the needs of children or adults providing social, rehabilitation, recreational, or educational activities on a daily basis with no provisions for residential care. Uses include, but are not limited to, adult day care, child day care, rehabilitative care and nursery schools.

Decibel (dBA): The measurement of sound pressure relative to the logarithmic conversion of the sound pressure reference level often set at 0 dBA (A-weighted). In general, this means the quietest sound we can hear is near 0 dBA (A-weighted) and the loudest we can hear without pain is near 120 dBA (A-weighted).

Density: A unit of measurement representing the number of dwelling units per acre of land.

1. **Gross Density**: the number of dwelling units per acre of total land to be developed including right-of-ways.

2. **Net Density** the number of dwelling units per acre excluding right-of-ways.

Dirt: Loose earth, soil, clay, sand, loam, sod, turf, ground, gravel, disintegrated rock, or other material excavated from the surface of the land.

Disabled Vehicle: Any vehicle that is not legally drivable this includes vehicles not drivable due to mechanical or body issues or due to lack of proper license plates.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Dish Antenna (Earth Station) An accessory structure combination of:

1. an antenna or dish antenna designed to receive communication or other signals from orbiting satellites;

2. a low level noise amplifier (LNA) located at the focal point of the receiving antenna which magnifies and transfers the signal; and

3. a coaxial cable which carries the signal into the interior of the building.

District: An area or section of the township within which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the requirements for off-street parking and the intensity of use are uniform.

Drive-Up: Establishment or facilities where goods or services are provided from windows or in drive through areas to customers in cars or to the cars, and where the cars are temporarily stopped or standing and which commonly does, or could involve a lineup of cars waiting in line for such goods or services. Current examples of drive-up developments include but are not limited to car washes, drive-up windows at banks and at fast food restaurants.

Dwelling: Any building or portion thereof which is designed for or used exclusively for residential purposes containing one (1) or more dwelling units.

1. **Single Family Dwelling:** a detached building containing one (1) dwelling unit and designed for or occupied by one (1) family.

2. **Two Family Dwelling:** a detached or semi-detached building containing two (2) dwelling units and designed or occupied by two (2) families living independently of each other.

3. **Multiple Dwelling:** a building or portion thereof containing three (3) or more dwelling units and designed for or occupied by three (3) or more families living independently of each other.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Dwelling Unit: A group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, and eating purposes.

Easement: A grant by the property owner of the use of a part of the property by the public, a corporation or persons for specific purposes.

Electrical generator: A device that produces electrical energy from a mechanical energy source. The process is known as electricity generation.

Extraction Industry: The removal of soil, sand, gravel or minerals from land or water for purposes of resale or use in the commercial operation of a business or the production of a good or service.

Exception: The use of land, buildings or structures or in any combination thereof, which does not conform to provisions of the district in which it is located, but may be permitted if applicable conditions are met.

Façade: The entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements that extend beyond the roof of the building.

Family: One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth, marriage or adoption, as distinguished from persons occupying a boarding house, lodging house or hotel herein defined. This definition shall include the following:

1. A group of persons with disabilities (meaning persons who are considered handicapped, as that term is defined by the Fair Housing Act, the Americans with Disabilities Act and Ohio Revised Code Chapter 4112, "Ohio Civil Rights Commission") who need not be related by blood, marriage or adoption, living together as a single housekeeping unit.

2. A foster home as defined by Ohio Revised Code Chapter 2151, "Juvenile Court".

Family (cont'd)

3. Adult family homes and adult group homes, as those terms are defined in Ohio Revised Code Chapter 3722, "Adult Care Facilities", subject to all limitations and qualifications set forth therein.

4. Any residential facility, as that term is defined in Ohio Revised Code Chapter 5123.19, subject to all limitations and qualifications set forth therein.

Feeder line: Any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind tower.

Financial/Insurance Services: Need definition.

Flea Market: A building, structure or site which is used for the renting of stalls or areas by individuals for selling goods or merchandise on a periodic basis.

Floor Area: The sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings but not including: (1) attic or basement storage space; (2) Mechanical utility equipment areas; (3) stairs.

Food Processing The preparation, processing, or canning and packaging of food products. Examples of activities included are bakeries and dairies.

Frontage: All of the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured at the set back building line - or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

Garage: A structure or portion thereof which is used for the storage of motor vehicles.

1. **Private Garage**: a detached accessory building or portion of a main building used for the storage of not more than four (4) motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle, which shall not exceed a one (1) ton capacity.

2. **Public Garage**: a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor driven vehicles.

3. **Storage Garage** - a building or portion thereof designed or used exclusively for storage of motor driven vehicles, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

Golf Course: A facility other than a miniature golf course for the playing of golf at which there may be a clubhouse including restrooms and locker rooms. A golf course may provide additional services customarily furnished such as swimming, outdoor recreation, and related retail sales that may include a restaurant and cocktail lounge if approved as a part of the zoning process.

Greenhouse: A building or structure enclosed with glass or other glazing used for the cultivation and production of plants.

Ground Level: The average ground level grade within 20 feet of the tower base.

Group Living: The residential occupancy of a structure by other than a family, where units or quarters do not each have its own kitchen facilities. Includes the following:

1. **Adult Family Home**
   A state-licensed home or facility that provides accommodations to three to five unrelated adults and supervision and personal care services to at least three of those adults. ORC 3722.01(A)(7).

2. **Residential Facility, Small**
   A state-licensed or state–regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for as many as six (6) (or, if allowed by state law, eight (8)) persons who require such care because of any of the following: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor. Includes the following types of facilities identified under state law: residential facility, ORC 5123.19(L); community alternative home, ORC 3724.01(B); shelter for victims of domestic violence, ORC 3113.33(C); shelter for runaways, ORC 5119.64(B); and other similar uses of the same size licensed by the state but not requiring skilled nursing care.

3. **Residential Facility, Large**
   A state-licensed or state-regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for more than 9 but not more than 16 persons who require such care because of any of the following: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor. Includes the following types of facilities identified under state law: residential facility, ORC 5123.19(L); shelter for victims of domestic violence, ORC 3113.33(C); shelter for runaways, ORC 5119.64(B); and other similar uses of the same size licensed by the state but not requiring skilled nursing care.

4. **Drug and Alcohol Residential Facility**
   A home or facility that provides habilitation services for persons with drug and alcohol addictions but not including methadone treatment.

Group Living (cont'd)

5. **Halfway House**
A state-licensed facility for the care and treatment of adult offenders. ORC 2967.14(C).

6. **Nursing Home**
A state-licensed home used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services. ORC 3721.01(A)(6). Also includes Residential Care Facility, ORC 3721.01(A)(7).

7. **Rest Home**
A home or facility that provides personal care services but not skilled nursing services to adults who reside at the facility. Includes Residential Care Facility ORC 3721.01(A)(7). A facility that conforms with the definition for Adult Foster Home, Adult Family Home, Residential Facility (Small) or Residential Facility (Large) shall be treated as such, regardless of the fact that it may also meet this definition.

8. **Home for the Aging**
A state-licensed home that provides services as a Residential Care Facility and a Nursing Home, except that the home provides its services only to individuals who are dependent on the services of others by reason of both age and physical or mental impairment." ORC 3721.01(A)(8). A facility that conforms to the definition for Residential Facility (Small) or Residential Facility (Large) shall be treated as such a Residential Facility, regardless of the fact that it may also meet this definition.

9. **Group Rental**
Unrelated persons who do not constitute a family or a functional family as defined in this Zoning Code, living as a single housekeeping unit in which individual sleeping quarters may be occupied by the residents of the dwelling thereof, and in which the relationship among the members of the group rests primarily upon a cost-sharing arrangement.

10. **Homeless Shelter**
A home or facility that provides temporary housing, with or without meals, to indigent, homeless, or transient persons. Such home or facility shall not provide lodging on a regular basis.

Group Living (cont'd)

11. **Other Group Living**
Includes fraternity and sorority houses and other community-based housing not provided for elsewhere in this code.

Health Care Clinics: A health care facility which provides for diagnosis and treatment services on an emergency or outpatient basis with no provisions for residential care.

Home Occupation: An occupation carried on by the occupant(s) of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the external character of the dwelling.

Hospital: A health care facility which provides for diagnostic, medical, surgical or psychiatric treatment and care. It may include but not limited to related facilities for educational and training facilities for health professionals.

Hotel: A building in which lodging, or boarding and lodging, are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office normally supervised by a person in charge at all hours. As such, it is open to the public as distinguished from a boarding house, a lodging house, or an apartment which are herein defined.

Impervious surface: Any material such as concrete, asphalt, brick or metal, which impedes the percolation of water into the ground.

Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit does not include a manufactured or mobile home as defined in this resolution. For the purposes of this resolution, an industrialized unit is a dwelling.

Institution: Buildings of land occupied by a nonprofit corporation or a nonprofit establishment for public use.

Institutional Health Care Facilities: A public or nonprofit institution which provides for residential health care and maintenance for mental health or developmentally disabled persons.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Internet Gaming Establishment/Café: Means any individual premises upon which any computerized sweepstake device is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever.

Junk Vehicle:

1. Three model years old, or older;
2. Apparently inoperable;
3. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

Junk Yard: An open area where waste, scrap metal, paper, rags, or similar materials are bought, sold, exchanged, stored, packed, or handled, including building wrecking yards, but excluding uses taking place entirely within an enclosed building.

Kennel: Any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept for boarding purposes, medical care, or for other commercial purposes excluding animal husbandry and animal care facilities.

Kilowatt (kW): A measurement of electricity, equal to 1,000 watts.

Landfill: A site used for the disposal of solid wastes in a manner that minimizes environmental hazards by spreading or compacting waste to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Land Use Plan: Shall mean the "Monclova Township Land Use Plan", as adopted by the Lucas County Planning Commission and Lucas County Commissioners.

Landscaping-Lawn Care Services: A business that provides maintenance and care of lawn and yards including but not limited to services of landscape preparation and maintenance, fertilizing of lawns, snow removal, grass cutting, and shrub and tree trimming.

Large-Scale Retail Project: Development of one or more retail establishments on a single site with common parking facilities with an aggregate floor area of 30,000 square feet or greater.

Livestock: means either of the following:

1. Equine animals regardless of the purpose for which they are raised;

Livestock (cont'd)

2. Any of the following animals that are raised for human food products or fiber:

   (a) Porcine animals;
   (b) Bovine animals
   (c) Caprine animals;
   (d) Ovine animals;
   (e) Poultry;
   (f) Alpacas;
   (g) Llamas;
   (h) Any other animal designated in rules adopted under section 904.03 of the Revised Code.

Loading Berth or Space: A space within the main building or on the same lot, exclusive of off-street parking space and which provides for the standing, delivery/pickup, loading or unloading of packages or materials.

Lodging House: See "Boarding House."

Lot: A parcel of land occupied or intended for occupancy by a use permitted in this zoning resolution, including one (1) main building together with its accessory buildings, yard areas, and parking spaces required by this resolution and having its principal frontage upon a public street or place.

1. **Lot Area:** the total horizontal area within the boundaries of a lot exclusive of all rights-of-way of any access easement, alley, public or private street.

2. **Lot, Corner:** a lot abutting upon two (2) or more streets at their intersection.

3. **Lot Coverage:** the ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

4. **Lot Depth:** the horizontal distance between the front and rear lot lines, measured along the median between the two side lot lines.

5. **Lot Frontage:** the horizontal distance of the boundary line of a lot abutting a street or road right-of-way. On corner or through lots, the street or building address shall be considered frontage.

6. **Lot Interior:** a lot other than a corner lot.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Lot (cont'd)

7. **Lot Line**: a line dividing one lot from another lot or from a street or alley. (Revised 12/1/03 - Z17-C260)

8. **Lot of Record**: a lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Lucas County, Ohio; or a parcel of land described by metes and bounds, the description of which has been recorded in the office of the County Recorder.

9. **Lot Width**: the horizontal distance between the side lot lines, measured at the building setback line established by the Zoning Resolution. Lot width equal to or greater than the minimum required lot width shall be provided from the right-of-way line to the building setback line established by the Zoning Resolution in an unbroken and continuous manner, except for those lots with curved frontage. For cul-de-sac lots and other lots with frontage on the outside of a curve, lot width shall be measured as the chord distance between the points on the side lot lines coinciding with the required depth of the front yard. For lots with frontage on the inside of a curve, lot width shall be measured on a line perpendicular to the bisector of the two side lot lines located at the midpoint of the bisector. (Revised 12/1/03 - Z17-C260)

Major Street: A dedicated street within Lucas County which has been classified as a dual highway, dominant major street, a major street, a secondary major street, or a main county road on the Official County Highway Plan.

Major Street Plan: Toledo-Lucas County Major Street Plan which designates roadways as expressways, principal arterial, minor streets, major collectors or local collectors.

Manufactured Home: A building or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974", and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards. (Revised 4/13/00 – Z17-C219)

Manufactured Home Park: Any site, lot, field, or tract of land upon which three (3) or more manufactured homes or mobile homes used for human habitation are parked, either free of charge or for revenue purposes, which shall include any roadway, building, structure, vehicle or enclosure used or intended for use as part of the facilities of such Manufactured Home Park.

Manufacturing: A process which combines raw materials or components into a product or which changes their physical or chemical characteristics.

1. **General Manufacturing**: manufacturing, which by its nature and function may require large parcels, effective separation from residential and most commercial areas, confinement within enclosed buildings and screened enclosures having an opaqueness of 75% or greater, where outside storage of materials are necessary. General Manufacturing shall include but not be limited to processing of vegetables and fruit, dairy and bakery products, soft drinks and confections, textiles, glass, wood and plastic production, and fabrication, pharmaceuticals, metal fabrication, machining, tool and die, hardware and appliance production.

2. **Heavy Manufacturing**: manufacturing which requires large acreage parcels for isolation and separation from residential and commercial development, special consideration because of the potential spill over effect on surrounding areas and the use of buildings and open areas of the parcel for processing production and storage of materials. Heavy manufacturing shall include, but not be limited to, smelting and primary metal processing, mineral extraction, metal salvage and fabrication, motor vehicles and related products, manufactured housing, household appliances manufacturing, chemical and gas manufacture, refining, manufacturing and/or processing of animals, or animal parts for food, fertilizer or other purposes including the tanning and production of leather goods and furs.

3. **Restricted Manufacturing**: any industrial use which is conducted entirely within enclosed substantially constructed buildings; involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

Marine Sales and Service: The sale and service of watercraft and marine equipment.

Massage Parlor: An establishment or place primarily in the business of providing massage services operated by anyone not a duly licensed medical doctor, osteopath, chiropractor, nurse, physical therapist treating patients recommended by a licensed physician under a duly licensed physician's direction, state licensed massage therapist or person practicing the art of massage on the face or hands in a duly licensed beauty parlor or barber shop.

Meteorological Tower: Means a facility consisting of a tower and related wind-measuring devices, which is used solely to measure wind speed and directions preliminary to construction of a small wind turbine.

Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred twenty (320) or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not quality as a manufactured home or industrialized unit as defined in O.R.C. 3781.06.

Modular Home: See Industrialized Unit.

Mortuary: An establishment in which the deceased are prepared for burial or cremation. The facility may include a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings or display of funeral equipment.

Motel: A building or group of buildings which provide rental or temporary sleeping accommodations for automobile transients.

Motor Vehicle Body Shop: Any building or portion thereof used for the repair or straightening of a motor vehicle body or frame or painting of motor vehicles. Maintenance, service, and engine repair may be performed as an ancillary function of the bodywork.

Motor Vehicle Service Station: Any premises used for supplying gasoline and oil, at retail direct to the customer, including accessories, parts and minor services or repair for motor vehicles, but not including body or fender work, painting or major motor repairs. When the aforementioned service is incidental to the conduct of a public garage, the use shall be classified as a public garage.

Motor Vehicle Sales and Rental: The sale or rental of new and used motor vehicles, motorcycles, recreational vehicles, trailers, or travel trailers, to be displayed and sold on the premises and accessory services.

Motor Vehicle Salvage: The dismantling, wrecking and/or salvage of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts in an enclosed building.

Motor Vehicle Salvage Yard: Any place where two (2) or more motor vehicles not in running condition, or parts thereof are stored in the open, in a fenced area, or in a partially enclosed building, and are not being restored to operation, or any land used for wrecking, storing and/or salvage of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating conditions.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Net Metering: The process by which surplus energy generated by a customer, as measured by the difference between the electricity supplied by an electric service provider and the electricity generated by a customer in an applicable billing period, is fed back to the electric service provider with customer compensation.

Nonconforming Use: Any building or land lawfully occupied by a use at the effective date of this Resolution, or amendment thereof, which does not conform after the passage of this Resolution, or amendment thereof, with the use requirements of the district in which is situated.

Nursery: Land or buildings used for raising and growing of flowers, trees, shrubs or grass sod from seed, seedlings, cuttings or grafted stock.

Nursery School: A school designed to provide daytime care for instruction for two (2) or more children from two (2) to five (5) years of age, inclusive, and operated on a regular basis.

Nursing Home: A residential care facility in which greater than 16 persons reside and as its primary function provides nursing care on a 24 hour basis, physical and/or social rehabilitation services and room and board.

Office: Professional, governmental, executive, management or administrative offices of private organizations or government agencies Typical uses include government offices, administrative offices, legal offices and architectural firms.

Oil & Gas Drilling wells: A hole drilled or dug in the earth from which petroleum or natural gas flows or is pumped.

Outdoor Wood Furnace: Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An Outdoor Wood Furnace may also be referred to as an Outdoor Wood Boiler or Outdoor Wood-fired Hydronic Heater. An OWF must be an EPA OWF Phase II Program qualified model (or as amended by the EPA).

Parking Lot: Any off-street area or structure which meets one (1) of the following conditions.

1. Contains one (1) or more parking, vehicular storage, loading or stacking spaces for commercial, institutional, recreational or industrial use, whether free or for compensation; or

2. Contains five (5) or more parking spaces for any residential use.

Parking Space: An area exclusive of any driveway or other circulation area, accessible from a street, alley or maneuvering area and designed for temporary parking of a motor vehicle.

Performance Bond or Surety Bond: An agreement by a subdivider or developer with the Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement

Permanent Foundation: A permanent masonry, concrete, or locally approved footing or foundation, to which a manufactured or mobile home may be affixed.
(Revised 4/13/00 – Z17-C219)

Permanently Sited Manufactured Home: A manufactured home that meets all of the following criteria:

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities;

2. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments;

3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;

4. The structure was manufactured after January 1, 1995;

5. The structure is not located in a manufactured home park, as defined in this resolution.

Permeable Pavement: A pavement system with traditional strength characteristics, but which allows rainfall to percolate through it rather than running off. A permeable pavement system utilizes either porous asphalt, pervious concrete, or plastic pavers interlaid in a running bond pattern and either pinned or interlocked in place. Porous asphalt consists of an open graded coarse aggregate held together by asphalt with sufficient interconnected voids to provide a high rate of permeability. Pervious concrete is a discontinuous mixture of Portland cement, coarse aggregate, admixtures, and water that allow for passage of runoff and air.

Personal Services: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repairing, barbershop, beauty parlors and similar activities.

Place: An officially approved private thoroughfare other than a street or alley permanently reserved as the principal means of access to abutting property.

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.

Plat: A map or drawing of a tract or parcel of land.

Pond: A body of water of which none of the excavated material has been removed from the site for commercial purposes and is used for the following purposes: to provide water for livestock, fish and wildlife, recreation, fire control or crop and orchard spraying.

Private Garage: See "Garage."

Professional Services: The use of offices and related spaces for such services which are provided by doctors, dentists, lawyers, architects and engineers.

Public Garage: See "Garage"

Public Service Facilities: Structures, buildings, and/or transmission, distribution, or collection systems, which are used to provide and maintain public utilities. Uses include, but not limited to, railroad, electric, gas, water and sewer, and telephone systems and other uses which meet the definition of public utility under ORC 4905.03.

Public Uses: Uses which provide or maintain public services. These include, but not limited to, government buildings, schools, public parks, highway maintenance, and storage facilities and adult/juvenile correctional rehabilitation facilities.

Rated Capacity: The maximum rated output of electric power production equipment. This output is typically specified by the manufactured with a "nameplate" on the equipment.

Recreational Vehicle: Any vehicular portable structure designed and constructed to be used as a temporary dwelling for travel, recreational or vacation purposes. This includes, but is not limited to, motor homes, travel trailers, tent campers and truck campers.

Research/Service Laboratories: A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Residential Floor Area: The interior floor area of a dwelling including stairways, halls, and closets but not including basement, porches, garages, breezeways or carports.

Restaurant: A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute more than 80 percent of the gross sales receipts for food and beverage.

Right-of-Way: A strip of land that is occupied or intended to be occupied by a street, crosswalk, utility, or other special use; the line determining the street or highway public limit or ownership.

Rooming House: See "Boarding House."

Rotor diameter: The diameter of the circle described by the moving rotor blades.

Sale of Fireworks: A place where fireworks are available for sale, retail or wholesale.

Self Service Storage Facility: Any real property designed and used for the purpose of renting or leasing individual storage spaces for the storage of personal property.

Semi-Public Uses: Non-profit services and facilities which are provided to the public that are privately owned and controlled. These include, but are not limited to, churches, parochial schools, hospitals, and other educational, religious or philanthropic organizations and adult/juvenile correctional rehabilitation facilities.
(Revised 12/17/01 - Z17-C243)

Setback Line: A line established by zoning, platting, or other legal means on a lot, that is a specified distance from and parallel to the lot line, to restrict the encroachment of buildings on the lot line.

Sexually Oriented Businesses and Employees: As used or defined in sections 503.51 to 503.53 of the Ohio Revised Code including, "adult arcade," "adult bookstore," "adult novelty store," "adult video store," "adult cabaret," "adult entertainment," "adult entertainment establishment," "adult motion picture theater," "adult theater," "distinguished or characterized by their emphasis upon," "nude or seminude model studio," "nudity," "nude," "state of nudity," "regularly features," "regularly shown," "seminude," "state of semi-nudity," "sexual encounter establishment," "specified anatomical areas," and "specified sexual activity" have the same meanings as in section 2907.39 of the Ohio Revised Code, the Monclova Township Zoning Resolution and Monclova Township Resolution No. 30507-1.

Shadow Flicker: Shadow flicker occurs when the blades of the turbine rotor cast shadows that move across the ground and nearby structures.

SECTION 18.1 INTERPRETATION OF TERMS OR WORDS (cont'd)

Sign: A name, identification, description, display, or illustration which is affixed to, painted or represented, directly or indirectly upon a building, structure, parcel, or lot and which directs attention to an object, product, place, activity, person, institution, or organization or business.

Site Plan: A scaled drawing of a proposed project showing, among others, the location of property lines, building locations, drives, walkways, parking areas, fencing and screening, setbacks, and signs as required by this Resolution.

Sludge: A solid or near solid by-product of sewage treatment or industrial waste treatment.

Small Wind Turbines and other Wind Powered Generators: Is an electrical generating device which is installed on top of a tower or tall structure for the sole purpose of collecting kinetic (motion) energy from natural wind movement and convert the energy to electricity. Typical uses include a turbine rotary engine in which the kinetic energy is converted into mechanical energy by causing a bladed rotor to rotate. The turbine shall be no greater than 50.1 kW and not less than 4.9 kW.

Storage Garage: See "Garage."

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or, if there be no floor above it, then the space between such floor and ceiling next above it.

1. **Half-Story:** A basement, the floor of which is more than three (3) feet six (6) inches, but not more than four (4) feet, below grade and the ceiling of which is more than four (4) feet, but not more than four and one-half (4 1/2) feet above grade, or, a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite walls are not more than three (3) feet above the floor of such story, except that any such partial story under a gable, hip or gambrel roof used for residence purposes, other than by a family occupying the floor immediately below it, shall be deemed a full story.

Street: A public thoroughfare which affords the principal means of access to abutting property.

Structure: Anything constructed, erected or placed on the land, the use of which requires a more or less permanent location on the land, or attached to something having a permanent location on the land. This includes and not limited to buildings, walls, fences, advertising signs and billboards.

Structural Alterations: Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls, columns, beams or girders.

Swimming Pool: An enclosure, temporary or permanent, above or below ground, containing water to be used for bathing, wading or swimming, which shall be able to contain 24 inches minimum depth of water and exceeds 12 feet in diameter or length whichever applies to the appropriate shape.

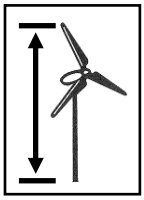
Telecommunication Tower: Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

1. It is constructed on or after October 31, 1996;

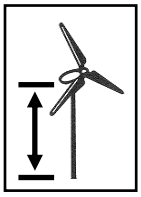
2. Is owned or principally used by a public utility engaged in the provision of telecommunication service;

3. Is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Total System Height. The vertical distance from ground level to the tip of the wind generator blade when it is at its highest point.



Tower height: The height above ground level of the fixed portion of the tower.



Tourist Home: A building in which board or rooming, or both are offered to the traveling public for compensation, and open to transient guests, and distinguished from a hotel, motel or boarding house herein defined.

Truck Transport Terminals: The premises used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point.

Turbine: The parts of a wind system including the blades, generator and tail.

Use: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

SECTION 18.1 **INTERPRETATION OF TERMS OR WORDS** (cont'd)

Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Warehouse: A building or structure used for the storage of goods, materials or equipment.

Waste Disposal Facility: Any site, location, tract of land, installation, or building used for incineration, composting, sanitary land filling or any other method of handling, disposing, treating, processing, transferring or storing of waste.

Yard: An open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

1. **Front Yard**: A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections or permitted uncovered steps, uncovered balconies, platforms or decks, which are open to the sky. On a corner lot the owner may elect either street frontage as the front yard.

2. **Rear Yard**: A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, balconies, platforms or decks which are open to the sky. On all lots the rear yard shall be at the opposite end of the lot from the front yard.

Zoning Administrator: The agent, appointed by the Township Trustees, who is responsible for the administration of the Township Zoning Regulations and required inspections for zoning compliance. For the purposes of this zoning resolution, the term Zoning Administrator is equivalent to the term Zoning Inspector per Ohio Revised Code Section 519.16

Zoning Certificate (Permit): The document issued by the zoning inspector authorizing the use of land or buildings.

Zoning District Map: Map or maps of the township and amendments delineating zoning districts.

Exhibit "D" (cont'd)

SECTION 19
USE TABLE

P – Permitted, CU – Conditional Use Permit

	P/O	A/R	R-A	R-B	R-C	R-1	R-3	C-1	C-2	C-3	M-1	M-2
Accessory Dwelling							CU	CU	CU	CU	CU	CU
Accessory uses	P	P	P	P	P	P	P	P	P	P	P	P
Adult-Oriented Uses (1)									CU			
Agriculture (6)	P	P	P	P	P	P	P	P	P	P	P	P
Agriculture Implement Sales & Service									P			
Agriculture Product Sales		P							P			
Amusement Centers (4)									CU			
Animal Care Facilities		CU							P			
Arena/Convention Center									CU			
Banquet Halls	CU	CU	CU	CU	CU	CU	CU	CU	P			
Bar/Lounge								CU	P			
Bed and Breakfast		CU										
Boat Storage									P			
Boarding House							CU					
Building Material Supplies/Storage									P		P	
Businesses, General									P			
Businesses, Highway									P			
Businesses, Neighborhood									P			
Car Wash									P			
Cemetery~~/Memorial Gardens~~	P	CU										
Church or Place of Worship		CU	CU	CU	CU	CU	CU	CU	CU			
Clubs		CU	CU	CU	CU	CU	CU	CU	P			
Commercial Grain Elevator/Storage		P										P
Community/Public Swimming Pools	P	CU	CU	CU	CU	CU	CU	CU	P			
Conservation Area(s)	P											

(Revised 8/16/93. Z17-C142; 1/17/94. Z17-C147; 9/6/94. Z17-C152; 3/20/00. Z17-C220.)

(1) Adult book stores, adult video stores, adult movie houses, adult amusement or entertainment, and massage parlors. See section 9.4.
(2) As provided for under 4.14.E
(3) As provided for under 4.10.B & 4.11.B
(4) Billiards, Pool, Video Games, etc.
(5) If less than fifty percent of the nursery stock for sale is grown on site
(6) See Sec. 2.2 for specific provisions.
(7) Permitted above the ground floor.

Exhibit "D" (cont'd)
USE TABLE (cont'd)

P – Permitted, CU – Conditional Use Permit

	P/O	A/R	R-A	R-B	R-C	R-1	R-3	C-1	C-2	C-3	M-1	M-2
Construction and Contractor Materials and Equipment and Storage with No Outside Storage											P	P
Day Care Facilities (2)		CU	CU	CU	CU	CU	CU	P	P	P	P	P
Dwelling, Multiple Family							P	CU[7]	CU[7]			
Dwelling, Single Family		P	P	P	P	P	P	CU[7]	CU[7]			
Dwelling, Two Family		CU					P	CU[7]	CU[7]			
Extraction Industries												CU
Financial/Insurance Services								P	P	P		
Golf Courses		CU	CU	CU	CU	CU	CU	CU	P			
Health Care Clinics							CU	P				
Home Occupation		P	P	P	P	P	P					
Hospital		~~CU~~						CU	P	P		
Institutional Health Care Facilities		CU							P			
Kennels		P										
Landscaping-Lawn Care Services		CU										
Large-Scale Retail Project									CU			
Manufactured Home Park							CU	CU				
Manufactured Home Sales									P			
Manufacturing, General											CU	P
Manufacturing, Heavy												CU
Manufacturing, Restricted										CU	P	
Marine Sales & Services									P			
Metal Stamping/Machine Shop											P	P
Mortuary								P	P			
Motor Vehicle Body Shop									P			
Motor Vehicle Sales & Rental									P			
Motor Vehicle Salvage												P
Motor Vehicle Salvage Yards and Junk Yards												CU

(Revised 8/16/93. Z17-C142; 5/15/95. Z17-C157; 4/15/96. Z17-C166; 12/103. Z17-C252.)

(1) Adult book stores, adult video stores, adult movie houses, adult amusement or entertainment, and massage parlors. See section 9.4.
(2) As provided for under 4.14.E
(3) As provided for under 4.10.B & 4.11.B
(4) Billiards, Pool, Video Games, etc.
(5) If less than fifty percent of the nursery stock for sale is grown on site
(6) See Sec. 2.2 for specific provisions.
(7) Permitted above the ground floor.

Exhibit "D" (cont'd)
USE TABLE (cont'd)

P – Permitted, CU – Conditional Use Permit

	P/O	A/R	R-A	R-B	R-C	R-1	R-3	C-1	C-2	C-3	M-1	M-2
Motor Vehicle Service Station								CU	P			
Nursery (5)		CU										
Nursing Home		CU					CU	P				
Offices										P	P	
Oil & Gas Drilling/Wells		P										P
Permanently Sited Manufactured Home		P	P	P	P	P	P					
Personal Services								P	P	P		
Printing and Publishing									P	P	P	
Professional Services							CU	P	P	P	P	
Public Service Facilities		P	P	P	P	P	P	P	P	P	P	P
Public Uses	P	CU	CU	CU	CU	CU	CU	P	P			
Research Laboratories										CU	P	P
Restaurant (3)								CU	P	P	P	
School	P	CU	CU	CU	CU	CU	CU	CU	CU			
Self Service Storage Facility							CU	CU	P	P	P	P
Semi-Public Uses	P	CU	CU	CU	CU	CU	CU	P	P			
Service Laboratories										P	P	
Small Wind Turbines and Other Wind Powered Generators		CU						CU	CU	CU	CU	CU
Sports Field. Indoor/Outdoor Courts		CU	CU	CU	CU	CU	CU	CU	P			
Stabling & Boarding of Horses		P										
Telecommunication Tower	CU	CU	CU	CU	CU	CU	CU	P	P	P	P	P
Truck Transport Terminals											P	P
Veterinary Hospital									P			
Warehousing										P	P	P

(Revised 8/16/93. Z17-C142; 9/16/94. Z17-C152; 7/19/99. Z17-C203; 4/13/00.Z17-C219.)

(1) Adult book stores, adult video stores, adult movie houses, adult amusement or entertainment, and massage parlors. See section 9.4.
(2) As provided for under 4.14.E
(3) As provided for under 4.10.B & 4.11.B
(4) Billiards, Pool, Video Games, etc.
(5) If less than fifty percent of the nursery stock for sale is grown on site
(6) See Sec. 2.2 for specific provisions.
(7) Permitted above the ground floor.

BLANK PAGE

STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

Recommendations for conditions of approval often originate from agencies that have reviewed plans and proposals under consideration by the Plan Commission. To indicate which agency requested which condition of approval, that agency's name is placed at the end of the condition in parenthesis. Agency names are listed below:

TOLEDO-LUCAS COUNTY
PLAN COMMISSIONS
ONE GOVERNMENT CENTER
SUITE 1620
TOLEDO, OH 43604
419-245-1200

DIVISION OF WATER DISTRIBUTION
401 S. ERIE STREET
TOLEDO, OH 43604
419-936-2826

DIVISION OF WATER
RECLAMATION
COMMISSIONER
3900 N. SUMMIT STREET
TOLEDO, OH 43611
419-727-2602

DIVISION OF TRANSPORTATION
COMMISSIONER
110 N. WESTWOOD
TOLEDO, OH 43607
419-245-1300

SERVICE DEPARTMENT
EDWARD MOORE, DIRECTOR
110 N. WESTWOOD
TOLEDO, OH 43607
419-245-1835

TOLEDO-LUCAS COUNTY
HEALTH DEPT.
LANA GLORE, ENV. HEALTH SERV.
635 N. ERIE STREET ROOM 352
TOLEDO, OH 43604
419-213-4209

VERIZON
BRAD SNYDER
300 W. GYPSY LANE
BOWLING GREEN, OH 43402
419-354-9452

TIME WARNER
RAY MAURER
3760 INTERCHANGE ROAD
COLUMBUS, OH 43204
614-481-5262

FIRE PREVENTION
c/o BUILDING INSPECTION
ONE GOVERNMENT CENTER
SUITE 1600
TOLEDO, OH 43604
419-245-1220

DIVISION OF FORESTRY
COMMISSIONER
2201 OTTAWA PARKWAY
TOLEDO, OH 43606
419-936-2326

DIVISION OF INSPECTION
COMMISSIONER
ONE GOVERNMENT CENTER
SUITE 1600
TOLEDO, OH 43604
419-245-1220

DIVISION OF
ENGINEERING SERVICES
COMMISSIONER
ONE LAKE ERIE CENTER
600 JEFFERSON AVENUE, STE 300
TOLEDO, OH 43604
419-245-1315

COLUMBIA GAS COMPANY
TONY BUCKLEY
FIELD ENGINEER TECHNICIAN
2901 E. MANHATTAN BLVD
TOLEDO, OH 43611
419-539-6078

A T & T
ATTN: DESIGN MANAGER
130 N. ERIE, ROOM 714
TOLEDO, OH 43604
419-245-7000

WATERVILLE GAS
JAMIE BLACK
PO BOX 259
WATERVILLE, OH 43566
419-878-4972

EMBARQ
117 E. CLINTON STREET
NAPOLEON, OH 43545
419-599-4030

TOLEDO EDISON COMPANY
CHRISTINE CUNNINGHAM
ENGINEERING SERVICES
6099 ANGOLA RD.
HOLLAND, OH 43528
419-249-5440

UNITED STATES POST OFFICE
POSTMASTER
435 S. ST. CLAIR STREET
TOLEDO, OH 43601
419-245-6802

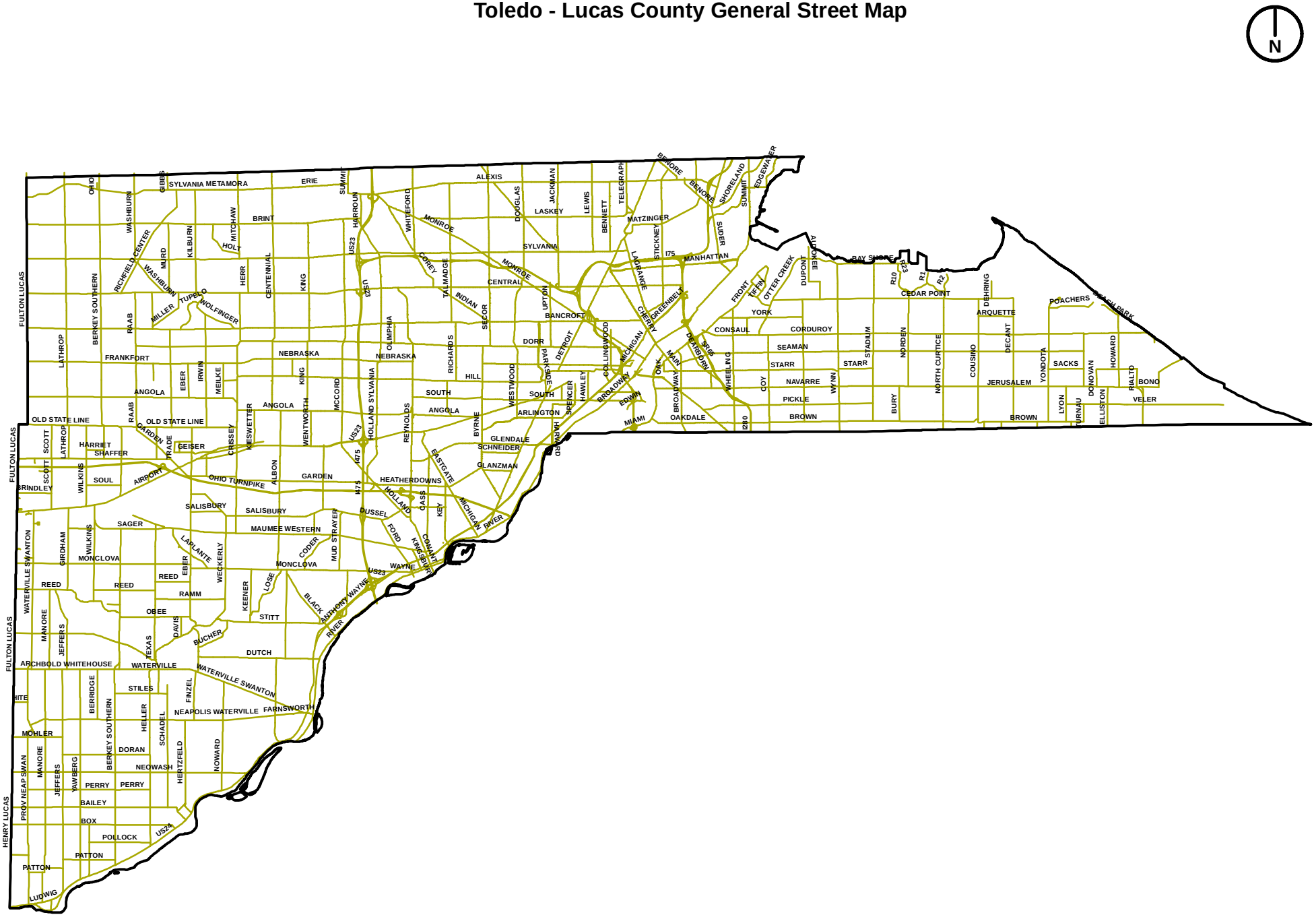
LUCAS SOIL AND
CONSERVATION DISTRICT
JEFF GRABARKIEWICZ
130-A W. DUDLEY
MAUMEE, OH 43537
419-893-1966

LUCAS COUNTY ENGINEER
KEITH EARLEY
1049 S. MCCORD ROAD
HOLLAND, OH 43528
419-213-2860

LUCAS COUNTY
SANITARY ENGINEER
JIM SHAW
111 S. McCORD ROAD
HOLLAND, OH 43528
419-213-2926

BUCKEYE CABLESYSTEM, INC.
GARY KASUBSKI
4818 ANGOLA ROAD
TOLEDO, OH 43615
419-724-3821

OHIO GAS
MIKE CREAGER
13630 AIRPORT HWY.
SWANTON, OH 43558
419-636-1117

CENTURYLINK
TIM R. TAYLOR
375 E. RIVERVIEW AVE.
NAPOLEON, OH 43502

Toledo - Lucas County General Street Map