

EAGLE TOWNSHIP

ZONING

RESOLUTION

REPRINTED AS AMENDED:

TABLE OF CONTENTS

<u>Chapter/ Section-</u>		<u>Page</u>
Chapter 1	CITATION AND TERMINOLOGY	1
Chapter 2	DISTRICTS	2
2.1	TYPES OF DISTRICTS	2
2.2	BOUNDARIES	2
Chapter 3	PERMITTED USES	3
3.2	ACCESSORY USES	4
3.3	TEMPORARY MOBILE HOME USE	4
3.4	CONDITIONAL MOBILE HOME USE	5
3.5	CONDITIONAL USES - PROCEDURE AND REQUIREMENTS CONDITIONAL	5
3.6	USES - REQUIREMENTS FOR SPECIFIC USES SUPPLEMENTARY	5
Chapter 4	REGULATIONS	6
4.1	YARD, LOT, DENSITY, COVERAGE, BULK, AND HEIGHT REQUIREMENTS	7
4.2	OFF-STREET PARKING AND LOADING BERTHS	8
4.3	SIGNS	8
4.4	FRONTAGE ON A PUBLIC THOROFARE	9
Chapter 5	NON-CONFORMING USES	9
5.1	NON-CONFORMING BUILDINGS	9
5.2	NON-CONFORMING USE OF THE LAND	10
5.3	NON-CONFORMANCE AS TO LOT AREA, WIDTH AND DEPTH	10
Chapter 6	BOARD OF ZONING APPEALS	11
6.1	CREATION OF BOARD OF APPEALS	11
6.2	ORGANIZATION AND PROCEDURE	11

6.3	APPLICATION FOR VARIANCE	11
6.4	APPEALS	11
6.5	POWERS OF THE BOARD OF APPEALS	11
6.6	FEES	11
Chapter 7	ADMINISTRATION AND ENFORCEMENT	12
7.1	ZONING PERMIT REQUIRED	12
Chapter 8	AMENDMENTS	12
8.1	INITIATION OF AMENDMENTS	12
8.2	PROCEDURE	12
8.3	FEES	12
Chapter 9	DEFINITIONS	13
Chapter 10	EFFECTIVE DATE OF VALIDITY	17
10.1	VALIDITY	17
10.2	EFFECTIVE DATE	17

ZONING REGULATIONS

of

EAGLE TOWNSHIP, HANCOCK COUNTY, OHIO

A RESOLUTION DIVIDING THE UNINCORPORATED AREA OF EAGLE TOWNSHIP, HANCOCK COUNTY, STATE OF OHIO, INTO DISTRICTS, ESTABLISHING LIMITATIONS ON HEIGHT, BULK AND LOCATION OF STRUCTURES, AND USES OF LAND: FIXING SETBACK LINES AND DIMENSIONS OF YARDS AND OTHER SPACES, AND PRESCRIBING THE PERMISSIBLE USES FOR SUCH BUILDINGS, STRUCTURES AND/OR PREMISES IN EACH OF SUCH DISTRICTS.

BE IT RESOLVED by the Board of Trustees of Eagle Township, Hancock County, Ohio, in order to promote the public health, safety, morals, comfort, or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision of public improvements; all in conformance with a Comprehensive Plan, that:

CHAPTER 1. CITATION AND TERMINOLOGY

1.1 **Short Title**

This Resolution may be cited as the "Zoning Resolution of Eagle Township".

1.2 **Terminology**

Terms used in this Resolution shall be deemed to have the meaning defined in Chapter 9

CHAPTER 2. DISTRICTS

2.1 TYPES OF DISTRICTS

The Township is hereby subdivided into the following districts:

- 2.1.1 **Agricultural Districts**, designated "A", to preserve areas for agricultural and future urban uses.
- 2.1.2 **Residence Districts**, designated "R-1", are established for low to medium density single-family residences.
- 2.1.3 **Residence Districts**, designated "R-2" are established for medium to high density single and multiple-family residences.
- 2.1.4 **General Business Districts**, designated "GB", are established to include areas that are appropriate to providing businesses and services to the larger community.
- 2.1.5 **Manufacturing Districts**, designated "M", are established for various industrial, warehousing, processing, and other areas of similar performance characteristics.
- 2.1.6 **Conservation and Recreation Districts**, designated "S", are established to limit the types of development in areas which would benefit public uses.

2.2 BOUNDARIES

Boundaries established by Section 2.1, are shown on the "Zoning Map of Eagle Township, 1972", or as hereafter amended; which Map is made a part hereof by reference, along with the scale and all notes, dimensions and other graphics appearing thereon. When a right-of-way is vacated, the districts adjoining each side of said right-of-way are respectively extended to the center of the right-of-way so vacated. Any inconsistencies or uncertainties involving district boundaries shall be interpreted by the Board of Zoning Appeals.

CHAPTER 3. PERMITTED USES

Primary uses are authorized in the Districts established by Section 2.1, as shown by an "X" in the following Table. Where the use is indicated by an "O", the use is permitted as a Conditional Use Only as provided in Section 3.3 and other appropriate sections of this Chapter. Zoning Certificates will be required as in Chapter 7 of this Resolution.

<u>USE</u>	<u>A</u>	<u>R-1</u>	<u>R-2</u>	<u>GB</u>	<u>M</u>	<u>S</u>
Natural Resource Development	X				X	X
Mobile Homes	O		O	O		
Agriculture, Farming, etc.	X	X	X	X	X	X
Ponds	X	O	O	X	X	X
Nurseries & Greenhouses	X				X	X
Single-Family Residences	X	X	X	X		
Single-Family Residences Development		X	X			
Multiple-Family Residences			O	O		
Grocery, Bakery, Drug Stores, etc.				O		
Utility, Travel, Mailing Services and the like				O	O	
Home Occupations	X	O	O	O	O	X
Wholesale and Warehousing, including Freight Terminals				O		
Junk Yards				O		
Sheet Metal Shops, Auto Repair, Printing, Poultry Hatcheries, Kennels				X		
All Manufacturing, Processing, and Open Storage Facilities				X		
Mobile Home Parks			O			
Public Parks, Playgrounds and Similar Outdoor Recreation	X	X	X	X	X	X
YMCA, YWCA, and Similar Indoor Recreation Facilities				X		
Schools, Private Schools and Other Cultural and Educational Institutions, Churches, Hospitals, Sanitariums, orphanages, Nursing Homes	O	X	X			
	O		O	O	O	
Planned Unit Developments		X	X			
Veterinary	X	X	X	X		
Golf Course						O
Event Venue/Bed and Breakfast		O		X		O
Home Business Type 1	X	O				
Home Business Type 2	O	O				

3.2 **ACCESSORY USES**

Accessory uses such as the following are permitted in all districts: bird baths, bird houses, buildings, curbs, driveways, fences, hedges, lamp posts, mail boxes, name plates, parking spaces, public utility installations, retaining walls, trees, shrubs, plants, flowers, other landscaping, walks, and the like. All accessory buildings shall meet the following requirements:

- 3.2.1 Accessory buildings shall be located in the rear or side yard, and shall be no closer than ten (10) feet from the main building when separated from the main building.
- 3.2.2 Accessory buildings in all districts shall be no less than fifty (50) feet from any street, no less than five (5) feet from a rear lot line, and shall not project into the minimum rear yard of a double frontage lot.
- 3.2.3 On lots where the rear yard abuts a side yard of a corner lot, the accessory buildings may not project beyond the front yard of said corner lot.
- 3.2.4 In residential districts, accessory buildings shall not occupy more than thirty percent (30%) of the rear or side yard, nor shall they exceed fourteen (14) feet in height.
- 3.2.5 In any district, no more than 2 trailers may be stored outside and up to two other trailers for business purposes under home business rules, provided it is stored in the side yard, rear yard, or in an accessory building, and is the property of a resident on said lot.

3.3 **TEMPORARY MOBILE HOME USE**

No trailer, trailer coach or mobile home shall be used outside a permitted mobile home park to provide living quarters or space for the conduct of business, except that a mobile home may be used as a temporary residential building during the construction of a principal residential building, either initial construction or reconstruction after destruction by calamity or natural disaster, on the issuance of a Temporary Permit by the Zoning Inspector. Said permit to be reviewed at ninety (90) day intervals. Mobile homes, when moved into place, shall be at least four hundred (400) square feet in floor area, and be placed on concrete supports and be properly anchored. If land owner builds a residence, he then has one hundred and twenty (120) days after completion of residence to remove the trailer.

3.4 **CONDITIONAL MOBILE HOME USE**

Subject to approval of the Board of Zoning Appeals, mobile homes are permitted, as a Conditional Use, adjacent to an existing dwelling and for use of the immediate family (parents or children) upon hardship circumstances. A Conditional Use Permit shall be for a one (1) year period subject to renewal. Such mobile homes shall not be used as rental units, and shall be located on the site in accordance with yard requirements as specified by the Board of Zoning Appeals for residential uses in "A" Agricultural Districts. Mobile homes, when moved into place, shall be at least four hundred (400) square feet in floor area, and be placed on concrete supports and be properly anchored. When the mobile home is no longer occupied by the original immediate family member or when the annual permit is no longer renewed, the mobile home shall be removed from the site within one hundred and twenty (120) days.

3.4.1 One mobile home per farm (35 acres or more) may be permitted as a Conditional Use by the Board of Appeals. The location of such permitted mobile home shall be in accordance with the yard requirements specified in residential uses in "A" Districts. The mobile home, when moved into place, must not exceed five (5) years in age, and shall be at least four hundred (400) square feet in floor area. Mobile homes shall be put on a concrete pad.

3.5 **CONDITIONAL USES - PROCEDURE AND REQUIREMENTS**

The Board of Zoning Appeals may grant Conditional Use Permits where Section 3.1, indicates a Conditional Use is permitted. Such permission may be granted after the requirements of this and following Sections, and other Chapters of this Resolution are met.

3.5.1 **Procedure:** Conditional uses shall be permitted in the same manner as an appeal.

3.5.2 **General Requirements:** A Conditional Use may be granted only after it has been determined to be essential or desirable to the public convenience and welfare, in harmony with existing recommendations and objectives of a Comprehensive Plan, and in conformance with setback, yard, off-street parking, density, and other requirements of the district in which it is located.

3.6 **CONDITIONAL USES - REQUIREMENTS FOR SPECIFIC USES**

In addition to the general requirements of Section 3.3, the following requirements shall be met for the following special uses.

3.6.1 Ponds or lakes shall be permitted in residential districts only after they have been shown to be a part of the overall design of a residential subdivision and the Board of Zoning Appeals is satisfied that serious safety, health, and other hazards will be eliminated.

3.6.2 Mobile home parks shall be permitted only after the following requirements are met:

- a. A Plot Plan prepared by and bearing the seal of a Registered Engineer in the State of Ohio shall be presented with the request showing the location and character of all facilities, utilities, lots, walks, streets, recreation areas, service buildings, and a typical lot plan.
- b. Minimum size of a mobile home park shall be ten (10) acres and the density of mobile homes shall not exceed six (6) mobile home lots per gross acre, nor shall the density of mobile home lots exceed that permitted of other housing in the district.
- c. All mobile home lots shall abut interior streets of the park, and all mobile homes shall be set back fifteen (15) feet from any property line and fifty (50) feet from any street.

- d. All mobile homes shall be at least nine-hundred eighty (980) square feet (14 x 70) in floor area, and shall be placed on concrete pads.
- e. A safe, usable recreation area shall be conveniently located in every in every mobile home park and shall not be less in area than ten percent (10%) of the gross area of the mobile home park.

3.6.3 Planned Unit Developments may be permitted in "R-1", and "R-2" Districts when the following requirements are met:

- a. The site is at least twenty-five (25) acres in size, and plans are in conformity with a Comprehensive Plan.
- b. Mixed patterns of uses must be compatible with one another and with the surrounding area. Overall density shall not exceed the maximum permitted in the district.
- c. Plans shall be prepared by a Registered Engineer and shall show all streets, proposed public utilities, open spaces, proposed building sites, off-street parking, and other facilities which are proposed to become a part of the development.
- d. Plot plans shall be in conformance with the Subdivision Regulations of Findlay or Hancock County. Anything further than three (3) miles from the Corporation limits of Findlay are governed by the Subdivision Regulations of Hancock County.

3.6.4 Golf courses, which may or may not be operated for profit, shall be permitted in Conservation and Recreation Districts, subject to the following conditions:

- a. The Site Plan shall be laid out to achieve a relationship between public thoroughfares and any proposed service roads, entrances, driveways and parking areas which will encourage pedestrian and vehicular traffic safety.
- b. Development features including the principal and accessory buildings and structures shall be so located and related as to minimize the possibilities of any adverse affects upon adjacent property. This shall mean that all principal or accessory buildings shall not be less than three hundred (300) feet from any property line abutting residentially or agriculturally zoned lands; provided that where topographic conditions are such that buildings would be screened from view, the Zoning Commission or Zoning Appeals Board may modify this requirement.
- c. Plans shall be prepared by a Registered Engineer and shall show all access roads, proposed public utilities, open spaces, proposed building sites, off-street parking, and other facilities which are proposed to become a part of the development.

CHAPTER 4. SUPPLEMENTARY REGULATIONS

4.1 YARD, LOT, DENSITY, COVERAGE, BULK, AND HEIGHT REQUIREMENTS

No Zoning Certificate shall be issued for any construction, alteration, or change in a building, structure or the land use unless the following requirements are met in the districts indicated:

REQUIREMENT AND TYPE OF USE

Maximum Density for Dwelling Units Per Acre:

Single-Family Dwellings with public water and sewer available
 Single Family Dwellings, public water and sewer not available

* Current Minimum acreage required by the Hancock Co. Health dept
 for septic systems.

Multiple-Family Dwellings

Minimum Lot Area in Thousands of Square Feet for Residential Lots:

All Residential Lots
 Additional Area Per Dwelling Units Over Two (2)

Minimum Lot Width of Lots in Feet:

All Residential Lots
 Additional Per Dwelling Units Over Two (2)

Maximum Percentage of Lot Coverage:

Residential Uses
 Non-Residential Uses

Minimum Depth of Front Yard in Feet:

Residential Uses
 Non-Residential Uses

Minimum Depth of Rear Yard in Feet:

Residential Uses
 Minimum Depth Entire Lot

Minimum Width of Side Yards in Feet:

Residential Uses
 Commercial Uses
 Industrial And Other Uses

Minimum Floor Area of Residential Uses in Square Feet - Single-Family:

Ground Floor Area
 Total Floor Area Per Unit

Minimum Floor Area of Residential Uses in Square Ft.- Multiple-Family

Ground Floor Area
 Total Floor Area Per Unit

Maximum Height of Buildings and Structure in Feet

All Uses

Setback All State Highways (Minimum):

Commercial Use Adjacent "R" District:

Industrial Use Adjacent "R" District:

	A	R-1	R-2	GB	M	S
	2	4	6	-	-	-
	*	*	*	-	-	-
	-	-	6	-	-	-
	87.12	15	12	-	-	-
	-	-	5	-	-	-
	120	100	80	-	-	-
	-	-	10	-	-	-
	25	25	40	-	-	-
	25	25	40	40	75	15
	50	50	35	-	-	-
	50	-	-	15	75	15
	25	25	25	25	-	-
	150	150	200	125	125	125
	20	10	10	-	-	-
	-	-	-	10	-	-
	-	-	-	10	25	-
	750	700	600	500	-	-
	1000	900	750	500	-	-
	(500 sq. ft. plus 100 sq. ft per unit)					
	-	-	500	500	-	-
	35	35	35	60	100	25
	60	60	60	60	60	60
	-	-	-	15	15	-
	-	-	-	-	25	-

4.2

OFF-STREET PARKING, LOADING BERTHS AND DRIVES

4.2.1

No Zoning Certificate shall be hereafter issued unless there is provided the following number of off-street parking spaces:

Residential Uses: One and one-half (1.5) spaces per dwelling unit.

Commercial Uses: One (1) space for each two hundred (200) sq. ft. of floor area plus one (1) per employee

Industrial Uses: One (1) space per two (2) employees on maximum working shift

Churches and Theaters: One (1) spaces for each six (6) seats

Golf Course: Thirty (30) spaces for each nine (9) holes

Mobile Home Park: Two (2) spaces per site

Riding Stables: One (1) space per five thousand (5,000) sq. ft. floor area

4.2.2

Parking spaces herein required shall be two hundred (200) square feet in area each; shall be within three hundred (300) feet of the premises served; shall not be in the front yard in Residential districts; and shall not be contiguous to the street.

4.2.3

Off-street loading berths shall be provided for each fifteen thousand (15,000) square feet of Commercial land use, or fraction thereof; and one (1) berth shall be provided for each forty thousand (40,000) square feet of Industrial land use floor area or fraction thereof. Each loading berth shall be a minimum of twelve by fifty-three (12 X 53) feet with minimum height clearance of fourteen (14) feet.

4.2.4

Parking and loading requirements shall be met for all additions or new construction begun after adoption of this Resolution.

Give 4.2.5

4.3

SIGNS

4.3.1

Signs shall be set back from the street right-of-way by the following distances:

Area of Sign (sq. ft.)	Minimum Setback
5 or less	2 feet
5-14.9	10 feet
15-49.9	20 feet
50 - 99.9	30 feet
100 or more	60 feet

The area of the sign shall be determined by the area of the smallest circle, triangle, or rectangle that can be used to enclose the area of the sign containing the message.

Minimum set backs on State Routes will meet State requirements.

4.3.2

No free standing sign shall be closer than ten(10) feet from any side lot line.

4.3.3

One (1) sign may be permitted for each five hundred (500) feet of street frontage, provided that the total number of signs does not exceed the maximum area allowed for each use in this section.

4.3.4

The maximum size of any sign in square feet shall be as follows:

TYPE OF SIGN

Signs on

Location of Use

	A	R-1	R-2	GB	M	S
Name Plate & Address	2	2	2	12	12	12
Home Occupation	12	4	4	-	-	-
Business Use	-	-	-	60	60	2
Industrial Use	-	-	-	-	300	-
Real Estate Development	300	300	300	300	300	300
For Sale Sign	12	12	12	12	12	12
Home Business	12	12				
<u>Signs Not on Lot</u>	*			60	300	

* May be permitted up to two hundred (200) square feet when more than two hundred (200) feet from any residence except that of owner of lot on which sign is located

4.4 FRONTAGE ON A PUBLIC THOROFARE

No lot or parcel shall be used for any purpose permitted by this Resolution unless such lot or parcel abuts a public thorofare, except as provided for under section 3.6.3 in this Resolution. At least Sixty (60) feet shall be considered as minimum thorofare frontage for the purpose of enforcing this Section.

CHAPTER 5. NON-CONFORMING USES

5.1 NON-CONFORMING BUILDINGS

- 5.1.1 The lawful use of any building which does not conform to these regulations, whether by original adoption or by subsequent amendments, may be continued after such adoption or amendments, under the conditions herein specified.
- 5.1.2 The addition to, enlargement or expansion of any such non-conforming building may be permitted provided such addition, enlargement or expansion complies with all height, area, parking setback and other requirements of the district in which it is located, and that total aggregate floor area of such additions does not exceed twenty percent of the floor area in such building at the time it became non-conforming.
- 5.1.3 A non-conforming building or structure used as a residence which is damaged or partially destroyed by fire, flood, wind, earthquake or other calamity, or the public enemy, may be restored and the same use and occupancy continued or resumed, provided that such restoration is started within a period of one (1) year and is completed in 2.5 yrs.
- 5.1.4 The use of a non-conforming building may be changed to a use of the same or more restricted classification but shall not thereafter be changed back to a less restrictive use.
- 5.1.5 A non-conforming building, or portion thereof, which is or hereafter remains vacant and unoccupied for a period of two (2) years or more, shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

5.2 **NON-CONFORMING USE OF THE LAND**

- 5.2.1 A non-conforming use of land, shall not be expanded or extended into any other portion of the lot or any adjacent lot; and the use of such land that exists at the time of adoption of this Resolution and any subsequent amendment may be changed only as specified in Section 5.1; provided such change is due to a change in use of the principal building or land.

5.3 **NON-CONFORMANCE AS TO LOT AREA, WIDTH AND DEPTH**

- 5.3.1 Any lot of record, existing at the time of adoption of this Resolution, or any subsequent amendment, where the required lot area, width and depth do not meet the regulations herein, may be used for residential purposes; provided that yard, coverage and other requirements are met; and provided that any contiguous land in common ownership be required to be used to meet the district lot area, width and depth requirements and that no portion of such be transferred to other ownership, if such transfer reduces the lot below the minimum requirements set forth in this Resolution.

CHAPTER 6. BOARD OF ZONING APPEALS

6.1 CREATION OF BOARD OF APPEALS

There shall be created a Board of Zoning Appeals in accordance with Section 519.13 of the Ohio Revised Code.

6.2 ORGANIZATION AND PROCEDURE

The Board of Zoning Appeals shall organize and adopt rules for its own government as provided by Section 519.15 of the Ohio Revised Code; and in so doing shall elect a chairman at its organizational meeting, and during each January thereafter.

6.2.1 A quorum shall consist of three (3) members of the Board.

6.2.2 The concurring vote of at least three (3) members shall be required to reverse any order of the Administrative Officer, or to decide in favor of an applicant in any matter relating to the granting of a variance from these regulations.

6.3 APPLICATION FOR VARIANCE

Application for variance from these regulations, in cases when the Board has original jurisdiction, shall be made to the Administrative Officer, who shall transmit said application to the Chairman and Secretary of the Board within five (5) days after receipt.

6.4 APPEALS

Appeals to the Board of Zoning Appeals may be taken by any aggrieved person or official of the Township affected by any decision of the Administrative Officer. Such appeal shall be made and decided upon in accordance with Section 519.15 of the Ohio Revised Code. After decision on the matter by the Board, which decision shall be made within thirty (30) days after the Hearing, a certified copy of the Board's action shall be transmitted to all parties in interest.

6.5 POWERS OF THE BOARD OF APPEALS

The Board shall have the powers given it by Section 519.14 of the Ohio Revised Code relating to the hearing and decision upon decisions of the Administrative Officer, and the granting of variances from these regulations. In performing said powers, the Board shall not take any action which would constitute and be the same as amending these regulations.

6.6 FEES

The Township Trustees may from time to time prescribe and amend by Resolution a reasonable Schedule of Fees to be charged to applicants for appeals to the Board of Zoning Appeals.

CHAPTER 7. ADMINISTRATION AND ENFORCEMENT

7.1 ZONING PERMIT REQUIRED

A Zoning Permit shall hereafter be required in accordance with Section 519.17 and Section 519.16 of the Ohio Revised Code.

7.1.1 Application shall be made for a Zoning Permit on forms approved by the Board of Trustees and by supplying such information as prescribed by the Board of Trustees.

7.1.2 Said application shall be made to the Administrative Officer, who shall approve or disapprove, giving reasons therefor, within ten (10) days after the filing of said application.

7.1.3 Fees for said permits shall be established from time to time by the Board of Trustees.

7.1.4 **Time Authority of Permit:** Upon the granting of a permit under any provision of this Resolution, construction in accordance with the Application must commence within one (1) year of the issuance of the permit and all construction shall be completed within two and one-half (2-1/2) years of the issuance of the permit. The authority granted by the permit shall expire when not commenced or completed as stated in this provision. Construction completed shall mean when the improvement is entered on the County tax assessment records and/or occupied.

Fees: The Board of Trustees may from time to time, by Resolution, adopt fees to be used for the purpose of defraying the costs of issuing permits.

7.1.5 No building or structure can be used or occupied until a "Certificate of Zoning Compliance" has first been issued by the Zoning Inspector. This certificate shall declare all pertaining provisions of the Eagle Township Zoning Resolution have been satisfied. Additionally, no change of use to a building or land may occur until a "Certificate of Zoning Compliance" has been issued.
NOTE: The 1320' distance will be measured from the new dwelling, if there are more than two dwellings in the 1320' distance from the new proposed dwelling, the new proposed dwelling will not be permitted.

CHAPTER 8. AMENDMENTS

When the public necessity, convenience, general welfare or good zoning practice requires, the Board of Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, amend, supplement, or change the regulations, or district boundaries and classifications of property now and hereafter established by this Resolution.

8.1 INITIATION OF AMMENDMENTS

Amendments may be initiated by motion of the Board of Trustees or the Zoning Commission; or by filing of an application therefor by one or more owners or lessees of property within the area proposed to be changed or affected by the proposed amendment.

8.2 PROCEDURE

Upon said motion or application, said proposed amendment shall be considered in accordance with Section 519.12 of the Ohio Revised Code.

8.3 FEES

The Township Trustees may from time to time, by Resolution, adopt fees for applications for amendment, said fees to be for the purpose of defraying the costs of processing said application for amendment.

CHAPTER 9. DEFINITIONS

9.1 DEFINITIONS

As used in this Resolution, the term(s):

- 9.1.1 **"USED FOR"** includes "designed for" and vice versa; used in the "present tense" includes the "future tense"; used in the "singular number" includes the "plural number" and vice versa; "building" includes "structure"; "dwelling" includes "residence"; "lot" includes "plot"; "shall" is mandatory; and "may" is permissive.
- 9.1.2 **"ACCESSORY BUILDING"** means a detached subordinate building that is located on the same lot as a principal building and not used or designed for human occupancy; and the use of which is clearly incidental to the use of the land or the use of the principal building.
- 9.1.3 **"ACCESSORY USE"** means a use of land or buildings related to the primary use, which use is clearly subordinate to the principal use of the land or buildings, and which is not used for human occupancy.
- 9.1.4 **"ALLEY"** means a right-of-way, other than a street, road, crosswalk, or easement, that provides secondary access for the special accommodation of the abutting property.
- 9.1.5 **"ALTERATION"** means any change in the nature of the use of land and/or buildings; or the change in size or height of a building or structure.
- 9.1.6 **"BASEMENT"** means a story partly or wholly underground, where no more than one-half (1/2) the height of the story is above the average level of the adjoining ground.
- 9.1.7 **"BOARD"** means the Board of Zoning Appeals
- 9.1.8 **"BUILDING"** means a roofed "structure" for the shelter, support, enclosure, or protection of persons, animals, or property; where each part of such a structure that is separated from the rest by unbroken party walls is a separate building for the purposes of this Resolution.
- 9.1.9 **"BUILDING AREA"** means the horizontally projected area of the buildings on a lot.
- 9.1.10 **"BUILDING HEIGHT"** means the vertical distance measured from the average level of the finished grade at the front of the building to the highest point of a flat roof; to the deckline on a mansard roof or to the ridges of a gable, hip, or gambrel roof. This does not include chimney, water towers, cooling units, radio transmitters, signs, etc.
- 9.1.11 **"BUILDING LINE"** means the line that establishes the minimum permitted distance on a lot between the outside building wall and the lot line; also called the "setback"; provided that a second story or roof overhang may not project a distance of more than two (2) feet into the side yard.
- 9.1.12 **"BUSINESS"** means the use of lands or buildings for the purposes of purchase, sale or exchange of goods and services; for the purpose of maintaining offices, recreational or amusement enterprises for profit.
- 9.1.13 **"COMMISSION"** means the Zoning Commission of Eagle Township, Hancock County, Ohio

- 9.1.14 **"CORNER LOT"** means a lot at the junction of, and abutting, two (2) intersecting or intercepting streets.
- 9.1.16 **"DWELLING UNIT"** means a dwelling, or part of a dwelling, used by one (1) family, exclusively, as a place of abode.
- 9.1.17 **"FAMILY"** means one (1) or more persons living as a single housekeeping unit, but not including an unrelated group of more than six (6) persons, or a group occupying a hotel, motel, club, nurses' home, dormitory or fraternity or sorority house.
- 9.1.18 **"FARM"** means an area used for agricultural operations, including truck gardening, forestry, the operation of a tree or plant nursery, or the production of livestock and poultry.
- 9.1.19 **"FRONT LINE"** with respect to a building means the foundation line that is nearest the front lot line. This distance shall be measured from the road right-of-way line.
- 9.1.20 **"FRONT LOT LINE"** means the line marking the boundary between the lot and the abutting street, easement for street purposes, lake, or watercourse; except that for a corner lot, means the line marking the boundary between the lot and the shorter of the abutting street, easements for street purposes, lake or watercourse.
- 9.1.21 **"FRONT YARD"** means a yard that is bounded by the front line of the principal building, by the adjacent street right-of-way or easement line, and by the segments of the side lot lines that they intercept; except that on double frontage lots, one such front yard may be used as a "rear yard" provided that, the minimum front building line in such case shall be complied with in placement of accessory building.
- 9.1.22 **"GROUND FLOOR AREA"** means the area of a building, in square feet, as measured in a horizontal plane at the ground floor level within its largest outside dimension, inclusive of roofed porches, breezeways and garages.
- 9.1.23 **"HOME OCCUPATION"** Means the use of a home for a business or professional service which does not involve treating or attending a person or animal, which is established entirely within a dwelling unit, is conducted only by members of the family residing in the residence, and utilizing not more than twenty-five percent (25%) of the dwelling.
- 9.1.24 **"JUNK YARD"** means land or buildings where waste or discarded used property and materials is accumulated and is or may be salvaged for reuse or resale; including but not limited to automobiles, farm equipment, mobile homes, travel trailers, trucks, and/or parts thereof.
- 9.1.25 **"KENNEL"** means a place primarily for keeping four (4) or more dogs, or other small animals that are ordinarily kept as pets and are at least four (4) months old.
- 9.1.26 **"LOT"** means an area or contiguous areas, exclusive of streets and alleys and other public places used as a unit and fifty percent (50%) of whose average lot width abuts a street.
- 9.1.27 **"LOT COVERAGE"** or **"FLOOR AREA RATIO (FAR)"** means the area covered by buildings divided by the total lot area.
- 9.1.28 **"LOT LINE"** means the legal boundaries of the "lot", excluding streets, alleys, public watercourses, and other public spaces.

- 9.1.29 **"LOT WIDTH"** means the distance between the side lot lines measured at the building line.
- 9.1.30 **"MOBILE HOME"** means a vehicle or other portable structure more than thirty feet in length that is designed, used or intended to be used for movement on the highway, and designed or used as a dwelling. Modular homes will be treated as permanent homes.
- 9.1.31 **"MOBILE HOME PARK"** means an area of land on which two (2) or more mobile homes are regularly accommodated or intended for such use, with or without charge, including any buildings, other structures, fixtures, or equipment that is used or intended to be used in providing that accommodation.
- 9.1.32 **"NON-CONFORMING USE"** means a use that exists at the time a provision of this Resolution is passed but does not comply with it.
- 9.1.33 **"OCCUPIED"** means to be resided in by an owner or tenant being in possession by any kind of right.
- 9.1.34 **"PERSON"** means also a corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit.
- 9.1.35 **"PLANNED UNIT DEVELOPMENT"** means an area of land in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans.
- 9.1.36 **"PRINCIPAL BUILDING"** means the building in which the principal use of the lot on which it is located is conducted, including a building that is attached to such a building in a substantial way such as by a roof and walls.
- 9.1.37 **"PRIVATE GARAGE"** means a garage whose principal use is to house motor vehicles for the accommodation of related dwelling units or related business establishments, located on the same lot as the principal use.
- 9.1.38 **"PRIVATE SCHOOL"** means a school other than a public school.
- 9.1.39 **"PUBLIC GARAGE"** means a garage, other than a private garage, whose services are available to members of the public or to persons occupying a hotel, club or similar facility.
- 9.1.40 **"REAR LOT LINE"** means a line parallel to and farthest from the front lot line, being at least ten (10) feet long and lying wholly within the lot.
- 9.1.41 **"REAR YARD"** means a yard that extends across the full width of the lot and is bounded on the rear by the rear lot line, and the depth of which is the least distance from the rear lot line and the rear of the principal building.
- 9.1.42 **"SIDE LOT LINE"** means a lot boundary line other than a front or rear lot line.
- 9.1.43 **"SIDE YARD"** means a yard, between the principal building and the adjacent lot line, that extends from the front yard, or street right-of-way where there is no front yard, to the rear yard, and the width of which is the least distance between the side lot line and the adjacent side of the building.

- 9.1.44 **"SIGN"** means visual devices or structures used for advertising, display, direction, or publicity purposes.
- 9.1.45 **"STREET"** means a right-of-way that is established by record to provide the principal means of access to abutting property.
- 9.1.46 **"STRUCTURE"** means anything constructed or erected that requires location on or in the ground or attachment to something having a location on or in the ground.
- 9.1.47 **"STRUCTURAL CHANGE"** means a substantial change in a supporting member of a building, such as a bearing wall or partition, column, beam, or girder, or in an exterior wall or the roof.
- 9.1.48 **"THROUGH LOT"** means a lot fronting on two parallel or approximately parallel streets and includes lots fronting on both a street and a watercourse or lake.
- 9.1.49 **"USE"** means the employment or occupation of a building, structure, or land for a person's service, benefit, or enjoyment.
- 9.1.50 **VETERINARY CLINIC** means a place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation, and/or recuperation.
- 9.1.51 **"YARD"** means a space on the same lot with a principal building that is open and unobstructed, except as otherwise specified in this Resolution.

9.1.52 **"SINGLE-FAMILY RESIDENCE"** means where construction or moving of a dwelling would not create more than two (2) dwellings within thirteen hundred and twenty feet (1,320), measured from nearest point to nearest point of each other on the same side of any public street, highway, alley or road or in a planned unit development in conformity with section 3.6.3 any private road, street, or access to a public street.

9.1.53 **"HOME BUSINESS TYPE 1"** means any business activity carried out on the premises by a member of the immediate family residing on the premises and having no more than 1 non family member employee. Products, that is goods and/or services, can be sold and mechanical equipment used as long as the external effect does not adversely affect adjacent property. All equipment must be stored in the residence, accessory buildings or trailers, no longer than 30ft and no more than 2 trailers at any one time. Home businesses shall be clearly incidental and secondary to the use of the premises for dwelling purposes and shall not change the structural character thereof. A maximum of 10 people may gather at the premises for business at one time and such gatherings shall be limited to 1 per week.

9.1.54 **"HOME BUSINESS TYPE 2"** means any business activity carried out on the premises by a member of the immediate family residing on the premises and may have more than 1, but not more than 4 non family member employees working on the premises. Products, that is goods and/or services, can be sold and mechanical equipment used as long as the external effect does not adversely affect adjacent property. All equipment must be stored in accessory buildings or trailers. Home businesses shall be clearly incidental and secondary to the use of the premises for dwelling purposes, and shall not change the structural character thereof. Home business type 2, shall be permitted as a conditional use subject to conditions the Board of Zoning Appeals deems necessary to protect the character of the surrounding area.

CHAPTER 10. EFFECTIVE DATE OF VALIDITY

10.1 **VALIDITY**

If any section, paragraph, subdivision, clause, sentence or provision of this Resolution shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect the remainder of this Resolution.

10.2 **EFFECTIVE DATE**

This Resolution shall be in full force and effective from and after its passage as provided by law.

..... **EAGLE TOWNSHIP**







ZONING

RESOLUTION

**REPRINTED AS AMMENDED:
July 2020**



**ZONING DISTRICTS MAP
EAGLE TOWNSHIP**

- | | | |
|---|-----|--------------------------------------|
|  | A-1 | AGRICULTURAL DISTRICT |
|  | R-1 | RESIDENCE DISTRICT |
|  | R-2 | RESIDENCE DISTRICT |
|  | GB | GENERAL BUSINESS DISTRICT |
|  | M | MANUFACTURING DISTRICT |
|  | S | CONSERVATION AND RECREATION DISTRICT |

