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# SAYBROOK TOWNSHIP ZONING RESOLUTION

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1987 Amendment



SAYBROOK TOWNSHIP  
7247 Center Road  
Ashtabula, OH 44004

SAYBROOK TOWNSHIP ZONING RESOLUTION

1987 Amendment  
to the  
Saybrook Township Zoning Regulations

Saybrook Township Trustees

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Saybrook Township Board of Appeals

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<i>Advertising Zoning Commission Public Hearing</i>	<i>09/07/1987</i>
<i>Public Hearing of Zoning Commission</i>	<i>09/24/1987</i>
<i>Passed by Zoning Commission</i>	<i>09/24/1987</i>
<i>Advertising by Township Trustees</i>	<i>10/23/1987</i>
<i>Public Hearing by Trustees</i>	<i>11/09/1987</i>
<i>Approved by Township Trustees</i>	<i>11/10/1987</i>
<i>Effective Date of Amendment</i>	<i>12/10/1987</i>

Donald R. Krauss, Zoning Inspector

## **PREAMBLE**

A resolution of the township of Saybrook, Ohio, enacted in accordance with a comprehensive plan and the provisions of Chapter 519, Ohio Revised Code, dividing the unincorporated portion of the township into zones and districts, encouraging, regulating, and restricting therein the location, construction, reconstruction, alteration and use of structures and land; promoting the orderly development of residential, business, industrial, recreational, and public areas, providing for adequate light, air, and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; limiting congestion in the public rights-of-way; providing the compatibility of different land uses and the most appropriate use of land; providing for the administration of this resolution, defining the powers and duties of the administrative officers as provided hereafter, and prescribing penalties for the violation of the provisions in this resolution or any amendment thereto, all for the purpose of protecting the public health, safety, comfort and general welfare; and for the repeal thereof, therefore, be it resolved by the Board of township trustees of Saybrook Township, Ashtabula County, State of Ohio:

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SAYBROOK TOWNSHIP ZONING RESOLUTION

**ARTICLE 1**

**TITLE , INTERPRETATION AND ENACTMENT**

**SECTION 100**

**TITLE:**

This resolution shall be known and may be cited to as the "Zoning Resolution of the Township of Saybrook."

**SECTION 110**

**PROVISIONS OF RESOLUTION DECLARED TO BE MINIMUM REQUIREMENTS:**

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this resolution conflict with the requirements of any other lawfully adopted rules, regulations, or resolutions, the most restrictive, or that imposing the higher standards shall govern.

**SECTION 120**

**SEPARABILITY CLAUSE:**

Should the courts declare any section or provision of this resolution to be unconstitutional or invalid, such decision shall not affect the validity of the resolution as a whole, or any part thereof other than the part of declared to be unconstitutional or invalid.

**SECTION 130**

**REPEAL OF CONFLICTING RESOLUTION, EFFECTIVE DATE:**

All resolutions or parts of resolutions in conflict with this zoning resolution or inconsistent with the provisions of this resolution are hereby repealed to the extent necessary to give this resolution full force and effect. This resolution shall become effective from and after the date of its approval and adoption, as provided by law.

# SAYBROOK TOWNSHIP ZONING RESOLUTION

## **ARTICLE 2**

### **DEFINITIONS**

#### **INTERPRETATION OF TERMS OR WORDS**

For the purpose of this resolution, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" is a mandatory requirement, and word "may" is a permissive requirement, and the word "should" is a preferred requirement.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".
5. The word "lot" includes the words "plot" or "parcel".

#### **ACCESSORY USE OR STRUCTURE**

A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

#### **ADULT BOOK STORE**

An establishment which utilizes fifteen (15) percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, not limited to books, magazines, other periodicals, films, tapes, cassettes, CDs, and DVDs which are distinguished by their emphasis on adult materials.

#### **ADULT ENTERTAINMENT BUSINESS**

An adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as further defined in this Amendment.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **ADULT MASSAGE BUSINESS**

A commercial establishment where, for any form of consideration, manipulation of human muscles or tissue by rubbing, stroking, emphasis on matters related to "specified sexual activities" or "specified anatomical areas", unless such massage treatment is practiced by a licensed medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional practitioner licensed by the State.

### **ADULT MATERIAL**

Any book, magazine, figure, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, pornographic record or tape, other tangible thing, or any service capable of arousing interest through sight, sound, or touch, and:

- a. Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or
- b. Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human functions of elimination.

### **ADULT MOTION PICTURE THEATER**

An enclosed motion picture theater which is regularly used or utilized fifteen (15) percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material as defined in this Amendment.

### **ADULT MOTION PICTURE DRIVE-IN THEATER**

An open-air drive-in theater which is regularly used or utilizes fifteen (15) percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **ADULT ONLT ENTERTAINMENT ESTABLISHMENT**

An establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this Amendment, or which features exhibitions, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services which constitute adult material.

### **AGRICULTURE**

The use of land for farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce, provided, however that:

1. The operation of any such accessory uses shall be secondary to that of normal agricultural activities; and
2. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within 100 feet of any residential zoning district. Agriculture does not include the feeding of garbage to animals or the operation or maintenance of a commercial stockyard or feed yard.

### **AIRPORT**

Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking-off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

**ALLEY** See Thoroughfare.

### **ALTERATIONS, STRUCTURAL**

Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

### **AUTOMOTIVE REPAIR**

The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

SAYBROOK TOWNSHIP ZONING RESOLUTION

**AUTOMOTIVE, MANUFACTURED HOME, RECREATIONAL VEHICLES, AND FARM IMPLEMENT SALES**

The sale or rental of new and used motor vehicles, manufactured homes, recreational vehicles, or farm implements, but not including repair work except incidental warranty repair of the same, to be displayed and sold on the premises.

**AUTOMOTIVE WRECKING**

The dismantling or wrecking of used motor vehicles, manufactured homes, recreational vehicles, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**AUTOMOBILE, DISABLED** See Disabled Vehicles

**AUTOMOBILE GRAVEYARD**

Means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

**BASEMENT**

A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

**BOTTOMLESS**

Less than full opaque covering of male or female genitals, pubic area, or buttocks.

**BUILDING**

Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

**BUILDING, ACCESSORY**

A building detached from but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **BUILDING, HEIGHT**

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest points of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip, and gambrel roofs.

**BUILDING LINE** See Setback Line

### **BUILDING, PRINCIPAL**

A building in which is conducted the main or principal use of the lot on which said building is situated.

### **BUSINESS, GENERAL**

Commercial uses which generally require locations on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day to day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets; stores that sell hardware, apparel, footwear, appliances, and furniture; department stores; and discount stores.

### **CELLAR**

That portion of the building wholly below, or with less than half of its ceiling height above the average finished grade of the ground adjoining the building.

### **CEMETERY**

Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

### **CHANNEL**

A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **CLINIC:**

A place used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

### **CLUB:**

A building or portion thereof or premises owned or operated by a person for social, literary, political, educational, or recreational purposes primarily for the exclusive use of members and their guests.

### **COMMERCIAL ENTERTAINMENT FACILITIES**

Any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.

### **COMPREHENSIVE DEVELOPMENT PLAN**

A plan, or any portion thereof, adopted by the County Planning Commission showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfare, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the Township.

### **CONDITIONAL USE**

A non-transferable use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of Conditional Uses (See Article 5).

### **CONDITIONAL USE PERMIT**

A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

**CORNER LOT** See Lot Types.

**CUL-DE-SAC** See Thoroughfare.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

**DEAD-END STREET** See Thoroughfare.

### **DENSITY**

A unit of measurement; the number of dwelling units per acre of land.

1. Gross Density - the number of dwelling units per acre of the total land to be developed.
2. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

### **DISABLED VEHICLE**

Any type of motor vehicle that meets any one of the following criteria:

1. The vehicle does not have a current license.
2. The vehicle is mechanically inoperable.
3. The vehicle is extensively damaged (i.e., missing wheels, motor, tires, or transmission).
4. The vehicle is in a dilapidated or broken-down state.

### **DWELLING**

Any building or structure (except a recreational vehicle as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

### **DWELLING UNIT**

Space within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

### **DWELLING, SINGLE FAMILY**

A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

### **DWELLING, TWO-FAMILY**

A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **DWELLING, MULTI-FAMILY**

A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units.

### **DWELLING, INDUSTRIALIZED UNIT**

An assembly of materials or products comprising all or part of a total structure which, when constructed, and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including a modular or sectional unit but not a manufactured home as defined by Ohio Revised Code 4501.01.

### **DWELLING, ROOMING HOUSE (BOARDING HOUSE, LODGING HOUSE, DORMITORY)**

A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

### **EASEMENT**

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

### **ESSENTIAL SERVICES**

The erection, construction, alteration, or maintenance, by public utilities or other government agencies, of underground gas, electrical, steam or water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate services by such public utilities or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

### **FAMILY**

One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption, or marriage, no such dwelling shall contain over four persons, but any number of foster children will be permitted.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **FENCE**

A barrier at least six feet in height, constructed of non-transparent material, and maintained so as to obscure the junk from the ordinary view of persons passing upon township roads covered by Sections 4737.05 to 4737.93 inclusive of the Ohio Revised Code.

### **FLOODWAY**

That portion of the flood plain, including the channel, which is required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

### **FLOOR AREA OF A RESIDENTIAL BUILDING**

The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between the interior faces of walls.

### **FLOOR AREA OF A NON-RESIDENTIAL BUILDING (TO BE USED IN CALCULATING PARKING REQUIREMENTS)**

The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

### **FLOOR AREA, USABLE**

Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

### **FOOD PROCESSING**

The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

### **GARAGES, PRIVATE**

A detached or attached accessory building or portion of a principal building for the parking or temporary storage of automobiles, recreational vehicles, and/or boats of the occupants of the premises and wherein:

## SAYBROOK TOWNSHIP ZONING RESOLUTION

1. Not more than one space is rented for parking to people not resident on the premises.
2. No more than one commercial vehicle per dwelling unit is parked or stored.
3. The commercial vehicle permitted does not exceed two tons capacity.

### **GARAGE, PUBLIC**

A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided or remuneration.

### **GARAGE, SERVICE STATION**

Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where in addition, the following services may be rendered, and sales made:

1. Sales and service of spark plugs, batteries, and distributors parts.
2. Tire servicing and repair, but not recapping or regrooving.
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors, and the like.
4. Radiator cleaning and flushing.
5. Washing, polishing, and sale of washing and polishing materials.
6. Greasing and lubrication.
7. Providing and repairing fuel pumps, oil pumps, and lines.
8. Minor servicing and repair of carburetors.
9. Adjusting and repairing brakes.
10. Minor motor adjustment not involving removal of the head or crankcase- or racing the motor.
11. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principal operations.
12. Provision of road maps and other informational material to customers, provision of restroom facilities.
13. Warranty maintenance and safety inspections.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operation condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage nor a body shop.

### **HOME OCCUPATION**

An occupation conducted in a single-family dwelling unit, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such an occupation.
2. 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 twenty-five (25) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
4. 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 this resolution and shall not be located in a required front yard.
5. 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.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **HOTEL OR MOTEL AND APARTMENT HOTEL**

A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined.

### **JUNK**

Old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, junked, dismantled, or wrecked automobiles or parts thereof, iron, steel, and other old or scrap ferrous or non-ferrous materials.

### **JUNK BUILDINGS, JUNK SHOPS, JUNK YARDS**

Any land, property, structure, building, or combination of the same, on which junk is stored or processed.

### **KENNEL**

Any lot or premises on which three (3) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.

### **LOADING SPACE, OFF-STREET**

Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking spaces. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

**LOCATION MAP** See Vicinity Map

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **LOT**

For the purposes of this resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

1. A single lot of record.
2. A portion of a lot of record.
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

### **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.

### **LOT FRONTAGE**

The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this Section.

### **LOT MEASUREMENTS**

A lot shall be measured as follows:

1. Depth: The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

### **LOT OF RECORD**

A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **LOT TYPES**

Terminology used in this resolution with reference to corner lots, interior lots and through lots is as follows:

1. Corner Lot: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. Interior Lot: A lot with only one frontage on a street.
3. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. Reversed Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

**NOTE:** See Figures 1 & 2 at the end of Article 2.

### **MAJOR THOROUGHFARE PLAN**

The portion of the comprehensive plan adopted by the County Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

### **MAINTENANCE AND STORAGE FACILITIES**

Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.

### **MANUFACTURING, HEAVY**

Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage, and service areas; extensive service and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **MANUFACTURING, LIGHT**

Manufacturing, or other industrial uses which are usually controlled operations; clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust, operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

### **MANUFACTURING, EXTRACTIVE**

Any mining, quarrying, excavating processing, storing, separating, cleaning, or marketing of any mineral natural resource.

### **MANUFACTURED HOME**

Any non-self-propelled vehicle transportable in one or more sections, which in the traveling mode, is eight feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and originally designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Any such structure as defined in the preceding sentence shall be a Manufactured Home for purposes of this resolution whether or not such structure is subject to taxation under Section 4503.06 of the Ohio Revised Code or its successor provisions as a manufactured home, and whether or not such structure is permanently attached to a site and no longer has the potential for mobility, by reason of, but not limited to, lack of surrender of any manufactured home title, physical alteration such as removal of towing tongue, and/or situation on property owned by the owner of such structure. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

This dwelling unit shall bear a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards. (See 24 CFR 3280 for Legal Definitions.)

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **MODULAR HOMES**

Factory-built housing certified as meeting the BOCA Basic Building Code as applicable to modular housing. Once certified by the Ashtabula County Department of Building Regulations, modular homes shall be subject to the same standards as site-built homes.

### **NON-CONFORMITIES**

A building, structure, or use of land existing at the time of enactment of this resolution and which does not conform to the regulations of the district or one in which it is situated.

### **NURSERY, NURSING HOME**

A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

### **NURSERY, PLANT MATERIALS**

Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

### **OCCUPANCY PERMIT**

When a building is being altered, enlarged, constructed, or reconstructed, its owner or agent shall apply to the zoning inspector for a certificate of occupancy before the intended occupant resumes use of or moves into the designated structure. If the structure has had occupants while being altered or enlarged, only the new sections will be involved in the occupancy permit.

### **OPEN SPACE**

An area substantially open to the sky which may be on the same lot as a building. The area may include, along with the natural environmental features, water areas, swimming pools, and tennis courts, any other recreational facilities that the Zoning Commission deems permissive. Streets, parking areas, structures for habitation, and the like shall not be included.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **PARKING SPACE, OFF-STREET**

For the purpose of this resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room but shall be located totally outside of any street or alley right-of-way.

### **PERFORMANCE BOND OR SURETY BOND**

An agreement by a subdivider or developer with the Board of Township Trustees 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.

### **PERSONAL SERVICES**

Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.

### **PROFESSIONAL ACTIVITIES**

The use of offices and related spaces for such professional services as are provide by medical practitioners, lawyers, architects, and engineers, and similar professions.

### **PUBLIC SERVICE FACILITY**

The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, gas, or by another government agency, including the furnishing of electrical, gas, rail transport, communication, public water, and sewage services.

### **PUBLIC USES**

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

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **PUBLIC WAY**

An alley, avenue, boulevard, bridge channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel viaduct, walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

### **QUASIPUBLIC USE**

Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

### **RECREATION CAMP**

An area of land on which two or more recreational vehicles, tents or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure, or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

### **RECREATION FACILITIES**

Public or private facilities may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks. Intensive facilities require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

### **RECREATIONAL VEHICLE**

A vehicular, portable structure built on or carried on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight and one-half (8.5') feet and a length not exceeding forty (40) feet (maximum of 400 sq. ft of living area). Representative of this type of unit is:

1. Travel trailer
2. Tent or pop-up trailer
3. Motor home
4. Fifth-wheel trailer
5. Pick-up camper
6. Van camper

## SAYBROOK TOWNSHIP ZONING RESOLUTION

Converted school and commercial passenger buses are sometimes used as recreational vehicles but do not carry the seal of the *Recreational Vehicle* organization. In some instances, a simple tent is also considered a Recreational Vehicle.

### **RESEARCH ACTIVITIES**

Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering. All research, testing, and development shall be carried out within entirely enclosed buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside of said building.

### **RIGHT-OF-WAY**

1. Sign, On-Premises: Any sign related to a business or profession conducted, or a commodity or service sold or offered, upon the premises where such sign is located.
2. Sign, Off-Premises: Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
3. Sign, Illuminated: Any sign illuminated by electricity, gas, or other artificial light including reflection or phosphorescent light.
4. Sign, Lighting Device: Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. Sign, Projecting: Any sign which projects from the exterior of a building.

### **SITE-BUILT HOMES**

The dwelling unit constructed on the lot in accordance with the BOCA Basic Building Code and inspected/approved by the Ashtabula County Department of Building Regulations.

### **STORY**

That part of a building between the surface of a floor and the ceiling immediately above.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **STRUCTURE**

Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, walls, fences, and billboards.

### **SUPPLY YARDS**

A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

### **SWIMMING POOL**

A pool, pond, lake, or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager.

1. Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel; an accessory use.
2. Community: Operated with a charge for admission; a primary use.

### **THOROUGHFARE, STREET, OR ROAD**

The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-Sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

5. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential or other abutting property.
7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street)

**THROUGH LOT** See Lot Types.

### **TIME SHARING**

A land-use concept which involves the transfer of ownership by deed of an undivided fee interest (share) in property to an individual or group of individuals for the use, occupancy, or possession of which circulates among owners according to a fixed or floating time basis.

### **TRANSPORTATION, DIRECTOR OF**

The Director of the Ohio Department of Transportation.

### **USE**

The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

### **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 were 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.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **VETERINARY ANIMAL HOSPITAL OR CLINIC**

A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who need medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

### **VICINITY MAP**

A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

### **WALKWAY**

A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

### **YARD**

A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

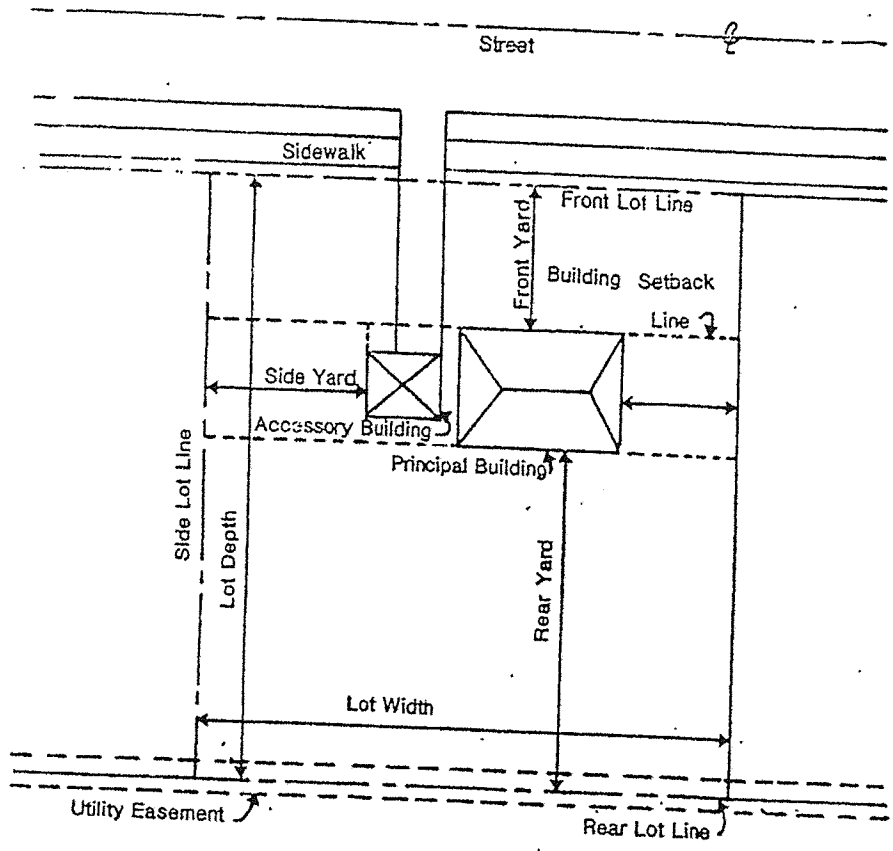
1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear: A yard extending between the side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

**Note:** See Figures 1 & 2, Article 2, Pages 2-24 & 2-25.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **ZONING PERMIT**

A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

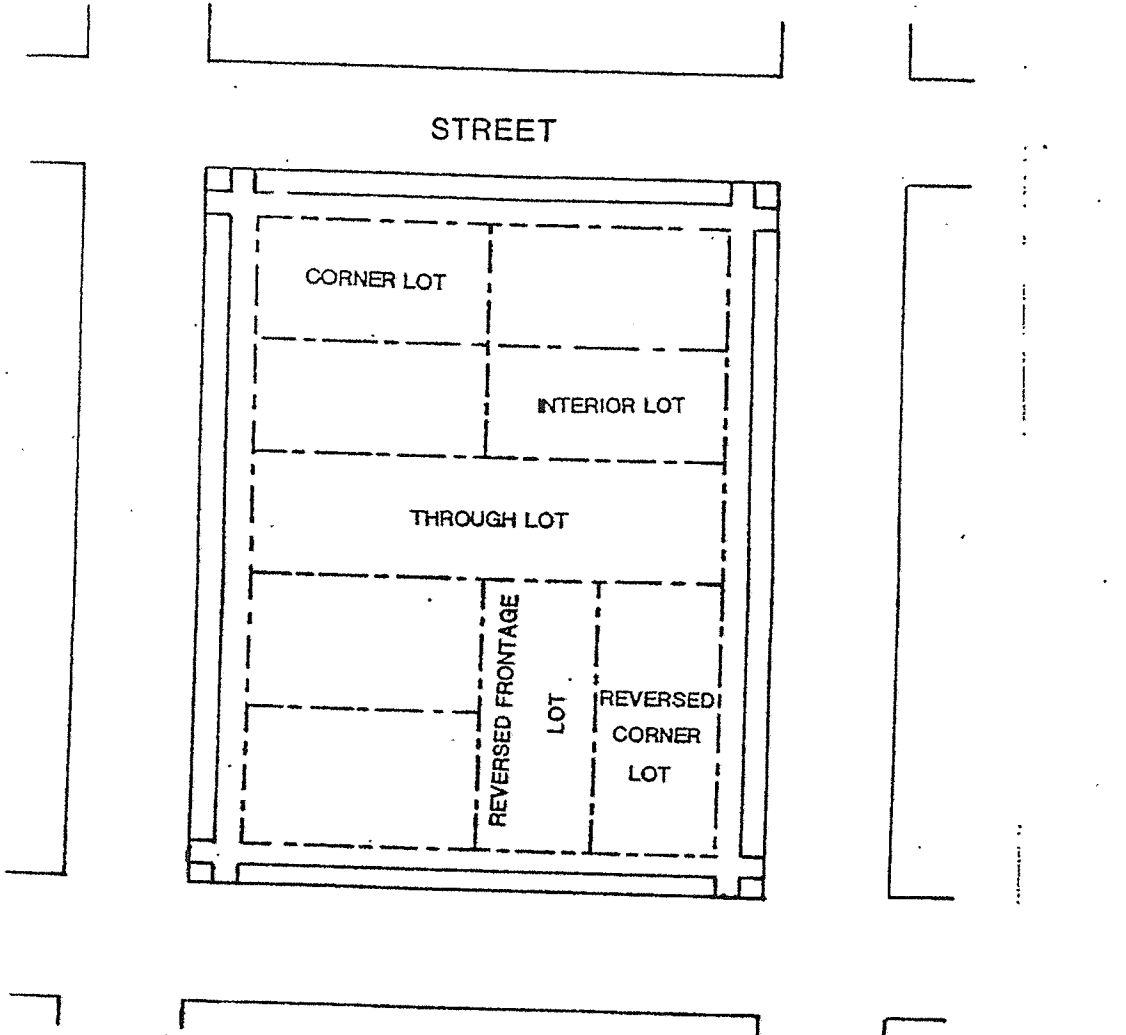


Lot Area = Total Horizontal Area

Lot Coverage = Per Cent of Lot Occupied by Building

# LOT TERMS

Fig. 1



# TYPES OF LOTS

Fig. 2

SAYBROOK TOWNSHIP ZONING RESOLUTION

**ARTICLE 3**

**ENFORCEMENT**

**SECTION 300**

**ZONING PERMITS REQUIRED**

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance or from the Board of Township Trustees approving a Planned Unit Development District, as provided by this Resolution.

**SECTION 301**

**CONTENTS OF APPLICATION FOR ZONING PERMIT**

The application for a zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one year or substantially completed within two and one-half (2-1/2) years. At a minimum, the applicant shall contain the following information:

1. Name, address, and phone number of applicant;
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;

## SAYBROOK TOWNSHIP ZONING RESOLUTION

6. Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed buildings or alteration;
7. Building heights;
8. Number of off-street parking spaces or loading berths;
9. Number of dwelling units;
10. Such other matters as may be necessary to determine conformance with and provide for the enforcement of this resolution.

### **SECTION 302**

#### **APPROVAL OF ZONING PERMIT**

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one year. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of the plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this resolution.

### **SECTION 303**

#### **SUBMISSION TO DIRECTOR OF TRANSPORTATION**

Before any zoning permit is issued affecting any land within three-hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed

## SAYBROOK TOWNSHIP ZONING RESOLUTION

as described in the certification to local officials by the Director of Transportation or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation that he shall not issue a zoning permit for one-hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one-hundred twenty (120) day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

### **SECTION 304**

#### **EXPIRATION OF ZONING PERMIT**

If the work described on any zoning permit has not begun within one year from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within two and one-half (2 1/2) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **SECTION 310**

#### **FAILURE TO OBTAIN A ZONING PERMIT**

Failure to obtain a zoning permit shall be a violation of this resolution and punishable under Section 340 of this resolution.

### **SECTION 320**

#### **CONSTRUCTION AND USE TO BE AS PROVIDED IN APPLICATIONS, PLANS, PERMITS, AND CERTIFICATES**

Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorizes only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution, and punishable as provided in Section 340 of this resolution.

### **SECTION 330**

#### **COMPLAINTS REGARDING VIOLATIONS**

Whenever a violation of this resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall properly record such complaints, immediately investigate, and take action thereon as provided by this resolution.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **SECTION 340**

#### **PENALTIES FOR VIOLATION**

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this resolution shall constitute a misdemeanor. Any person who violates this resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred (100) dollars or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice, shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

### **SECTION 350**

#### **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 zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, 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 Inspector and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

**ARTICLE 4**

**NON-CONFORMITIES**

**SECTION 400**

**INTENT**

Zoning regulations established by the adoption of this Zoning Resolution, or amendments to this Zoning Resolution, may cause properties and uses which were lawful prior to the adoption of certain regulation to not meet requirements after adoption of the regulations. All uses, lots, and structures that do not conform to the current Zoning Resolution of the district in which they are located, and which were lawful when they were first established, shall be known as "non-conforming" and shall be regulated under this Article. The intent of this Article is to establish procedures and regulations for the use of those properties or structures which are in conflict with the requirements of the current Zoning Resolution. It is not the intent of this section to encourage the continuance of non-conformities that are out of character with the standards of the zoning district, but rather to allow certain non-conforming situations to continue as legal exceptions to the current Zoning Resolutions. It is the intent of this Article to permit these non-conformities to continue until they are removed. Uses, lots, and structures that were not lawful when they were first established, or that changed in an unlawful manner, shall not have the right to continue, and shall be brought into conformity with the current Zoning Resolution. This Article shall apply to all legal non-conforming uses and legal non-conforming structures.

**SECTION 410**

**DEFINITIONS OF NON-CONFORMITIES**

A non-conformity is any use, lot, improvement, or structure that, as a result of amendments to this resolution or a preexisting condition, does not meet the current standards of the resolution.

Nonconforming Use – A nonconforming use shall be any land use or type of residential use that was legally established but has become a prohibited use in the district in which it exists.

Nonconforming Lot – A nonconforming lot shall be any legally established parcel that does not conform to the current area or dimensional requirements of the zoning district in which it is located.

Nonconforming Improvement or Structure – A nonconforming improvement or structure shall be any legally established improvement, building, or structure that fails to meet current Zoning Resolution standards for setback, height, or similar factors.

**SECTION 420**

**COMPLETION OF BUILDINGS AND IMPROVEMENTS**

Completion of buildings that become non-conforming as a result of passage of this resolution shall be allowed if an application for a building permit sufficient to allow approval was submitted prior to passage of this Resolution, and if the building is subsequently completed in accordance with an approved building permit within two years of initial issuance of the permit.

**SECTION 430**

**SINGLE NON-CONFORMING 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 at the effective date of adoption or amendment of this resolution, notwithstanding limitations imposed by other provisions of this resolution. Such a 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 or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Articles 3 and 10 of this resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 540 through 549.

**SECTION 431**

**NON-CONFORMING LOTS OF RECORD IN COMBINATION**

If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this resolution and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this resolution and 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 any parcel be made which creates a lot with a width or area below the requirements stated in this resolution.

**SECTION 440**

**NON-CONFORMING 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 that no such non-conforming uses of land shall in any way be expanded, extended, or moved in whole or in part to any other portion of the lot of record. If such nonconforming use of land or any portion thereof is discontinued for a period of two years, or is otherwise changed, any future use of such land shall be in conformity with the provisions of this resolution.

If the property of such nonconforming use is in probate or litigation, the days in probate or litigation are not counted toward the two-year period.

**SECTION 450**

**NON-CONFORMING 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.

If a lawful non-conforming structure is, or is proposed to be, destroyed, or torn down by any means, a permit for its reconstruction shall be issued, provided the application for permit for reconstruction is made within six months prior to or two years after the date of such destruction or tear down. All reconstructed structures must meet all of the following requirements:

1. be built within the existing building footprint;

2. the square footage of the building may not be increased from the structure that was destroyed or torn down;
3. The height of the structure may not exceed the greater of:
  - a. The original height from the structure that was destroyed or torn down;
  - b. 15 feet (or 18 feet if the roof pitch is 6/12 or steeper).

**SECTION 460**

**NON-CONFORMING USES OF STRUCTURES**

The lawful use of a structure existing at the time of the enactment of this resolution, or amendments thereto, although such use does not conform to the provisions of this resolution, may be continued and such use may be extended throughout the structure provided that the extension of the use does not displace a use conforming to the district as designated by this resolution.

In any district, a lawful non-conforming use may be changed to a permitted use or conditional use for that district.

A lawful non-conforming use shall only be expanded if it does not exceed a 50% maximum increase, in aggregate, over the entire life of the nonconformity. For example, if a building permit is issued for a 10% expansion one year, and a 35% expansion of the original size ten years later, any further requests for a permit for an expansion for more than 5% of the original nonconformity would be denied. Any expansion of a nonconforming use shall meet all required setbacks and all other requirements of this resolution. No new nonconformity shall be created.

Whenever a non-conforming use of a structure, or a portion thereof, has been abandoned or discontinued for a period of two years or more, it shall not again be used

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except in conformity with the regulations of the district in which such structure is located.

A change from one non-conforming use to another non-conforming use shall be permitted by the Zoning Inspector with notice of this determination to be posted conspicuously on the property and written notice to be provided to adjoining property owners. The change of use must adhere to the following guidelines:

1. The same general type of use is involved;
2. The operator of the new use agrees in writing as a condition of the permit to abide by any applicable conditions that were established for the previous use of the property;
3. The new use involves similar or less intensive characteristics compared to the previous use.

### **SECTION 470**

#### **REPAIRS AND MAINTENANCE**

Ordinary repairs, repair or replacement of walls, fixtures, wiring, or plumbing are permitted to any non-conforming structure or portion of a structure, or to a structure containing a non-conforming use. 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.

**SECTION 480**

**USES UNDER CONDITIONAL USE PROVISIONS NOT NON-CONFORMING USES**

Any use which is permitted as a conditional use in a district under the terms of this resolution shall not be deemed a non-conforming use in such district but shall without further action be considered a conforming use.

**ARTICLE 5**

**ADMINISTRATION**

**SECTION 500**

**OFFICE OF ZONING INSPECTOR CREATED**

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this resolution. The Zoning Inspector may be provided with the assistance of such other people as the Board of Township Trustees may direct. The Township Zoning Inspector, before entering upon these duties, shall give bond as specified in Section 519.161, Ohio Revised Code.

**SECTION 501**

**DUTIES OF ZONING INSPECTOR**

For the purpose of this resolution, the Zoning Inspector shall have the following duties:

1. Upon finding that any of the provisions of this resolution are being violated, the Zoning Inspector shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation.
2. Order discontinuance of illegal uses of land, buildings, or structures.
3. Order removal of illegal buildings or structures or illegal additions or structural alterations.
4. Order discontinuance of any illegal work being done.
5. Take any other action authorized by this resolution to ensure compliance with or to prevent violation(s) of this resolution. This may include the issuance of and action on zoning permits and such similar administrative duties as are permissible under the law.

**SECTION 510**

**PROCEEDINGS OF ZONING COMMISSION**

The Commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this resolution. Meetings shall be held at the call of the chairperson and at such other times as the Commission may determine. All meetings shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed in the office of the Commission.

**SECTION 511**

**DUTIES OF ZONING COMMISSION**

For the purpose of this resolution the Commission shall have the following duties:

1. Initiate proposed amendments to this resolution.
2. Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees as specified in Article 6.
3. Review all planned unit developments and make recommendations to the Board of Township Trustees as provided in Article 13.

**SECTION 520**

**BOARD OF ZONING APPEALS CREATED**

A Board of Zoning Appeals is hereby created, which shall consist of five (5) members to be appointed by the Board of Township Trustees each for a term of five (5) years, except that the initial appointments shall be one (1) member each for one (1), two (2), three (3), four (4), and five (5) year terms. Each member shall be a resident of the Township.

Members of the Board may be removed from the office by the Board of Township Trustees for cause upon written charges and after a public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the unexpired term of the member affected.

**SECTION 521**

**PROCEEDINGS OF THE BOARD OF ZONING APPEALS**

The Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this resolution. Meetings shall be held on the call of the chairperson and at such other times as the Board may determine. The chairperson, or in his absence the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.

**SECTION 522**

**POWERS OF THE BOARD OF ZONING APPEALS**

In exercising its powers, the Board may, in conformity with the terms of this resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end has all powers of the Zoning Inspector from whom the appeal is taken.

For the purpose of this resolution the Board has the following specific responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.

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2. To authorize, upon appeal, in specific cases, such variance from the terms of this resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this resolution will result in unnecessary hardship, and so that the spirit of this resolution shall be observed, and substantial justice done.
3. To grant conditional use permits for the use of land, buildings, or other structures if such uses are specified in the Official Schedule of District Regulations and under the conditions specified in Article 9 and such additional safeguards as will uphold the intent of this resolution.
4. Revoke an authorized variance or conditional zoning certificate granted for the extraction of minerals, if any condition of the variance or certificate is violated.

### **SECTION 530**

#### **DUTIES OF ZONING INSPECTOR, BOARD OF ZONING APPEALS, LEGISLATIVE AUTHORITY AND COURTS ON MATTERS OF APPEAL**

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the Board of Township Trustees in connection with this resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this resolution. Under this resolution the Board of Township Trustees shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this resolution as provided by law, and of establishing a schedule of fees and charges as stated in Section 350 of this resolution. Nothing in this resolution shall be interpreted to prevent any official of the

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Township from appealing a decision of the Board to the courts as provided in Chapters 2505 and 2506 of the Ohio Revised Code. Any such appeal shall be made within ten (10) days of the Board's written decision.

### **SECTION 540**

#### **PROCEDURE AND REQUIREMENTS FOR APPEALS AND VARIANCES**

Appeals and variances shall conform to the procedures and requirements of Sections 541-549, inclusive, of this resolution. As specified in Section 522, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

### **SECTION 541**

#### **APPEALS**

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

### **SECTION 542**

#### **STAY OF PROCEEDINGS**

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him, that by reason of facts stated in the application, a stay would, in his opinion, cause imminent peril to life and property. In such cases,

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proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken on due cause shown.

### **SECTION 543**

#### **VARIANCES**

The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this resolution would result in unnecessary hardship. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this resolution would result in unnecessary hardship.

### **SECTION 544**

#### **APPLICATION AND STANDARDS FOR VARIANCES**

A variance from the terms of this resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing:

1. Name, address, and phone number of applicants;
2. Legal description of property;
3. Description of nature of variance requested;
4. A narrative statement demonstrating that the requested variance conforms to the following standards;

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- a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- b) That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this resolution;
- c) That special conditions and circumstances do not result from the actions of the applicant;
- d) That granting the variance requested will not confer on the applicant any special privilege that is denied by this resolution to other lands, structures, or buildings in the same district.

A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection four of this section have been met by the applicant.

### **SECTION 545**

#### **SUPPLEMENTARY CONDITIONS AND SAFEGUARDS**

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this resolution in the district involved, or any use expressly or by implication prohibited by the terms of this resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards, when made a part of the terms under which the appeals or variance is granted, shall be deemed a violation of this resolution and punishable under Section 340 of this resolution.

**SECTION 546**

**PUBLIC HEARING BY THE BOARD OF ZONING APPEALS**

The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

**SECTION 547**

**NOTICE OF PUBLIC HEARING IN NEWSPAPER**

Before holding the public hearing required in Section 546, notice of such hearing shall be given in one or more newspapers of the general circulation of the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

**SECTION 548**

**NOTICE TO PARTIES IN INTEREST**

Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the Chairperson of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. The notice shall contain the same information as required of notices published in newspapers as specified in Section 547.

**SECTION 549**

**ACTION BY BOARD OF ZONING APPEALS**

Within thirty (30) days after the public hearing required in Section 546, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of

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Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

### **SECTION 560**

#### **PROCEDURE AND REQUIREMENTS FOR APPROVAL OF CONDITIONAL USE**

##### **PERMITS**

Conditional uses shall conform to the procedures and requirements of Sections 561-568, inclusive of this resolution.

### **SECTION 561**

#### **GENERAL**

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9, shall follow the procedures and requirements set forth in Sections 562-568, inclusive.

**SECTION 562**

**CONTENTS OF APPLICATION FOR CONDITIONAL USE PERMIT**

An application for conditional use permit shall be filed with the Chairperson of the Board of Zoning Appeals by at least one owner or lessee of property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning district;
5. Description of proposed conditional use;
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require, to determine if the proposed conditional use meets the intent and requirements of this resolution;
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan;
8. Such other information as may be required in Section 564.

**SECTION 563**

**GENERAL STANDARDS APPLICABLE TO ALL CONDITIONAL USES**

In addition to the specific requirements for conditionally permitted uses as specified in Section 564, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established under the provisions of Article 9 and appears on the Official Schedule of District Regulations adopted by Section 910 for the zoning district involved;
2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the Township's comprehensive plan and/or zoning resolution;
3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
4. Will not be hazardous or disturbing to existing or future neighboring uses;
5. Will be served adequately by essential public facilities and services as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

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7. Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares;
9. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

### **SECTION 564**

#### **SPECIFIC CRITERIA FOR CONDITIONAL USES**

Following is a list of specific requirements for conditionally permitted uses as specified in the Official Schedule of District Regulations:

1. All structures and activity areas should be located at least one hundred (100) feet from all property lines;
2. Loud speakers which cause a hazard or annoyance shall not be permitted;
3. All points of entrance or exit should be located no closer than two hundred (200) feet from the intersection of two arterial thoroughfares, or no closer than one hundred (100) feet from the intersection of an arterial street and a local or collector street;
4. There shall be no more than one (1) sign oriented to each abutting street identifying the activity;
5. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties;

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6. Structures should have primary access to a collector thoroughfare;
7. Such developments should have primary access to arterial thoroughfares or be located at intersections of arterial and/or collector streets;
8. Such developments should be located adjacent to non-residential uses such as churches, parks, industrial, or commercial uses;
9. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into a residential area;
10. Such uses should be properly landscaped to be harmonious with surrounding residential uses;
11. Such structures should be located adjacent to parks and other nonresidential uses such as schools and shopping facilities where use could be made of joint parking facilities;
12. All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general;
13. The area of use shall be completely enclosed by a six (6) foot fence and appropriately landscaped to be harmonious with surrounding properties;
14. Such uses should be located on an arterial thoroughfare, adjacent to nonresidential uses such as commerce, industry, or recreation, or adjacent to sparsely settled residential uses;
15. Truck parking areas, maneuvering lanes, and accessways to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The

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site shall not be used for the storage of trucks, and truck parking shall be limited to a time not to exceed twenty-four (24) hours;

16. Such developments should be located on or immediately adjacent to state highways;
17. Such uses shall not be conducted closer than five hundred (500) feet from any residential district, nor closer than two hundred (200) feet from any structure used for human occupancy in any other district;
18. There shall be filed with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features;
19. Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water;
20. All work conducted in connection with such operations shall be done between the hours of 7:30 a.m. and 5:00 p.m.;
21. All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer;
22. There shall be filed with the Board a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five feet, the type and number per acre of trees or shrubs or grass to be planted, and the location of future roads, drives, drainage courses, or other improvements contemplated;

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23. All excavation shall be made either to a water producing depth, such depth to be not less than five (5) feet below the low water mark, or shall be graded or backfilled with non-noxious, non-flammable and non-combustible solids, to secure:
- a) that the excavated area shall not collect and permit to remain therein stagnant water, or,
  - b) that the surface of such area which is not permanently submerged is graded thereof--so as to produce a gently running surface that will minimize erosion or backfilled as necessary so as to reduce the peaks and depressions due to rainfall and which will be in substantial conformity to the adjoining land area. The banks of all excavations not backfilled shall be sloped which shall not be less than three (3) feet horizontal to one (1) foot vertical and said bank shall be seeded;
24. There shall be filed with the Board of Township Trustees a bond, payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The rate of the required bond shall be fixed by resolution of the Board of Township Trustees. The bond shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan.
25. No more than one person other than members of the family residing on the premises shall be engaged in a home occupation.
26. The use of a dwelling for a home occupation shall be clearly incidental and subordinate to its use for residential purposed by its occupants, and not more than twenty-five (25) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.

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27. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
28. No traffic shall be generated by a 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 this resolution and shall not be located in a required front yard.
29. No equipment or process shall be used in a 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.

### **SECTION 565**

#### **SUPPLEMENTARY CONDITIONS AND SAFEGUARDS**

In granting any conditional use, 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 conditional use is granted, shall be deemed a violation of this resolution and punishable under Section 340 of this resolution.

**SECTION 566**

**PROCEDURE FOR HEARING, NOTICE**

Upon receipt of the application for a conditional use permit specified in Section 562, the Board shall hold a public hearing, publish notice in a newspaper, and give written notice to all parties in interest according to the procedures specified in Sections 546 through 548.

**SECTION 567**

**ACTION BY THE BOARD OF ZONING APPEALS**

Within thirty (30) days after the public hearing required in Section 566, the Board shall either approve, approve with supplementary conditions as specified in Section 565, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. 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 in the manner specified in Section 530.

**SECTION 568**

**EXPIRATION OF CONDITIONAL USE PERMIT**

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years.

<b>Conditional Use Schedule of District Regulations</b> (page 1 of 2)			
<b>ZONING DISTRICTS</b>	<b>PRINCIPALLY PERMITTED USES</b>	<b>CONDITIONALLY PERMITTED</b>	<b>SPECIFIC CONDITIONAL USE CRITERIA</b>
(Symbols as used on the Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)	(As specified in Article 5 - Section 564)
<b>R-1 Residential</b>	Residential Single Family Dwellings	Home Occupations Allowed	2; 4; 5; 25; 26; 27; 28; 29.
		<sup>1</sup> Antique Shops	
		Barber, Beauty and other personal services	Same as above
		Barber, Beauty Equipment Sales & Supplies	Same as above
		Candy Products Manufacture	Same as above
		Candy Products Retail	Same as above
		Ceramics Manufacture and Sales	Same as above
		<sup>2</sup> Computer Sales and Repair	
		Tailors, Dressmakers and Milliners	Same as above
		Other than Home Occupations	Same as above
		Funeral Homes	2; 4; 5
		Non-Commercial Tennis Courts	2; 4; 5
<b>R-2 Residential</b>	Agriculture Single & Two Family Dwellings	Home Occupations Allowed	2; 4; 5; 25; 26; 27; 28; 29.
		Barber, Beauty and other personal services	Same as above
		Barber, Beauty Equipment Sales & Supplies	Same as above
		Candy Products Manufacture	Same as above
		Candy Products Retail	Same as above
		Ceramics Manufacture and Sales	Same as above
		Tailors, Dressmakers and Milliners	Same as above
		Other than Home Occupations	Same as above
		Funeral Homes	2; 4; 5
		Non-Commercial Tennis Courts	2; 4; 5
<b>R-3 Residential Resort</b>	Single & Two Family Dwellings	Home Occupations Allowed	2; 4; 5; 25; 26; 27; 28; 29.
		Barber, Beauty and other personal services	Same as above
		Barber, Beauty Equipment Sales & Supplies	Same as above
		Candy Products Manufacture	Same as above
		Candy Products Retail	Same as above
		Ceramics Manufacture and Sales	Same as above
		Tailors, Dressmakers and Milliners	Same as above
		Other than Home Occupations	Same as above
		Funeral Homes	2; 4; 5
		Non-Commercial Tennis Courts	2; 4; 5
<b>R-3A Residential Resort</b>	Single & Two Family Dwellings	Home Occupations Allowed	2; 4; 5; 25; 26; 27; 28; 29.
(East Geneva Lakelands)		Barber, Beauty and other personal services	Same as above
		Barber, Beauty Equipment Sales & Supplies	Same as above
		Candy Products Manufacture	Same as above
		Candy Products Retail	Same as above
		Ceramics Manufacture and Sales	Same as above
		Tailors, Dressmakers and Milliners	Same as above
		Other than Home Occupations	Same as above
		Funeral Homes	2; 4; 5
		Non-Commercial Tennis Courts	2; 4; 5
		Funeral Homes	2; 4; 5
		Non-Commercial Tennis Courts	2; 4; 5

<b>Conditional Use Schedule of District Regulations</b> (page 2 of 2)			
<b>ZONING DISTRICTS</b>	<b>PRINCIPALLY PERMITTED USES</b>	<b>CONDITIONALLY PERMITTED</b>	<b>SPECIFIC CONDITIONAL USE CRITERIA</b>
(Symbols as used on the Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)	(As specified in Article 5 - Section 564)
<b>R-4 Multi-Family</b>	Residential Multi-Family Dwelling	Day Nursery and Kindergartens	2; 4; 5
<b>S-R Special Recreation</b>	All Types of Recreational Activity	None	
<b>C-1 Commercial</b>	Retail Business, Hotels, Motels (No automobile services of any type)	Acetylene Gas manufacture and/or storage Enameling, Japanning, Lacquering of Metals Rodenticide, Insecticide & Pesticide Mixing Plant	2; 4; 5; 6; 12; 15; 21 Same as above Same as above
<b>C-2 Commercial</b>	Primary Function service to motor vehicles, gasoline stations, automobile repair garages	Acetylene Gas manufacture and/or storage Enameling, Japanning Lacquering of metals	2; 4; 5; 6; 12; 15; 21 Same as above
<b>I Industrial</b>	Light & Heavy Industry	Acetylene Gas manufacture and/or storage Acid manufacture Alcohol & Alcoholic Beverages manufacture Manufacture of Gas Industrial Chemical manufacture except highly corrosive materials Industries not otherwise listed, provided the industry is similar to other industries permitted in an Industrial District. Such industry shall comply with the design control of a similar industry. Rodenticide, insecticide, & pesticide mixing plant	2; 4; 5; 6; 12; 21 Same as above Same as above Same as above Same as above Same as above
<b>IP Industrial Park</b>	Light Industry	Acetylene Gas manufacture and/or storage Acid Manufacture Alcohol & Alcoholic Beverages manufacture Manufacture of Gas Industrial Chemical manufacture except highly corrosive materials Industries not otherwise listed, provided the industry is similar to other industries permitted in an Industrial District. Such industry shall comply with the design control of a similar industry.	2; 4; 5; 6; 12; 21 Same as above Same as above Same as above Same as above Same as above
<b>R&amp;D Research &amp; Development</b>	Light Industry	Acetylene Gas manufacture and/or storage Industrial Chemical manufacture except highly corrosive materials Industries not otherwise listed, provided the industry is similar to other industries permitted in an Industrial District. Such industry shall comply with the design control of a similar industry.	2; 4; 5; 6; 12; 21 Same as above Same as above
<b>PUD Planned Unit Development</b>	Residential, Commercial, Industrial, Public & Quasi Public Combined Unit Developments	None	
<sup>1</sup> Antique Shops under CONDITIONALLY PERMITTED USE in R-1 added: 12/05/1990 <sup>2</sup> Computer Sales and Repair under CONDITIONALLY PERMITTED USE in R-1 added: 12/05/1990			

**ARTICLE 6**

**AMENDMENT**

**SECTION 600**

**PROCEDURE FOR AMENDMENTS FOR DISTRICT CHANGES**

This resolution may be amended by utilizing the procedures specified in Section 601-613, inclusive, of this resolution.

**SECTION 601**

**GENERAL**

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.

**SECTION 602**

**INITIATION OF ZONING AMENDMENTS**

Amendments to this resolution may 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 Board of Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

**SECTION 603**

**CONTENTS OF APPLICATION**

Applications for amendments to the Official Zoning Map adopted as part of this resolution by Section 700 shall contain at least the following information:

- 1 . Name, address, and phone number of applicant;
- 2 . Proposed amending resolution, approved as to form by the County Prosecutor;
- 3 . Present use;
- 4 . Present zoning district;
- 5 . Proposed use;
- 6 . Proposed zoning district;
- 7 . A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require;
- 8 . A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned;
- 9 . A statement on how the proposed amendment relates to the comprehensive plan;
10. A fee as established by the Board of Township Trustees according to Section 350.

SAYBROOK TOWNSHIP ZONING RESOLUTION

Applications for amendments proposing to amend, supplement, change, or repeal portions of this resolution other than the Official Zoning Map shall include items 1, 2, 9, and 10 listed above.

**SECTION 604**

**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 or lessee of property, said resolution or application shall be transmitted to the Commission.

**SECTION 605**

**SUBMISSION TO COUNTY PLANNING COMMISSION**

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Township Trustees, or the filing of an application by at least one (1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in question to the County Planning Commission. The 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 a recommendation shall be considered at the public hearing held by the Zoning Commission.

**SECTION 606**

**SUBMISSION TO DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION**

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of

## SAYBROOK TOWNSHIP ZONING RESOLUTION

Transportation or within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law; however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Board of Township Trustees that he shall proceed to acquire any land needed, then "the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

### **SECTION 607**

#### **PUBLIC HEARING 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 zoning amendment. Said hearing shall be not less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

### **SECTION 608**

#### **NOTICE OF PUBLIC HEARING IN NEWSPAPER**

Before holding the public hearing as required in Section 607, 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 fifteen (15) days before the date of said hearing.

SAYBROOK TOWNSHIP ZONING RESOLUTION

A. If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the zoning commission that will be conducting the public hearing;
2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the County Auditor's current tax list;
4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least fifteen days prior to the public hearing;
6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
7. Any other information requested by the zoning commission;
8. A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action,

B. If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land, as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

## SAYBROOK TOWNSHIP ZONING RESOLUTION

- 1 . The name of the zoning commission that will be conducting the public hearing on the proposed amendment;
- 2 . A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
- 3 . The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least fifteen days prior to the public hearing;
- 4 . The name of the person responsible for giving notice of the public hearing by publication;
- 5 . A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action;
- 6 . Any other information requested by the zoning commission.

### **SECTION 609**

#### **NOTICE TO PROPERTY OWNERS BY ZONING COMMISSION**

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the County Auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least twenty (20) days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the County Auditor's current tax list. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspapers as specified in Section 608-A.

**SECTION 610**

**RECOMMENDATION BY ZONING COMMISSION**

Within thirty (30) days after the public hearing required by Section 607, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted.

**SECTION 611**

**PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES**

Within thirty (30) days from the receipt of the recommendation by the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such a public hearing in a newspaper shall be given by the Board of Township Trustees as specified in Section 608.

**SECTION 612**

**ACTION BY BOARD OF TOWNSHIP TRUSTEES**

Within twenty (20) days after the public hearing required by Section 611, 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 Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees is required.

**Section 613**

**EFFECTIVE DATE AND REFERENDUM**

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Board of 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 Board of 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.

**ARTICLE 7**

**PROVISIONS FOR OFFICIAL ZONING MAP**

**SECTION 700**

**OFFICIAL ZONING MAP**

The districts established in Article 7 of this resolution as shown on the Official Zoning Map which, together with all explanatory matters thereon, are hereby adopted as part of this resolution.

**SECTION 710**

**IDENTIFICATION OF THE OFFICIAL ZONING MAP**

The Official Zoning Map shall be identified by the signature of the Chairperson of the Board of Township Trustees, attested by the Township Clerk, and bearing the seal of the Township.

**SECTION 720**

**INTERPRETATION OF DISTRICT BOUNDARIES**

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

1. Where district boundaries are indicated as approximately following the center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries;
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries;
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of

## SAYBROOK TOWNSHIP ZONING RESOLUTION

highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom 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;

4. 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;

5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the Township unless otherwise indicated.

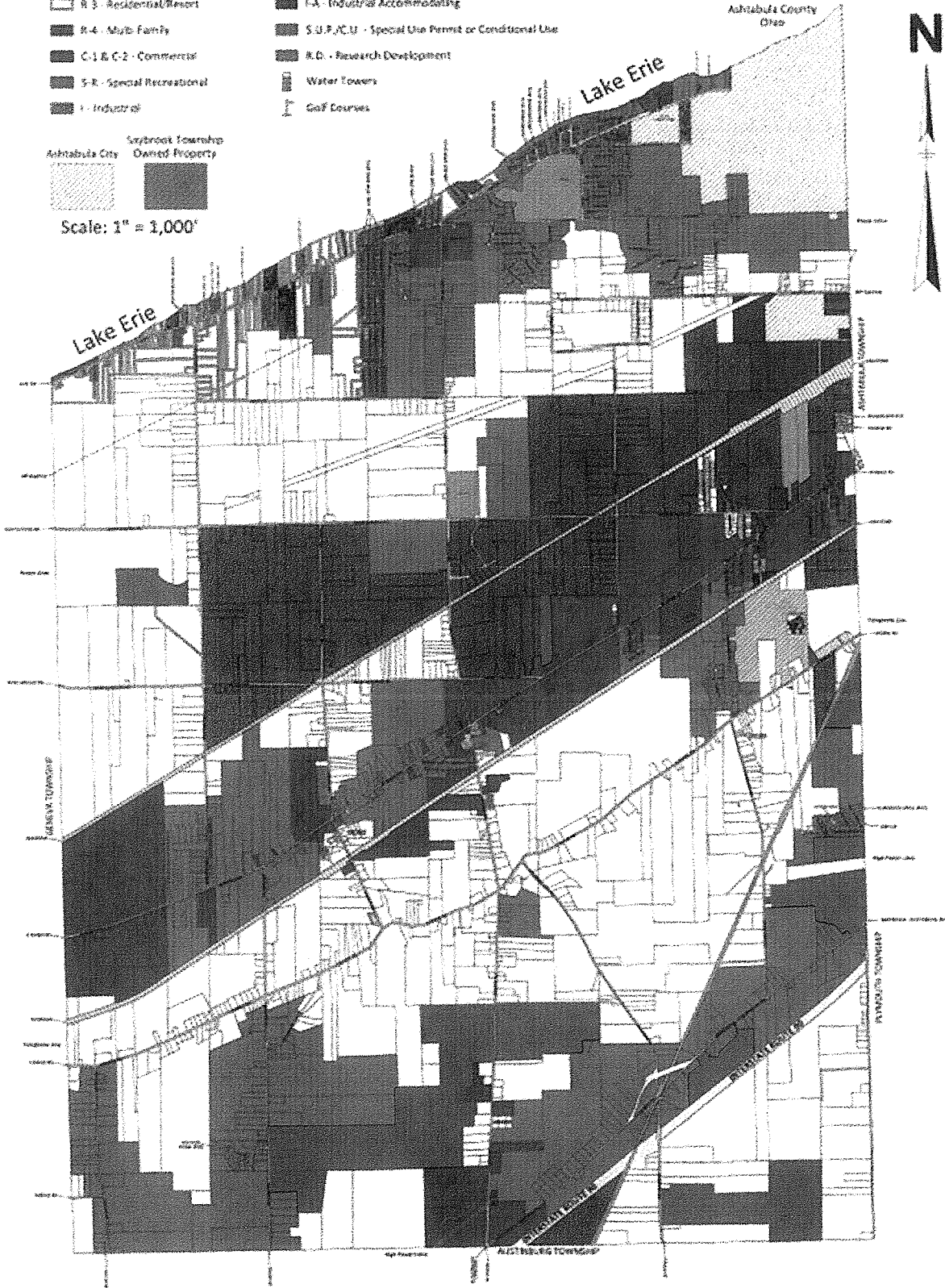
# Saybrook Township Zoning



- R-1 - Residential - Single Family
- R-2 - Agriculture/Residential
- R-3 - Residential/Resort
- R-4 - Multi-Family
- C-1 & C-2 - Commercial
- S-R - Special Recreational
- I - Industrial
- I-P - Industrial Park
- P.U.D. - Planned Unit Development
- I-A - Industrial Accommodating
- S.U.P./C.U. - Special Use Permit or Conditional Use
- R.D. - Research Development
- Water Towers
- Golf Courses

Ashtabula City  
 Saybrook Township  
 Owned Property

Scale: 1" = 1,000'



**ARTICLE 8**

**ESTABLISHMENT AND PURPOSE OF DISTRICTS**

**SECTION 800**

**INTENT**

The following zoning districts are hereby established for the Township of Saybrook, Ohio. For the interpretation of this resolution the zoning districts have been formulated to realize the general purposes as set forth in the preamble of this resolution. In addition, the specific purpose of each zoning district shall be as stated.

**SECTION 810**

**RESIDENTIAL DISTRICTS**

Residential districts are established to meet the purposes set forth in Sections 811-816, inclusive.

**SECTION 811**

**RESIDENTIAL DISTRICT (R-1)**

The purpose of the R-1 District is to permit a degree of development of a rural non-farm nature in areas not expected to have public facilities in the near future. This district also allows the opportunity to satisfy individual housing preferences and shall permit not more than one (1) dwelling unit per 40,000 square feet of lot area unless centralized sewers are available.

**SECTION 812**

**RESIDENTIAL-AGRICULTURAL DISTRICT (R-2)**

The purpose of the R-2 District is to permit the establishment of low-density single family and two-family dwellings with lot sizes sufficient for individual water and sewer facilities.

**SECTION 813**

**RESIDENTIAL RESORT DISTRICT (R-3)**

The purpose of the R-3 District is to accommodate the development of a residential district to service a population desiring land uses associated with resort activities including living quarters.

**SECTION 814**

**RESIDENTIAL RESORT DISTRICT (R-3A)**

The purpose of the R-3A district is to accommodate the residential development in the area platted as the East Geneva Lakeland, where previously recorded lots may be too small to qualify as buildable lots under current health and building codes.

**SECTION 815**

**RESIDENTIAL MULTI-FAMILY DISTRICT (R-4)**

The purpose of the R-4 District is to encourage the establishment of medium-high density multi-family dwellings. All such districts must have centralized water and sewer facilities of sufficient size.

**SECTION 818**

**Special Recreation District (S-R)**

The Special Recreation District consists of areas of the Township where non-profit and for-profit recreational activities are allowed as the primary land use along with ancillary and support type land uses such as storage for the primary recreation activity.

**SECTION 820**

**COMMERCIAL DISTRICTS**

Commercial districts are established to meet the purposes set forth in Sections 821-822, inclusive.

**SECTION 821**

**COMMERCIAL BUSINESS DISTRICT (C-1)**

The purpose of the C-1 District is to encourage the establishment of areas for general commercial uses to meet the needs of a regional market area. The activities in this district may be large space users and the customers using such facilities generally may not make frequent purchases.

**SECTION 822**

**COMMERCIAL MOTOR SERVICE DISTRICT (C-2)**

The purpose of the C-2 District is to encourage the establishment of areas for highway commercial uses. This district is specifically designed to service the motoring public.

**SECTION 830**

**INDUSTRIAL DISTRICTS**

Industrial districts are established to meet the purposes set forth in Sections 831-833, inclusive.

**SECTION 831**

**INDUSTRIAL DISTRICT (I)**

The purpose of the I District is to encourage the development of manufacturing and wholesale industrial establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; operate entirely within enclosed structures and generate little industrial traffic.

**SECTION 832**

**INDUSTRIAL PARK DISTRICT (IP)**

An industrial park is a tract of land that has a minimum of twenty-five (25) acres suitable for industrial use because of topography, proper zoning, availability of utilities, and accessibility to transportation and is under the control and administration of a single entity. In addition, park usage is regulated by covenants that enable a group of industries to operate within the park efficiently.

**SECTION 833**

**RESEARCH-DEVELOPMENT DISTRICT (R&D)**

The purpose of the R&D District is to encourage the establishment of groupings of research and similar uses. Research uses shall not involve heavy testing operations of any kind.

**SECTION 840**

**PLANNED UNIT DEVELOPMENT**

Planned Unit Development is a land development project which is planned as an entity, grouping dwelling units into clusters, allowing an appreciable amount of land for open space, mixing housing types and land uses, and preserving useful natural features. The PUD process discards the traditional use districting, self-executing development regulation for the more open process permitting the application of sound planning principles to the development of various size parcels ranging from small, cluster developments to entire new communities. A simple planned unit development may contain a number of dwellings of the same type combined with common open space. A complex PUD may include a variety of housing types - detached single-family houses; townhouses; and garden, mid-rise, and high-rise apartments - along with open space and common areas containing recreational and community facilities, such as a swimming pool, a school, or a community center. Some PUDs may have a neighborhood/commercial use integrated with the residential development plan.

**SECTION 850**

**SCHEDULE OF USES**

The purpose of the Schedule of Uses is to list different land uses and specify what districts within the community allow those uses. Any uses not listed in the Schedule of Uses are prohibited.

**NOTE:** The requirements for lot frontage and area may vary depending upon the availability of public water supply and sanitary sewers. Please consult the Official Schedule of District Regulations.

Schedule of Uses - \*Conditional Use Permit Required (Page 8-6)

Abrasive manufacture	I, IA, IP
Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool shed	ALL DISTRICTS
Accessory or conjunctive uses incidental to a permitted use and which will not create a nuisance or hazard	ALL DISTRICTS
Acetylene gas manufacture and/or storage	C-1*, C-2*, I*, IA*, IP*, R&D*
Acid manufacture	I*, IA*, IP*
Adult book store	IA*
Adult motion picture theatre	IA*
Adult motion picture drive-in theatre	IA*
Adult only entertainment establishment	IA*
Agencies or offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade not wholesale trade on-premises, nor maintenance of stock of goods for sale to the general public	C-1, C-2
Airports and landing fields for fixed wing aircraft	R-2*, IA*
Alcohol and alcoholic beverages manufacture	I*, IA*, IP*
Alcoholic beverage packaged retail sales	C-1
Amphitheatre	S-R
Amusement enterprises such as billiards, pool, bowling, skating rinks, dance hall and similar activities when housed in a permanent structure but not including theatre	C-1
Animal hospital	R-2, C-1
Annealing, anodizing	I, IA, IP
Antiques and gift retail sales	C-1
Appliance distributors for wholesale	C-1, IA
Archery	S-R
Art supply retail sales	C-1
Asphaltic concrete plant	I, IA, IP
Asphaltic manufacture or refining	I, IA, IP
Assembly halls, gymnasiums and similar structures when part of a school or place of worship	R-1, R-2, R-3, R3A, R-4, R-5, C-1, C-2, S-R, I, PUD
Assembly of machines and appliances from previously prepared parts	C-1, C-2, I, IA, IP
Automobile, automatic car wash	C-2
Automobile commercial parking enterprises	C-1, C-2
Automobile leasing and truck leasing	C-1, C-2
Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article 11	All DISTRICTS
Automobile repair shop	C-2
Automobile service station	C-2
Automobile and truck assembly	I, IA, IP
Bakeries or baking plants	I, IA, IP
Bakery shops and confectionaries operating both wholesale and retail business provided such operations are limited to 5000 square feet of manufacturing area and to the use of non-smoke producing types of furnaces	C-1
Banks	C-1
Barber, beauty, and other personal services	C-1, R-1*, R-2*, R-3*, R-3A*

## Schedule of Uses - \*Conditional Use Permit Required (Page 8-7)

Barber, beauty equipment sales and supply	C-1, R-1*, R-2*, R-3*, R-3A*
Basketball courts	S-R
Bedding, carpet and pillow manufacturing, cleaning and renovating	I, IA, IP
Bicycle sale and repair	C-1
Billboards (see signs)	All Districts
Blueprinting and photostating establishments	C-1
Bookbindery	C-1
Book and stationery stores	C-1
Bottling works for soft drinks	I, IA, IP
Brick, tile or terra cotta manufacture	I, IA, IP
Bus repair and storage terminals	I, IA, IP
Camera sales, supplies, service	C-1
Candy products manufacture	C-1, I, IA, IP, R-1*, R-2*, R-3*, R-3A*
Candy products retail	C-1, R-1*, R-2*, R-3*, R-3A*
Canvas and burlap products manufacture, sale and storage	I, IA, IP
Catering establishments	C-1
Cellophane manufacture	I, IA, IP
Ceramics	C-1, R-1*, R-2*, R-3*, R-3A*
Cemeteries	R-1, R-2
Charitable institutions	R-1, R-2, C-1
Chemicals, manufacture of	I, IA, IP
Churches and other places of worship, including parsonage or rectory	R-1, R-2, R-3, R-3A, C-1, C-2 S-R, PUD
Clothing manufacture	I, IA, IP
Clothing sales	C-1
Clubs and other places of entertainment	C-1, IA
Coal or coke yards	C-1, I, IA, IP
Cold storage plants, food	C-1, I, IA, IP
Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields	R-1, R-2, R-3, R-3A, C-1
Concession stands, agricultural	R-2
Construction materials, storage and sales	C-1, I, IA, IP
Contractor's plants or storage yards	I, IA, IP
Convalescent and nursing homes	C-1
Cosmetics and perfume manufacture	I, IA, IP
Custodial and diagnostic centers	C-1
Dairy products processing, bottling and distribution, cream manufacture, all on a wholesale basis	I, IA, IP
Dairy bars for retail sales on the premises only	C-1
Day nurseries and kindergartens	R-1, R-2, R-3, R-3A, R-5, C-1, R-4*
Department and variety stores	C-1
Dental laboratory	C-1, IA
Drive-in food dispensary	C-1
Drive-in theatre, on a major or secondary major street only	C-1
Drug stores	C-1
Dry cleaning, pressing, & dyeing plants and related retail service counter	C-1
Dwellings, attached single-family such as apartment buildings, row or townhouses in groups of not less than 3 or more than 12 units	R-4

**Schedule of Uses - \*Conditional Use Permit Required** (Page 8-8)

Dwelling, multi-family with a minimum of 3 units	R-4
Dwellings, detached single-family	All Districts except IP and IA
Dwellings, two-family	All Districts except IP, IA, and R-1
Eating and drinking establishments	C-1, IA
Electrical supplies, retail	C-1
Electrical repair	C-1
Electronic assembly plant	C-1, IA
Enameling, japanning, lacquering of metals	IP, R&D, C-1*, C-2*
Excelsior and fiber manufacture	I, IA, IP
Farm machinery assembly, repair and sales	R-2, C-1, I, IA, IP
Fat rendering, production of fats and oils from animal or vegetable products by boiling or distillation	I, IA
Feed sales and storage	C-1, IA
Fertilizer wholesale sales and blending	C-1, I, IA, IP
Fertilizer retail sales	C-1, IA
Finance and loan companies	C-1
Flammable liquids: handling and storage in bulk plants	C-1, C-2, I, IA, IP
Floor covering, manufacture of	I, IA, IP
Florist-warehousing for wholesale and related retail trade	C-1, I, IA, IP
Florist-retail	C-1
Flour and other grain products, milling and storage	C-1, I, IP
Food processing in wholesale quantities except meat, fish, poultry, vinegar and yeast	I, IA, IP
Food processing-for sale at retail on-the-premises, but excluding the killing and dressing of any flesh or fowl	C-1
Food stores (retail only) - grocery, delicatessen, meat and fish, but excluding the killing and dressing of any flesh or fowl	C-1
Footwear manufacturing and storage	I, IA, IP
Footwear, retail	C-1
Forging plants	I, IA, IP
Foundaries	I, IA, IP
Fraternity houses	R-1*, R-2*, R-3*, R-3A*
Frozen food lockers	C-1, I, IA, IP
Funeral homes, undertaking establishments, embalming	All Residential Districts
Furniture retail sales and floor coverings retail sales	C-1
Furriers, retail sales	C-1
Fur storage	C-1, IA
Galvanizing	I, IA, IP
Gas, manufacture of	I*, IA*, IP*
Gas storage in quantities, provided such facilities are not located within 100 feet of any lot line	I, IA, IP
Gases or liquefied petroleum gases in approved portable metal cylinders, for storage or sale	C-1, C-2, S-R, I, IA, IP, R&D
Gift shop, cards	C-1
Glass manufacture	I, IA, IP, R&D
Golf courses, but not including commercially operated driving ranges, pitch and putt, miniature or par 3 courses	S-R
Golf courses, commercially operated driving ranges, pitch and putt, miniature or par 3 courses	S-R
Government Buildings - buildings used exclusively by the Federal, State, County or Village government for public purposes	ALL DISTRICTS

Schedule of Uses - *Conditional Use Permit Required (Page 8-9)	
Government Buildings - buildings used exclusively by the Federal, State, County or Village government for public purposes except for garages, repair or storage yard, warehouses and buildings used or intended to be used as correctional or penal institutions	ALL DISTRICTS
Grounds and facilities for recreational and community center buildings, country clubs, lakes, and other similar facilities operated on a non-profit basis	S-R
Hardware, appliances and electrical items, retail sale	C-1
Hat cleaning and blocking	C-1
Heliport	R-2, I, IA, IP, R&D
Home occupation (See Article 12)	R-1, R-2, R-3, R-3A, C-1, C-2 S-R, PUD
Horseshoe pits for public rental	S-R
Hosiery manufacture	I, IA, IP
Hospitals and sanitariums located on a major street or secondary major street	R-1, R-2, R-3, R-3A, C-1
Hotels and Inns	C-1, S-R
Ice manufacture, storage and sales	I, IA, IP
Incidental accessory retail uses such as cafeterias, gift or variety shops, soda bars conducted solely for the convenience of the employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display	C-1, C-2, S-R, I, IA, IP, R&D
Industrial chemical manufacture except highly corrosive materials	I*, IA*, IP*, R&D*
Industry not otherwise listed provided the industry is similar to other industries permitted in an Industrial District. Such industry shall comply with the design control of a similar industry	I*, IA*, IP*, R&D*
Insulation material manufacture and sale	I, IA, IP, R&D
Iron and steel manufacture	I, IA, IP, R&D
Jewelry and watch sale & repair	C-1
Kennels, boarding or training	R-2, C-1, IA
Laboratories for research and testing	IA, R&D
Laundries: all hand laundries and any small power laundries operated in conjunction with a retail service counter on the premises where not more than 5,000 square feet of floor space is devoted to the laundering and finishing process, provided the total operating capacity of all commercial washing machines shall not exceed 400 pounds and no coal-burning or smoke-producing equipment is used	C-1, I, IA, IP
Launderette service: where individual, family-sized laundry equipment is rented for use by the customer	C-1
Laundry pick-up stations	C-1
Leather goods, manufacture (tanning prohibited)	I, IA, IP, R&D
Libraries	ALL DISTRICTS except R&D
Lock and gunsmith	C-1
Lodges, fraternal and social organizations	C-1, S-R
Lumber yards, building materials storage and sale	C-1, I, IA, IP
Machine shops	I, IA, IP, R&D
Machine tool manufacture	I, IA, IP, R&D
Machinery manufacture	I, IA, IP, R&D
Manufactured housing	See Dwelling, detached single-family (pg. 8-8)

Schedule of Uses - *Conditional Use Permit Required (Page 8-10)	
Metal fabrication plants using plate and structural shapes	I, IA, IP, R&D
Metal stamping plants	I, IA, IP, R&D
Miniature golf	C-1, S-R
Mixing plants for concrete, or paving materials and manufacture of concrete products	I, IA, IP
Modular homes	See Dwelling, detached single-family (pg. 8-8)
Motorcycle sales and repair	C-1, IA
Motels	C-1
Motor vehicles and motor vehicle equipment manufacture	I, IA, IP, R&D
Museums and art galleries	R-1, R-2, R-3, R-3A, C-1
Music stores	C-1
Musical instrument store, sale of and instruction	C-1
Newsstands as an accessory use	C-1
Nursing homes	C-1
Office buildings-Governmental and private office buildings, including professional offices	C-1, IA
Office equipment and supplies, sales and services	C-1, IA
Office and secretarial service establishments	C-1
Optical and scientific instrument, jewelry and clock, musical instrument manufacture	C-1, I, IA, IP, R&D
Optical supplies sales	C-1
Open hearth and blast furnaces	I, IA, IP, R&D
Orphanages	C-1
Oxygen storage	I, IA, IP
Paint, retail sales	C-1
Paper, cardboard, and building board manufacture	I, IA, IP, R&D
Parks	S-R
Pavilion	S-R, I, IA, IP, R&D
Pawn shops or second-hand stores	C-1
Pet shops, bird stores, taxidermists	C-1, IA
Pharmaceutical products manufacture	I, IA, IP, R&D
Photographic studios and camera supply stores	C-1
Physical culture establishments	C-1, IA
Picnic area	S-R
Planing or saw mills (other than temporary)	R-2, C-1, I, IA, IP
Plastics manufacture	I, IA, IP, R&D
Plating works	I, IA, IP, R&D
Playground-tot-lot	C-1
Plumbing shop and yard	C-1, I, IA, IP
Postal facilities (Private)	C-1, IA
Postal facilities (Public)	ALL DISTRICTS
Pottery, porcelain and vitreous china manufacture	I, IA, IP
Prefabricating buildings and structural members	I, IA, IP, R&D
Printing, publishing and reproduction establishments	C-1, I, IA, IP, R&D
Pulp manufacture	I, IA, IP, R&D
Radio and television studios	C-1
Radio and Television transmitting and receiving towers	R-2, C-1, I, I-P, & R-D
Refuse and waste equipment storage	I, IA, IP
Repair and servicing of office and household equipment	C-1, IA
Repair and servicing of industrial equipment, machinery, except railroad	I, IA, IP, R&D

Schedule of Uses - *Conditional Use Permit Required (Page 8-11)	
Restaurants	See Eating and Drinking Establishments
Retail stores not otherwise listed, including those conducting incidental light manufacturing or processing of goods above the first floor or in the basement to be sold exclusively on the premises and employing not more than ten (10) operatives	C-1, IA
Retail stores similar to those otherwise named on this list	C-1
Riding stables, commercially operated	C-1, S-R
Rock and slag reclamation and crushing & processing	I, IA, IP
Rodenticide, insecticide & pesticide mixing plants	I*, IA*
Rodenticide, insecticide and pesticide sales, storage & service	C-1*
Rooming and boarding homes	R-1, R-2
Rubber manufacture or reclamation	I, IA, IP
Sawmill, permanent	R-2, C-1, I, IA, IP
Schools, public and private	R-1, R-2, R-3, R-4, C-1, C-2, I, IP
Scrap paper or rag storage, sorting or baling when conducted within a building	I, IA, IP
Sheet metal shops	C-1, I, IA, IP
Shoe repair	C-1
Shuffleboard courts	S-R
Sign manufacture and painting	C-1, I, IA, IP
Sign painting, exclusive of manufacture	C-1, I, IA, IP
Signs, see Sign Section for restrictions	All Districts
Site-Built housing	See Dwelling, Detached Single-Family (pg. 8-8)
Softball diamond	All Districts except C-2
Sorority houses	All Districts except C-2
Sporting goods sales	C-1
Stadiums, commercial	S-R
Stonecutting, monument manufacture and sales	C-1, I, IP
Storage, under cover, of goods intended for retail sales on the premises, but not including combustibles	R-2, C-1, I, IP
Storage warehouses and yards	R-2, C-1, I, IA, IP
Swimming pools, accessory use (private residence only)	ALL DISTRICTS
Swimming pools and bathing areas, public or private as primary uses	R-2, R-3, R-4, C-1, S-R
Tailors, dressmakers, milliners	C-1, R-1*, R-2*
Tar and waterproofing materials manufacture and treatment & storage	I, IP
Taverns, bars and nightclubs	C-1, IA, S-R
Taxi stand	C-1
Tennis courts	R-4, C-1, C-2, S-R, I, IP, R-1*, R-2*, R-3*, R-3A*
Textile machinery manufacture	I, IP
Textile manufacture	I, IP
Theatres, housed in a permanent indoor structure, exhibition halls and other similar structures	C-1
Tire recapping and retreading	C-2, I, IP
Tot-lot	C-1
Tractor or trailer sales or leasing areas	C-2, I, IP
<sup>1,2</sup> Trailer camps for recreation	S-R
Truck terminals, repair shops, hauling and storage yards	C-1, I, IA, IP
Upholstery, paper hanging and decorator shops	C-1
Variety stores	C-1

Schedule of Uses - *Conditional Use Permit Required (Page 8-12)	
Volleyball	S-R
Wastepaper and rags, collection and baling	I, IA, IP
Wholesale and jobbing establishments, including incidental retail outlets for only such merchandise as is handled at wholesale	C-1
Woodworking shops, millwork	C-1, I, IA, IP
Zoos	R-2
<sup>1</sup> Trailer camps for recreation in C-2 deleted: 07/17/1989	
<sup>2</sup> Trailer camps for recreation as a permitted use in S-R added: 07/17/1989	

## KEY TO SAYBROOK TOWNSHIP

### SCHEDULE OF PERMITTED USES

Residential District	R-1
Residential-Agricultural District	R-2
Residential Resort District	R-3
Residential Resort District	R-3A
Residential Multi-Family District	R-4
Special Recreation	SR
Commercial Business District	C-1
Commercial Motor Services District	C-2
Industrial District	I
Industrial Accommodating District	IA
Industrial Park District	IP
Research Development District	R&D

**\* = Conditional Use Permit Required**

**ARTICLE 9**

**DISTRICT REGULATIONS**

**SECTION 900**

**COMPLIANCE WITH REGULATIONS**

The regulations for each district set forth by this resolution shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

1. No building, structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located;
2. No building or other structure shall be erected or altered:
  - a. to provide for greater height or bulk;
  - b. to accommodate or house a greater number of families;
  - c. to occupy a greater percentage of lot area;
  - d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces; than herein required, or in any other manner be contrary to the provisions of this resolution;
3. No yard or lot existing at the time of passage of this resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this resolution shall meet at least the minimum requirements set forth herein.

**SECTION 910**

**OFFICIAL SCHEDULE OF DISTRICT REGULATIONS ADOPTED**

District regulations shall be as set forth in the Official Schedule of District Regulations hereby adopted and declared to be a part of this resolution and in Article 10 of this resolution, "Supplementary District Regulations". District regulations for the RMH District shall be those specified in Article 14.

**SECTION 920**

**IDENTIFICATION OF THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS**

The Official Schedule of District Regulation shall be identified by the signature of the Chairperson of the Board of Township Trustees.

## OFFICIAL SCHEDULE OF DISTRICT REGULATIONS TOWNSHIP OF SAYBROOK, OHIO

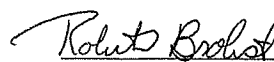
ZONING DISTRICTS	PRINCIPALLY PERMITTED USES	CONDITIONALLY PERMITTED	SPECIFIC CONDITIONAL USE CRITERIA	PLANNED UNIT DEVELOPMENT	MINIMUM LOT SIZE ***			MAXIMUM PERCENTAGE OF LOT TO BE OCCUPIED	ZONING DISTRICTS	MINIMUM FLOOR AREA	MAXIMUM HEIGHT OF PRINCIPAL BUILDING		MINIMUM YARD DIMENSIONS (FEET)			ACCESSORY BUILDING		MINIMUM (MANDATORY)	MINIMUM (MANDATORY)	SIGNS	OTHER PROVISIONS AND REQUIREMENTS	ZONING DISTRICTS				
					Width (feet) Frontage	With On-Site Sewage Treatment	With Group or Central Sewage Treatment				STORIES	FEET	FRONT	SIDE YARDS		REAR	MAXIMUM HEIGHT (FEET)						MINIMUM DISTANCE IN FEET	OFF-STREET LOADING SPACE (ONE UNIT FOR EACH)	OFF-STREET PARKING SPACE	PERMITTED
														ONE SIDE YARD	SUM OF SIDE YARDS											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24			
R - 1	Residential	REFER TO SCHEDULE OF USES CONDITIONAL			40,000	10,000	200*	20	R - 1	1,650		35	40	10	20	10	35	10	10	REFER TO ARTICLE 11	REFER TO ARTICLE 11	REFER TO ARTICLE 12	REFER TO ARTICLE 10	R - 1		
R - 2	Residential/Ag				40,000	10,000	200*	20	R - 2	1,650		35	40	10	20	10	35	10	10					3	R - 2	
R - 3	Residential/Resort				40,000	4,000	200*	30	R - 3	1,200		30	30	5	10	5	30	5	5					3	R - 3	
R - 3 A	Residential/Resort				40,000	4,800	200*	30	R - 3 A	1,000		30	30	5	10	5	30	5	5					3	R - 3 A	
R - 4	Multi Family					15,000	120	50	R - 4	1,000	5	50	40	15	30	15	20	15	15					3	R - 4	
S - R	Special Recreation				40,000	10,000	200	30	S - R	700		30	40	10	20	10	30	10	10					3	S - R	
I - A	Industrial Accommodating					20,000	100	60	I - A	1,200		50	40	15	30	15	50	15	15					3	I - A	
C - 1	Commercial/Business					5,000	50	50	C - 1	1,000	5	50	40	10***	20**	15	50	10**	15					3	C - 1	
C - 2	Commercial/Motor Service					5,000	100	50	C - 2	100		30	40	10***	20**	15	50	10**	15					3	C - 2	
I	Industrial					20,000	100	60	I	1,200		50	40	15	30	15	50	15	15					3	I	
I - P	Industrial Park					20,000	100	50	I - P	1,200		50	40	15	30	15	50	15	15					3	I - P	
R - D	Research/Development					20,000	100	50	R - D	1,200		50	40	15	30	15	50	15	15					3	R - D	

Shaded areas are duplicate data inserted for ease of District reference.

- \* Those lots to be created that have both a public water supply and/or a centralized sewer system require 100 feet frontage and lot area of at least 10,000 square feet.
  - \*\* Side yard set backs required in the Commercial Districts (C - 1 & C - 2) only where a Commercial District abuts a Residential District.
  - \*\*\* Two family dwellings (duplexes) are allowed on lots or groups of lots that have at least 200 feet of continuous frontage on a dedicated street and a lot area of at least 20,000 square feet.
- Amendment #5, effective date 05-30-1991: Minimum lot frontage requirements for curved and linear roads (including cul-de-sacs) will be measured at the tangent line or cord of the zoning front yard setback line.

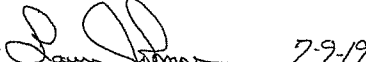
*This document Certifies the Official Schedule of District Regulations referred to in Article 9 District Regulations, Section 920, of the Zoning Resolution of the Saybrook Township Ohio as Amended 12/10/1987*

*Amended December 27, 2005; Amended January 8, 2015 and the clerical/calculation error on the January 8, 2015 Amendment corrected July 9, 2019*

 7-9-19  
Robert Brobst, Trustee Date

 7/9/19  
Norman Jepson, Trustee Date

 7/9/2019  
Gloria Baum, Trustee Date

ATTEST  7-9-19  
Larry Johnson, Fiscal Officer Date

**ARTICLE 10**

**SUPPLEMENTARY DISTRICT REGULATIONS**

**SECTION 1000**

**GENERAL**

The purpose of supplementary district regulations is to set specific conditions for various uses, classification of uses, or areas where problems are frequently encountered.

**SECTION 1001**

**CONVERSION OF DWELLINGS TO MORE UNITS**

A residence may not be converted to accommodate an increased number of dwelling units unless:

1. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district;
2. The lot area per family equals the lot area requirements for new structures in that district;
3. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district;
4. The conversion is in compliance with all other relevant codes and resolutions.

**SECTION 1002**

**PRIVATE SWIMMING POOLS**

No private swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet, shall be allowed in any commercial or residential district, except as an accessory use and unless it complies with the following conditions and requirements:

1. The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located;
2. It may not be located closer than ten (10) feet to any property line;
3. The structure is not to include a pond, lake or open tank intended primarily for swimming, not wading and that every swimming pool with or without a pool deck (except those four (4) feet or higher above the surrounding ground with retractable steps or ladder) shall be completely enclosed by a fence or wall of sturdy construction not less than four (4) feet in height. Such a fence or wall must effectively prevent a child from crawling or otherwise passing through or under it. The fence or wall must be maintained in good condition with a gate and locking device. No landlord or occupant of any property shall use or permit to be used any swimming pool, nor fill or allow any swimming pool to be filled with water, until the fence required under this section has been constructed and the pool area secured and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is less than fifty-four inches (54") from the bottom of the gate; (a) release mechanism shall be located on the pool side of the gate at least three inches (3") below the top of the gate and (b) the gate and barrier shall not have an opening

## SAYBROOK TOWNSHIP ZONING RESOLUTION

greater than a half inch (1/2") within eighteen inches (18") of the release mechanism. Spas and hot tubs with approved labeled safety covers conforming to A.S.T.M. F1346-91 are exempt from the barrier requirements.

### **SECTION 1003**

#### **COMMUNITY OR CLUB SWIMMING POOLS**

Community and club swimming pools are permitted in any commercial or residential district, but shall comply with the following conditions and requirements:

1. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated;
2. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line;
3. The swimming pool and all of the areas used by the bathers shall be walled or fenced to prevent uncontrolled access by children from the thoroughfare or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition.

### **SECTION 1004**

#### **TEMPORARY BUILDINGS**

Temporary buildings, construction trailers, equipment, and materials used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the Zoning Inspector.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **SECTION 1005**

#### **PARKING AND STORAGE OF CERTAIN VEHICLES**

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings. However, one boat and one travel trailer may be stored in the rear yard if they have a current license.

### **SECTION 1006**

#### **REQUIRED TRASH AREAS**

All commercial, industrial, and multi-family residential uses that provide trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four (4) feet in height if such area is not within an enclosed building of structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

### **SECTION 1010**

#### **SUPPLEMENTAL YARD AND HEIGHT REGULATIONS**

In addition to all yard regulations specified in the Official Schedule of District Regulations and in other sections of this resolution, the provisions of Sections 1011-1017, inclusive, shall be used for interpretation and clarification.

**SECTION 1011**

**SETBACK REQUIREMENTS FOR CORNER BUILDINGS**

On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.

**SECTION 1012**

**VISIBILITY AT INTERSECTIONS**

On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and a half (2 1/2) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines fifty (50) feet from the point of intersection.

**SECTION 1013**

**FENCE AND WALL RESTRICTIONS IN FRONT YARDS**

In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of two and a half (2-1/2) feet, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of two and a half (2-1/2) feet and ten (10) feet.

**SECTION 1014**

**YARD REQUIREMENTS FOR MULTI-FAMILY DWELLINGS**

Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side, and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear, and two (2) side yards as specified for dwellings in the

## SAYBROOK TOWNSHIP ZONING RESOLUTION

appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.

### **SECTION 1015**

#### **SIDE AND REAR YARD REQUIREMENTS FOR NONRESIDENTIAL USES ABUTTING RESIDENTIAL DISTRICTS**

Nonresidential buildings or uses shall not be located nor conducted closer than forty (40) feet to any lot line of a residential district, except that the minimum yard requirements may be reduced to fifty (50) percent of the requirement if acceptable landscaping or screening approved by the Zoning Inspector is provided. Such screening shall be a masonry or solid fence between four (4) and eight (8) feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such a wall or fence shall consist of a strip of land not less than twenty (20) feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height at the time of planting. Type of screening shall not obscure traffic visibility within fifty (50) feet of an intersection.

### **SECTION 1016**

#### **ARCHITECTURAL PROJECTIONS**

Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

### **SECTION 1017**

#### **EXCEPTIONS TO HEIGHT REGULATIONS**

The height limitations contained in the Official Schedule of District Regulations do not apply to radio and television transmitting and receiving towers, spires, belfries, cupolas,

## SAYBROOK TOWNSHIP ZONING RESOLUTION

water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport.

### **SECTION 1020**

#### **SPECIAL PROVISIONS FOR COMMERCIAL AND INDUSTRIAL USES**

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the performance requirements in Sections 1021-1031, inclusive.

### **SECTION 1021**

#### **FIRE HAZARDS**

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be removed from adjacent activities to a distance which is compatible with the potential danger involved.

### **SECTION 1022**

#### **RADIOACTIVITY OR ELECTRICAL DISTURBANCE**

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **SECTION 1023**

#### **NOISE**

Objectionable noise as determined by the Zoning Inspector, which is due to volume, frequency, or beat shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

### **SECTION 1024**

#### **VIBRATION**

No vibration shall be permitted, which is discernible without instruments on any adjoining lot or property.

### **SECTION 1025**

#### **AIR POLLUTION**

Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

### **SECTION 1026**

#### **GLARE**

No direct or reflected glare shall be permitted which is visible from any property outside an industrial district or from any street.

### **SECTION 1027**

#### **EROSION**

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

## SAYBROOK TOWNSHIP ZONING RESOLUTION

### **SECTION 1028**

#### **WATER POLLUTION**

Water pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

### **SECTION 1030**

#### **ENFORCEMENT PROVISIONS**

The Zoning Inspector, prior to the issuance of a zoning permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.

### **SECTION 1031**

#### **MEASUREMENT PROCEDURES**

Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York, the Manufacturing Chemists' Association, Inc., Washington, D.C., the United States Bureau of Mines, and the Ohio Environmental Protection Agency.

**ARTICLE 11**

**OFF-STREET PARKING**

**AND**

**LOADING FACILITIES**

**SECTION 1100**

**GENERAL REQUIREMENTS**

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this resolution.
2. The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution;
3. Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this resolution is enlarged to the extent of fifty (50) percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

**SECTION 1110**

**PARKING SPACE DIMENSIONS**

A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking, nine (9) feet in width and twenty-three (23) feet in length for parallel parking, ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking, and twelve (12) feet in width and nineteen (19) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive to driveways, aisles, and other circulation areas. The number of required off-street parking spaces is established in Section 1130 of this resolution.

**SECTION 1111**

**LOADING SPACE REQUIREMENTS AND DIMENSIONS**

A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than fifteen (15) feet. One off-street loading space shall be provided and maintained on the same lot for every separate occupancy requiring delivery of goods and having a modified gross floor area of up to five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof.

**SECTION 1112**

**PAVING**

The required number of parking and loading spaces as set forth in Section 1111 and 1130, together with driveways, aisles, and other circulation areas, shall be improved with such material to provide a durable and dust-free surface.

**SECTION 1113**

**DRAINAGE**

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways.

**SECTION 1114**

**MAINTENANCE**

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

**SECTION 1115**

**LIGHTING**

Any parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

**SECTION 1116**

**LOCATION OF PARKING SPACES**

The following regulations shall govern the location of off-street parking spaces and areas:

1. Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve;
2. Parking spaces for commercial, industrial, or institutional uses shall be located not more than seven hundred (700) feet from the principal use;
3. Parking spaces for apartments, dormitories, or similar residential uses shall be located not more than three hundred (300) feet from the principal use.

**SECTION 1117**

**SCREENING AND/OR LANDSCAPING**

Whenever a parking area is located in or adjacent to a residential district it shall be effectively screened on all sides which adjoin or face any property used for residential purposes, by an acceptably designed wall, fence, or planting screen. A fence, wall, or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs, or evergreen ground cover, and maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence, wall, or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required.

**SECTION 1118**

**DISABLED VEHICLES**

The parking of a disabled vehicle within any district for a period of more than two (2) weeks shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building. Parking of a disabled vehicle within a C-2 District in conjunction with an auto repair or service business shall be allowed for four weeks in an unenclosed parking lot.

**SECTION 1119**

**MINIMUM DISTANCE AND SETBACKS**

No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on

the same lot as a one-family residence, the parking area shall not be located within the front yard required for such a building. In no case should any part of a parking area be closer than four (4) feet to any established street or alley right-of-way.

**SECTION 1120**

**JOINT USE**

Two or more non-residential 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 Zoning Inspector shall be filed with the application for a zoning permit.

**SECTION 1121**

**WHEEL BLOCKS**

Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

**SECTION 1122**

**WIDTH OF DRIVEWAY AISLE**

Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17 1/2) feet for sixty (60) degree parking, and thirteen (13) feet for forty-five (45) degree parking.

**SECTION 1123**

**ACCESS**

Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

**SECTION 1124**

**WIDTH OF ACCESS DRIVEWAY**

The entrances and exits to the parking area shall be clearly marked. Interior vehicular circulation by way of access roads shall maintain the following minimum standards: For one way traffic the minimum width of fourteen (14) feet except for forty-five (45) degree parking in which case the minimum width of the access road shall be seventeen (17) feet. Access roads for two-way traffic shall have a minimum width of twenty-four (24) feet. Parking areas having more than one aisle or driveway shall have directional signs or markings in each aisle or driveway.

**SECTION 1125**

**STRIPING**

All parking areas with a capacity over twelve (12) vehicles shall be striped with double lines (six (6) inches both sides of center) between stalls to facilitate the movement into and out of the parking stalls.

**SECTION 1130**

**PARKING SPACE REQUIREMENTS**

For the purpose of this resolution the following parking space requirements shall apply:

**SECTION 1131**

**RESIDENTIAL**

1. Single family or two-family dwelling requires two for each unit.
2. Apartments, or multi-family dwellings require two for each unit.
3. Boarding houses, rooming houses, dormitories, and fraternity houses which have sleeping rooms require one for each sleeping room or one for each permanent occupant.

**SECTION 1132**

**COMMERCIAL**

1. Automobile service garages which also provide repair require one for each two gasoline pumps and two for each service bay.
2. Hotels and motels require one per sleeping room plus one space for each two employees.
3. Funeral parlors, mortuaries and similar type uses require one for each 100 square feet of floor area in slumber rooms, parlors, or service rooms.

**SECTION 1133**

**RECREATIONAL OR ENTERTAINMENT**

1. Dining rooms, restaurants, taverns, night clubs, etc. require one for each 200 square feet of floor area.

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2. Bowling alleys require four for each alley or lane plus one additional space for each 100 square feet of the area used for restaurant, cocktail lounge, or similar use.
3. Dance floors and skating rinks require one for every 100 square feet of floor area used for the activity.
4. Outdoor swimming pools, public or community or club, require one for each 5 persons capacity plus one for each 4 seats or one for each 30 square feet floor area used for seating purposes, whichever is greater.
5. Auditoriums, sport arenas, theaters, and similar uses require one for each four seats.
6. Retail stores require one for each 250 square feet of floor area.
7. Banks, financial institutions, and similar uses require one for each 200 square feet of floor area.
8. Offices, public or professional administration, or service buildings require one for each 400 square feet of floor area.
9. All other types of business or commercial uses permitted in any business or commercial district require one for each 300 square feet of floor area.

### **SECTION 1134**

#### **INSTITUTIONAL**

1. Churches and other places of religious assembly require one for each five seats.
2. Hospitals require one for each bed.
3. Sanitariums, homes for the aged, nursing homes, children's homes, asylums, and similar uses require one for each two beds.

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- 4 . Medical and dental clinics require one for every 200 square feet floor area of examination, treating room, office, and waiting room.
- 5 . Libraries, museums, and art galleries require one for each 400 square feet floor area.

### **SECTION 1135**

#### **SCHOOLS (PUBLIC, PAROCHIAL, OR PRIVATE)**

- 1 . Elementary and junior high schools require two for each classroom and one for every eight seats in auditoriums or assembly halls.
- 2 . High schools require one for every ten students and one for each teacher and employee.
- 3 . Business, technical, and trade schools require one for each two students.
- 4 . Colleges and universities require one for each of four students.
- 5 . Kindergartens, child care centers, nursery schools, and similar uses require two for each classroom but not less than six for the building.

### **SECTION 1136**

#### **INDUSTRIAL**

- 1 . All types of industrial, storage, and wholesale uses permitted in any industrial district require one for every 2 employees (on the largest shift for which the building is designed) plus one for each motor vehicle used in the business.
- 2 . Cartage, express, parcel delivery, and freight terminals require one for every 2 employees (on the largest shift for which the building is designed) and one for each motor vehicle maintained on the premises.

**SECTION 1140**

**GENERAL INTERPRETATIONS**

In the interpretation of this Article, the following rules shall govern:

1. Parking spaces for other permitted or conditional uses not listed in this Article shall be determined by the Board upon an appeal from a decision of the Zoning Inspector.
2. Fractional numbers shall be increased to the next whole number.
3. Where there is an adequate public transit system or where for any other reason parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board upon an appeal from a decision of the Zoning Inspector.

**ARTICLE 12**

**SIGNS**

**SECTION 1200**

**INTENT**

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance, and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development.

**SECTION 1201**

**GOVERNMENTAL SIGNS EXCLUDED**

For the purpose of this resolution "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulation.

**SECTION 1202**

**GENERAL REQUIREMENTS FOR ALL SIGNS AND DISTRICTS**

The regulations contained in this section shall apply to all signs and all use districts.

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing,

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

2. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. Subsections 1 and 2 of this section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations or similar services.
3. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect, if any.
4. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than two (2) feet, including those projecting from the face of any theater, hotel, or motel marquee.
5. No sign shall be placed on the roof of any building, except those signs whose supporting structure is screened so the sign appears to be a continuation of the face of the building.
6. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Section 1220 herein.
7. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign.
8. No sign erected or maintained in the window of a building, visible from any public or private street or highway, shall occupy more than twenty (20) percent of the window surface.

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9. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape.
10. All signs hung and erected shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign.
11. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector proceed at once to put such sign in a safe and secure condition or remove the sign.
12. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property.

**SECTION 1203**

**MEASUREMENT OF SIGN AREA**

The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

**SECTION 1210**

**SIGNS PERMITTED IN ALL DISTRICTS NOT REQUIRING A PERMIT**

1. Signs advertising the sale, lease, or rental of the premises upon which the sign is located, shall not exceed twelve (12) square feet in area, except in all residential districts where the area of the sign shall not be more six (6) square feet;

2. Professional name plates not to exceed four (4) square feet in area.
3. Signs denoting the name and address of the occupants of the premises, not to exceed two (2) square feet in area.

### **SECTION 1211**

#### **SIGNS PERMITTED IN ANY DISTRICT REQUIRING A PERMIT**

1. Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies, which signs, or bulletin boards shall not exceed fifteen (15) square feet in area, and which shall be located on the premises of such institution;
2. Any sign advertising a commercial enterprise, including real estate developers or subdividers, in a district zoned residential shall not exceed twelve (12) square feet in area and shall advertise only the names of the owners, trade names, products sold and/or the business or activity conducted on the premises where such sign is located.

### **SECTION 1212**

#### **SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS REQUIRING A PERMIT**

The regulations set forth in this section shall apply to signs in all commercial and industrial districts and such signs shall require a permit.

1. In a commercial or industrial district, each business shall be permitted one flat or wall on-premises sign. Projection of wall signs shall not exceed two feet measured from the face of the main building. The area of all permanent on-premises signs for any single business enterprise may have an area equivalent to one and one-half (1-1/2) square feet of sign area for each lineal foot of building width, or part of a building,

occupied by such enterprise but shall not exceed a maximum area of one hundred (100) square feet.

2. In a commercial or industrial district, two off-premises signs with a total area not exceeding six hundred (600) square feet may be permitted at a single location. No single off-premises sign shall exceed one thousand two hundred (1200) square feet, nor shall off-premises signs visible to approaching traffic have a minimum spacing of less than two hundred (200) feet. Off-premises signs shall conform to all applicable yard and height regulations for the appropriate zoning district, except that such signs intended to be viewed from an elevated highway shall not be more than twenty (20) feet above the level of the roadway at its nearest point. Off-premises wall signs shall have all structural and supporting members concealed from view.

#### **SECTION 1220**

#### **TEMPORARY SIGNS**

Temporary signs not exceeding fifty (50) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period. Such temporary signs shall conform to the general requirements listed in Section 1202, the setback requirements in Sections 1240-1243 and, in addition, such other standards deemed necessary to accomplish the intent of this Article as stated in Section 1200.

#### **SECTION 1221**

#### **FREE STANDING SIGNS**

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

shall be only one free-standing sign for each building, regardless of the number of businesses conducted in said building.

**SECTION 1222**

**WALL SIGNS PERTAINING TO NON-CONFORMING USES**

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

**SECTION 1230**

**POLITICAL SIGNS**

No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted in a public right-of-way, nor shall any such sign be posted on a utility pole. No political sign shall be posted more than sixty (60) days before an election. All candidates for public office, their campaign committees, or other persons responsible for the posting on public property of campaign material shall remove such material within two weeks following election day.

**SECTION 1240**

**SIGN SETBACK REQUIREMENTS**

Except as modified in Sections 1241-1244, on-premises signs where permitted shall be set back from the established right-of-way line of any thoroughfare at least ten (10) feet. No off-premises sign shall be erected in front of the required setback line for the appropriate zoning district.

**SECTION 1241**

**INCREASED SETBACK**

For every square foot by which any on-premises sign exceeds fifty (50) square feet, the setback shall be increased by one-half (1/2) feet but need not exceed one hundred (100) feet.

**SECTION 1242**

**SETBACKS FOR OFF-PREMISES SIGNS**

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

**SECTION 1243**

**SETBACKS FOR PUBLIC AND QUASIPUBLIC SIGNS**

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

**SECTION 1244**

**SPECIAL YARD PROVISIONS**

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

**SECTION 1250**

**LIMITATION**

For the purpose of this resolution, outdoor advertising off-premises signs shall be classified as business use and be permitted in all districts zoned for industrial, or business or lands used for agricultural purposes. In addition, regulation of signs along interstate and primary highways shall conform to the requirements of Ohio Revised Code Chapter 5516 and the regulations adopted pursuant thereto.

**SECTION 1260**

**VIOLATIONS**

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this resolution, the Zoning Inspector 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 Article shall be deemed a violation and shall be punishable under Section 340 of this resolution. Political signs posted in violation of Section 1230 of this resolution are subject to removal by the Zoning Inspector five (5) days after written notice of violation of Section 1230 has been given.

**ARTICLE 13**

**PLANNED UNIT DEVELOPMENT**

**SECTION 1300**

**OBJECTIVES FOR PLANNED UNIT DEVELOPMENTS**

It shall be the policy of the Township of Saybrook to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

1. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services.
3. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees, and other vegetation, and prevents the disruption of natural drainage patterns.
4. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
5. A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.

The Township is also prepared to accept a greater population density in undeveloped areas than that reflected by present zoning provided the developer can demonstrate that any increment of public cost clearly attributable to increased densities will be

compensated for by the private amenities and public benefits to be achieved by the plan of development.

**SECTION 1301**

**PROVISIONS GOVERNING PLANNED UNIT DEVELOPMENTS**

Because of the special characteristics of planned unit developments, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of this article and those of the other articles of this resolution, the provisions of this article shall prevail. Subjects not covered by this article shall be governed by the respective provisions found elsewhere in this resolution.

**SECTION 1302**

**APPLICATION AND PROCEDURE**

Upon approval by the Zoning Commission and the Board of Township Trustees, a planned unit development district may be applied to any existing residential district. Upon approval of a final development plan, the Official Zoning Map shall be annotated for the land area involved so that the district name includes the notation, "PUD". Planned Unit Development districts shall be approved by the Zoning Commission and the Board of Township Trustees in the manner provided in Sections 1350-1364 of this Article.

**SECTION 1310**

**USES PERMITTED**

Compatible residential, commercial, industrial, public, and quasi-public uses may be combined in PUD districts provided that the proposed location of the commercial or industrial uses will not adversely affect adjacent property, and/or the public health,

safety, and general welfare. Lot area and other yard requirements of the residential districts established in Article 8 shall apply except as modified in Sections 1325 and 1327. The amount of land devoted to commercial and/or industrial use in a residential-commercial-industrial or residential-commercial development shall be determined by the Zoning Commission and approved by the Board of Township Trustees.

**SECTION 1320**

**MINIMUM PROJECT AREA**

The gross area of a tract of land to be developed in a planned unit development district shall be a minimum of twenty (20) acres, provided, however, that smaller parcels may be considered on the basis of their potential to satisfy the objectives of this Article as stated in Section 1300.

When the planned unit development proposes a mixture of residential uses with commercial and/or industrial uses, the Zoning Commission may limit the development of not more than eight (8) percent of the tract to commercial uses and not more than twelve (12) percent of the tract to industrial uses.

**SECTION 1321**

**PROJECT OWNERSHIP**

The project land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations. Such ownership may be by a public or private corporation.

**SECTION 1322**

**COMMON OPEN SPACE**

A minimum of twenty (20) percent of the land developed in any planned unit development project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed. The open space shall be disposed of as required in Section 1323 of this resolution.

**SECTION 1323**

**DISPOSITION OF OPEN SPACE**

The required amount of common open space land reserved under a planned unit development shall either be held in corporate ownership by owners of the project area for the use of each owner who buys property within the development or be dedicated to the Township and retained as common open space for parks, recreation, and related uses. All land dedicated to the Township must meet the Zoning Commission's requirements as to size, shape, and location. Public utility and similar easements and rights-of-way for water courses and other similar channels are not acceptable for common open space dedication to the Township unless such land or right-of-way is usable as a trail or other similar purpose and approved by the Zoning Commission. The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan.

**SECTION 1324**

**UTILITY REQUIREMENTS**

Underground utilities, including telephone and electrical systems, are required within the limits of all planned unit developments. Appurtenances to these systems which can be effectively screened may be excepted from this requirement if the Zoning

Commission finds that such exemption will not violate the intent or character of the proposed, planned unit development.

**SECTION 1325**

**MINIMUM LOT SIZES**

1. Lot area per dwelling unit may be reduced by not more than forty (40) percent of the minimum lot area required in the Official Schedule of District Regulations. A planned unit development need not conform to the density requirements of Article 8. A diversification of lot sizes is encouraged.
2. Lot widths may be varied to allow for a variety of structural designs. It is also recommended that setbacks be varied.

**SECTION 1326**

**LOTS TO ABUT UPON COMMON OPEN SPACE**

Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of dwellings is encouraged. In areas where town houses are used, there shall be no more than eight (8) town house units in any contiguous group.

**SECTION 1327**

**HEIGHT REQUIREMENTS**

For each foot of building height over the maximum height regulations specified in Article 9, the distance between such buildings and the side and rear property lines of the planned unit development project areas shall be increased by a one (1) foot addition to the side and rear yard required in the districts.

**SECTION 1328**

**PARKING**

Off-street parking, loading, and service areas shall be provided in accordance with Article 11 of this resolution. However, off-street parking and loading areas shall not be permitted within fifteen (15) feet of any residential use.

**SECTION 1329**

**PERIMETER YARDS**

Notwithstanding the provisions of this Article, every lot abutting the perimeter of the planned unit development district shall maintain all yard requirements specified in Article 9 for the applicable conventional zoning district.

**SECTION 1340**

**ARRANGEMENT OF COMMERCIAL USES**

When planned unit development districts include commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. Planning screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas. The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding non-commercial areas. All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the Zoning Commission.

**SECTION 1341**

**ARRANGEMENT OF INDUSTRIAL USES**

Planned Unit Development Districts may include industrial uses if it can be shown that the development results in a more efficient and desirable use of land.

Industrial uses and parcels shall be developed in parklike surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and compact grouping in order to economize in the provision of such utility services as are required.

Thoroughfares shall be kept to a minimum throughout a planned industrial area in order to reduce through traffic.

Project side yards of forty (40) feet and a rear yard of fifty (50) feet shall be required if the project is located adjacent to any residential uses. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas, and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

**SECTION 1350**

**PROCEDURE FOR APPROVAL OF PUD DISTRICT**

Planned Unit Development Districts shall be approved in accordance with the procedures in Sections 1351-1364.

**SECTION 1351**

**PRE-APPLICATION MEETING**

The developer shall meet with the Zoning Inspector and Commission prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the purpose and effect of this resolution and the criteria and standards contained herein, and to familiarize the developer with the comprehensive development plan, and major thoroughfare plan, the parks and public open space plan, the subdivision regulations, and the drainage, sewer, and water systems of the Township.

**SECTION 1352**

**CONTENTS OF APPLICATION FOR APPROVAL OF PRELIMINARY DEVELOPMENT PLAN**

An application for preliminary planned unit development shall be filed with the Chairperson of the Zoning Commission by at least one owner or lessee of property for which the planned unit development is proposed. At a minimum, the application shall contain the following information filed in triplicate:

- 1 . Name, address, and phone number of applicant.
- 2 . Name, address, and phone number of registered surveyor, registered engineer and/or urban planner assisting in the preparation of the preliminary development plan.
- 3 . Legal description of property.
- 4 . Description of existing use.
- 5 . Zoning district(s).

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6 . A vicinity map at a scale approved by the Zoning Commission, showing property lines, streets, existing and proposed zoning, and such other items as the Zoning Commission may require showing the relationship of the planned unit development to the comprehensive plan and to existing schools and other community facilities and services.

7 . A preliminary development plan at a scale approved by the Commission showing topography at two (2) foot intervals; location and type of residential, commercial, and industrial land uses; layout, dimensions, and names of existing and proposed streets, rights-of-way, utility easements, parks and community spaces; layout and dimensions of lots and building setback lines; preliminary improvement drawings showing water, sewer, drainage, electricity, telephone, and natural gas; and such other characteristics as the Zoning Commission deems necessary;

8 . Proposed schedule for the development of the site.

9 . Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within five (5) years.

The application for preliminary planned unit development shall be accompanied by a written statement by the developer setting forth the reasons why, in his opinion, the planned unit development would be in the public interest and would be consistent with the Township's statement of objectives for planned unit developments in Section 1300 of this resolution.

**SECTION 1353**

**PUBLIC HEARING BY ZONING COMMISSION**

Within thirty (30) days after receipt of the preliminary development plan, the Zoning Commission shall hold a public hearing.

**SECTION 1354**

**NOTICE OF PUBLIC HEARING BY ZONING COMMISSION IN NEWSPAPER**

Before holding the public hearing provided in Section 1353, notice of such hearing shall be given in one (1) or more newspapers of general circulation of the Township at least twenty (20) days before the date of said hearing. The notice shall set forth the time and place of the public hearing and a general description of the planned unit development.

**SECTION 1355**

**NOTICE TO PROPERTY OWNERS BY ZONING COMMISSION**

Before holding the public hearing required in Section 1353, written notice of such hearing shall be sent by the Chairperson of the Zoning Commission by first class mail, at least twenty (20) days before the hearing, to all owners of property contiguous to or directly across the street from the area proposed to be included within the planned unit development district. The failure to deliver the notice, as provided in this section, shall not invalidate any such approval. The notice shall contain the same information as required of notices published in newspapers as specified in Section 1354.

**SECTION 1356**

**APPROVAL IN PRINCIPLE BY ZONING COMMISSION**

Within thirty (30) days after the public hearing required by Section 1353, the Zoning Commission shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this resolution; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility. The Zoning Commission may seek assistance in making its recommendation from the County Planning Commission or any other appropriate source.

**SECTION 1357**

**FINAL DEVELOPMENT PLAN**

After approval in principle of the preliminary development plan, the developer shall submit a final development plan to the Zoning Commission. The final development plan shall be in general conformance with the preliminary development plan approved in principle.

**SECTION 1358**

**CONTENTS OF APPLICATION FOR APPROVAL OF FINAL DEVELOPMENT PLAN**

An application for approval of the final development plan shall be filed with the Chairperson of the Zoning Commission by at least one (1) owner or lessee of property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information supplied on the application for the final development plan. Each application shall clearly state that the approval shall expire and may be revoked if construction on the project has not begun within five (5) years from the date of issuance of the approval. At a minimum, the application shall contain the following information:

1. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including major wooded areas, structures, streets, easements, utility lines, and land uses;
2. All the information required on the preliminary development plan; the location and sizes of lots, location, and proposed density of dwelling units, non-residential building intensity; and land use considered suitable for adjacent properties;
3. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed project for various uses, the number of housing units proposed by type; estimated residential population by type of housing; estimated non-residential population; anticipated timing for each unit; and standards for height, open space, building density, parking areas, population density and public improvements proposed for each unit of the development whenever the applicant proposes an exception from standard zoning districts or other resolutions governing development;

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4. Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, and natural gas installations; waste disposal facilities; street improvements, and nature and extent of earth work required for site preparation and development;
5. Site plan, showing building(s), various functional use areas, circulation, and their relationship;
6. Preliminary building plans, including floor plans and exterior elevations;
7. Landscaping plans;
8. Deed Restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained.

**SECTION 1359**

**PUBLIC HEARING BY ZONING COMMISSION**

Within thirty (30) days after submission of the final development plan, the Zoning Commission may hold a public hearing. If a second public hearing is held, notice shall be given as specified in Sections 1354 and 1355.

**SECTION 1360**

**RECOMMENDATION BY ZONING COMMISSION**

Within sixty (60) days after receipt of the final development plan, the Zoning Commission shall recommend to the Board of Township Trustees that the final development plan be approved as presented, approved with supplementary conditions, or disapproved. The Zoning Commission shall then transmit all papers constituting the record and the recommendations to the Board of Township Trustees.

**SECTION 1361**

**CRITERIA FOR RECOMMENDATIONS BY ZONING COMMISSION**

Before making its recommendation as required in Section 1360, the Zoning Commission shall find that the facts submitted with the application and presented at the public hearing establish that:

1. The proposed development can be initiated within five (5) years of the date of approval.
2. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential

SAYBROOK TOWNSHIP ZONING RESOLUTION

surrounding uses, but will have a beneficial effect which could not be achieved under standard district regulations.

3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned unit development.

4. Any proposed commercial development can be justified at the locations proposed.

5. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accord with the planned unit development and the adopted policy of the Zoning Commission and the Board of Township Trustees.

6. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.

7. The planned unit development is in general conformance with the comprehensive plan of the County.

8. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.

The Zoning Commission may seek assistance in making its recommendation from the County Planning Commission or any other appropriate source.

**SECTION 1362**

**ACTION BY BOARD OF TOWNSHIP TRUSTEES**

Within sixty (60) days after receipt of the final recommendation of the Zoning Commission, the Board of Township Trustees shall by resolution either approve, approve with supplementary conditions, or disapprove the application as presented. If the application is either approved or approved with conditions, the Board of Township Trustees shall direct the Zoning Inspector to issue zoning permits only in accordance with the approved final development plan and the supplementary conditions attached thereto.

**SECTION 1363**

**SUPPLEMENTARY CONDITIONS AND SAFEGUARDS**

In approving any planned unit development district, the Board of Township Trustees may prescribe appropriate conditions and safeguards in conformity with this resolution. Violation of such conditions or safeguards, when made a part of the terms under which the final development plan is approved, shall be deemed a violation of this resolution and punishable under Section 340 of this resolution.

**SECTION 1364**

**EXPIRATION AND EXTENSION OF APPROVAL PERIOD**

The approval of a final development plan for a planned unit development district shall be for a period not to exceed five (5) years to allow for preparation and recording of the required subdivision plat and the development of the project. If no construction has begun within five (5) years after approval is granted, the approved final development plan shall be void and the land shall revert to the district regulations in which it is located. An extension of the time limit or modification of the approved final

SAYBROOK TOWNSHIP ZONING RESOLUTION

development plan may be approved if the Zoning Commission finds that such an extension or modification is not a conflict with the public interest.

No zoning amendment passed during the time period granted for the approved final development plan shall in any way affect the terms under which approval of the planned unit development was granted.

**ARTICLE 14**

**APPEARANCE AND DESIGN STANDARDS FOR**

**SINGLE-FAMILY HOUSING UNITS**

**SECTION 1400**

**INTENT**

These standards are created to ensure the health, safety, and general welfare of the Township. They will further the equitable treatment of all housing construction types and provide affordable housing for a larger segment of the Township population. Additionally, these regulations will improve the overall appearance of the housing stock and ensure more durable and safer homes for all residents.

**SECTION 1401**

**APPEARANCE AND DESIGN CRITERIA**

These regulations apply to all single-family housing units including Manufactured Homes, Modular Homes, and Site Built Homes.

1. The minimum floor area of the single-family dwelling unit shall be at 1,650 square feet of living area measured by exterior dimension. The garage portion of the structure is not included in the living area total calculation.
2. The minimum width of all single-family dwelling units shall be at least 24 feet minimum exterior wall dimensions.
3. All dwelling units shall have roof material that is generally used in residential construction including; approved wood, clay, slate, asphalt composition shingles, and fiberglass compositions shingles. Material excluded are corrugated aluminum,

SAYBROOK TOWNSHIP ZONING RESOLUTION

corrugated fiberglass, and other corrugated metal roof materials. The materials are applicable to all primary buildings, accessory buildings, garages, and carports.

4 . Exterior siding of all dwelling units cannot have a high reflective finish and must be residential in appearance, including but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding corrugated metal or corrugated plastic panels.

5 . The home must be placed on a permanent foundation that complies with the BOCA Basic Building Code and be inspected by the Ashtabula County Department of Building Regulations.

6 . The hitch, axles and wheels of any manufactured home must be removed from the immediate premises, out of sight in a storage area.

7 . The dwelling unit must be oriented on the lot so that its long axis is parallel with the road right-of-way. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so that the narrow dimension of the unit, as so modified and facing the street, is no less than 65 percent of the unit's long dimension.

8 . The lot must be landscaped to ensure compatibility with the surrounding properties.

9 . All fuel oil supply systems shall be constructed within all applicable building and safety codes, except that any bottled gas tanks may be fenced so as not to be clearly visible from the street or abutting properties. Underground tanks must conform to all Ohio codes pertaining to underground storage tanks.

**AMENDMENTS to the**  
**1987 AMENDMENT to the**  
**SAYBROOK TOWNSHIP ZONING RESOLUTION**

Amendment Number	Date		Page
1	06/09/1988	Radio and Television Transmitting and Receiving Towers	A-1
2	07/13/1989	Trailer Camps for Recreational Purposes	A-2
3	12/05/1990	Antique Shops	A-3
4	12/05/1990	Computer Sales and Repair	A-4
5	05/30/1991	Min. lot frontage requirements - curved/linear roads	A-5
6	06/25/1992	Appearance and Design Standards for Single Family Housing Units Including Manufactured Homes, Modular Homes, and Site Build Homes and Definitions for same	A-6
7	01/27/2006	Sexually Oriented Businesses	A-7
8A	12/14/2012	Private Swimming Pools	A-8A
9	09/11/2023	Non-Conformities	A-9

AMENDMENT #1 File #88-0301

EFFECTIVE DATE June 9,1988

The 1987 Zoning Regulations is hereby amended as follows:

On page 8-10 following "Radio and Television Studios", the following is to be added.

"Radio and Television Transmitting and Receiving Towers"

R-2, C-1, I, I-P, & R-D.

On page 10-6, Section 1017 is amended to include Radio and T.V. Transmitting and Receiving Towers as being exempt from the height regulations contained in the official Schedule of District Regulations.

<i>Advertising Zoning Commission Public Hearing</i>	<i>03/14/1988</i>
<i>Public Hearing of Zoning Commission</i>	<i>03/31/1988</i>
<i>Passed By Zoning Commission</i>	<i>03/31/1988</i>
<i>Advertising of Trustee Public Hearing</i>	<i>04/20/1988</i>
<i>Public Hearing of Township Trustees</i>	<i>05/10/1988</i>
<i>Township Trustees Approved Amendment</i>	<i>05/10/1988</i>
<i>Effective Date</i>	<i>06/09/1988</i>

Donald R. Krauss, Zoning Inspector

Amendment #2      File #89-0405

EFFECTIVE DATE:      July 17,1989

The Saybrook Township Zoning Text Is Hereby Amended As Follows:

1 - Delete:              Trailer camps for recreation purposes as a permitted use in a  
C-2 (Commercial District) under The Schedule of Uses on page 8-11  
of the text.

2 - Incorporate:        Trailer camps for recreation as permitted use in a S-R (Special  
Recreation District) on page 8-11.

<i>Advertising Zoning Commission Public Hearing</i>	<i>04/17/1989</i>
<i>Public Hearing Of Zoning Commission</i>	<i>04/27/1989</i>
<i>Passed By Zoning Commission</i>	<i>04/27/1989</i>
<i>Advertising Of Trustee Hearing</i>	<i>05/25/1989</i>
<i>Public Hearing Of Township Trustees</i>	<i>06/06/1989</i>
<i>Township Trustees Approve Amendment</i>	<i>06/13/1989</i>
<i>Effective Date</i>	<i>07/13/1989</i>

AMENDMENT #3 FILE #90-0906-A

Effective Date: December 5, 1990

The 1987 Zoning Regulations is hereby amended as follows:

On page 5-18, add Antique Shops under CONDITIONALLY PERMITTED USE section, in R-1 Residential Districts.

<i>Advertising of Zoning Commission public hearing</i>	<i>09/21/1990</i>
<i>Public hearing of Zoning Commission</i>	<i>10/04/1990</i>
<i>Passed by Zoning Commission</i>	<i>10/04/1990</i>
<i>Advertising of Trustee public hearing</i>	<i>10/20/1990</i>
<i>Public Hearing of Township Trustees</i>	<i>11/05/1990</i>
<i>Township Trustees approved Amendment</i>	<i>11/05/1990</i>
<i>Effective Date</i>	<i>12/05/1990</i>

James W. Shannon, Zoning Inspector

AMENDMENT #4 FILE: #90-0906-B

Effective Date: December 5, 1990

The 1987 Zoning Regulations is hereby amended as follows:

On page 5-18, add Computer Sales and Repair under CONDITIONALLY PERMITTED USE section in R-1 Residential Districts.

<i>Advertising Of Zoning Commission Public Hearing</i>	<i>09/21/1990</i>
<i>Public Hearing Of Zoning Commission</i>	<i>10/04/1990</i>
<i>Passed By Zoning Commission</i>	<i>10/04/1990</i>
<i>Advertising Of Trustee Public Hearing</i>	<i>10/20/1990</i>
<i>Public Hearing Of Township Trustees</i>	<i>11/05/1990</i>
<i>Township Trustees Approved Amendment</i>	<i>11/05/1990</i>
<i>Effective Date</i>	<i>12/05/1990</i>

James W. Shannon Zoning Inspector

Amendment #5

File #91-0308

Effective Date: May 30, 1991

The Saybrook Township Zoning text is hereby amended as follows:

Section 920, page 9-3 "Official Schedule of District Regulation" of the Saybrook Zoning Text should read:

Minimum lot frontage requirements for curved and linear roads (including cul-de-sacs) will be measured at the tangent line or cord of the zoning front yard setback line.

<i>Advertising Of Zoning Commission Public Hearing</i>	<i>05/23/1991</i>
<i>Public Hearing Of Zoning Commission</i>	<i>04/04/1991</i>
<i>Passed By Zoning Commission</i>	<i>04/04/1991</i>
<i>Advertising Of Trustee Public Hearing</i>	<i>04/15/1991</i>
<i>Public Hearing Of Township Trustees</i>	<i>04/30/1991</i>
<i>Township Trustees Approved Amendment</i>	<i>04/30/1991</i>
<i>Effective Date</i>	<i>05/30/1991</i>

AMENDMENT #6

FILE #92-0213

EFFECTIVE DATE: June 25, 1992

Amendments to the 1987 Saybrook Township Zoning regulations covering the Appearance and Design Standards for Single Family Housing Units, including Manufactured Homes, Modular Homes and Site Built Homes and Definitions for same. Property zoned R-5.

Manufactured Home Park to be rezoned to C-1 Commercial. Implementing this zoning involves some Deletions and Additions to the current zoning text.

<i>Advertising Of Zoning Commission Public Hearing</i>	<i>02/26/1992</i>
<i>Public Hearing Of Zoning Commission</i>	<i>03/12/1992</i>
<i>Public Hearing Continued To</i>	<i>03/26/1992</i>
<i>Passed By Zoning Commission</i>	<i>03/26/1992</i>
<i>Advertising Of Trustee Public Hearing</i>	<i>04/22/1992</i>
<i>Public Hearing Of Township Trustees</i>	<i>05/07/1992</i>
<i>Township Trustees Approve Amendment</i>	<i>05/26/1992</i>
<i>Effective Date</i>	<i>06/25/1992</i>

James W. Shannon, Zoning Inspector

**ARTICLE 14**

**1992 AMENDMENT #6**

**APPEARANCE AND DESIGN STANDARDS  
FOR SINGLE FAMILY HOUSING UNITS**

FILE #92-0213

**SECTION 1400**

**INTENT**

These standards are created to ensure the health, safety, and general welfare of the Township. They will further the equitable treatment of all housing construction types and provide affordable housing for a larger segment of the Township population. Additionally, these regulations will improve the overall appearance of the housing stock and ensure more durable and safer homes for all residents.

**SECTION 1401**

**APPEARANCE AND DESIGN CRITERIA**

These regulations apply to all single-family housing units including Manufactured Homes, Modular Homes, and Site Built Homes.

- 1 . The minimum floor area of the single-family dwelling unit shall be at 1,650 square feet of living area measured by exterior dimension. The garage portion of the structure is not included in the living area total calculation.
- 2 . The minimum width of all single-family dwelling units shall be at least 24 feet minimum exterior wall dimensions.
- 3 . All dwelling units shall have roof material that is generally used in residential construction including; approved wood, clay, slate, asphalt composition shingles, and fiberglass compositions shingles. Material excluded are corrugated aluminum,

corrugated fiberglass, and other corrugated metal roof materials. The materials are applicable to all primary buildings, accessory buildings, garages, and carports.

4. Exterior siding of all dwelling units cannot have a high reflective finish and must be residential in appearance, including but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, or similar material, but excluding corrugated metal or corrugated plastic panels.

5. The home must be placed on a permanent foundation that complies with the BOCA Basic Building Code and be inspected by the Ashtabula County Department of Building Regulations.

6. The hitch, axles and wheels of any manufactured home must be removed from the immediate premises, out of sight in a storage area.

7. The dwelling unit must be oriented on the lot so that its long axis is parallel with the road right-of-way. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so that the narrow dimension of the unit, as so modified and facing the street, is no less than 65 percent of the unit's long dimension.

8. The lot must be landscaped to ensure compatibility with the surrounding properties.

9. All fuel oil supply systems shall be constructed within all applicable building and safety codes, except that any bottled gas tanks may be fenced so as not to be clearly visible from the street or abutting properties. Underground tanks must conform to all Ohio codes pertaining to underground storage tanks.

ARTICLE 14	APPEARANCE AND DESIGN STANDARDS FOR SINGLE-FAMILY HOUSING UNITS
Section 1400	Intent
Section 1401	Appearance and Design Criteria

OFFICIAL SCHEDULE OF DISTRICT REGULATIONS  
TOWNSHIP OF Saybrook, OHIO

DISTRICT	PRINCIPALLY PERMITTED USES (Secondary uses and accessory uses are indicated)	CONDITIONALLY PERMITTED (Restricted upon issuance of a Conditional Use Permit after approval by the Board of Zoning Appeals)	SPECIFIC CONDITIONAL USE CRITERIA (As specified in Section 551)	PLANNED TIME DEVELOPMENTS (Permitted upon approval of a final development plan by the Board of Zoning Appeals) YES or NO	MINIMUM LOT SIZE <sup>1</sup>			MAXIMUM PERCENTAGE OF LOT TO BE OCCUPIED (Principal and accessory buildings)	MINIMUM FRONT YARD AREA (Square Feet)	MAXIMUM HEIGHT OF PRINCIPAL BUILDING		MINIMUM YARD DIMENSIONS (Feet)				ACCESSORY BUILDINGS			MINIMUM (MANDATORY) OFF-STREET LOADING SPACE (Where used for auto)	MINIMUM (MANDATORY) OFF-STREET PARKING SPACE	SIGNS PERMITTED	OTHER PROVISIONS AND REQUIREMENTS (Supply, plumbing, fire, etc.)
					With On Site Sewer Treatment	With On Site Central Sewer Treatment	Width (Feet)			Stories	Feet	Front	Side	Rear	Maximum Height (Feet)	Minimum Clearances In Feet To						
																Side Yard	Rear Yard	Side Yard				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
1	Res.	SEE SCHEDULE OF CONDITIONAL USES			40,000	10,000	200	20	1,000	--	35	40	10	20	10	35	10	10		3		
2	Res / Ag		10,000	10,000	200	20	1,000	--	35	40	10	20	10	35	10	10				3		
1	Res-Resort		40000	4000	200	30	700	--	30	30	5	10	5	30	5	5						
A	Res-Resort		40000	4800	200	30	700	--	30	30	5	10	5	30	6	6						
I	Multi-Fam.		--	15000	120	50	500	6	50	40	15	30	15	20	15	15						
	Multi-Fam. Dup.		--	4000	120	35	700	75	40	15	30	15	30	15	15							
R	Spcl. Rec.																					
1	Com / Bus					--	6,000	60	60	1,000	6	50	40	10	20	15	50	10	15			
2	Com/Hot Ser.					--	5,000	100	60	100	--	30	40	10	20	15	50	10	15			
	Ind					--	20,000	100	60	1200	--	50	40	15	30	15	50	15	15			
	Ind. Park				--	20,000	100	60	1200	--	50	40	15	30	15	50	15	15				
D	Res/Dev				--	20,000	100	60	1200	--	50	40	15	30	15	50	15	15				

RECALLS THAT THIS IS THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS REFERENCED IN SECTION 510 AND ARTICLE 2 OF RESOLUTION 14-87, TOWNSHIP OF SAYBROOK, OHIO.

AMENDED 12-10-87  
Date

*Richard A. Pears*  
Trustee  
*Robert Brown*  
Trustee  
Clerk

\* THOSE LOTS TO BE CREATED THAT HAVE BOTH A PUBLIC WATER SUPPLY AND/OR A CENTRALIZED SEWER SYSTEM REQUIRE 100 FT. FRONTAGE AND 10,000 SQ. FT.

o SIDE YARD SET BACKS ARE REQUIRED IN THE COMMERCIAL DISTRICTS (C-1 AND C-2) ONLY WHERE A COMMERCIAL DISTRICT ABUTS A RESIDENTIAL DISTRICT.

n TWO FAMILY DWELLINGS (DUPLICES) ARE ALLOWED ON LOTS OR GROUPS OF LOTS THAT HAVE AT LEAST 200 FEET OF CONTINUOUS FRONTAGE ON A DEDICATED STREET AND A LOT AREA OF AT LEAST 20,000 SQUARE FEET.

Adm. #6

AMENDMENT #7- FILE #04-1223 "A" and FILE #04-1223 "B"

EFFECTIVE DATE: January 27, 2006

Amendment to the 1987 Saybrook Township Zoning Regulations covering Sexually Oriented Businesses in the (IA) Industrial Accommodating District. Property zoned (I) Industrial to be rezoned to (IA) Industrial Accommodating. To implement this Zoning involves the following addition to the current Zoning Text.

<i>Advertising Zoning Commission Public Hearing:</i>	01/12/2005
<i>Public Hearing By Zoning Commission:</i>	01/27/2005
<i>Advertising Zoning Commission Reconvened Public Hearings:</i>	02/09/2005
	03/08/2005
	04/14/2005
<i>Reconvened Public Hearings By Zoning Commission:</i>	02/24/2005
	03/23/2005
	04/28/2005
<i>Passed By Zoning Commission:</i>	04/28/2005
<i>Recommendation Rec'd From Zoning Commission To Trustees:</i>	
	05/10/2005
<i>Advertising Township Trustee Public Hearing:</i>	05/23/2005
<i>Public Hearing By Saybrook Township Trustees:</i>	06/07/2005
<i>Advertising Saybrook Township Trustees Reconvened Public Hearings:</i>	
	07/16/2005
	08/10/2005
	09/03/2005
	09/23/2005
	11/21/2005
<i>Reconvened Public Hearings By Saybrook Township Trustees:</i>	08/02/2005
	08/30/2005
	09/08/2005
	09/29/2005
	12/12/2005
<i>Saybrook Township Trustees Approve Amendment:</i>	12/27/2005
<i>Effective Date:</i>	01/27/2006

Marc Pope, Fiscal Officer

## **SAYBROOK TOWNSHIP ZONING REGULATIONS FOR**

### **SEXUALLY ORIENTED BUSINESSES IN THE**

#### **(IA) INDUSTRIAL ACCOMMODATING DISTRICT**

##### **GENERAL**

It is the purpose of these Special Regulations to promote the public health, safety, convenience, comfort, prosperity, and general welfare and to establish regulations affecting uses and practices which, were they to be established and maintained without any guidance or restriction or control, tend to result in dangerous situations, and other negative secondary effects threatening the safety of citizens, to contribute to circumstances undermining the morals of the youth of the community, or to generate conflicts in uses or practices upsetting the harmony of the community and impinging upon the property rights of others.

##### **PURPOSE**

The purpose of this Amendment is to promote public health, safety, convenience, comfort, prosperity, and general welfare through the regulation of adult entertainment businesses. The Board of the Saybrook Zoning Commission held a joint Open Public Work Session to discuss adult entertainment businesses with the Austinburg Township Zoning Commission on January 22, 2004 and at an Open Public Work Session of the Saybrook Township Board of Zoning Commission held June 16, 2004, reviewed evidence from studies conducted in Cleveland, Philadelphia, Minneapolis, and other cities throughout the country. The three reports most utilized for review were:

1. *Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (Hubert H. Humphrey, III, Attorney General, State of Minnesota, June 6, 1989)*
2. *Report to the American Center For Law And Justice on the Secondary Impacts of Sex Oriented Businesses (Produced by Peter R. Hecht, PhD., ERG/Environmental Research Group, 124 North Third Street, Philadelphia, PA 19106, March 31, 1996)*
3. *Report to the National Conference on the Blight Of Obscenity (excerpt taken from information provided by Captain Delau, Crime Statistics, Cleveland, Ohio, August 25, 1977)*

These reports are kept in the Zoning Resolution Addendum file.

It is our belief that these land use studies, viewed collectively, provide compelling evidence that sexually oriented businesses are associated with increased crime rates, decreased property values, and increased neighborhood blight.

We do understand that sexually oriented businesses are protected under First Amendment guarantees. Nonetheless, we firmly believe that these activities are not compatible with activities and uses near local businesses frequented by families, educational, religious, or recreational facilities. Assigning these uses to an Industrial Zoning Classification mitigates the exposure of inappropriate models of behavior to our children and youth who are "unprepared to digest" and who are not "old enough or mature enough to effectively decide what is appropriate behavior."

Further, the above studies also show that adults with no interest in sexually oriented businesses are often propositioned, inappropriately, to participate in an illicit act. Women by themselves, or the elderly, can and do find such actions intimidating.

Assigning these uses to an Industrial Zoning Classification mitigates such unwanted intimidating advances.

#### **DEFINITIONS:**

##### **ADULT BOOK STORE**

An establishment which utilizes fifteen (15) percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, not limited to books, magazines, other periodicals, films, tapes, cassettes, CDs, and DVDs which are distinguished by their emphasis on adult materials.

##### **ADULT ENTERTAINMENT BUSINESS**

An adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as further defined in this Amendment.

##### **ADULT MASSAGE BUSINESS**

A commercial establishment where, for any form of consideration, manipulation of human muscles or tissue by rubbing, stroking, emphasis on matters related to "specified

sexual activities” or “specified anatomical areas”, unless such massage treatment is practiced by a licensed medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional practitioner licensed by the State.

### **ADULT MATERIAL**

Any book, magazine, figure, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, pornographic record or tape, other tangible thing, or any service capable of arousing interest through sight, sound, or touch, and:

- a. Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or
- b. Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human functions of elimination.

### **ADULT MOTION PICTURE THEATER**

An enclosed motion picture theater which is regularly used or utilized fifteen (15) percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material as defined in this Amendment.

### **ADULT MOTION PICTURE DRIVE-IN THEATER**

An open-air drive-in theater which is regularly used or utilizes fifteen (15) percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to adult material.

### **ADULT ONLY ENTERTAINMENT ESTABLISHMENT**

An establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this Amendment, or which features exhibitions, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services which constitute adult material.

## **BOTTOMLESS**

Less than full opaque covering of male or female genitals, pubic area, or buttocks.

## **INDUSTRIAL ACCOMMODATING DISTRICT (IA)**

The purpose of the Industrial Accommodating District (IA) is to safely establish a suitable location for industrial, research & development, and the adult entertainment industry that minimizes the impact on the citizens and residential areas of the community.

## **CONDITIONAL USE PERMIT REQUIRED**

No building shall be erected, constructed, or developed, and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a Conditional Use Permit in accordance with the provisions of Article 5 of the Current Zoning Resolution. In addition to said provisions, an adult entertainment business shall comply with the following Conditional Use criteria:

1. Adult entertainment businesses shall comply with the Industrial Accommodating District (IA) regulations.
2. No adult entertainment business shall be permitted in a location which is within one thousand five hundred (1,500) feet of another adult entertainment business.
3. No adult entertainment business shall be permitted in a location which is within one thousand (1,000) feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center.
4. No adult entertainment business shall be permitted in a location which is within one thousand (1,000) feet of any residence or boundary of any Residential District.
5. No adult entertainment business shall be permitted in a location which is within one thousand (1,000) feet of any boundary of any Residential District in a local unit of government abutting the Township.

**ZONING OF ADULT ENTERTAINMENT BUSINESSES**

Adult entertainment businesses shall be Conditionally Permitted in accordance with the following schedule:

<u>Conditionally Permitted Use</u>	<u>District Wherein Permitted</u>
Adult Book Store	Industrial Accommodating (IA)
Adult Motion Picture Theater	Industrial Accommodating (IA)
Adult Motion Picture Drive-In Theater	Industrial Accommodating (IA)
Adult Only Entertainment Establishment	Industrial Accommodating (IA)

(See Zoning Map)

**COMPLAINTS REGARDING ADULT ENTERTAINMENT BUSINESSES**

Any resident of the Township may submit an oral or written notice of complaint regarding the operation of any adult entertainment business to the Zoning Inspector. The notice of complaint shall include the name and address of the complainant, the address of the location of the adult entertainment business, and the specific reasons why the individual is complaining.

If the Zoning Inspector determines, after interviewing both the complainant and the adult entertainment business, that the specific reasons in the complaint appear to be proper grounds for suspension or revocation of the Conditional Use Permit, the Saybrook Township Trustees will ask the Ashtabula County Prosecutor's Office to revoke the Conditional Use Permit.

Procedures for handling nuisance complaints will follow Ohio Revised Code 519.24 and 519.99.

AMENDMENT #8A

EFFECTIVE DATE: 01/16/2013

ARTICLE 10

SUPPLEMENTARY DISTRICT REGULATION, SECTION 1002, PRIVATE SWIMMING POOLS, ITEM 3

WHEREAS, the Saybrook Township Board of Trustees wish to protect the health, safety, and welfare of the residents of Saybrook Township through the Township Zoning Regulations; and

WHEREAS, the Saybrook Township Board of Trustees initiated an amendment to the Zoning Resolution bypassing a resolution on July 24, 2012; and

WHEREAS, the Saybrook Township Board of Trustees certified that proposed amendment to the Saybrook Township Zoning Commission on July 24, 2012; and

WHEREAS, the Saybrook Township Zoning Commission transmitted a copy of the proposed amendment to the Ashtabula County Planning Commission on July 31, 2012; and

WHEREAS, the Ashtabula County Planning Commission recommended a modification of the proposed amendment on August 20, 2012; and

WHEREAS, the Saybrook Township Zoning Commission, following proper notice to the public, held a public hearing on the proposed amendment on September 7, 2012; and

WHEREAS, the Saybrook Township Zoning Commission approved the Ashtabula County Planning Commission's modified amendment on September 7, 2012; and

WHEREAS, the Saybrook Township Zoning Commission submitted their recommendation to the Saybrook Township Trustees on September 7, 2012; and

WHEREAS, the Saybrook Township Board of Trustees, following proper notice to the public, held a public hearing on the proposed amendment on September 25, 2012; and

WHEREAS, the Saybrook Township Board of Trustees, by majority vote, adopted a further modification of the proposed amendment on September 25, 2012; and

NOW THEREFORE BE IT RESOLVED that the Saybrook Township Board of Trustees approve the following proposed amendment language to Article 10, Section 1002(3) Private Swimming Pool Barriers:

The structure is not to include a pond, lake or open tank intended primarily for swimming, not wading and that every swimming pool with or without a pool deck (except those four (4) feet or higher above the surrounding ground with retractable steps or ladder) shall be completely enclosed by a fence or wall of sturdy construction not less than four (4) feet in height. Such a fence or wall must effectively prevent a child from crawling or otherwise passing through or under it. The fence or wall must be maintained in good condition with a gate and locking device. No landlord or occupant of any property shall use or permit to be used any swimming pool, nor fill or allow any swimming pool to be filled with water, until the fence required under this section has been constructed and the pool area secured and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is less than fifty-four inches (54") from the bottom of the gate; (a) release mechanism shall be located on the pool side of the gate at least three inches (3") below the top of the gate and (b) the gate and barrier shall not have an opening greater than a half inch (1/2") within eighteen inches (18") of the release mechanism. Spas and hot tubs with approved labeled safety covers conforming to A.S.T.M. F1346-91 are exempt from the barrier requirements.

Amendment #9

Effective Date: 09/11/2023

<i>Advertising Of Zoning Commission Public Hearing</i>	<i>06/07/2023</i>
<i>Public Hearing Of Zoning Commission</i>	<i>06/16/2023</i>
<i>Passed By Zoning Commission</i>	<i>06/16/2023</i>
<i>Advertising Of Trustee Public Hearing</i>	<i>07/15/2023 &amp; 07/17/2023</i>
<i>Public Hearing Of Township Trustees</i>	<i>07/24/2023</i>
<i>Township Trustees Approved Amendment</i>	<i>08/11/2023</i>
<i>Effective Date</i>	<i>09/11/2023</i>

The Saybrook Township Board of Trustees approve the following proposed amendment language to Article 4:

**SECTION 400**

**INTENT**

Zoning regulations established by the adoption of this Zoning Resolution, or amendments to this Zoning Resolution, may cause properties and uses which were lawful prior to the adoption of certain regulation to not meet requirements after adoption of the regulations. All uses, lots, and structures that do not conform to the current Zoning Resolution of the district in which they are located, and which were lawful when they were first established, shall be known as "non-conforming" and shall be regulated under this Article. The intent of this Article is to establish procedures and regulations for the use of those properties or structures which are in conflict with the requirements of the current Zoning Resolution. It is not the intent of this section to encourage the continuance of non-conformities that are out of character with the standards of the zoning district, but rather to allow certain non-conforming situations to continue as legal exceptions to the current Zoning Resolutions. It is the intent of this Article to permit these non-conformities to continue until they are removed. Uses, lots, and structures that were not lawful when they were first established, or that changed in an unlawful manner, shall not have the right to continue, and shall be brought into conformity with the current Zoning Resolution. This Article shall apply to all legal non-conforming uses and legal non-conforming structures.

## **SECTION 410**

### **DEFINITIONS OF NON-CONFORMITIES**

A non-conformity is any use, lot, improvement, or structure that, as a result of amendments to this resolution or a preexisting condition, does not meet the current standards of the resolution.

Nonconforming Use – A nonconforming use shall be any land use or type of residential use that was legally established but has become a prohibited use in the district in which it exists.

Nonconforming Lot – A nonconforming lot shall be any legally established parcel that does not conform to the current area or dimensional requirements of the zoning district in which it is located.

Nonconforming Improvement or Structure – A nonconforming improvement or structure shall be any legally established improvement, building, or structure that fails to meet current Zoning Resolution standards for setback, height, or similar factors.

## **SECTION 420**

### **COMPLETION OF BUILDINGS AND IMPROVEMENTS**

Completion of buildings that become non-conforming as a result of passage of this resolution shall be allowed if an application for a building permit sufficient to allow approval was submitted prior to passage of this Resolution, and if the building is subsequently completed in accordance with an approved building permit within two years of initial issuance of the permit.

## **SECTION 430**

### **SINGLE NON-CONFORMING 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 at the effective date of adoption or amendment of this resolution, notwithstanding limitations imposed by other provisions of this resolution. Such a 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 or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variances of requirements listed in Articles 3 and 10 of this resolution other than lot area or lot width

shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 540 through 549.

### **SECTION 431**

#### **NON-CONFORMING LOTS OF RECORD IN COMBINATION**

If two or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this resolution and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this resolution and 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 any parcel be made which creates a lot with a width or area below the requirements stated in this resolution.

### **SECTION 440**

#### **NON-CONFORMING 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 that no such non-conforming uses of land shall in any way be expanded, extended, or moved in whole or in part to any other portion of the lot of record. If such nonconforming use of land or any portion thereof is discontinued for a period of two years, or is otherwise changed, any future use of such land shall be in conformity with the provisions of this resolution.

If the property of such nonconforming use is in probate or litigation, the days in probate or litigation are not counted toward the two-year period.

### **SECTION 450**

#### **NON-CONFORMING 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.

If a lawful non-conforming structure is, or is proposed to be, destroyed, or torn down by any means, a permit for its reconstruction shall be issued, provided the application for permit for reconstruction is made within six months prior to or two years after the date of such destruction or tear down. All reconstructed structures must meet all of the following requirements:

1. be built within the existing building footprint;
2. the square footage of the building may not be increased from the structure that was destroyed or torn down;
3. The height of the structure may not exceed the greater of:
  - a. The original height from the structure that was destroyed or torn down;
  - b. 15 feet (or 18 feet if the roof pitch is 6/12 or steeper).

## **SECTION 460**

### **NON-CONFORMING USES OF STRUCTURES**

The lawful use of a structure existing at the time of the enactment of this resolution, or amendments thereto, although such use does not conform to the provisions of this resolution, may be continued and such use may be extended throughout the structure provided that the extension of the use does not displace a use conforming to the district as designated by this resolution.

In any district, a lawful non-conforming use may be changed to a permitted use or conditional use for that district.

A lawful non-conforming use shall only be expanded if it does not exceed a 50% maximum increase, in aggregate, over the entire life of the nonconformity. For example, if a building permit is issued for a 10% expansion one year, and a 35% expansion of the original size ten years later, any further requests for a permit for an expansion for more than 5% of the original nonconformity would be denied. Any expansion of a nonconforming use shall meet all required setbacks and all other requirements of this resolution. No new nonconformity shall be created.

Whenever a non-conforming use of a structure, or a portion thereof, has been abandoned or discontinued for a period of two years or more, it shall not again be used except in conformity with the regulations of the district in which such structure is located.

A change from one non-conforming use to another non-conforming use shall be permitted by the Zoning Inspector with notice of this determination to be posted conspicuously on the property and written notice to be provided to adjoining property owners. The change of use must adhere to the following guidelines:

1. The same general type of use is involved;
2. The operator of the new use agrees in writing as a condition of the permit to abide by any applicable conditions that were established for the previous use of the property;

3. The new use involves similar or less intensive characteristics compared to the previous use.

**SECTION 470**

**REPAIRS AND MAINTENANCE**

Ordinary repairs, repair or replacement of walls, fixtures, wiring, or plumbing are permitted to any non-conforming structure or portion of a structure, or to a structure containing a non-conforming use. 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.

**SECTION 480**

**USES UNDER CONDITIONAL USE PROVISIONS NOT NON-CONFORMING USES**

Any use which is permitted as a conditional use in a district under the terms of this resolution shall not be deemed a non-conforming use in such district but shall without further action be considered a conforming use.

