

## District Regulations

**Article IV. District Regulations**Section 4.00 *General*

- A. The uses set forth as principal uses in each zoning district shall be permitted by right as the principal building, structure, or use of a lot.
- B. The uses set forth as accessory uses in each zoning district shall be permitted by right as buildings, structures, or uses which are subordinate and incidental to principal buildings, structures, and uses.
- C. The uses set forth as conditional uses in each zoning district shall not be permitted by right. Such buildings, structures, and uses may be permitted only under specific conditions and in accordance with the provisions of Article X.

Section 4.01 *Prohibited Uses in All Zoning Districts*

- A. Any use not specifically listed in this resolution shall not be permitted, nor shall any Zoning Certificate be issued therefore, unless and until a zoning amendment to provide for such use has been adopted in accordance with Article XIX or a use variance has been granted in accordance with Article XVII.
- B. Lighting fixtures and devices from which direct glare is visible on adjoining roads or property shall be prohibited. Flashing lights shall be prohibited.
- C. Mobile homes shall be prohibited; except as permitted under § 4.05.
- D. Trailer coach or mobile home parks shall be prohibited.
- E. Junk motor vehicles shall be prohibited. No junk motor vehicle, as defined herein, shall be stored or located outside of a fully enclosed building.
- F. Junkyards, automobile graveyards, and automotive wrecking shall be prohibited.
- F. Metallic powder works shall be prohibited.
- G. Chemical plants shall be prohibited.
- H. Chemical storage and distribution plants shall be prohibited.
- I. Crematories shall be prohibited

- J. Distilling of bones, fat or glue, or glue or gelatin manufacturing shall be prohibited.
- K. Manufacturing or storage of explosives, gunpowder, or fireworks shall be prohibited.
- L. Dumping, storing, burying, reducing disposing of or burning of garbage, refuse, scrap metal, rubbish, offal or dead animals shall be prohibited.
- M. The burning of all chemicals, asphalt, oil based products, pesticides, and tires shall be prohibited.
- N. Outdoor theaters shall be prohibited.
- O. Slaughterhouses shall be prohibited.
- P. Basements, without a story above, wholly or partially below the grade of the lot upon which located, for dwelling purposes, temporary or permanent shall be prohibited.
- Q. Commercial airfields shall be prohibited.
- R. Landfills for the burial or disposal of solid waste, hazardous liquid or solid waste shall be prohibited.
- S. All Adult Oriented Business except as specified in Article XXIII shall be prohibited.
- T. The manufacture, distribution, or sale of drug paraphernalia, as herein defined and drug paraphernalia establishments shall be prohibited.
  - 1. "Drug paraphernalia" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, enhancing the effect of or otherwise introducing into the human body a controlled substance as defined in Chapter 3719 of the Ohio Revised Code.
  - 2. "Drug paraphernalia establishment" means any place, whether or not operated as a business, within a building, structure or dwelling, or any part thereof, of any parcel located within the township where drug paraphernalia, as defined by this article, is manufactured, distributed or offered for sale.

Drug paraphernalia establishments do not include manufacturers, practitioners, pharmacists, owners of pharmacies or other persons who conduct a business or profession in accordance with Chapters 3719, 4715, 4729, 4731, and 4741 of the Ohio Revised Code.
- U. Amusement arcades shall be prohibited.

1. "Amusement arcade" means a place of business having five (5) or more mechanical or electrically operated amusement devices which are used for the purpose of public entertainment through the operation, use or play, or any table game or device commonly known as an electronic game which is operated by placing therein any coin, plate, disc, slug, key or token of value obtained by payment of a fee.
  2. "Mechanical or electrically operated amusement device" means any machine, device, or instrument which by the payment of a fee or other things of value or by the insertion of a coin, plate, disc, slug, key, or token operates or may be operated as a game, contest or amusement, or any description, or which may be used for any such games, contest or amusement and which contains no automatic pay-off device for the return of money, coins, tokens, or merchandise or check redeemable in money or anything of value. Mechanical or electrically operated amusement devices include, but are not limited to, devices such as mechanical baseball, mechanical football, pinball machines, any table game or device commonly known as an electronic game and other similar types of devices provided, however, that this definition is not intended to nor shall it be construed to include merchandise vending machines or coin operated mechanical or electrical musical instruments or devices.
- V. The composting, dumping, storing or disposal of trees, logs, stumps or branches other than those items grown on the lot shall be prohibited except as provided in Section 5.02(C)(1) and Section 7.02 (D).
- W. All asphalt production plants and asphalt-processing plants shall be prohibited.
- X. All cement or concrete recycling or reclamation processing plants shall be prohibited.
- Y. No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Resolution, and any additional conditions and requirements prescribed, is or may become hazardous, noxious, or offensive due to emission of odor, smoke, fumes, cinders, dust, noise, gas, vibration, electrical interference, refuse matter, water carried wastes, or which will interfere with adjacent landowners' enjoyment of the use of their lands

Section 4.02      *Yard Sales*

In any district, no owner or user shall be permitted to conduct a yard or garage sale more often than twice a calendar year and no such sale may be conducted for more than three consecutive days, including Saturdays and Sundays. All items displayed for sale on a lot shall be located outside the public or private road right of way. Within 24 hours from said sale all items that were on sale must be removed from outside display. Prior to conducting a yard or garage sale, an owner or user must obtain a Zoning Certificate from the zoning inspector, for which no fee is required.

Section 4.03      *Erosion Control Regulations in All Zoning Districts*

In all zoning districts, an erosion control shall be included with an application for a Zoning Certificate for the construction of all principal permitted, accessory or conditional buildings, structures, and off street parking or loading/unloading areas allowed by this resolution and any additions thereto on lots less than five (5) acres in size; provided, however, an erosion control plan shall not be required for any principal permitted, accessory or conditional buildings, structures, and off-street parking or loading/unloading areas or any additions thereto containing less than three hundred (300) square feet in area. If the lot is five (5) or more acres in area, the applicant shall include with an application for a Zoning Certificate written documentation from the Geauga Soil and Water Conservation District (SWCD) that an erosion control plan has been submitted and approved for the subject lot.

- A. An erosion control plan shall be prepared by the applicant, a professional engineer registered with the state of Ohio, a soils scientist, or a private contractor and must address temporary and permanent measures for controlling erosion during and following construction. The content of the plan and such temporary and permanent measures to control erosion shall meet all requirements for sediment and erosion control contained within the Geauga Soil and Water Conservation District regulations.
- B. An erosion control plan shall be submitted by the applicant to the Zoning Inspector. The Zoning Inspector shall advise the applicant that the plan may be forwarded by the Zoning Inspector to the Geauga Soil and Water Conservation District for technical assistance and review.
- C. All areas affected by earth disturbing activities on a lot shall be permanently seeded and mulched pursuant to the erosion control plan within one hundred twenty (120) days after the date an occupancy permit has been issued by the Geauga County Building Department. If said permit is issued between the time period of November 1 to April 15 of the following calendar year, temporary stabilization measures pursuant to the erosion control plan shall be utilized.

Section 4.04      *Dish Antennas*

Dish antennas larger than one (1) meter in diameter shall be in the rear yard.

Section 4.05      *Temporary Uses*

Temporary Uses – The following regulations are necessary to govern the operation of certain uses which are non-permanent in nature. Application for a Zoning Certificate shall be made to the Zoning Inspector containing a graphic description of the proposed use and sufficient information to determine yard requirements, setbacks, sanitary facilities and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow, and the regulations of any district in which such use is located.

Temporary Offices – for real estate sales of lots within a new subdivision, contractors and equipment sheds incidental to a construction project, which shall contain no living accommodations, may be permitted within any district and shall be permissible only after the Zoning Inspector has issued a Zoning Certificate. The certificate shall not be valid for more than **one (1) year** but may be renewed for **six-month extensions** if construction is substantially underway. Such temporary offices shall be removed immediately upon completion of the sales of lots, or construction project, or upon expiration of the Zoning Certificate, whichever is applicable.

Mobile Home – The temporary placement of a mobile home upon a lot which already contains a residential structure may be permitted where the Zoning Inspector finds that catastrophic events, such as fires, windstorms, or other similar events which are fully described in the findings of the Inspector, exist such that the use of a temporary residential structure is necessary in order to prevent an exceptional hardship on the applicant, provided that such a temporary structure does not represent a hazard to safety, health or general welfare.

An applicant for a Zoning Certificate under this section must include a written statement describing a lawful wastewater disposal system of the temporary mobile home location. Such a certificate may be initially issued for **one (1) year**, renewable for **six-month extensions** if construction is substantially underway or upon expiration of the Zoning Certificate, whichever occurs first.

Carnivals, Circuses, Tent Meetings, Bazaars, Festivals or Art Show – may be permitted on a lot in any non-residential zoning district and upon a church, school, a community center or township lot within any residential district. A Zoning Certificate application must be first filed with the Zoning Inspector at least seven (7) days prior to the commencement of the event. Such uses shall only be permitted on lots where adequate off street parking can be provided and shall not be permitted for a period of longer than **seven (7) days** including set up and breakdown. Hours of operation, open to the public, shall be no earlier than 8:00 a.m. and close no later than 10:00 p.m. on the days of the event. Set up and breakdown shall be permitted between the hours of 6:00 a.m. and 10:00 p.m. One day events can set up at 6:00 a.m., begin public operation at 8:00 a.m., close at 10:00 p.m., and breakdown by 11:00 p.m. Zoning Certificates for such temporary uses shall not be granted more than four (4) times per calendar year per lot.

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