

Morrow County Zoning Resolution

Amended

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Effective

November 28, 2009

**Prepared By:
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Ohio State University Extension
Center at Wooster**

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MORROW COUNTY ZONING COMMISSION MEMBERS

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Alternates:

Kurt Miller

Deana Detwiler

SECTION I - GENERAL PROVISIONS

1.0 Purpose

This Zoning Resolution is adopted in the interest of public health and safety with respect to location, height, bulk, number of stories, and size of buildings and other aspects of land use control; to promote the comfort, property and general welfare, to protect and conserve property and property values, to secure the most appropriate use of land and facilitate adequate but economical provisions of public improvements, all in accordance with a comprehensive plan. More specific purposes are:

To protect the character and the values of the agricultural, residential, institutional, business and manufacturing uses, and to insure their orderly and beneficial development;

To provide open spaces for light and air, to protect the public water supply, to prevent scattered and uncoordinated development;

To guide the future development of the County in accordance with a comprehensive plan, and to assure economical extension of public improvements and services.

1.1 Interpretation:

The provisions of this Resolution shall be construed as minimum requirements. Where this Resolution imposes greater restrictions upon the use of land or buildings or upon the bulk of buildings, and where it requires higher standards than are required by other laws, ordinances, rules or regulations, this Resolution shall prevail, and where other laws, ordinances, rules or regulations are more restrictive, they shall prevail.

1.2 Applicability:

The provisions of this Resolution shall apply to and be in effect for the unincorporated areas of townships of Morrow County, Ohio that lawfully adopt this Resolution pursuant to the provisions of the Ohio Revised Code Chapter 303. The adoption or rejection of this Resolution by any one township shall not affect the validity or applicability of this Resolution for any other township.

1.3 Comprehensive Plan

Given that Morrow County is a small, rural county in north central Ohio, largely agricultural in nature, all applications of the rules and regulations as set forth in this Zoning Resolution shall be in compliance with the Morrow County, Ohio Comprehensive Land Use Plan.

SECTION 2-DEFINITIONS

2.00 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, the word “may” is a permissive requirement, and the word “should” is 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.”
6. The word “County” shall mean Morrow County, Ohio. The term “Commission” shall mean the Zoning Commission of said County. The term “Board” shall mean the Board of Zoning Appeals of said County. The term “Commissioners” shall mean the Board of County Commissioners of Morrow County, Ohio.

2.10 Definitions

Abandoned Mobile Home: A mobile home is considered abandoned if it meets the following criteria:

1. No one is residing in the residence for the last eight (8) months and one of the following is present:
 - a. The prior resident is not temporarily absent.
 - b. The mobile home is three years old or older.
 - c. The mobile home is extensively damaged.
 - d. The mobile home is unusable as a residence. The standard for making this determination is that the home would not be usable by a person of ordinary sensibilities.

- e. The mobile home has a fair market value of one thousand five hundred (\$1,500) dollars or less.

Accessory Building/Use: A subordinate building or use customarily incidental to and located upon the same lot occupied by the main building or use.

Adult Foster Care Home: An adult foster care home provides an alternative to loneliness, isolation and unnecessary nursing home placement by offering warm and caring homes to adults who can no longer live by themselves but do not require nursing care. An adult foster care home requires a setting which offers a family-like atmosphere. An adult foster care home is a personal residence or family home in which accommodations and personal assistance are provided. An adult foster care home cannot admit or serve an individual who requires skilled nursing care or cannot take their own medication.

Adult Uses/Sexually Oriented Business: an adult arcade, an adult book store, an adult video store, an adult cabaret, an adult motel, an adult motion picture theater, an adult theater, an escort agency, a nude model studio or a sexual encounter center.

Alley: A narrow service way providing a secondary public means of access to abutting properties.

Alternative Tower Structure: Shall mean clock towers, sculptures, bell steeples, light poles and similar alternative-design mounting structures that conceal the presence of antennas or towers and are architecturally compatible with the area.

Agriculture: The use of land, in accordance with Section 303.01 of the Ohio Revised Code, including farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; and combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Alterations: As applied to a building or structure, a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side, or by increasing in height, or by moving from one location or position to another.

Alternative Fuel Sources: Any material or substance that can be used as a fuel, other than conventional fuels. Alternative fuels are the following: biodiesel, ethanol, butanol, chemically stored electricity (batteries and fuel cells), hydrogen, methane, natural gas, vegetable oil, biomass, peanut oil, windmills and solar energy.

Animal Shelter: A facility that houses homeless, lost or abandoned animals; primarily a large variety of dogs and cats. The animal is kept at the shelter until it is either reclaimed by an owner, adopted to a new owner, placed with another organization, or euthanized.

Apartment House: A building arranged, intended or designed to be occupied by three (3) or more families living independently of each other.

Area, Building: The area of ground level of the main building and all accessory buildings excluding unenclosed porches, terraces and steps measured from the outside surface of exterior walls.

Area, Lot: The total horizontal area with the lot boundary lines of a zoning lot.

Attached and/or Semi-Attached Dwelling Units: A dwelling for human habitation with exterior wall in whole or in part attached to abutting dwellings within the same building or structure. Arrangements of dwelling units within such buildings include attachment horizontally by side and rear walls, vertically by ceilings and floors and combinations thereof.

Automobile Repair Garage: A place where gasoline, diesel, kerosene, or any motor fuel or lubricating oil or grease for operating automobiles may be offered for sale to the public, and deliveries are made directly into motor vehicles, and may include greasing and oiling on the premises and replacement or installation of parts and accessories, including major repair work such as: motor rebuilding or replacement ; collision services such as body, frame, and fender repair; overall spray painting of automobiles; upholstery work; auto glasswork; welding; tire recapping; radiator repairs; and other similar major mechanical work.

Automobile Service Station: A building or portion of a building, in which routine maintenance, service and minor repairs are made to motor vehicles.

Barn: An accessory or subordinate building located upon the same lot occupied by the main building or use, which use is predominantly agricultural for the storage of equipment, housing of animals or storage of food or fodder.

Basement: A story partly underground but having at least one-half of its height below the average level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement if:

1. The vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or
2. It is used for business or dwelling purposes.

Bed & Breakfast: A facility offering overnight accommodations for guests and limited meal service to those guests with a minimum of two (2) and a maximum of eight (8) guest rooms. The building premises may also contain permanent accommodations for the owners or managers and a limited accessory use.

Board of Zoning Appeals: The Morrow County Board of Zoning Appeals. A committee of five representatives of Morrow County who are full time residents of the unincorporated parts of Morrow County that are under the jurisdiction of the Morrow County Zoning Resolution. Its function is to hear and decide appeals from administrative determinations regarding the Morrow County Zoning Resolution and to authorize variances and conditional uses.

Boarding House: A one (1) family dwelling operated by a resident family in which guests are served meals for compensation.

Building: A structure, which is permanently affixed to the land, has one or more floors and a roof, is bounded by either open space or lot lines and used as a shelter or enclosure for persons, animals, and/or property. This term shall be used synonymously with “Structure” unless otherwise noted, and shall be construed as if followed by the words “or parts thereof”.

Building, Principal: The building on a lot used to accommodate the primary use to which the premises are devoted.

Building, Accessory: A supplemental building, the use of which is incidental to that of a main or principal building and located on the same lot therewith.

Building Code: Ohio Basic Building Code, Residential 1, 2, and 3.

Building Front Line: The line of that face of the building nearest the front line of the lot. This face includes sun porches and porches whether enclosed or open, but does not include steps.

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

Building Line: (Synonymous with setback line) - A line established by this Resolution, generally parallel with a lot line, defining the limits of a yard in which no building or structure above ground may be located, except as otherwise provided herein.

Camper: Please refer to Ohio Revised Code 4501.01 (A). and Ohio Revised Code 4501 (Q).

Cell/Satellite Tower: Free standing structure used for communication purposes

Certificate of Compliance: A permit issued by the Zoning Inspector stating that the occupancy of any use, lot, building, or premise which has been created, erected, changed, converted, or

wholly or partly altered or enlarged in its use or structure conforms to the requirements of this resolution.

Church: A building which has as its main purpose assembly to worship.

Cluster Homes: Homes with common walls, or common patios, or common garden areas, or other modification on the same theme with this district.

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a Conditional Use Certificate and approval of the Board of Zoning Appeals. Additional uses permitted in each district are presented in the Official Schedule of District Regulations. This certificate shall be renewed yearly upon inspection by the Zoning Inspector to ensure compliance with conditional use certificate.

Conditional Use Certificate: A certificate 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 with the district

Construction: The erection of a new structure, as compared with alteration.

Conventional fuels: fossil fuels (petroleum oil), coal, propane, natural gas and nuclear materials.

Court: An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

Cul-de-sac: A local street of relatively short length with one end open to traffic and the other terminating in a vehicular turnaround.

Day Care Center: Provides day care for seven or more children of any age in a facility other than a private home. Centers must be licensed by the State of Ohio Department of Jobs and Family Services.

Day Care Home, Type A: Provides day care for seven to twelve children (or four to twelve children if four children are under two years of age) cared for in the provider's personal residence. The provider's own children under six years of age must be included in the total count. Type A homes must be licensed by the State of Ohio Department of Jobs and Family Services.

Day Care Home, Type B: Provides day care for one to six children cared for in the provider's personal residence. No more than three children may be under two years of age. The provider's own children under six years of age must be included in the total count. Anyone can operate a Type B Home without a license. However, care for more than 6 children requires a license. Type B homes must be certified by the county department of Job and Family Services if the child care is paid for with public funds.

dB(A): The sound pressure level in decibels refers to the “a” weighted scale defined by ANSI (American National Standards Institute).

Demolition Materials: Materials from construction operations and from demolition operations including but not limited to those items that are affixed to a structure, including driveways and highways being constructed or demolished, such as brick, concrete, asphalt, asphalt products, stone, glass, metal, wallboard, framing and finish lumber, roofing materials, wiring and insulation materials.

Disabled Vehicle: Any vehicle meeting either of the following conditions:

1. Extensively damaged: such damage including, but not limited to, any of the following:
A broken windshield; missing wheels, tires, motor, or transmission;
2. Apparently inoperable as defined by the Ohio Revised Code as amended.

Driveway: A pathway or route, located on private property, which has been created or altered for or by the use of such route for the movement of motor vehicles. For the purposes of this resolution, vehicle turnaround areas shall be included within the definition of the term “driveway,” and vehicle parking areas in conjunction with residences shall be included within the definition of the term “driveway.”

Dwelling: A building designed or used exclusively as the living quarters for one or two families.

Dwelling, Group: A residential building that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine (9) but not more than sixteen (16) handicapped persons.

Dwelling, Multi-Family: A building designed for and occupied by three or more families living independently of each other.

Dwelling, Single Family: A detached building designed for and occupied exclusively by one family.

Dwelling, Two Family (Duplex): A building designed for or occupied exclusively by two families living independently of each other.

Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family.

Extended Family Dwelling Unit: A separate segment of a single-family dwelling which is designed as semi-independent living quarters for a relative of the owner(s) of the dwelling.

Equipment: Any machinery, tool or apparatus, whether or not motorized, that has no residential or agricultural use on the land on which it is located.

Family: An individual, or two or more persons related by blood, marriage or adoption, or a group of persons not related by blood or marriage, living together as a single housekeeping group in a dwelling unit.

Flood Plain: That land, subject to periodic flooding, which is shown on the Official Morrow County Flood Plain Map.

Flood Stage: The highest point at which flood waters have risen in the specific area in question. If the Zoning Inspector is unable to determine the point, it shall be the duty of the Township Trustees to so determine it.

Floor Area of a Building: The sum of the gross horizontal area of the several floors of a building which is devoted to a land use permitted in the district where located. All dimensions shall be measured between exterior faces of the walls.

Garages, Private: An accessory building or an accessory portion of the main building enclosed on all sides and designed or used to shelter or store motor vehicles and located on the same lot as the dwelling to which it is accessory.

Garages, Public: Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, adjusting, or equipping of automobiles or other motor vehicles.

Gasoline Service Station: Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, spraying, cleaning or servicing such motor vehicles.

Grade, Finished: The average level of the finished surface of the ground adjacent to the exterior walls of any building.

Greenbelt: An area that contains only vegetation maintained in a fashion compatible with surrounding areas and where no Commercial or Industrial activity takes place.

Greenhouse: A greenhouse is a structure either a glass or plastic roof and frequently glass or plastic walls; it heats up because incoming solar radiation from the sun warms plants, soil, and other things inside the building. Air warmed by the heat from hot interior surfaces is retained in the building by the roof and wall. These structures range in size from small sheds to very large buildings. Greenhouses are often used for growing flowers, vegetables, fruits, and tobacco plants. It can also have a secondary source of heat.

Height Measurement: The vertical distance shall be measured from the elevation of the threshold plate at the front door of the building to the highest point of the roof.

Hazardous Wastes: Materials as are described in Ohio Revised Code Section 3734.01(J) or in such statute as it may hereafter be amended.

Home Occupation: A single use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling without any adverse effect upon the surrounding neighborhood. The business shall be operated by the residents of the home where the home occupation occurs.

Home Office: A secondary office clearly accessory to and located in the dwelling occupied by a person.

Hospital/Urgent Care : A place for the diagnosis, treatment and/or other care of human ailments.

Hotel: A building containing rooms intended or designed to be used, rented, or hired out to be occupied or which are occupied for sleeping purposes by guests and where a general kitchen, dining room, banquet facility and meeting room may be provided within the building or in an accessory building.

Improvement: Any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment. Street grading and surfacing with or without curbs and gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, culverts, bridges, streets and trees.

Kennel or Cattery: Any lot or premises on which four (4) or more domesticated animals more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold.

Living Area: The total square footage of usable living floor space within the defined areas created by the walls of a dwelling. Such area does not include open patios, open terraces or courts, open breezeways, outside steps, garages and /or carports.

Lot: For the purpose 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, 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 portions of lots of record.

Lot, Corner: A lot abutting on two (2) streets at their intersections, where the interior angle intersection is not more than one hundred thirty-five (135) degrees.

Lot, Interior: A lot other than a corner lot or through lot.

Lot, Minimum Area of: The area of a lot is computed exclusive of any portion of the right-of-way of any street.

Lot, Mobile Home/Manufactured Housing Lot: A lot designated within a mobile home/manufactured housing park which is the site for location of one (1) mobile home/manufactured housing unit.

Lot, Single: A lot shall be considered a single lot for residential purposes when there is one residence on the lot.

Lot, Through: A Double Frontage Lot other than a corner lot that abuts two (2) streets.

Lot, Zoning: A single tract of land abutting a dedicated street, occupied or intended to be occupied by a use, building or group of buildings and their accessory use and buildings as a unit, together with such open spaces as are required by this Resolution (it may not coincide with a lot of record). Unless the context clearly indicates the contrary, the term lot is used synonymously with zoning lots throughout this Resolution.

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 Depth: The mean horizontal distance of a lot measured between the front and rear lot line.

Lot Frontage: The distance, measured at the road right-of-way, between the two side lot lines of a lot.

Lot Line: Any line dividing one lot from another.

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.

Lot Width: The mean horizontal distance of a lot measured between the front and rear lot line.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards and that has a permanent tag or label affixed to it certifying compliance with all federal construction and safety standards.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the “Manufactured Housing construction and Safety Standards Act of 1974, “88 Stat. 700, 42

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U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards.

Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in division ©(4) of section 3781.06 of the Ohio Revised Code or as an industrialized unit as defined in division ©(3) of section 3781.06 of the Ohio Revised Code.

Mobile Home Park: A parcel of land under one ownership that has been planned and improved for the placement of mobile homes.

Model Homes: Residential-type structures used as sales offices by a builder/developer and to display the builder/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer's features (such as exterior siding treatments, roofing material, interior trim, moldings, floor coverings, etc.) in the environment of a completed home, and may be staffed by the builder/developer's sales force during hours of operation, but may not be occupied as a living space unless the structure ceases to be used as a model.

Mini-Storage Warehouse Facility: A secured area for individual and business storage on a smaller scale than others in its class. Individual storage bays shall be limited to a maximum of four hundred (400) square feet and the height shall not exceed fourteen (14) feet.

Motel: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests.

Multi-Family Residential Structures are defined as having 3 or more dwelling units per structure.

Nonconforming Use: A building, structure or use of land existing at the time of enactment of the Morrow County Zoning Resolution, dated December 7, 1989 for Gilead Township and December 4, 2003 for Bennington, Canaan, Congress, Harmony, North Bloomfield and Washington Townships, and from time-to-time amended and which does not conform to the regulations of the district in which it is situated.

Open Space: A space unoccupied with structures, open to the sky on the same lot with a building.

Park: A public, private and/or commercial area which is to be used for recreational purposes. Any such area which requires a fee or a use fee shall first secure a zoning permit.

Parking Space: An off street space available for the parking of one motor vehicle and having an area of ten feet (10') by twenty feet (20') exclusive of passageways and driveways appurtenant thereto and having direct access to a street or alley.

Foundation: A permanent masonry, concrete or a locally approved footing or foundation, to which a manufactured home may be affixed.

Pond, Traditional: A man-made impoundment made by constructing a dam or embankment excavating a pit or dugout, greater than one quarter (1/4) acre in surface area. The primary purpose of a traditional pond is for recreation, irrigation, drinking water source and fire protection.

Pond, Decorative: A man-made water impoundment made by constructing a dam or embankment or by excavating a pit or dugout, less than one quarter (1/4) acre in surface area which may have a man-made liner and pumps and generally planted with plant material for landscape enhancement purposes. The primary purpose of a decorative pond is for ornamental and landscaping purposes.

Private Club: A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees, and dues, regular meetings and a constitution and by-laws.

Private School: An educational institution managed by a private group rather than by the government.

Public School: A public educational institution funded by local taxes and state appropriations.

Rental Complex Offices: One (1) rental office shall be allowed within a rental complex. The office may be the rental manager's dwelling.

Religious Institution: A building which has as its main purpose assembly to worship and other religious activities.

Right -of-way: A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped area, viaducts and bridges.

Road Side Stand: A removable structure used only, or intended to be used, only for the sale of seasonal agricultural products produced on the premises.

Setback: The minimum distance from the right-of- way to the building line measured along a line perpendicular to the street line or front property line, or, in the case of an arc street, measured along the radius of such arc.

Sign: A structure or part thereof, or devices attached to a structure or painted or represented on a structure, which shall display or include any letter, word, model, banner, pennant, insignia, device or representation used as, or which is in the nature of, announcement, direction or advertisement.

Sign, Business: A sign which directs attention to a business, commodity, service or profession conducted, sold or offered upon the same lot.

Sign, Directional: A sign located on private property which is used for the direction of traffic and parking; such as a no parking, disabled parking, entrance, exit, or delivery entrance sign; and which does not contain the name of the facility and does not contain any advertising matter.

Sign, Freestanding: A sign that is supported by a pole (sometimes more than one) otherwise separated from the ground by air; or a ground sign for which the entire bottom of the sign is in contact with or in close proximity to the ground and which is separate from buildings.

Sign, Outdoor Advertising: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning lot (including a billboard).

Solar Energy: energy radiated from the Sun in the form of heat and light

Street: An existing public way shown upon a plat heretofore approved by official action, and duly filed and recorded, and affording the principal means of access to abutting property.

Street, Arterial : A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route. Design speed is generally 55 miles per hour.

Street, Collector: A street which primarily carries traffic from local streets to arterial street, including the principal entrance and circulation routes within residential subdivisions. Design speed is generally 35 miles per hour.

Surface and Strip Mining: A lot or land or part thereof used for the purpose of extracting stone, gravel, clay, coal, sand, shale or top soil for sale, as an industrial or commercial operation, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a zoning permit has been made.

Use: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "Permitted Use" or its equivalent shall not be deemed to include any nonconforming use.

Variance: A modification of this Resolution, permitted in instances where a literal application of these provisions would result in undue hardship as a result of some peculiar or unique condition or circumstances pertaining only to the zoning lot in question.

Wetland: Those areas which are classified as “wetlands” based on the most current definition of “wetland” issued by the U.S. Army Corps of Engineers.

Wind Energy System: A wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator and includes the turbine blades and tower as well as related electrical equipment.

Wind Energy Conversion System

1. “Applicant” means the entity or person who submits to Morrow County, pursuant to Section V of this Resolution, an application for the siting of any WECS or Substation.
2. “Financial Assurance” means reasonable assurance from a credit worthy party, examples of which include a surety bond, trust instrument, cash escrow, or irrevocable letter of credit.
3. “Operator” means the entity responsible for the day-to-day operation and maintenance of the WECS, including any third party subcontractors.
4. “Owner” means the entity or entities with an equity interest in the WECS(s), including their respective successors and assigns. Owner does not mean (i) the property owner from whom land is leased for locating the WECS (unless property owner has an equity interest in the WECS); or (ii) any person holding a security interest in the WECS (s) solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the WECS(s) at the earliest practicable date.
5. “Licensed Ohio Professional Engineer” means a qualified individual who is licensed as a professional engineer in Ohio.
6. “L.A.” refers to “Local Authority”.
7. “Primary Structure” means, for each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary Structure includes structures such as residences, commercial buildings, hospitals, and day care facilities. Primary Structure excludes structures such as hunting sheds, storage sheds, pool houses, unattached garages and barns.

8. “Substation” means the apparatus that connects the electrical collection system of the WECS(s) and increase and conditions the voltage for connection with the utility’s transmission lines.
9. “Wind Energy Conversion System” (WECS”) means all necessary devices that together convert wind energy into electricity, including the rotor, nacelle, generator, WECS Tower, electrical components, WECS foundation, transformer, and electrical cabling from the WECS Tower to the Substation(s).
10. “WECS Project” means the collection of WECS(s) and Substations as specified in the siting approval application pursuant to Section V. of this Ordinance.
11. “WECS Tower” means the support structure to which the nacelle and the rotor are attached.
12. “WECS Tower Height” means the distance from the rotor blade at its highest point to the top surface of the WECS foundation.

Yard: That portion of the open area on a zoning lot extending between a building and the nearest lot line, open and unobstructed from the ground upward.

Yard, Front: The yard extending from the front wall of the building to the front lot line across the full width of the lot.

Yard, Rear: The yard extending from the rear wall of the building to the rear lot line across the full width of the lot.

Yard, Required: The minimum yard required between a lot line and a line for a building to comply with the regulations of the District in which the zoning lot is located.

Yard, Side: The yard extending between a side lot line and the nearest wall of the building and from the front yard to the rear yard; provided that for a corner lot the side yard extends from the front yard to the rear lot on the street side.

Zoning Certificate: Written authorization issued by a Zoning Inspector to proceed with building of alteration to a building on a zoning lot, subdividing an existing lot into smaller zoning lots, proposed use in a zoned district or temporary living space. All Zoning Certificates are issued for one year.

SECTION 3 - ZONING DISTRICTS AND MAP

3.0 Purpose

The County is hereby divided into the following Zoning Districts:

- A. "R-1" Single Family Residential Zoning District.
- B. "R-2" Single Family Residential Zoning District.
- C. "R-3" Multi- Family Residential Zoning District.
- D. "C-1" Neighborhood Commercial Zoning District.
- E. "C-2" Highway Commercial Zoning District.
- F. "I-1" Industrial Zoning District.
- G. "AG" Agricultural Zoning District.

The above Zoning Districts are located on the Zoning Map, which is attached hereto and is incorporated herein by reference.

Any discrepancies between the location of a Zoning District (or the zoning of a particular parcel) as shown on the Zoning Map versus the location as may be described by the text of this Resolution shall be controlled by the text of this Resolution.

No property or improvement shall be used and no improvement shall be constructed or erected except in conformity with the regulations prescribed herein for the district in which the property or improvement is located.

SECTION 4 -CONDITIONAL USE PERMITS

4.00 Purpose

The characteristics and impacts of an ever-increasing number of new and unique uses, together with the broadening of numerous conventional uses, have fostered the development of more flexible regulations designed to accommodate these activities in a reasonable and equitable manner, while safeguarding both the property rights of all individuals and the general welfare of the community. It is therefore recognized that this resolution shall provide for more detailed evaluation of each use listed as a conditional use in a specific district with respect to such considerations as location, design, size, method(s) of operation, intensity of use, requirements for public facilities, and traffic generation. Accordingly, conditional use certificates shall conform to the procedures and requirements in Section 5.

4.10 General Criteria for all Conditional Uses

A conditional use, and uses accessory to such conditional uses, shall be permitted in a district only when specified as a conditional use in such district, and only if such use conforms to the following general criteria, which are in addition to specific conditions, standards and regulations set forth in Sections 4.2 and 4.3. The Morrow County Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following criteria and shall find adequate evidence that the use as proposed:

- A. Will not be detrimental to property values in the immediate vicinity.
- B. Will not restrict or adversely affect the existing use of the adjacent property owners.
- C. Will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall meet the approval of the township, county or state agencies where applicable.
- D. Will meet the requirements of Ohio EPA and Morrow County Soil and Water Conservation District for storm water runoff, when applicable.
- E. Will be properly landscaped where applicable pursuant to Section or when specified as a condition for approval.
- F. Will be constructed and maintained in a neat, orderly and safe condition.

4.2 Specific Standards For Conditional Uses

In addition to the general criteria established in Section 4.10, the following specific conditions pertaining to each use or group of uses shall apply.

- A. Conformance with District Regulations. A conditional use shall conform to the regulations of the district in which it is located and to other requirements of this Zoning Resolution, as well as satisfy the conditions, standards and requirements of this Section. Whenever there is a difference between the provisions of the conditional use regulations and the district regulations, the provisions of this Section shall prevail, unless clearly indicated differently in the regulations.

- B. Specific Development Standards.
 - 1. For Parcels of one or more acres, all points of vehicular entrance or exit shall be located no closer than:
 - a. One hundred (100) feet from the intersection of two arterial streets, or
 - b. Fifty (50) feet from the intersection of an arterial street and a local or collector street.

 - 2. No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. All outside lighting shall be shielded from adjacent properties.

 - 3. Floodlights, searchlights, loudspeakers or similar structures shall not be erected or used in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent property.

 - 4. All trash receptacles shall be adequately screened.

 - 5. Grading and surface drainage provisions shall be prepared by a registered Engineer and reviewed or approved by the Morrow County Board of Zoning Appeals designee where applicable.

4.3 Supplemental Regulations for Certain Conditional Uses

The following are specific conditions, standards and regulations for certain conditional permitted uses and are in addition to the criteria and standards set forth in Sections 4.2.

A. Adult Foster Care Homes

Adult Foster Care Homes shall be subject to a Conditional Use Certificate and to all lot regulations of the R-1 District in which it is located. Adult Foster Care Homes are further subject to the following conditions and certification of conditions must be completed and presented to the Morrow County Board of Zoning Appeals.

1. The “Adult Foster Care” use is limited to not more than four (4) adults.
1. The homeowner and caregiver must be the same person and shall reside in the home.
2. Must have an EPA or Morrow County Health District Approved adequate sanitation system.
3. An initial inspection and yearly review is required by the Local Fire Department and their recommendations must be met.
4. Adequate parking is required, with the driveway and parking areas being surfaced with asphalt or concrete.
5. No exterior signs are permitted for this conditional use.
6. No expansion is permitted.
7. The facility shall meet state or county, current and future licensing requirements.
8. All Morrow County Human Services “Standards for Adult Family Homes” must be fully complied with.
9. A central alarm system must be installed in the building covering all exits to alert the person on duty of the opening of any exit door. The use will also be subject to any conditions deemed necessary by the Morrow County board of Zoning Appeals.

B. Adult Uses

Adult uses/sexually oriented businesses as defined in this Zoning Resolution are permitted with the following conditions:

1. No adult use/sexually oriented business as defined in this Zoning Resolution shall be operated or maintained on a parcel of land located within:
 - a. A flood plain district.
 - b. 1000 feet of any current residence or boundary of any residential district.
 - c. 1000 feet from any church, public library, public or private educational facility that serves persons under 18 years of age, elementary school, public park or playground, or state-licensed day care facility, or any neighborhood center.
 - d. 1000 feet from any parcel of land on which any other adult use/sexually oriented business is located.
2. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from a sidewalk or street adjacent to the building.
3. No freestanding signs are permitted. Any signs attached to the building may be no larger than 50 square feet.
4. No signs shall be placed in any window. A one square foot sign may be placed on the doors to state hours of operation and admittance to adults only.
5. An Adult Use/Sexually Oriented Business shall be operated in accordance with any additional regulations enacted by Township Trustees or County Commissioners as authorized by the Ohio Revised Code.
6. No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. All outside lighting shall be shielded with minimal spill onto adjacent properties.
7. Floodlights, searchlights, loudspeakers or similar structures shall not be erected or used in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent properties

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8. The operation of the business shall be conducted in a manner that does not create noise measured at the nearest lot boundary that exceeds the A weighted decibel (dB(A)) sound level of the street traffic noise at that location, and no sound shall be objectionable due to intermittence, beat frequency, or shrillness.
9. That in lieu of the procedure for approval of conditionally permitted uses as provided in Section 13.13 (C) when the application is for a conditional zoning permit for Adult Uses, the following procedures shall apply:
 - a. An application for a Conditional Zoning Certificate shall be submitted to the Board of Zoning Appeals on a form provided by the Zoning Inspector accompanied with a check for the filing fee payable to Morrow County. Filing of the application is complete upon delivery to the County Zoning Office.
 - b. The applicant shall provide a site plan drawn to a scale of 1" = 100' and showing all points of ingress and egress as well as the distances from all of the uses listed in Section 4.3 (B)(1).
 - c. The Board shall determine to issue the zoning permit solely upon the criteria listed in Sections 4.10, 4.2 and 4.3 (B) of the Resolution. The Board's decision to grant or deny the Certificate shall be made within thirty (30) days of the applicant filing a complete application. If no decision is made within thirty (30) days, the Certificate shall be issued.

C. Alternative Fuel Sources

1. Applicability: This text governs the siting of WECS(s) and substations that generate electricity to be sold to wholesale or retail markets, except that owners of WECS(s) with an aggregate generating capacity of 150 Kilowatts or less who locate the WECS(s) on their own property are not subject to this text.
2. Prohibition: No WECS or Substation governed by Section III of this Ordinance shall be constructed, erected, installed, or located within Morrow County, unless prior siting approval has been obtained for each individual WECS and Substation pursuant to this text.
3. Siting Approval Application:
 - a. To obtain siting approval, the Applicant must first submit a siting approval application to Morrow County.
 - b. The siting approval application shall contain or be accompanied by the following information:
 - 1) A WECS Project summary, including, to the extent available: (1.) a general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer(s), type(s) of WECS(s), number of WECS(s), and name plate generating capacity of each WECS; the maximum height of the WECS Tower(s) and maximum diameter of the WECS(s) rotor(s); the general location of the project; and (2) a description of the Applicant, Owner and Operator, including their respective business structures. It is being expressly allowed under any application by the Applicant to submit multiple WECS Project summaries which may vary in nameplate generating capacity and/or type of wind turbine generator used provided that each and every Project summary so submitted must still comply with this text and provided further that the County in its sole discretion may approve anyone or more of such summaries and that the Applicant may at its discretion move forward on any County-approved Project summaries once the Applicant has finalized its supply agreements for wind turbine generators, substation transformers, and the like.

- 2) The name(s), address (es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s), if known. In addition, a copy of all leases shall be filed with the Zoning Inspector.
 - 3) A site plane for the installation of WECS(s) showing the planned location of each WECS Tower, guy lines and anchor bases (if any), Primary Structure(s), property lines (including identification of adjoining properties), setback lines, public access roads and turnout locations, Substation(s), electrical cabling from the WECS Tower to the Substation(s) ancillary equipment, third party transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.
 - 4) All required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this text.
 - 5) Any other information normally required by the County as part of its Zoning Ordinance.
- c. The applicant shall notify Morrow County of any changes to the information provided in Section 3.b. above that occur while the siting approval application is pending.

4. Design and Installation

a. Design Safety Certification

- 1) WECS(s) shall conform to applicable industry standards, including those of the American National Standards Institute ('ANSI'). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ('UL'), Det Norske Veritas ("DNV"), Germanischer Lloyd Wind Energie ("GL"), or an equivalent third party. For the avoidance of doubt, the provision of a design compliance certificate from any one of ANSE, UL, DNV or GL shall be deemed to satisfy this requirement.

- 2) Following the granting of sitting approval(s) under this text, a Licensed Ohio Professional Engineer shall certify, as part of the building permit application, that the foundation and tower design of the WECS is within accepted professional standards, given local soil and climate conditions; it being understood that an Applicant may submit different building permit applications hereunder in keeping with the project flexibility based on equipment type to be used allowed for in Section 3 b.1 hereof, it being further understood that any and all such permit applications shall still be certified by a Licensed Ohio Professional Engineer as contemplated hereunder.
- b. Controls and Brakes: All WECS shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulations shall not be considered a sufficient braking system for overspeed protection.
 - c. Electrical Components: All electrical components of the WECS shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g. ANSI, UL and International Electrical Commission).
 - d. Color: Towers and blades shall be painted white or gray or another non-reflective, unobtrusive color.
 - e. Compliance with the Federal Aviation Administration: The Applicant for the WECS shall comply with all applicable RAA requirements.
 - f. Warnings: (1.) A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations. (2.) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up total height of fifteen (15) feet from the ground. (3.) A sign or posting no more than four (4) square feet in area displaying a toll-free telephone number, answered by a person twenty-four hours per day, seven days per week, for emergency calls and informational inquiries shall be posted at the entrance to the project and at the erected wind turbine generators. No wind turbine generator tower or anemometer tower or site shall include any advertising sign, but logos of the Owner or Operator or of the wind turbine generator manufacturer shall not be considered “advertising” for the purpose of the text.

- g. **Climb Prevention:** All WECS Towers must be not climbable by design for the first twelve feet or protected by anti-climbing devices or otherwise be protected by ant-climbing devices. For the purpose of this text, a free-standing tubular tower which shall have a solid metal entry door at its base with a door handle which is securable against unauthorized entry by a padlock, combination lock or any other such device shall be presumed to be not climbable by design. Other examples of anti-climbing devices include but shall not be limited to safeguards such as: (A.) Fences with locking portals at least six (6) feet high; or (B.) Anti-climbing devices twelve (12) feet vertically from the base of any lattice WECS Tower.

- h. **Setbacks:** (1.) All WECS Towers shall be set back at least 1000 feet from any Primary Structure. The distance for the above setback shall be measured from the point of the Primary Structure foundation closest to the WECS Tower to the center of the WECS Tower foundation. In no case shall a WECS Tower be located closer to a Primary Structure then 1.10 times the WECS Tower Height. (2.) All WECS Towers shall be set back a distance of at least 1.10 times the WECS Tower Height from the public roads, third party transmission lines, and communication towers. (3.) All WECS Towers shall be set back a distance of at least 1.10 times the WECS Tower Height from adjacent property lines. A waiver may be granted if the primary land owners and all affected adjacent property owners are in mutual agreement. Any waiver of a setback requirement shall run with the land and be recorded as part of the chain of title in the deed of the subject property. All costs involved of creating the aforementioned waiver to be incurred by all affected property owners. This mutual agreement shall be filed with the Morrow County Zoning office.

- i. **Compliance with Additional Regulations:** Nothing in this text is intended to preempt other applicable state and federal laws and regulations.

- j. **Use of public roads:** An Applicant, Owner, or Operator proposing to use any County or Township road(s), for the purpose of transporting WECS or Substation parts and/or equipment for construction, operation, or maintenance of the WECS(s) or Substation(s) shall provide the zoning department with the Morrow County Engineers Permit to travel such roads.

- k. Minimum Rotor or Wind Vane Clearance: The lowest point of the arc created by the rotating wind vanes or blades on a wind turbine generator shall be no less than 15 feet measured from the highest point of the terrain within one blade radius from the base of the tower.
- l. Lighting: It is the stated intention of this text to cede jurisdiction over all matters relating to aviation obstruction hazard lighting to the then-existing rules and regulations of the FAA at the time the project is constructed and operating. Accordingly, there shall not be strobe lighting, intermittent white lighting or other lighting fixtures affixed to the wind turbine generators, unless expressly required by the FAA and if so required by the FAA, the Owner or Operator shall affix only those lighting fixtures required by the FAA. All tower lighting required by the FAA shall be mounted in strict adherence to the then-existing FAA regulations for such lighting and no other discretion or burden as to lighting of any kind affixed to the wind turbine generators shall be placed on the Owner or Operator of the project by means of this text.
- m. Liability Insurance: The Owner or Operator of the WECS(s) shall maintain a current general liability policy covering bodily injury and property damage with limits of at least \$10 million per occurrence and \$10 million in the aggregate.

5. DECOMMISSIONING PLAN:

Prior to receiving siting approval under this text, The County and the Applicant, Owner, and/or Operator must formulate a Decommissioning Plan to ensure that the WECS Project is properly decommissioned. The Decommissioning Plan shall include:

- a. Provisions describing the triggering events for decommissioning the WECS Project which shall include the following language: Any wind turbine generator or anemometer tower that it not operated a continuous period of twelve (12) months shall be considered abandoned, unless due to documented maintenance or electrical grid issues and written notice provided to the County's legal contact, and the Owner or Operator of such wind turbine generator or anemometer tower shall remove the same within one hundred eighty (180) days of receipt of notice from the County. In addition to removing the wind turbine generator, or anemometer tower, the Owner or Operator shall restore the site of the wind turbine generator or anemometer tower to its original condition prior to location of the wind turbine generator or anemometer tower. Any foundation associated with a wind generator or anemometer tower shall be removed from the site to a depth which is at least forty-eight (48) inches below restored ground level and the site restored to its original state including the planting of any grasses or cover crops, which may have been present prior to construction. All transmission equipment, buildings and fences shall also be removed. Failure to remove an abandoned wind turbine generator or anemometer tower with the one hundred eighty (180) day period provided in the subsection, or in the event that the Owner or Operator of the wind turbine generator or anemometer tower is no longer financially capable, or fails to respond to mail sent to its last address on file with the County, shall be grounds for the County to remove the wind turbine generator or anemometer tower structure and all associated equipment or appurtenances at the Owner or Operator's expense. The County may sell any salvageable material; deducting the balance due from the cash bond, which the County shall require.
- b. Provisions for the removal of structures, debris and cabling, including those below the soil surface;
- c. Provisions for the restoration of the soil and vegetation;
- d. An estimate of the decommissioning costs certified by a Licensed Ohio Professional Engineer;

- e. Financial assurance in the form of a surety bond of at least \$10,000 for each tower, secured by the Owner or Operator, for the purpose of adequately performing decommissioning or in an amount equal to the Morrow County Engineer's certified estimate of the decommissioning cost whichever is greater.
- f. The Morrow County Zoning Department shall be notified by the owner or operator as to the renewal of the surety bonds on an annual basis.
- g. A provision that the terms of the Decommissioning Plan shall be binding upon the Owner or Operator and any of their successors, assigns, or heirs.
- h. A provision that the County shall have access to the site, pursuant to reasonable notice, to effect or complete decommissioning.

6. REMEDIES

- a. The Applicant's, Owner's, or Operator's failure to comply with any of the above provisions shall constitute a default under this text.
- b. The Applicant, Owner, or Operator agrees to mediate all alleged violations of this text with the Zoning Enforcement Officer.
- c. If mediation of an alleged violation with the Zoning Enforcement Officer is unsuccessful, any party may schedule a hearing before the Zoning Committee.
- d. The Applicant, Owner, or Operator shall have the right to apply for judicial relief only after exhausting the above described administrative remedies.

7. SEVERANCE

If any section, clause, or provision of the text is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the text as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

D. **Automobile Automatic Wash, Automobile, Truck, Boat, Trailer and Farm Implement Sales, Storage or Repair, and Car Wash**

1. Automobile, truck, and trailer repairs shall be conducted completely within an enclosed building.
2. No overnight or weekend outside storage of trucks or trailers shall be permitted on the premises and no partially dismantled or junked vehicles shall be stored outside the building on the premises.
3. When such use abuts a lot in any residential district a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition, a row of shrubs or trees shall be incorporated, which will attain a height of three (3) feet from the street right-of-way line to the building line and six (6) feet along the remainder of the property lines.
3. No more than two driveway openings shall be permitted directly from any arterial street nor more than one driveway opening from any collector street, each of which shall not exceed thirty (30) feet in width at the property line. At its intersection with the property line, no part of any access way shall be nearer than one hundred (100) feet to the intersection of any two street right-of-way lines, nor shall any such part be nearer than fifty (50) feet to any side or rear property lines.

E. **Automobile Repair Garages**

1. Automobile, truck, and trailer repairs shall be conducted completely within an enclosed building.
2. No overnight or weekend outside storage of trucks or trailers shall be permitted on the premises and no partially dismantled or junked vehicles shall be stored outside the building on the premises.

3. When such use abuts a lot in any residential district a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition, a row of shrubs or trees shall be incorporated, which will attain a height of three (3) feet from the street right-of-way line to the building line and six (6) feet along the remainder of the property lines.
4. No more than two driveway openings shall be permitted directly from any major thoroughfare nor more than one driveway opening from any minor street, each of which shall not exceed thirty (30) feet in width at the property line. At its intersection with the property line, no part of any access way shall be nearer than one hundred (100) feet to the intersection of any two street right-of-way lines, nor shall any such part be nearer than fifty (50) feet to any side or rear property lines.

F. Automobile Service Stations.

1. Maximum width of curb opening for stations should not be more than thirty-five (35) feet nor less than twenty (20) feet.
2. No driveway or curb cut for a driveway shall be located within ten (10) feet of any adjoining property line or within twenty (20) feet of an exterior (corner) lot line as extended.
3. Any two driveways giving access to a single street shall be separated by a buffer strip with a minimum depth of twenty (20) feet from the right-of-way line.
4. The angle of intersection of the centerline of the driveway with the centerline of the street shall be not less than sixty (60) degrees.
5. Landscaping: Any unpaved areas of the site shall be landscaped or maintained in a dust free condition and separated from the paved areas by a curb or other barrier.

6. When such use abuts a lot in any Residential District, a three (3) foot solid wall, chain link fence, or painted board fence shall be maintained from the street right-of-way line to the building line. Whereupon a six (6) foot solid wall, chain link fence, or painted board fence from the building lot line along the remainder of the property lines shall be maintained. In addition, a row of shrubs or trees shall be incorporated which will attain a height of three (3) feet from the street right-of-way line to the building line and six (6) feet along the remainder of the property lines.

G. Bed and Breakfast facilities including Inns and Residential Bed and Breakfasts

1. The bed and breakfast facility shall be located on a parcel abutting, or adjacent to an arterial or collector street, park, or commercial district.
2. Meals shall be provided only to guests taking lodging in the facility.
3. Guestrooms shall not contain cooking facilities. A common lounge area may be provided for guests.
4. Only retail sales customary to overnight facilities shall be permitted.
5. Bed and Breakfast, Residential facilities shall comply with the following:
 - a. Shall have a minimum of two (2) and a maximum of eight (8) guestrooms.
 - b. Shall contain a commercial kitchen and shall obtain all required health department food service permits.
 - c. Food or laundry deliveries shall be made at the rear of the building and shall be conducted during daytime hours.

H. Cemeteries

1. Except for office uses incidental to cemetery operations, no business or commercial uses of any kind shall be permitted on the cemetery site.
2. Pavement width of driveways shall be at least twelve (12) feet.
3. Sufficient parking spaces shall be provided within the cemetery so as not hinder traffic flow.
4. Adequate screening with shrubs, trees, or hedge shall be provided parallel to property lines adjacent to or abutting residential dwellings.
5. Grave sites shall not be located within ten (10) feet of the right-of-way lines of any public street nor within ten (10) feet of an existing property.

I. Congregate Living Facility

1. A Congregate Living Facility may include one or more of the following types of residential facilities:
 - a. Independent living with congregate dining facilities, congregate living.
 - b. Assisted living.
 - c. Nursing home.
2. Such uses shall be located on a public street.
3. The development plan shall indicate the parking and emergency entrances or exists and other safety precautions.

J. Day Care Center, Adult or Child and Family Day Care Type A

1. The development plan shall indicate the dimensions of the day-care home, or center, open space areas, parking and emergency entrances or exits and other safety precautions.
2. Property shall be maintained in a neat, orderly and safe condition.
3. All activities shall be directly related to the conditional use permit so granted, and shall be adequately and properly supervised to prevent any hazard, disturbance or nuisance.
4. Sixty (60) square feet of outdoor open space and thirty-five (35) feet of indoor open space per occupant shall be provided.
5. All outdoor activity areas shall be enclosed by a fence or wall having a height of at least five feet but not exceeding six feet. An entry gate shall be securely fastened.
6. Additional regulations for Family Day Care Type A.
 - a. There shall be a minimum of 600 feet between one Type A family day care home and another type A family day care home.
 - b. There shall be no more than one (1) on-premise sign that shall not exceed four square feet in area.
7. Additional regulations for day care center. No portion of a day-care center site may be located within 600 feet of gasoline pumps, underground gasoline storage tanks, or any other storage area for explosive or hazardous materials.

K. Group Dwelling Developments

1. Projects with more than one building shall be considered as one building for the purpose of determining front, side and rear yard setback requirements.
2. Circulation shall be provided for the project in compliance with the following:
 - a. Paved, off-street parking and service areas shall be required. All parking and service areas shall be paved with concrete, asphalt, or equivalent.
 - b. Vehicular approaches to the property shall be designed to not create an interference with traffic on surrounding public streets or roads.
 - c. At dead ends, turn-arounds shall consist of forty-four (44) foot paved radius, measured from center of roadway, for adequate movement of safety vehicles.
 - d. Any group dwelling development or multi-family dwelling with

more than fifty (50) dwelling units shall provide at least two (2) access points to public streets.

3. Trash dumpsters shall not be placed between garages causing a separation of less than twenty (20) feet spacing.
4. The development plan shall include adequate provisions for the screening of parking areas, service areas, and active recreation areas from surrounding properties by landscaping and/or ornamental wall or fence. Active recreation areas may include, but not be limited to, picnic pavilions, tennis and basketball courts, swimming pools and similar recreational facilities.
5. A. buffer yard with a minimum width of ten (10) feet shall be provided around the perimeter of the property. The buffer yard shall be installed within one (1) year of the completion of each building or phase of development. A building phase or parking area shall be considered complete the day it is first used for the purposes intended. Changes thereto shall be approved by the Zoning inspector prior to completion.
6. In parking areas of fifty (50) parking spaces or more, visual relief shall be provided through the use of trees or shrubs planted along the perimeter of the parking areas.
7. The use, placement and dimensions of all buildings, driveways, sidewalks, parking areas, curb cuts, and recreation areas shall conform to and be substantially constructed in accordance with the approved development plan.

L. Group Homes for Handicapped Persons

1. Such homes shall be licensed according to ORC 5123.19 and evidence shall be presented indicating that the facility meets the certification, licensing, or approval requirements of the appropriate state agency.
2. All activities, programs and other events shall be directly related to the conditional use permit so granted, and shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents or to the community in general.
3. No such group home shall be located with a thousand (1,000) foot radius of another residential facility for the developmentally disabled licensed under ORC Section 5123.19.
4. The architectural design and site layout of a group home licensed under ORC Section 5123.19 and the height of any walls screens, or fences connected with any said group home shall be compatible with adjoining land uses and the residential character of the neighborhood.

M. Home Business

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- 1) The home business shall be carried on solely within the confines of the residential structures and architecturally compatible accessory buildings which are customarily associated with the residential use and character of the neighborhood.
- 2) The home business shall occupy not more than thirty-three (33%) percent of the total floor area of the dwelling unit and/or one hundred (100%) percent of the combined floor space in any detached garage or accessory building.
- 3) No more than one (1) non-resident employee shall work on said premises.
- 4) Services may be rendered on the premises or elsewhere.
- 5) All parking demands created by the conduct of a home business shall be met off the street and other than in a front yard. Off-street parking may be permitted in a side or rear yard, but shall not be located any closer to the street than the required setback line. The required number of off-street parking spaces shall be equal the spaces required for the residential use plus those required for the conditional use which constitutes the home business.
- 6) Signage – Only one sign, not larger than six (6) square feet and four (4) feet in height above grade of the surrounding yard, may be erected advertising the home business. The sign may be located at eye level if mounted flat against a building. The sign shall be of a design compatible with the residential character and shall not be animated or lighted. All outdoor advertising signs shall be maintained in good repair and in a safe, neat and clean condition. The County Zoning Inspector for Morrow County may cause to have removed or repaired immediately without written notice any sign that he or she judges to be insecure, in danger of falling, or otherwise unsafe, and as such presents an immediate threat to the safety of the public. If such action is necessary to render a safe sign, the cost of such an emergency removal or repair shall be at the expense of the owner or lessee.
- 7) No equipment, process or storage associated with the home business shall create odors, noise, vibration, glare, electrical interference or other nuisance detectable to normal senses off the lot. All activities, materials and equipment associated with the business shall be totally maintained within a building. In the case of electrical interference, no equipment or process shall create visual or audible interference in any radio or television receivers or other audio appliances used off the premises, or storage associated with a home business shall create any fire or explosion hazard, or involve the storage or use of

hazardous materials in any concentration greater than that which would normally be found in a dwelling containing no home business.

- 8) Waste materials, solid or liquid, shall not be created on the premises at a level greater than normal to the residential use, unless provisions for the disposition of said wastes are acceptable to the Morrow County Department of Health and do not create a burden on adjoining property.
- 9) Operation Hours: 8 a.m. to 5 p.m.
- 10) No Additional Living Quarters in Accessory Buildings

N. Home Occupations

- 1.. At least one member of the family residing on the premises shall be engaged in such Home Occupations.
2. Not more than ten percent (10%) of the floor area of the dwelling, not to exceed three hundred (300) square feet, shall be used in the conduct of the Home Occupation.
3. No traffic shall be generated by such Home Occupation in greater volume than would normally be expected in a residential district.
4. No outside storage or display of signs or anything connected to the Home Occupation shall be permitted.
5. No equipment or process shall be used in any 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 receiver off the premises or causes fluctuations in the line voltage off the premises.

O. Junkyards and Scrapyards

1. All sites, procedures, and processes shall be subject to the approval of the appropriate county and state agencies; no conditional use permit shall be issued until the necessary county and/or state approvals are obtained.
2. The facilities shall be located on the site in a manner that best minimizes

the potential effect of winds carrying objectionable odors to adjacent land areas.

3. Suitable measures shall be taken to control dust.
4. There shall be no burning of refuse, garbage or other waste materials.
5. Scrap yards or junkyards shall be located no closer than two hundred (200) feet to any R-District and/or public street right-of-way line and shall otherwise have side and rear setbacks of at least one hundred fifty (150) ft.
6. A buffer yard, with a minimum width of fifty (50) feet and located within the 200 foot setback, shall be planted according to the following specifications
 - a. Pine, Norway Spruce, and other similar trees shall be planted in a staggered pattern with no more than ten (10) feet between trees.
 - b. The fifty (50) foot wide planting strips shall be located within the 200 foot buffer yard to achieve the greatest screening or camouflaging effect, and no visual opening shall exist.
 - c. Trees should be planted that are at the optimum transplanting size and age while still being as large as possible.

P. Mini-storage facilities

1. Paved, off-street parking and service areas shall be required. All parking and service areas shall be paved and improved with gravel, concrete, asphalt or equivalent.
2. The maximum size of individual storage compartments shall be 400 square feet.
 - i. Such uses shall be located on an arterial street, adjacent to nonresidential uses or in sparsely settled residential areas.

Q. Model Homes

1. The same being defined as residential-type structure used as sales offices by a builder/developer and to display the builder/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer's features (such as exterior siding treatments, roofing materials, interior trim, moldings, floor coverings, etc.) in the environment of a completed home, and may be staffed by the builder/developer's sales force during hours of operation, but may not be occupied as a living space unless the

structure ceases to be used as a Model. Model homes shall be subject to the following restrictions:

- a) Hours of operation: All model homes shall close by 9:00 p.m. during the spring, summer and fall seasons, and by 8:00 p.m. during the winter season. No model home shall be open on Sunday before 12:00 noon.
- b) Lighting: All exterior lighting must be "down lighting", so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting shall be extinguished at the closing time of the model home, except that which is in character with those found on surrounding homes.
- c) Parking: All model homes shall provide off- street paved parking for the public.. The number of required parking spaces shall be (4) four, or more per model home. The driveway of the model home may be utilized for not more than two (2) of the required parking spaces.
- d) Screening and Trash Receptacles: Landscaping and screening from adjoining residential lots will be provided, together with the clear marking of the boundaries of the model home lot. Trash receptacles shall be provided around the model home for use by the public.
- e) Termination of Use: Model Homes are usually constructed in a Planned Commercial area. When the model is obsolete it is either
 - 1) Remodeled or reconfigured to reflect a "new" model
 - 2) Dismantled and removed from the property restoring the property to a sellable Planned Commercial lot.
 - 3) Build in residential with appropriate setbacks and lot size and sell as residence to the general public.

R. Private Outdoor Recreational Facilities shall comply with the following:

- 1. Delivery trucks shall not be used as refreshment stands, souvenir stands, and concession stands.
- b) Campsites, cabins, rooms, or other accommodations shall be used on a seasonal basis only. No permanent or year round occupancy shall be permitted.
- 3. Only retail uses that are customarily accessory and incidental to the main Recreational use shall be permitted as part of the park, recreational area, or

campground. Included as such retail uses are refreshment stands, souvenir stands, concession stands, park office, and the limited sale of groceries when the customers are primarily campers using the park.

4. All activities, programs and other events shall be directly related to the conditional use permit so granted, and shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents or to the community in general.

S. Recycling or Transfer Facilities and Transportation Agency and Terminals public or private

- i. The collection and/or storage of automobiles, trucks, major household appliances, and any self-propelled type vehicles, or parts thereof, shall be prohibited.
- ii. Vehicular approaches to the property shall be designed to not create an interference with traffic on surrounding public streets or roads.
- iii. Paved, off-street parking and service areas shall be required. All parking and service areas shall be paved and improved with gravel, concrete, asphalt, or equivalent. Paved vehicular access drives of at least ten (10) feet in width shall be required for parking areas of ten(10) vehicles or less capacity, and two-way drives of twenty (20) feet paving width minimum shall be required for parking areas of eleven(11) or more vehicle capacity.
4. Such uses should be located on an arterial street, adjacent to nonresidential uses such as commerce, industry, or recreation, or adjacent to sparsely settled residential uses.

T. Religious Institutions

1. Adequate Parking shall be provided as indicated in Section 12.
2. All buildings, structures, accessory buildings including parking areas or garages shall be set back fifty (50) feet from any adjacent residential lot.
3. All buildings, structures, accessory building including parking areas or garages shall have fifty (50) foot front yard setback from the road right-of-way.

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4. Street frontage must be at least two hundred (200) ft
5. A lot area of one (1) acre per one hundred seats with a minimum lot area of one acre (1) acre is required.
6. Access roads and driveways shall be located not less than one hundred fifty (150) feet from any intersection and shall be designed with due regard for traffic safety and the maintenance of a smooth and efficient flow of traffic in the area.
7. No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. All outside lighting shall be shielded with minimal spill on to adjacent properties.
8. Floodlights, searchlights, loudspeakers or similar structures shall not be erected or used in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent properties.
9. The operation of the institution shall be conducted in a manner that does not create noise measured at the nearest residential lot boundary that exceeds the A weighted decibel (dB(A)) sound level of the street traffic noise at that location, and no sound shall be objectionable due to intermittence, beat frequency, or shrillness.

U. Rental Complex Offices: One (1) rental office shall be allowed within a rental complex. The office may be the rental manager's dwelling. Rental complex offices shall be subject to the following restrictions:

- 1) Hours of operation: All rental complex offices shall close by 9:00 p.m. during the spring, summer and fall seasons, and by 8:00 p.m. during the winter season. No rental complex office shall be open on Sunday before 12:00 noon.
- 2) Lighting: All exterior lighting must be "downlighting", so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting shall be extinguished at the closing time of the rental complex office, except that which is in character with those found on surrounding rental properties
- 3) Parking: All rental complex offices shall provide off-street paved parking for the public. An area contiguous to the structure within which the rental complex office is located shall be utilized for the off-street paved parking lot for public use. The

number of required parking spaces shall be four (4) per rental complex office. Such parking spaces shall be in addition to those otherwise required in Article XXI.

- 4) Trash Receptacles: Trash receptacles shall be provided around the rental complex office for use by the public

V. Sanitary Landfills, Construction or Demolition Debris Landfills or Certified Composting Facilities

1. All such facilities shall be subject to approval by the County and State Health Departments and subject to their requirements governing landfills.
2. The collection and/or outdoor storage of automobiles, trucks, major household appliances, and any self-propelled type vehicles, or parts thereof shall be prohibited.
3. The site shall be maintained in a neat, orderly and safe condition so as to prevent injury to any single property, any individual, or to the community in general. Debris shall not be permitted to accumulate on or be blown by the wind off the site.

W. Schools

1. Access roads and driveways shall be located not less than five hundred (500) Feet or the Ohio Department of Transportation guidelines from any intersection.
2. Parking shall be provided as indicated.

X. Skilled Care Facility

1. “Skilled Nursing Home” means care procedures that require technical skills and knowledge beyond those the untrained person possesses and that are commonly employed in providing for the physical, mental and emotional needs of the ill or otherwise incapacitated.
2. “Nursing Home” means a home used for the reception and care of individuals who by reason of illness, or physical or mental impairment require skilled nursing care and of individuals who require personal assistance but not skilled nursing care. A nursing home is licensed to provide personal assistance and skilled nursing care.

3. “Rest Home” means a home which provides personal assistance for five (5) or more individuals who are dependant on the services of others by reason of age or mental impairment but who do not require skilled nursing care. A rest home is licensed to provide only accommodations and personal assistance and may not admit individuals requiring skilled nursing care.
4. “Home for the Aging” means a home that provides:
 - a. Personal assistance for five (5) or more individuals who are dependent on the services of others by reason of age and physical or mental impairment, but who do not require skilled nursing care.
 - b. Personal assistance and skilled nursing care for three (3) or more individuals. The part or unit of the home for the aging that provides personal skilled nursing care is licensed as a nursing home.
5. A “Skilled Care Facility” is by definition not intended to include an Adult Foster Care Facility.
6. A “Skilled Care Facility” must meet all conditions set forth in the Ohio Revised Code and Licensure Law. It is further subject to the following conditional use requirements:
 - a. An appropriate landscape buffer is needed.
 - b. Site development plans should be included. The plan should show building locations, parking areas, open space, drainage, contours, ingress and egress ways, and buffer areas.
 - c. Sign requirements and setbacks as specified
 - d. Initial inspection and semi-annual review by the Morrow County Health District and compliance with their recommendation must be met.
 - e. Must have an inspection and service contract for the sanitation system: minimum of two inspections per year. Copies of the inspection reports shall be received by the Morrow County Board of Zoning Appeals and the Morrow County Health District.

Y. Surface and Strip Mining.

1. For the purposes of these regulations, “Operations” and “Related Activities” shall include, but not be limited to: storage of equipment, extraction of minerals, storage of extracted minerals, processing of extracted minerals, loading of extracted minerals, removal of overburden (in preparation for extraction), and construction and/or utilization of any office buildings, parking areas, fuel depots, scale stations, garages, and tool sheds, associated with or used in conjunction with the operator’s mining activities.
2. In C-1 and C-2 Business Districts, surface mining or strip mining operations and related activities shall be limited according to the following:
3. All mining operations and related activities shall be located a minimum of:
 - a. 50 feet from any property in an industrial district not owned or controlled by the operator.
 - b. 100 yards from any property in a NB or HB Business District not owned or controlled by the operator.
 - c. 200 yards from any property in a R -1, R-2, R-3 Residential District not owned or controlled by the operator.
 - d. A lesser distance may be approved when the operator has obtained the written consent of the adjacent property owner(s).
4. Reclamation is required within one (1) year from expiration date of a Conditional Use Certificate or the abandonment of the operation.
5. All other reclamation requirements for surface mining or strip mining shall be approved by the Ohio Department of Natural Resources, Division of Reclamation.
6. A copy of the State application, as approved by the Ohio Department of Natural Resources, Division of Reclamation, and any revisions of the application over the life of the permit, shall be submitted to the Morrow County Board of Zoning Appeals.
7. Applications or revisions submitted to the Division of Reclamation subsequent to the issuance of a Morrow County Zoning Certificate shall be presented to the Morrow County Board of Zoning Appeals within ten (10) days of approval by the Ohio Department of Natural Resources Division of Reclamation.

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8. Truck routes shall be established for movement into and out of the development in such a way that it will minimize the wear on public streets and prevent hazards and damage to other properties in the community.
9. Haul roads shall be positioned to provide for safe access to State, County and Township roads. These roads shall be hard surfaced for dust control.
10. Processing equipment shall be located at the site in such a way that will minimize adverse noise impact on surrounding dwellings.
11. Existing natural or manmade barriers at the site shall be provided as protection and screening against noise, dust and visual protection for all operations.
12. Stakes of one (1) color shall be set and maintained along the perimeter of the area designated for mineral removal at one hundred (100) foot intervals or less.
13. The storage of minerals, peat or coal from other surface mined or strip mined operations shall be permitted only on sites in Industrial Districts.

Z. Veterinary Hospitals and Kennels

1. Runways, Exercise Areas; All riding or exercising of animals shall be conducted solely on the premises. All outside small animal runways or kennels shall be enclosed by a six (6) foot woven chain link fence, maintained in a clean, orderly, and sanitary condition, and shall be free from any condition that will menace the health of the animals enclosed therein or the public, or which constitutes a nuisance.
2. The sale of incidental products is permitted.

Z Current Mobile Home to a Constructed Permanent Home

A mobile home currently used as a single family dwelling can be used as a temporary residence while a home is being constructed.

1. The new dwelling must have an approved septic system.

2. A new dwelling permit will be required from the Morrow County Zoning Office. This permit will expire in one year.
 - a. An extension of the building permit will be issued for 6 months if construction progress is observed by the Morrow County Zoning Inspector.
 - b. The new dwelling owner must notify the Zoning Inspector 30 days prior to the vacating of the mobile home and/or the expiration of the building permit..

SECTION 5 -R-1 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

5.00 Purpose

It is the intent of the Morrow County Zoning Commission in creating the R-1, Single Family Zoning District to provide for areas of low density where such an area already exists and where such areas may be desired thereafter. The minimum land area per dwelling unit shall be one (1) and one half (½) acre. A Zoning Certificate is required for all new construction.

5.10 Permitted Uses in R-1, Single Family Residential Zoning Districts

In the R-1, Single Family Residential Zoning District, no land may be used or occupied and no structure erected, altered or used except for the following:

1. Single Family dwelling with a minimum dwelling size of 1100 sq. ft., excluding porches, garages and patios. Buildings accessory thereto.
2. Permanently -Sited Manufactured Home, only if it meets all the following Criteria:
 - a. No manufactured home more than ten (10) years old from date of manufacture shall be re-located in the County.
 - b. The cement pad must be a minimum of 4 inches in thickness. All mobile home/manufactured housing units must be anchored down with manufacturer's recommended anchors. Each anchor must

- protrude through the cement pad. The number of anchors used must meet the manufacturer's recommendations.
- c. Wheels and tongues shall be removed where possible.
 - d. Manufacturer's approved mobile home/manufactured housing skirting shall be placed around the lower perimeter.
 - e. Mobile home/manufactured housing shall be a minimum of one-thousand- one hundred (1,100) square feet in living area.
 - . Mobile Homes/Manufactured Housing Units with less than one-thousand-one hundred (1,100) square feet of living area must be in an existing mobile home/manufactured housing park
 - f. There will be no additions to or joining of mobile homes to bring a mobile home in compliance. Also, no portion of a mobile home (excluding the frame) may be connected to another mobile home.
 - g. A mobile home cannot be brought on a lot to be repaired, rebuilt, or remodeled with intent to sell.
 - h. A mobile home/manufactured housing unit may not be occupied without septic and water systems approved by the Morrow County Health District.
 - i. When a mobile home is pulled out or moved for any reason and it has an added room addition, the added room addition cannot be re-attached to the new mobile home. When the new mobile home is brought in, then the new mobile home shall meet the current zoning rules and regulations.
 - j. Re-roofing of a mobile home is permissible as long as the project does not expand the square footage of the mobile home. Note: The purpose is to not encase a mobile home in another structure because it will cause a fire hazard.
 - k. Any mobile home not being lived in for eight (8) months will be considered abandoned.
 - l. After a mobile home has been classified as abandoned, it must be removed after six (6) months by the landowner at the landowner's expense.
 - m. A mobile home can be moved in while a home is being built or rebuilt that was destroyed by a natural disaster, as long as the Morrow County Health Department deems that the home is unlivable. It must be used as a temporary residence of the property

owner only. The mobile home must be connected to a septic system and has to be at least 900 square feet in living area or bigger. A temporary permit will be issued for a 6 month period and can be renewed one time for an additional 6 month period at the discretion of the zoning inspector. The mobile home must be removed within 30 days after moving into the new or rebuilt home.

- n. No more than one mobile home/manufactured housing unit may be placed on a single residential lot; such mobile home/manufactured housing unit shall be used for residential purposes only.
 - o. No camper shall be used as a residence.
3. Child day care homes which care for no more than six (6) children in any one day and meet the requirements of a Type B child care home as defined in the Ohio Revised Code and any regulations relating thereto.
4. A single family dwelling may be converted to allow for the incorporation of an extended family dwelling unit only if both segments of the dwelling unit meet all of the following conditions; and an extended family dwelling unit already incorporated into a single family dwelling may be occupied only if it meets all of the following conditions:
- a. Both segments of the dwelling must be owned by the same individual or individuals.
 - b. The residents of both segments of the dwelling must be related by blood, marriage or adoption.
 - c. The living (excluding garages) of both segments must share a common wall, with such wall containing a door between the two segments of the dwelling; or the living areas of such segments must share a common floor/ceiling, with an internal stairway connecting the two segments of the dwelling.
 - d. The two segments of the dwelling must be served by no more than one electric meter, one gas meter and one water meter.
 - e. The owner, or all owners if there is a joint ownership, must sign and submit to the zoning inspector an affidavit affirming that:
 - (1) They understand the conditions of the Morrow County Zoning Resolution as they apply to an extended family dwelling unit.

- (2) Upon the renting, leasing or selling of the dwelling, they will inform the prospective renter, lessee or buyer that the Morrow County Zoning Resolution will not permit the dwelling to be used as a two family dwelling.
 - (3) They will inform any real estate agent involved with the renting, leasing or sale of dwelling that the Morrow County Zoning Resolution will not permit the dwelling to be used as a two family dwelling.
5. Agricultural Uses.
6. Wind Turbines: A wind energy conversion system (WECS) that can be used to power homes, farms. or businesses

Requirements:

1. Height: including top blade in its vertical position, 200 feet or less.
2. 100 Kilowatts or less
3. Sound levels of 55 dB(A) or less
4. Constructed of non-reflective materials
5. Guy wires or anchors located at least (1.2) one-half of height of tower to any property line. A minimum of (8) eight feet of wire from ground level up, shall be covered with a protective plastic coating.
6. Retractable or removable steps or ladder must be used from ground level up to (8) eight feet. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
7. All electrical conduits shall be placed underground.
8. Any turbine should be located not less than the total height from road right-of-way, or on adjoining property lines.

Decommission Plan: Upon abandonment or discontinuation of use, the owner shall physically remove the system within 90 days. Removal of all above ground structures and a return to its natural condition is required. If tower is not dismantled and removed as required, the county may do so and assess the costs against the property for collection in the same manner as a property tax.

7. Accessory Buildings

5.2 Conditionally Permitted Uses in the R-1, Single Family Zoning District

The following uses shall be classified as Conditionally Permitted Uses and may be permitted subject, however, to the conditions provided in Section 4 of the Morrow County Zoning Resolution and review by the Morrow County Board of Zoning Appeals. Conditionally Permitted Uses are subject to all requirements for permitted uses in the R-1, District as outlined in this Zoning Resolution, as well as specific regulations for each. Conditionally Permitted Uses require a Conditional Use Certificate. Each Conditional Use applicant will apply for a Conditional Use Permit. Each Conditional Use Permit requires an annual inspection.

1. Adult Foster Care Homes
2. Home Occupations
3. Religious Institutions
4. Day Care Homes, Type A
5. Day Care Centers
6. Schools
7. Hospital/Urgent Care
8. Home Business

SECTION 6 -R-2 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

6.00 Purpose

It is the intent of the Morrow County Zoning Commission in creating the R-2, Single Family Zoning District to provide for areas of lower density where such an area already exists and where such areas may be desired thereafter. The minimum land area per residential dwelling shall be one-half (½) acre and shall have public water and sewer.

6.10 Permitted Uses in R-2, Single Family Residential Zoning Districts

In the R-2, Single Family Residential Zoning District, no land may be used or occupied and no structure erected, altered or used except for the following:

1. Single Family dwelling with a minimum dwelling size of 1100 sq. ft., excluding porches, garages and patios. Buildings accessory thereto.
2. Permanently Sited Manufactured Home, only if it meets all the following Criteria:
 - a. No manufactured home more than ten (10) years old from date of manufacturer shall be re-located in the County.
 - b. The cement pad must be a minimum of 4 inches in thickness. All mobile home/manufactured housing units must be anchored down with manufacturer's recommended anchors. Each anchor must

- protrude through the cement pad. The number of anchors used must meet the manufacturer's recommendations.
- c. Wheels and tongues shall be removed where possible.
 - d. Manufacturer's approved mobile home/manufactured housing skirting shall be placed around the lower perimeter.
 - e. Mobile home/manufactured housing shall be a minimum of one-thousand-one hundred (1,100) square feet in living area. Mobile Homes/Manufactured Housing Units with less than one-thousand-one hundred (1,100) square feet of living area must be in an existing mobile home/manufactured housing park.
 - f. There will be no additions to or joining of mobile homes to bring a mobile home in compliance. Also, no portion of a mobile home(excluding the frame) may be connected to another mobile home.
-
- g. A mobile home cannot be brought on a lot to be repaired, rebuilt, or remodeled with intent to sell.
 - h. A mobile home/manufactured housing unit may not be occupied without septic and water systems approved by the Morrow County Health District.
 - i. When a mobile home is pulled out or moved for any reason and it has an added room addition, the added room addition cannot be re-attached to the new mobile home. When the new mobile home is brought in, then the new mobile home shall meet the current zoning rules and regulations.
 - j. Re-roofing of a mobile home is permissible as long as the project does not expand the square footage of the mobile home. Note: The purpose is to not encase a mobile home in another structure because it will cause a fire hazard.
 - k. Any mobile home not being lived in for eight (8) months will be considered abandoned.
 - l. After a mobile home has been classified as abandoned, it must be removed after six (6) months by the landowner at the landowner's expense.

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- m. A mobile home can be moved in while a home is being built or rebuilt that was destroyed by a natural disaster, as long as the Morrow County Health Department deems that the home is unlivable. It must be used as a temporary residence of the property owner only. The mobile home must be connected to a septic system and has to be at least 900 square feet in living area or bigger. A temporary permit will be issued for a 6 month period and can be renewed one time for an additional 6 month period at the discretion of the zoning inspector. The mobile home must be removed within 30 days after moving into the new or rebuilt home.
 - n. No more than one mobile home/manufactured housing unit may be placed on a single residential lot; such mobile home/manufactured housing unit shall be used for residential purposes only.
 - o. No camper shall be used as a residence.
3. Child day care homes which care for no more than six (6) children in any one day and meet the requirements of a Type B child care home as defined in the Ohio Revised Code and any regulations relating thereto.
4. A single family dwelling may be converted to allow for the incorporation of an extended family dwelling unit only if both segments of the dwelling unit meet all of the following conditions; and an extended family dwelling unit already incorporated into a single family dwelling may be occupied only if it meets all of the following conditions:
- a. Both segments of the dwelling must be owned by the same individual or individuals.
 - b. The residents of both segments of the dwelling must be related by blood, marriage or adoption.
 - c. The living (excluding garages) of both segments must share a common wall, with such wall containing a door between the two segments of the dwelling; or the living areas of such segments must share a common floor/ceiling, with an internal stairway connecting the two segments of the dwelling.
 - d. The two segments of the dwelling must be served by no more than one electric meter, one gas meter and one water meter.

- e. The owner, or all owners if there is a joint ownership, must sign and submit to the zoning inspector an affidavit affirming that:
 - (1) They understand the conditions of the Morrow County Zoning Resolution as apply to an extended family dwelling unit.
 - (2) Upon the renting, leasing or selling of the dwelling, they will inform the prospective renter, lessee or buyer that the Morrow County Zoning Resolution will not permit the dwelling to be used as a two family dwelling.
 - (3) They will inform any real estate agent involved with the renting, leasing or sale of dwelling that the Morrow County Zoning Resolution will not permit the dwelling to be used as a two family dwelling.

5. Agricultural Uses

6. Two-Family Residential Dwellings with a minimum dwelling size of one thousand square feet (1,000 sq.ft.) per unit excluding porches, garages and patios.

7. Wind Turbines

8. Accessory Buildings

6.2 Conditionally Permitted Uses in the R-2, Single Family Zoning District

The following uses shall be classified as Conditionally Permitted Uses and may be permitted subject, however, to the conditions provided in Section 4 of the Morrow County Zoning Resolution and review by the Morrow County Board of Zoning Appeals. Conditionally Permitted Uses are subject to all requirements for permitted uses in the R-2, Districts as outlined in this Zoning Resolution, as well as specific regulations for each. Conditionally Permitted Uses require a Conditional Use Certificate.

- 1. Adult Foster Care Homes
- 2. Home Occupations
- 3. Religious Institutions

4. Bed and Breakfasts
5. Day Care Homes, Type A
6. Day Care Centers
7. Group Homes for Handicapped Persons
8. Schools
9. Hospital/Urgent Care

SECTION 7 -R-3 MULTI- FAMILY RESIDENTIAL ZONING DISTRICT

7.00 Purpose

R-3. The R-3 Multiple Family Residence District provides land for multiple family dwellings whose development best serves the public welfare and the need for diverse housing. Community water and sewage facilities are required. Single family and two-family dwellings are permitted in this District. The minimum land area per residential dwelling shall be one quarter (.25) acre and shall have public water and sewer.

7.10 Permitted Uses in R-3 ~~Multi-~~ Family Residential Zoning Districts

In the R-3, ~~Multi-~~ Family Residential Zoning District, no land may be used or occupied and no structure erected, altered or used except for the following:

2. Single Family dwelling with a minimum dwelling size of 1100 sq. ft., excluding porches, garages and patios. Buildings accessory thereto.
3. Permanently sited Manufactured Home, only if it meets all the following Criteria:
 - a. No manufactured home more than ten (10) years old from date of manufacture shall be re-located in the County.
 - b. The cement pad must be a minimum of 4 inches in thickness. All mobile home/manufactured housing units must be anchored down

with manufacturer's recommended anchors. Each anchor must protrude through the cement pad. The number of anchors used must meet the manufacturer's recommendations.

- c. Wheels and tongues shall be removed where possible.
- d. Manufacturer's approved mobile home/manufactured housing skirting shall be placed around the lower perimeter.
- e. Mobile home/manufactured housing shall be a minimum of one-thousand-one hundred (1,100) square feet in living area. Mobile Homes/Manufactured Housing Units with less than one-thousand-one hundred (1,100) square feet of living area must be in an existing mobile home/manufactured housing park.
- f. There will be no additions to or joining of mobile homes to bring a mobile home in compliance. Also, no portion of a mobile home (excluding the frame) may be connected to another mobile home.
- g. A mobile home cannot be brought on a lot to be repaired, rebuilt, or remodeled with intent to sell.
- h. A mobile home/manufactured housing unit may not be occupied without septic and water systems approved by the Morrow County Health District.
- i. When a mobile home is pulled out or moved for any reason and it has an added room addition, the added room addition cannot be re-attached to the new mobile home. When the new mobile home is brought in, then the new mobile home shall meet the current zoning rules and regulations.
- j. Re-roofing of a mobile home is permissible as long as the project does not expand the square footage of the mobile home. Note: The purpose is to not encase a mobile home in another structure because it will cause a fire hazard.
- k. Any mobile home not being lived in for eight (8) months will be considered abandoned.
- l. After a mobile home has been classified as abandoned, it must be removed after six (6) months by the landowner at the landowner's expense.
- m. A mobile home can be moved in while a home is being built or rebuilt that was destroyed by a natural disaster, as long as the Morrow County Health Department deems that the home is unlivable. It must be used as a temporary residence of the property owner only. The mobile home must be connected to a septic

system and has to be at least 900 square feet in living area or bigger. A temporary permit will be issued for a 6 month period and can be renewed one time for an additional 6 month period at the discretion of the zoning inspector. The mobile home must be removed within 30 days after moving into the new or rebuilt home.

- n. No more than one mobile home/manufactured housing unit may be placed on a single residential lot; such mobile home/manufactured housing unit shall be used for residential purposes only.
 - o. No camper shall be used as a residence.
3. Child day care homes which care for no more than six (6) children in any one day and meet the requirements of a Type A child care home as defined in the Ohio Revised Code and any regulations relating thereto.
4. A single family dwelling may be converted to allow for the incorporation of an extended family dwelling unit only if both segments of the dwelling unit meet all of the following conditions; and an extended family dwelling unit already incorporated into a single family dwelling may be occupied only if it meets all of the following conditions:
- a. Both segments of the dwelling must be owned by the same individual or individuals.
 - b. The residents of both segments of the dwelling must be related by blood, marriage or adoption.
 - c. The living (excluding garages) of both segments must share a common wall, with such wall containing a door between the two segments of the dwelling; or the living areas of such segments must share a common floor/ceiling, with an internal stairway connecting the two segments of the dwelling.
 - d. The two segments of the dwelling must be served by no more than one electric meter, one gas meter and one water meter.
 - e. The owner, or all owners if there is a joint ownership, must sign and submit to the zoning inspector an affidavit affirming that:
 - (1) They understand the conditions of the Morrow County Zoning Resolution as apply to an extended family dwelling unit.

- (2) Upon the renting, leasing or selling of the dwelling, they will inform the prospective renter, lessee or buyer that the Morrow County Zoning Resolution will not permit the dwelling to be used as a two family dwelling.
- (3) They will inform any real estate agent involved with the renting, leasing or sale of dwelling that the Morrow County Zoning Resolution will not permit the dwelling to be used as a two family dwelling.

5. Agricultural Uses

6. Two-Family Residential Dwellings with a minimum dwelling size of one thousand square feet (1,000 sq.ft.) per unit excluding porches, garages and patios.

7. Multiple-Family Residential Structures are defined as having 3 or more dwelling units per structure. Included are cluster type housing structures having no more than four constructed in any single structure. Cluster homes will have common walls, or common patios, or common garden areas, or other modification on the same theme with this district.

a. **Building Height Limits:** Buildings in this district shall not exceed forty (40) feet in height. Chimneys, church spires, (steeple) domes, flag poles, and elevator shafts are exempted from any height regulation and may be erected to any safe height.

b. **Building Dimensions:** Each single family unit within the multi-family structure constructed in this district shall have a ground floor living area of not less than six hundred and fifty (650) square feet, with additional minimum square footage requirements possible in a second story or finished basement living area. All apartments or other multi-family structures constructed within this district shall contain the following minimum floor space:

One (1) bedroom unit	650 square feet
Two (2) bedroom unit	850 square feet
Three or more bedroom units	1,200 square feet

c. Setbacks: No multi-family structure or cluster type structure shall be located closer than (10 ten feet to any side lot line, 35 feet from the front property line, and 20 feet from the rear).

Minimum Lot Width (ft.)	Lot Area per dwelling (sq.ft.)	Rear Yard Depth (ft)	Side Yard Width (ft)	Front Yard Depth (ft)	Maximum Building Height Stories	Maximum Building Height Feet
80 Feet	10,890	20 Feet	10 Feet	35 Feet		40 Feet

	Efficiency Unit	One Bedroom	Two Bedroom	Three or More Bedroom
R-1				
R-2				
R-3		650 sqft	850sqft	1200 sqft

8. Accessory Buildings

7.2 Conditionally Permitted Uses in the R-3, Multi-Family Zoning District

The following uses shall be classified as Conditionally Permitted Uses and may be permitted subject, however, to the conditions provided in section 4 of the Morrow County Zoning Resolution and review by the Morrow County Board of Zoning Appeals. Conditionally Permitted Uses are subject to all requirements for permitted uses in the R-3, Districts as outlined in the Zoning Resolution as well as specific regulations for each. Conditionally Permitted Uses require a Conditional Use Certificate.

1. Adult Foster Care Homes

2. Religious Institutions
3. Bed and Breakfasts
4. Day Care Centers
5. Group Dwelling Developments
6. Group Homes for Handicapped Persons
7. Schools – Public and Private
8. Skilled Care Facilities
- . 9. Hospital/Urgent Care

SECTION 8 -C-1 NEIGHBORHOOD BUSINESS ZONING DISTRICT

8.00 Purpose

It is the intent of the Morrow County Zoning Commission in creating the C-1, Neighborhood Business District to provide for areas where retailing of convenience goods and essential personal services, in order to satisfy the daily and weekly household and personal needs of the surrounding residential neighborhoods. Properties may be rezoned to this zoning classification upon request of the property owner.

8.10 Permitted Uses in C-1, Neighborhood Business District

In the C-1, Business District no land may be used or occupied and no structure created, altered, or used except for the following:

1. Agricultural Uses
2. Antique Stores
3. Bank
4. Barber and beauty shop
5. Bakery (goods for sale on premises only)
6. Bicycle repair shop
7. Bicycle rental, sales and service

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8. Bookstore
9. Camera
10. Cellular telephones, sales, rental and service
11. Cleaners and laundry (collection and distribution only, custom and self-serve)
12. Clinic (medical)
13. Clothing store
14. Delicatessen
15. Drugstore
16. Farm, fruit and produce stands
17. Floor Cover, wallpaper and paint store
18. Florist
19. Food Store
20. Gift Store
21. Hardware Store
22. Hobby Store
23. Ice cream and soda sales (including drive-in)
24. Instructional studio (examples: dance, arts and crafts, martial arts, and exercise)
25. Laboratory, medical and dental
26. Laundry, custom and self-service
27. Locksmith
28. Offices, including professional offices
29. Pagers, sales, rental, and service
30. Pet Stores, supplies
31. Photographic studio
32. Restaurant
33. Two-way radios, sales, rental, and service
34. Video Store
35. Hospital/Urgent Care
36. Accessory Bldgs

8.2 Conditionally Permitted Uses in the C-1 Zoning District

The following uses shall be classified as Conditionally Permitted Uses and may be permitted subject, however, to the following conditions and review by the Morrow County Board of Zoning Appeals. Conditionally permitted Uses are subject to all requirements for permitted uses in the C-1, Districts as outlined in the Official Schedule of District Regulations, as well as specific regulations for each. Conditionally Permitted Uses require a Conditional Use Certificate.

1. Automobile Service Stations
2. Automobile Repair Garages

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3. Automobile Automatic Wash and Polish Stations
4. Veterinary Hospitals and Kennels
5. Religious Institutions
6. Congregate Living Facilities
7. Day Care Homes, Type A
8. Mini-Storage Facilities
9. Schools
10. Skilled Care Facilities
11. Alternative Fuel Sources
12. Animal Shelter

SECTION 9 -C-2 HIGHWAY BUSINESS ZONING DISTRICT

9.00 Purpose

It is the intent of the Morrow County Zoning Commission in creating the C-2, Highway Commercial Zoning District to provide for areas where retailing and personal services which require larger tracts of land and encompass larger service areas than that of the C-1, Neighborhood Commercial Zoning District. Property may be rezoned to this classification upon the request of the property owner.

9.10 Permitted Uses in C-2, Highway Business District

In the C-2, Business District no land may be used or occupied and no structure created, altered, or used except for the following:

1. Agricultural Uses
2. All C-1 uses subject to all C-2 District Regulations.
3. Antique Stores
4. Appliance sales, household
5. Automobile accessory store.

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6. Automobile-truck travel trailer sales lot
7. Bar, Grill, cocktail lounge, state liquor store
8. Bicycle rental, sales, and service
9. Bowling alley, provided the building used for such purpose is at least one hundred (100) feet from any Residential District.
10. Business Supply store
11. Cellular telephones, sales, rental, and service
12. Department Stores
13. Derma graphic art store
14. Drive Thru
15. Dry cleaning, custom and self-service
16. Electrical appliance and fixture sales
17. Entertainment center
18. Exterminator service
19. Farm, fruit and produce stands
20. Floor cover, wallpaper and paint store
21. Funeral home and ambulance service
22. Furniture stores
23. Garden and nursery centers
24. Golf courses including miniature

25. Home improvement businesses, provided the material is kept in an enclosed building
26. Hotel, motel, and tourist court
27. Ice cream and soda sales (including drive-in)
28. Laboratory, medical and dental
29. Laundry, custom and self-service
30. Marine and boat sales
31. Monument sales, provided any cutting is done in an enclosed building.
32. Motorcycle sales and service
33. Pagers, sales, rental, and service
34. Pet stores, supplies
35. Photographic studio
36. Photo staving, printing, publishing
37. Resale store
38. Restaurant
39. Sporting goods store
40. Sports recreation center
41. Travel trailer and pickup coach sales and service
42. Truck Stops
43. Two-way radios, sales, rental, and service
44. Hospital/Urgent Care

9.2 Conditionally Permitted Uses in the C-2 Zoning District

The following uses shall be classified as Conditionally Permitted Uses and may be permitted subject, however, to the conditions provided in section 4 of the Morrow County Zoning Resolution and review by the Morrow Board of Zoning Appeals. Conditionally Permitted Uses require a Conditional Use Certificate.

1. Service Stations
2. Automobile Repair Garages
3. Automobile Automatic Wash and Polish Stations
4. Veterinary Hospitals and Kennels
5. Religious Institutions
6. Skilled Care Facilities
7. Schools
8. Group Homes, Type A
9. Mini Storage Facilities
10. Alternative Fuel Sources
11. Animal Shelter

9.3 Accessory Buildings and Uses

SECTION 10 -I-1 INDUSTRIAL ZONING DISTRICT

10.00 Purpose

It is the intent of the Morrow County Zoning Commission in creating the I-1, Industrial District, which provides for the repair, storage, compounding, processing, manufacturing or assembling of materials or parts, provided that the emission of smoke, dust, fumes, vibration, and odor levels will not have an adverse or detrimental effect on surrounding residential and business districts.

10.10 Permitted Uses in I-1, Industrial District

In the I-1, Industrial District no land may be used or occupied and no structure created, altered, or used except for the following:

1. C-1, Neighborhood Business District uses.
2. C-2, Highway Business District uses.
3. General services, sales and storage establishments if conducted wholly within enclosed building to the following extent:
 - a. Cleaning establishments: commercial laundries, dyeing, dry cleaning plants, carpet cleaning, towel supply and auto wash, provided the entire waiting line is accommodated on the lot;

- b. Food and drink preparation: bakeries, canning, freezing, refrigeration, roasting, ice manufacturing, bottling works and creameries;
 - c. Repair and sale establishments: automobile engines, body and paint; buses, trucks, machinery; electrical and household appliances;
 - d. Light cutting, forging, stamping, casting, extrusion, drilling, machining, welding, brazing, soldering, sawing, cleaning, shot and sand blasting, grinding, enameling, painting, galvanizing, finishing, heat-treating and rust proofing, as a component process in connection with the production and assembly of products;
 - e. Storage yards and sale of new lumber and other building materials, public utility materials and equipment;
 - f. Warehouses, other storage establishments and parcel delivery stations, provided loading and off-loading facilities are entirely within an enclosed building;
 - g. Veterinarians' office, animal hospitals and kennels.
4. Research and Development:
- a. Laboratories: The experimental research and testing of all types of basic and applied research of product design and development within enclosed buildings, including, but not limited to, the construction and operation of small scale experimental and pilot plant operations;
 - b. Production and product assembly operations: The production and/or assembly of products which have a high value in relation to bulk, such as:
 - 1. Electrical and electronic equipment, motors;
 - 2. Electrical appliances, lamps, fixtures and clocks;
 - 3. Hardware, cutlery, kitchen utensils;
 - 4. Musical and scientific instruments;
 - 5. Medical, orthopedic and photographic instruments and equipment;
 - 6. Sporting goods, athletic equipment, toys;
 - 7. Clothing and other textile products;
 - 8. Pharmaceutical products; compounding of cosmetics, drugs and toiletries;
 - 9. Extrusion, molding and fabricating of plastic panels, sheets, tubes and rods;
 - 10. Printing, publishing and engraving;
 - 11. Computers, computer peripherals and networking hardware.
5. Private Clubs
6. Agricultural Uses

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7. Alternative fuel sources
8. Animal Shelter
9. Accessory Buildings

10.20 Conditionally Permitted Uses in the I-1 Zoning District

The following uses shall be classified as Conditionally Permitted Uses and may be permitted subject, however, to the conditions specified in Section 4 or this zoning resolution and reviewed by the Morrow County Board of Zoning Appeals. Conditionally permitted Uses are subject to all requirements for permitted uses in the I-1 Industrial Districts. Conditionally Permitted Uses require a Conditional Use Certificate.

1. Adult Uses
2. Automobile, Truck, Boat, Trailer and Farm Implement Sales, Storage or Repair, and Car Wash
3. Automobile Automatic Wash and Polish Stations;
4. Veterinary Hospitals and Kennels;
5. Junk yards and Scrap yards;
6. Mini-storage facilities;
7. Recycling or Transfer Facilities and Transportation Agency and Terminals;

8. Sanitary Landfills, Construction or Demolition Debris Landfills or Certified Composting Facilities;
9. Service Stations
10. Surface and Strip Mining;
11. Religious Institutions
12. Schools
13. Skilled Care Facilities
14. Hospital/Urgent Care

SECTION 11 A-1, AGRICULTURAL DISTRICT

11.00 Purpose

The purpose of the A-1 Agricultural District is to provide for low density residential development compatible with certain farm uses. Farming and Agricultural production are permitted uses in all zoning districts.

11.10 Principal Permitted Uses

- A. Farming and Agricultural production, and related farm uses.
- B. Single –family Detached Dwellings.
- C. Road side stands.
- D. Accessory buildings

11.11 Conditionally Permitted Uses

- A. Home Occupations
- B. Farm Implement, Sales, Storage or repair.

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- C. Cemeteries
- D. Churches
- E. Schools
- F. Private Outdoor Recreational Facilities
- G. Religious Institutions
- H. Skilled Care Facilities
- I. Veterinary Hospitals and Kennels
- J. Mobile Home Park
- K. Hospital/Urgent Care
- L. Alternative fuel sources.
- M. Animal Shelter
- N. Home Business

11.12 Non Conforming Uses

A. Mobile Home Parks cannot be expanded more than twenty percent (20%) of the original area.

SECTION 12-SUPPLEMENTAL REGULATIONS

12.00 Purpose

The purpose and intent of this section is to provide for regulations within the Morrow County Zoning Resolution that are supplementary and complementary to regulations that are provided throughout the rest of the resolution.

12.10 Setbacks

A. Setback Requirements for Principal Uses:

*Front Setbacks are measured from the edge of the right of way.

District	Front*	Rear	Side
R-1	35	40	15
R-2	35	40	15
R-3	35	40	15
C-1	50	50	50
C-2	50	50	50
I-1	75	50	75
A-G	35	40	15

B. Setback Requirements for Accessory Barns and Sheds:

1. Accessory buildings shall be constructed not closer to the road in than minimum setback line for the principal building nor shall any accessory building be constructed in front of the principal building.

2. The minimum rear and side yard requirements shall be as follows:

District	Rear	Side
R-1	5	5
R-2	5	5

R-3	5	5
C-1	5	5
C-2	5	5
I-1	10	10
AG	5	5

12.11 Design Standards for Free Standing Towers

- A. A free standing tower used for telecommunications or other uses shall have a free fall area that meets or exceeds the height of the tower in all directions
- B. Any Telecommunication Facility must be removed within (1) one year of ceasing operation.

12.12 Sign Standards

- A. Permanent signs no larger than six (6) square feet in area are permitted in established residential district when the use of the sign is in direct relation to the premises. Signs in conformity with the above limitations shall not require a zoning certificate.
- B. An outdoor advertising sign or billboard, other than those mentioned in Section 12.12 (A) of this section, shall be deemed a structure and shall require a zoning certificate before being erected, constructed or replaced.
- C. No outdoor advertising sign, except those mentioned in Section 12.12 (A) shall be placed nearer any street or road than the minimum setback.
- D. No outdoor advertising sign more than six(6) square feet in size shall be located within one hundred fifty (150) feet of any intersection unless affixed to a building and not extending beyond or above the same more than five (5) feet.
- E. Any illuminated sign shall be so shaded as not to interfere with the vision of persons on the highway or to annoy neighbors.
- F. Outdoor Advertising signs must be removed from a property within 30 days after that property ceases to be used for that purpose.
- G. All outdoor advertising signs shall be maintained in good repair and in a safe, neat and clean condition. The County Zoning Inspector for Morrow County may cause to have removed or

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repaired immediately without written notice any sign that he or she judges to be insecure, in danger of falling, or otherwise unsafe, and as such presents an immediate threat to the safety of the public. If such action is necessary to render a safe sign, the cost of such an emergency removal or repair shall be at the expense of the owner or lessee.

H. Any sign more than six (6) square feet in size must be ten (10) feet from the road right of way and cannot obstruct the view of traffic.

I. Signs in a residential district will be a maximum of 32 square feet in area size. Signs in a commercial district will be a maximum of 200 square feet in area size. No sign will be more than 60 feet high.

J. No signs shall be located in any Township, County, State or Federal right-of-way.

12.13 Parking Standards

A. General Requirements

1. All buildings, structures, and uses shall provide off-street parking and off-street Loading facilities in accordance with the provisions specified in this section. All Applicants for a zoning certificate or conditional use permit shall include with their application a plot plan drawn to scale showing the location and arrangement of any off-street parking or loading required by this chapter.
2. All required off-street loading areas and facilities shall be located off the street on the same lot as the building or use being served.
3. All required off-street loading areas shall be surfaced with asphalt or concrete and be provided with adequate drainage.

B. Specific Off-Street Parking and Loading Space Requirements

- | | |
|---|--|
| 1. Industrial/warehousing: | 1 space for every 500 sq. ft. or four spaces for each five employees employed on the shift of greatest Employment, whichever is greater. |
| 2. Commercial uses:
Agricultural implement sales and service, automobile sales and other vehicle sales | One parking space for every 1,000 square feet of enclosed floor area and one for every 3,000 open lot area. |

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Air conditioning; heating, plumbing roofing services	One parking space for every business vehicle and one parking space for every 300 square feet of floor area.
Amusement Center	One space for each 100 square feet of Gross floor area.
Auditoriums, assembly halls, sports and stadiums with fixed seats seats	One parking space for every 3.5 arenas
Auditoriums, assembly halls, sports Arenas and stadiums without fixed Seats, health clubs and spas	One parking space for every 50 square feet of floor area in the auditorium, assembly, or meeting room plus one parking space for every 200 square feet of other floor area.
Auto parts Store	One space for each 350 sq. ft. of gross floor area.
Banks and savings and loan Associations with drive-in facility	One parking space for every 200 sq. ft. of floor space, plus one parking space for every employee, plus three stacking spaces are required for each drive-in window.
Banks and savings and loan Associations without drive-in Facility	One parking space for every 200 sq.ft. of floor space.space plus one parking Space for every employee
Barber shops, beauty parlors, or similar personal services	Two parking spaces for each service chair.
Bed and Breakfast	One space per guest room
Bowling alleys	Four parking spaces for each bowling Lane.
Car wash – full service	One space per employee on the busiest Shift, one space for drying vehicles, And two spaces for vehicles waiting for entry are required.

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Car wash – self service	One space per employee on the busiest shift and four stacking spaces for each washing stall are required.
Convenience store	Five spaces for each 1,000 sq. ft. of gross floor area.
Day care centers	One space for each staff member and One space for each six children.
Equipment Rental	One parking space for every 1,000 sq. ft. of floor area.
Funeral home	One parking space for every 50 sq. ft. of floor area of the parlor or viewing room, plus one space for each employee.
Furniture stores, appliance sales, carpet sales, contractor’s show-room	One parking space for every 800 sq. ft. of floor area, including warehouse area; plus one parking space for each employee; plus business vehicle’ parking. A minimum of five customer parking spaces must be provided.
Miniature Golf Course	One space per hole, plus one space per employee.
Motels	1.2 parking spaces per one bedroom; plus parking spaces as required for restaurants, assembly rooms, and related facilities.
Nursery or green house	One space for each 1,000 sq. ft. of total inside sales area and one space for each 2,000 sq. ft. of outside sales area.
Photography studio	One space for each 300 sq. ft. of

	Gross floor area.
Printing and publishing	One space for each 1,000 sq. ft. of Gross floor area, and one space per employee.
Recreation and amusement facilities	One parking space for every five Customers based on maximum capacity; plus one parking space for every two employees.
Restaurants	
Fast – food	One parking space for every two persons of capacity; plus five stacking Parking spaces for drive-thru service
Fast – food restaurants with no seating	Five stacking parking places; plus one parking space per 50 sq. ft. of floor area.
Sit – down restaurants	One parking space for each two employees on the shift of greatest employment plus one parking space per three seats of capacity.
Retail sales and service, grocery Stores, and supermarkets, and convenience, discount, and variety stores	
Individual occupancy	One parking space for every 250 sq. ft. of floor area.
Multiple occupancy	One parking space for every 300 sq. ft. of floor area, excluding theaters which

require additional parking spaces as required in this chapter.

Self-service laundries

One parking space for every three machines.

Self-service storage facility

One space for each 100 storage spaces, Plus one space for each employee

Truck Service Stations/Automobile, Repair garages

One parking space for each employee; plus two parking spaces for each service stall, or a minimum of six parking spaces whichever is greater.

Taverns, cocktail lounges

One parking space for three persons.

Theaters

One parking space per 3.5 seats.

3. Business and Professional Offices

General offices

One parking space for every 300 sq. ft. of floor area.

Medical/dental offices

One parking space for every 200 ft. of floor area.

Veterinary office/animal hospital

One parking space for every 400 sq. ft. of floor area.

4. Churches, Schools, and other public and semi-public uses

Places of public assembly including Churches, synagogues, gymnasiums

One parking space for every 4.5 seats.

Elementary and junior high schools

One parking space for every 25 Classroom seats, or one parking space for every 3.5 seats in the main auditorium, whichever is greater.

High schools

One space for each staff member plus

one space for each 8 students, or one space for each 4.5 seats in the auditorium, whichever is greater.

Hospitals

One parking space for every two beds.

Nursing Homes

One parking space for every four beds.

5. Residential Uses

Single family and two-family
(duplexes) dwellings

Two parking spaces per dwelling unit

SECTION 13-ADMINISTRATION

13.0 Amendments

Amendments to this county zoning resolution and the maps herein referred to shall be accomplished as provided by State Law. These Amendments shall be adopted in accordance with Chapter 303 of the Ohio Revised Code

13.1 Enforcement

- A. It shall be unlawful to construct, reconstruct, enlarge or use any building or to use any land in violation of any regulation or any provision of this Resolution or any amendment

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thereto. Any person, firm or corporation violating this Resolution or any regulation, provision or amendment thereto shall be deemed guilty of a minor misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500.00) each day and every day during such illegal erection, construction, enlargement, or use continues may be deemed a separate offense.

- B. In case any building is, or is proposed to be, located, erected, constructed, reconstructed, enlarged or used, or any land is, or is proposed to be, used in violation of law or of this Resolution or any amendment thereto, the Board of County Commissioners, the Prosecuting Attorney for the County, the County Zoning Inspector or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement or use. The Board of County Commissioners may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this section.
- C. The Zoning Inspector has the authority to be able to implement a temporary stop work order for non-compliance of current Zoning Rules and Regulations. The Zoning Inspector will provide the Morrow County Prosecutor's office a copy of the stop work order within 24 hours from the date of issuance.
- D. Only a Judge may order a tear down order. The Zoning Inspector, 24 hours prior to requesting a tear down, will submit a copy of the tear down request to the Morrow County Prosecutor's office.

13.2 Effect of Invalidity of One Section

Should any section or provision of this Resolution be decided by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Resolution as a whole, or any part thereof other than the part so held to be unconstitutional or invalid. If a section or provision of this resolution is declared invalid, the remaining sections remain intact and in force. Other Resolutions or parts thereof; which are in conflict with the provisions of this Resolution are hereby repealed.

13.3 Compensation and Expenses of the Board of Zoning Appeals

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In any county which adopts zoning regulations, the Board of County Commissioners shall appoint a County Board of Zoning Appeals of five (5) members and two (2) alternates who shall be residents of the unincorporated territory in the county included in the area zoned. The terms of all members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Member shall be removable for the same causes and in the same manner as provided by Section 303.04 of the Ohio Revised Code. Vacancies shall be filled by the Board of County Commissioners and shall be for the unexpired term. The members may be allowed their expenses, or such compensation, or both, as the Board of County Commissioners may approve and provide.

The Board of Zoning Appeals may within the limits of the money's appropriated by the Board of County Commissioners for the purpose, employ such executives, professional, technical and other assistants as it deems necessary. (Section 303.13-Ohio Revised Code).

13.4 Powers of the Board of Zoning Appeals

The Morrow County Board of Zoning Appeals shall have the following powers:

- A. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this Resolution;
- B. To authorize upon appeal in specific cases such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship and so that the spirit of the resolution shall be observed and substantial justice done;
- C. To grant or deny Conditional Zoning Certificates for the use of land, buildings, or other structures if such certificates for specific uses are provided for in the Zoning Resolution. (Section 303.14-Ohio Revised Code).

13.5 Rules, Organization and Meetings of Board of Zoning Appeals

The Board of Zoning Appeals shall organize and adopt rules in accordance with this zoning resolution. Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman, and at such other times as the board determines. The Chairman, or in his absence the acting Chairman, may administer oaths, and the Board of Zoning Appeals may compel the attendance of witnesses. All meeting of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals 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

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examinations and other official actions, all of which shall be immediately filed in the Office of the Board of County Commissioners and be a public record.

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the county affected by any decision of the administrative officer. Such appeal shall be taken within twenty (20) days after the decision by filing, with the officer from whom the appeal is taken and with the Board of Zoning Appeals, a Notice of Appeal specifying the grounds. The officer from whom the appeal is taken shall forthwith transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten (10) days notice in writing to the parties in interest, give notice of such public hearing by one (1) publication in one (1) or more newspaper of general circulation in the county at least ten (10) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney.

A Joint meeting of the Morrow County Zoning Commission and the Morrow County Board of Zoning Appeals shall be held at least once a year.

13.6 Standards for Granting Variances

- A) The particular physical surroundings shape or topographical condition of the specific property would cause unusual and unnecessary hardship if the literal provisions of the Zoning Resolution were followed.
- B) The purpose of the Variance is not primarily based upon a desire to increase property value or Usage.
- C) The alleged hardship has not been created by the applicant for the Variance after the adoption of the Zoning Resolution.

- D) The granting of a Variance will not be materially detrimental to the public health, safety, convenience or general welfare or injurious to other property or improvements in the vicinity.
- E) The granting of a Variance will not constitute a grant of a special privilege, or permit a use not allowed by the existing Zoning Resolution, or permit a use forbidden to other property in the same classification or district or zone.

13.7 Standards for Granting Amendments to Zoning Resolution

The burden of proof of the need for a change in the Morrow County Zoning Resolution rests with the Applicant. All decisions regarding amendments shall address the following issues:

- A) Is there vacant land in the area already zoned to accommodate this use? If there is a considerable amount of land zoned for the requested purpose, and if little of it is being used, the need to rezone more land should be carefully analyzed. The fact that the cost of the land already zoned may be more expensive does not mean that the county should rezone more land.
- B) What other effects might the adoption of the proposed amendment have on future land uses in the area? What will be the long-term effects of the proposed changes?
- C) How does the proposed change relate to existing public facilities and services such as water, sewer, police and fire protection and schools?
- D) What is the present character of the area in terms of existing land use and physical characteristics? Do the physical characteristics of the area cause problems for development?
- E) What are the factors that make this location well suited for the uses permitted in the proposed zoning district?
- F) Would all of the Permitted Uses in the proposed district be compatible with the existing and potential future development in the area?
- G) What effect would the rezoning have on property values?
- H) Would the rezoning cause a considerable increase in the volume of traffic? Can existing roads accommodate this traffic?

AMENDED February 25, 2008

IN EFFECT March 26, 2008

APPENDIX "C"

Application for zoning certificates shall be accompanied by the following fees:

1. The fees for Residential Zoning Certificate shall be as follows:
 - a. \$.35 per square foot of living space. Living space shall be defined as how other county offices determines living space.
 - b. Residential accessory buildings and/or accessory building additions on a permanent foundation: flat fee of \$125.00 up to 2,000 square feet 2,001 sq.ft. and over \$.10 a square foot

2. The fees for Commercial Zoning Certificate shall be as follows:
 - a. Flat rate of \$150.00 up to 4,000 square feet with an additional charge of \$.10 per square foot for each additional square foot over 4,000 square foot.

3. The fees for an Industrial Zoning Certificate shall be as follows:
 - a. Flat rate of \$150.00 up to 4,000 square feet with an additional charge of \$.10 per square foot for each additional square foot over 4,000 square foot

4. The fees for a Conditional Zoning Certificate shall be as follows:
 - a. Residential Uses:
 - i. Mobile Homes/Manufactured Housing \$\$.35 sq. ft.
 - Temporary Living Space \$250.00
 - b. Non-Residential Uses:
 - i. All non-residential conditions except industrial \$100.00
 - ii. Industrial conditionally permitted uses:
 - a. Flat rate of \$150.00 up to 4,000 sq. ft., with an additional charge Of \$.10 per sq. ft. for each additional square foot over 4,000 sq.ft.
 - iii. Mining, quarrying:

Initial:	\$500.00
Annual Renewal	\$ 50.00

Certificate of Compliance fees shall be \$50.00 (This fee shall cover the expense of the Zoning Inspector to revisit the property to assure compliance. Certificate of Compliance is addressed Definitions on page 2-4)

5. Wireless and Cellular Communication Facilities:

Inspection and Certificate Fee:	\$ 500.00
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6. The fees for a Mobile Home/Manufactured Housing Park Zoning Certificate shall be as follows:
 - a. Initial application \$1,000.00
 - b. Annual renewal \$100.00

7. Variance Fees:
 - Step 1. One to five surrounding property owners \$125.00
 - Step 2. Six to ten surrounding property owners \$175.00
 - Step 3. Eleven to fifteen surrounding property owners \$250.00
 - Step 4. Sixteen to twenty surrounding property owners \$325.00
 - Step 5. Twenty-one or more surrounding property owners \$325.00
 - Plus \$10.00 for each additional property owner

8. Penalty fee-assess a double fine on a property owner, if they construct a building before getting the proper zoning permits.

9. The following fees are plus the cost of an Engineering or Architectural review if required:
 - a. Conditional Use Application Fee shall be \$150.00
 - b. Conditional Use Certificate Fee shall be \$100.00
 - c. Conditional Use Certificate renewal inspection fee shall be \$125.00

10. In the case of an unintentional disaster, a zoning permit is required, but no zoning fee is required unless additional living area is increased. A zoning permit and fee shall be required for the additional sq. ft. of living area only.

11. The fee for a copy of the zoning book or text shall be twenty dollars (\$20.00)
The fee for a copy of the zoning book or text on a disk shall be five dollars (\$5.00).

12. Re-zone Fees/Appeals Fees:
 - Step 1. One to five surrounding property owners \$125.00
 - Step 2. Six to ten surrounding property owners \$175.00
 - Step 3. Eleven to fifteen surrounding property owners \$250.00
 - Step 4. Sixteen to twenty surrounding property owners \$325.00
 - Step 5. Twenty-one or more surrounding property owners \$325.00
 - Plus \$10.00 for each additional property owner

13. Outdoor Advertising sign fees:
 1. Larger than 6 square feet and up to 32 square feet \$50.00
 2. Any sign larger than 32 square feet shall be charged an additional \$1.00 per square foot to a maximum of \$250.00.
 3. There will be no fee required for any temporary signs. Temporary shall mean 65 days or less in one year.
 4. There will be no fee for political signs.

14. Any black and white copies made at the public's request shall be \$.10 per copy except for the zoning book.
Any color copies made at the public's request shall be \$.25 per copy except for the zoning book.

15. Alternative Fuel Source Structures and windmills over 150 Kilowatts:
 - a. Initial Application for each structure or each windmill \$1,000.00
 - b. Annual Renewal \$ 500.00

16. Residential Wind Turbines
 - a. Application Fee \$100.00
 - b. Zoning Certificate \$100.00 plus cost of civil engineer approved by County

17. Anemometer Tower, MET tower or like equipment used for planning or maintenance of WECS. Upon securing Conditional Use Permit for equipment for final inspection and Certificate of Compliance \$500.00

18. Renewal fee of \$.70 a sq ft. when renewing a certificate while building a permanent structure.

OSU Extension
Morrow County Zoning Commission

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