Paris Township Zoning Resolution

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Portage County, Ohio

_____ 2025

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ARTICLE I

TITLE, PURPOSE, AND AUTHORIZATION

Title

This Resolution shall be known as the “Paris Township Zoning Resolution.”

Purpose

Whereas, the Trustees of the Township of Paris deem it necessary for the promotion of public health, safety, morals, comfort and general welfare of Paris Township to regulate therein the use, size, and location of buildings and other structures, the size and location of yards and other open spaces in relation to buildings, and the use of land; the following resolutions are hereby established to accomplish that purpose.

Authorization

The authority for establishing the Paris Township Zoning Resolution is derived from Sections 519.01 - 519.99, inclusive, of the Ohio Revised Code, as revised.

ARTICLE II

DEFINITIONS

For the purposes of this Resolution, certain words and terms used herein are defined as follows: ~~Words used in the present tense include the future; the singular number includes the plural number, and the plural, the singular; the word "shall" is mandatory and not directory. Any word or term not defined here shall be given a meaning found in Webster's Dictionary.~~

1. *The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.*
2. *The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.*
3. *The present tense includes future tense, the singular number includes the plural, and vice versa.*
4. *The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."*
5. *Any word or term not defined herein shall be given a meaning found in the latest publication of Webster's Dictionary.*
6. *References to specific sections of the Ohio Revised Code or other statutory or regulatory edicts or proclamations shall be understood to extend to successor citations should the specific numbers involved be changed or altered through the amendment process.*

Abandonment
To cease or discontinue a use or activity without intent to resume, but excluding temporary or short term interruptions to a use or activity during periods of remodeling, maintaining or otherwise improving or re-arranging a facility or during normal periods of vacation or seasonal closure.

Accessory Use or Building
An accessory use or building is a subordinate use or building customarily incident to and located on the same lot with the main use or building **(including, but not limited to, cargo/shipping containers).** *Amended February 2019*

Adult Entertainment Establishment –as defined in O.R.C. 503.51

Adult Arcade
As an establishment where, for any form of consideration, one or more motion picture projectors, slide projectors, or similar machines for viewing by five (5) or fewer persons each are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by an emphasis upon the depiction of "SPECIFIED SEXUAL ACTIVITIES." (See the end of the list of adult-use establishments for the resolution's definition of "specified sexual

activities.”)

Adult Bookstore
An establishment which derives five percent (5%) or more of its daily gross income from the sale of, and/or utilizes five percent (5%) or more of its retail selling area for the display of books, magazines, other periodicals, films, tapes, and cassettes, which have as their major or dominant theme matter depicting, describing, or relating to “specified sexual activities.”

Massage Parlor
An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation on the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional person licensed by the State. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Specified Sexual Activities
Human genitals in the state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, and fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts. Also to include less than completely and opaquely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the areola.

Agriculture - *Amended January 2005*
The use of land for farming; dairying, pasturage, apiculture; horticulture; floriculture; aquaculture; viticulture; forestry, 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; any 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.

Alley
Any public or private thoroughfare not a street, sidewalk, or footpath.

Building
~~Any structure having a roof supported by columns or by walls, including signs, billboards, tents, and lunch wagons, dining cars, or other structures whether stationary or removable, used for business or living purposes.~~
Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property.

Building Height (Height of Building)
The vertical distance from the established sidewalk grade at the center of the front of the

building to the highest point of the roof surface if a flat roof; to the desk line for mansard roofs, and to the mean height level between eaves and ridge for gables, hip and gambrel roofs. For buildings set back from the street lines, "height of buildings" may be measured from the average elevation of the finished grade along the front of the building.

Church
An institution that people regularly attend to participate in or hold religious services, meetings, and other church related activities. The term "church" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held.

Conditional Use
A use, either public or private, which because of its unique characteristics cannot be properly classified as a permitted use in a particular district or districts.

Dump
Any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration, or any other means and for whatever purpose of garbage, sewage, trash, refuse, waste material of any kind, junk discarded machinery, vehicles or parts thereof, offal, or dead animals.

Dwelling Unit
Any house, building, or portion thereof which is occupied in whole or part as the home, residence or sleeping place of one or more persons either permanently or transiently, including earth homes

~~Earth Sheltered Dwelling~~ Earth Home
Any dwelling unit which uses earth to cover some portion of walls and/or roof and sometimes accessory buildings for energy savings, aesthetics, and environmental considerations.

Finished Grade
The level where the soil meets the outside of a structure.

Flag Lots – *Added January 2005*
A lot which does not meet the minimum street frontage requirement, or the minimum lot width requirement at the minimum building setback line, in the pole portion of the lot, but has access on a public or private road and has the minimal lot area required for the district in which it is located in the flag portion of the lot.

Floor Area, Living – *Amended November 2008*
The sum of the gross horizontal area of the floors of a residential building, excluding the basement floor areas not devoted to residential use. Porches, terraces, garages, or other spaces not in compliance with building code specifications for habitable space are also excluded as living floor area.

Garage, Private – *Amended June 2001*
An accessory or portion of a main building to be used for the storage of vehicles, provided each vehicle is owned and operated by the owner of or occupant of the principal building on the same lot.

Garage, Public
Any garage other than a private garage available to the public for storage, where repairs, rental, servicing, adjusting, or equipping of motor vehicles is permitted or at which the sale of accessories and filling station service is permitted.

Half Story
A story which is situated under a sloping roof, the area of which does not exceed one-half the floor area of the floor immediately below it.

Home Occupations
Any commercial use subordinate to residential use that is conducted within a dwelling or accessory building, provided that residential use is, and remains, the principal use.

Junk
Waste, discarded or salvage materials such as: scrap metals, used building material, used lumber, used glass, vehicle parts, paper, rags, rubber, barrels, refuse and other similar type materials.

Junk Motor Vehicles – *Added January 2005*
O.R.C. 505.173(E)(1)(2)(3)
Junk motor vehicle means a motor vehicle that meets all the following criteria:

1. Three model years old or older.
2. Apparently inoperable.
3. Extensively damaged, including, but not limited to missing wheels, tires, engine, or transmission.

Junk Yard
Any land or building used for abandonment, storage, keeping, collecting, or baling of paper, rags, scrap metals, other scrap or discarded materials, or for abandonment, demolition, dismantling, storage, or salvaging of motor vehicles or other vehicles not in running condition, machinery or parts thereof.

Landfill
Environmentally acceptable disposal of waste on the ground. Sanitary landfills are where non-hazardous waste is spread in layers, compacted, and covered with earth at the end of each working day. Secure landfills (also called sanitary landfills) are those where hazardous waste is disposed of by burial, in holes or trenches in ground lined with impervious plastic sheeting to prevent leakage or leaching of dangerous substances into soil and water supply.

Lot

~~A piece or parcel of land occupied or intended to be occupied by one main building and its accessory buildings and including the open spaces required under this Resolution, and having its principal frontage on a public street.~~
A piece, parcel, or plot of land occupied or unoccupied.

Lot, Corner
A lot abutting upon two or more streets at their intersection, provided the angle at which the streets intersect does not exceed one hundred thirty-five (135) degrees.

~~**Lot, Interior**~~

~~An interior lot is a lot other than a corner lot with only one frontage on a street.~~

Lot Line
Lines bounding a lot, as herein defined

Lot Line, Front
The front lot line is the line separating the lot from the street. In case recorded ownership is to the centerline of the public thoroughfare, the lot line for the purposes of this Resolution shall be a line parallel to the centerline of thoroughfare and abutting road right-of-way.

Lot Line, Rear
The lot line opposite and most distant from the front lot line is the rear lot line. In case of pointed or irregular lot it shall be an imaginary line parallel to the front lot line not less than ten (10) feet long lying farthest from the front lot line wholly within the lot.

Lot Line, Side
Any lot line not a front lot line or a rear lot line shall be termed a side lot line.

Lot Width
The width measured at the front building set-back line.

Manufactured Home
Manufactured home means a building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards and Portage County Health Department standards.

Manufactured Housing
Manufactured housing means a factory-built structure designed for long term residential use, the components of which are essentially constructed or assembled prior to its delivery to and installation upon a site. For the purposes of this Resolution, "manufactured housing" shall include the following:

Manufactured Home Permanent Foundation
A permanent foundation is constructed of masonry and/or concrete and meets Portage County specifications for a foundation to which a manufactured home may be affixed. This foundation must also be below the frost line.

Medical Hardship
A medical condition of a family member that places a burden of care or similar hardship on the landowner such that the placement of a mobile home, to be occupied by such family member or health care provider, will alleviate or substantially minimize such hardship. A licensed physician must confirm the medical condition. The condition must be of a short-term, temporary nature of no more than one year. The need for the mobile home must be directly related to the condition. The mobile home can only be placed on a lot with an existing dwelling.

Mobile Home
Any non-self-propelled vehicle so designed, constructed, reconstructed, or added to by

means of accessories in such a manner as will permit the use as a dwelling unit when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so constructed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and having an overall length of thirty (30) feet, and not in compliance with Federal Manufactured Housing Construction and Safety Standards.

Modular Home
Factory built housing certified as meeting the local or State Building Code as applicable to modular housing. Once certified by the State, modular homes shall be subject to the same standards as site built homes.

Motel
A motel, tourist court or seasonal dwelling is a building or group of buildings comprising individual sleeping or living units for the accommodations of transient guests.

Non-Conforming Use
A building structure or use of land lawfully used and occupied at the time of the enactment of the Resolution which does not conform to the regulation of the district in which it is located.

Nuisance
Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses; the use of land that brings harm or bother to an adjacent property owner or the general public. Nuisances are typically noise, odors, visual clutter, and dangerous structures.

Parking Space
An area having a width of not less than 10 feet and drives or aisles giving access thereto accessible from streets or alleys and to be used for the storage or parking of passenger automobiles.

Permitted Use (Use, Permitted)
A use that may be lawfully established in a particular district or districts provided it conforms to all of the requirements, regulations and standards of such district.

Principal Building
A building in which is conducted the primary use of the lot on which it is located.

Principal Use
The primary use of the chief purpose of a lot or structure.

Recreational Vehicle (RV)
A portable, vehicular structure, either self or non-self propelled, designed and constructed to be used as a temporary dwelling for travel, recreation, and/or vacation uses. Examples include: Motor homes, travel trailers, truck campers, and fifth-wheel trailers.

Right-of-way
A strip of land occupied or intended to be occupied by a street, sidewalk, highway, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main,

shade trees, or other special use.

Roadside Stand
A place, building, or structure along, or near, a road, street, lane, avenue, boulevard, or highway where a home-based vendor sells their agricultural products to the public.

Set-Back Line
The set-back line is a line back of the street line between which and the street line no building or portion thereof except as provided in this Resolution may be erected above the established sidewalk grade at the center of the front of the building.

Sign
Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

Site Plan
The drawing for the development of a parcel, showing appropriate site features, structures, or improvements, as proposed.

Small Energy System
A renewable energy system to provide for energy needs that is designed to serve single subject development or property. The purpose of a small energy system is to be an accessory use of the property. A small energy system should not have the ability to generate more than 100kW h per day of the subject property or units of a development.

Small Solar Energy System
Any solar collector, other solar energy device or any structural design feature whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, for water heating or for electricity that may be mounted on a building or on the ground and is not the primary use of the property.

Small Wind Energy System
A wind energy system consists of a wind turbine, a tower, and associated controls or conversion electronics, which has a rated capacity of not more than 100 kW h, which is intended to primarily reduce on-site consumption of utility power. The purpose of a small energy system is to be an accessory use of the property.

Solar Energy
Radiant energy (direct, diffuse, and reflected) received from the sun.

Solar Energy Dual Purpose
Solar energy is collected to create energy from structures that are generally permitted. This would include exterior lighting for patios and walkways. Dual purpose structures should look like fences, walls or light fixtures and be for the purpose of generating electricity while blending into the landscape or rooftop. The appearance of the structure should be commonly recognizable with the production of electricity interwoven or embedded into the structure, not to dominate the appearance.

Street
A public thoroughfare having a right-of-way of not less than sixty (60) feet in width, provided that this definition shall include any street dedicated and of record prior to the enactment of

this Resolution.

Structure
Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Structures include, but are not limited to, buildings, decks, fences, garages, signs and walls and movable structures which may be on blocks, skids or similar support.

Trailer
Any non-self-propelled vehicle towable by a motorized vehicle.

Use
The principal purpose for which a lot, and/or the main building thereon is designed, arranged, or intended and for which it may be used, occupied or maintained.

Variance
A request to deviate from current zoning requirements. If granted, it permits the owner to use the land in a manner not otherwise permitted by the zoning ordinance. It is not a change in the zoning law. Instead, it is a specific waiver of requirements of the zoning ordinance.

Wild and/or Dangerous Animals – *Added January 2005*
Wild and/or dangerous animals Include, but are not limited to: Any animal, reptile, bird, fish, insect or arachnid which either bites, claws, injects venom, strangles, or constricts prey in a manner which could cause serious harm to humans, or if released or escaped could create a threat to the local ecology.

Yard
A yard is an existing or required open space on the same lot with the principal building and lying along the adjacent lot line, open, unoccupied and unobstructed from the ground to the sky, except as otherwise provided in this Resolution.

> **Yard, Rear**
> An open space extending for the full width of the lot and unoccupied and from ground upward except as hereinafter provided.
>
> **Yard, Front**
> An open space extending for the full width of the lot and of a depth equal to the required setback measured horizontally at right angles to the front lot line and unoccupied from ground upward as hereinafter provided.
>
> **Yard, Side**
> An open space extending from the front yard to rear yard and of a width equal to the required setbacks measured horizontally at right angles to the side lot line and unoccupied from the ground up except as hereinafter provided.

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

Zoning District
Areas within which certain uses of land and buildings are permitted and certain others are prohibited; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being identical for the zone in which they apply.

Zoning Inspector
The person designated by the Paris Township Trustees to perform the task of zoning enforcement.

Zoning Map
The official zoning district map which shows the boundaries of the districts within Paris Township.

ARTICLE III

GENERAL PROVISIONS

301 Purpose

The purpose of this chapter is to provide for resolutions which address health, safety, and general welfare concerns that are the same for one or more zoning districts.

302 Compliance: Permitted Uses

302.1 No building shall be erected, placed, converted, enlarged, demolished, reconstructed, or structurally altered, nor shall any building or land be used, arranged to be used, or designed to be used, in a manner which does not comply with all of the district provisions established by these resolutions for the districts in which the building or land is located. Uses which are omitted from these resolutions, not being specifically permitted, shall be considered prohibited until, by amendment, such uses are incorporated into these resolutions.

302.2 Determination of whether or not a use is specifically permitted by virtue of being similar in character to a specified permitted use in the district shall be made by the Zoning Commission based on the purpose of the district, adopted policies regarding development and the Zoning Resolution. The Board of Zoning Appeals shall have authority regarding conditionally permitted uses.

303 Agriculture Land Uses

303.1 Nothing in the following Resolution or any of its provisions shall prevent the use of any land for agriculture purposes, or the construction or use of building or structures incident to the use of land for agricultural purposes on the land on which such building and structures are located.

303.2 No zoning certificates shall be required for any such building or structure.

304 Buildings and/or Construction

304.1 Foundations *Amended November 2008*

304.1.1 Residential and Commercial buildings ~~shell~~ shall have a complete foundation in accordance with Portage County Building Department Code requirements.

304.1.2 Manufactured Homes shall be installed, inspected and

maintained in accordance with Ohio Manufactured Homes Commission requirements.

304.2 Principal Buildings

No more than one principal building or dwelling shall be permitted on any lot unless specifically stated in these resolutions, and every principal building or dwelling shall be located on a lot having the required frontage on a public street, or private street built to Portage County Subdivision Regulations standard.

304.3 Construction

The construction of a residence or any other type building must conform to the regulations of the Portage County Building Code.

304.4 Septic Tank Installation

All sewage disposal systems shall be installed in accordance with the existing ordinances or codes of the Portage County Health Department.

304.5 Electrical Requirements

All electrical installations shall be in accordance with the existing National Electrical Code and all applicable State and County Electric Codes.

304.6 Height of Buildings

304.6.1 No building shall be erected to a height in excess of two and one-half (2 1/2) stories, or in excess of thirty-five (35) feet, measured from the natural grade at the building line to the highest point of the roof.

304.6.2 The highest point of a building shall be exclusive of a church spire, belfry, clock tower, wireless tower, television aerial, or chimney, when erected upon an integral part of such a building.

304.7 Private Garages and Accessory Buildings

No garage, structural part of the dwelling, or other accessory buildings shall be placed nearer to a side or rear property line than ten (10) feet.

304.7.1 No accessory buildings or structures shall be erected or placed on any lot unless permitted by the Zoning Inspector and no such building or structure will be approved if it obstructs the view or use of adjoining lots and is not used for agricultural purposes. Accessory buildings or structures must

have a similar appearance as the main dwelling structure, unless otherwise approved by the Zoning Inspector. *Amended February 2019*

304.8 Alteration of Existing Dwellings

Nothing herein shall prevent alteration of a single family dwelling existing at the time of enactment of this Resolution in a Residential District, for two (2) family use, provided: that after alteration of building, each dwelling unit within said building shall have no less than a total floor area of ~~six hundred (600)~~ twelve hundred (1200) square feet.

305 Public Nuisances

305.1 Structures

305.1.1 The existence of tents, cabins, converted motorized vehicles, and other structures of like nature used for dwelling purposes, which are not up to the minimum standards as provided in this Resolution, shall be considered public nuisances, and it shall be the duty of the Paris Township Zoning Inspector, under this code, to order the removal at the property owner's expense, and to take whatever action necessary to ~~insure~~ ensure complete compliance with such orders.

305.1.2 For the purpose of public health and safety, any structure which has been damaged by fire or other disaster must be either repaired or demolished and all debris removed within six (6) months from the date the damage was incurred. Should the repair or demolition and debris removal require longer than six (6) months, a request must be made to the zoning inspector for approval.

305.2 Discarded Equipment Storage – *Amended January 2005*

The storing of discarded equipment of any type or description including rags, glass, paper, or the piling up of rubbish of any and all description, on any lot or lots in Paris Township shall be considered a public nuisance and it shall be the duty of the Paris Township Zoning Inspector under this Resolution in accordance with section 802 ENFORCEMENT to order the removal and discontinuance of all such nuisances, and to take whatever action necessary to insure complete compliance with such orders.

305.2.1 Junk Motor Vehicle Storage – *Added January 2005*

Any storage of any Junk Motor Vehicle shall be considered a public nuisance and shall be the duty of the Paris Township

Zoning Inspector under this Resolution in accordance with Section 802 ENFORCEMENT to order the removal and discontinuance of all such nuisances, and to take whatever action necessary to ensure complete compliance with such orders. The Zoning Inspector may deem such storage a junkyard, a nuisance, and a violation of this resolution.

305.3 Recreational Vehicle (RV) Use

Recreational Vehicles shall not be used as a dwelling or be connected to water, sewer, fuel source(s), or electric for more than a period of fourteen (14) consecutive days. Recreational vehicles may not be used as offices or as stationary business structures.

305.4 Visibility at Intersection

All fences, walls, hedges, informal plantings shall be well maintained, and shall not become hazardous to neighboring uses or traffic safety within the right-of-way of any street, road or highway intersection within Paris Township.

306 Prohibitions – *Amended January 2005*

The establishment of a junkyard to wreck, dismantle, destroy, or store for private and/or commercial purposes, any motor-driven vehicle, wreckage or parts of motor-driven vehicles, waste paper, cardboard, iron or junk of any kind whatsoever on public streets, roads or any areas within the unincorporated area of Paris Township, shall be prohibited.

306.1 The following shall also be prohibited within Paris Township:

306.1.1 Amusement parks

306.1.2 Drag strips

306.1.3 Racetracks

306.1.4 Zoos and zoological parks

306.1.5 Slaughterhouses (Commercial)

306.1.6 Manufacture or storage of explosive, gunpowder, or fireworks, other than for personal use within the limit of existing laws.

306.1.7 Dumping, storing, or burning of garbage, refuse, rubbish, offal, or dead animals, unless done at a place provided and approved by the Paris Township Trustees and only during such hours that shall be specified, but in no case shall this section pertain to the normal care of individual lawns or gardens or pursuits incidental to agricultural purposes.

306.1.8 Distilling of bones, fat, glue

306.1.9 Gelatin manufacturing

306.1.10 ~~Basement homes~~ Earth sheltered dwellings

306.1.11 The conducting of rock or music festivals or performances unless approved by Paris Township Trustees and other county officials and only during such hours that shall be specified.

306.1.12 The operation of snowmobiles, motorcycles, trail cycles, all-terrain vehicles or similar vehicles is strictly prohibited on Paris Township property or private property without written consent from the property owner.

306.1.13 The establishment of a manufactured housing park.

306.1.14 The establishment of buildings with three (3) or more family dwelling units.

306.1.15 Storage of mobile homes. Storage of motorhomes, campers, and trailers not titled by property owner.

306.1.16 Wild and/or dangerous animals. *Added January 2005*

306.1.17 No motor vehicle or trailer of any type without current license plate(s) shall be parked or stored on any residential property other than in a completely enclosed building. This includes semi-trailers, on-residence mobile homes, buses, truck bodies or beds, rail cars of any type, automobiles used for storage, or materials left from any disassemble of any or these items. *Added February 2019*

306.1.18 Landfills

306.1.19 Unlawful Firearm Discharge (see **306.2** for Firearm Discharge Guidelines)

306.2 <u>Firearm DIscharge Guidelines</u>

Regulation, zoning, and enforcement of discharge of firearms on private property in Ohio is regulated by the Ohio Revised Code (ORC). Per the

ORC, It is legal to discharge a firearm in Paris Township if the following conditions are met:

a. For target practice, a proper backstop must be in place:

1) Made of solid or some other soft porous material and free of rocks or other hard material that may increase the chances of a ricochet bullet

2) Must be of sufficient height and width to guarantee the capture of all bullets fired at targets

3) A wooded area is not considered a proper backstop as the trees increase the chance of a bullet ricocheting

b. Not all properties are suitable for shooting activities.

c. If the police department is called for a complaint of firearm discharge, the officer(s) may locate the shooting range and determine if a proper backstop is in place and if the shooter(s) is/are discharging in a safe direction. If the officer determines that the shooting is unsafe, he/she may order a cease fire until the location, backstop, and activity is made safe.

d. Location of the range:
Not aimed toward a house, vehicle, roadway, or any other structure.

e. Hunting:
It is legal to hunt on private property.
Hunters are bound by rules and regulations set by the Ohio Division of Wildlife, the Ohio Department of Natural Resources, and the ORC. Hunter safety training is recommended.

f. The shooter is responsible for every bullet that leaves the barrel of the firearm and is legally responsible for any injuries, fatalities, or damages the bullet causes.

g. When discharging a firearm, the shooter needs to see the intended target, the backstop and beyond.

h. Shooting activities are restricted to daylight hours.

i. Persons with violent felonies or domestic violence convictions, or who are under the influence of drugs or alcohol are prohibited from possessing or discharging a firearm. The ORC has laws allowing for arrest of such violators.

j. You are prohibited from discharging a firearm upon, over or within 100 yards of a cemetery; a public roadway; and on grounds belonging to a school, church, or inhabited dwelling or property or another. (ORC 2923.162)

k. It is illegal to discharge a firearm from a vehicle.

ARTICLE IV

DISTRICT RESOLUTIONS

401 Use Districts

401.1 For the purpose of this Resolution the Township of Paris is divided into the following Zoning districts:

R-1 Residential (one and two-family dwellings)

C-1 Commercial

A-1 Agricultural

401.2 The boundaries of these districts and classes of districts are hereby established upon the map which is designated the Official zoning Map of Paris Township, Portage County, Ohio, and shall be maintained including all amendments thereto, in the Office of the township clerk. A true copy of this map is attached thereto. A copy is also available on the Paris Township website (www.paris-township.com).

402 R-1 Residential *Amended November 2008*

402.1 Purpose

The purpose of this district is to accommodate residential development at densities of one and two families per lot which are not served by an efficient centralized area-wide sanitary sewage system.

402.2 R-1 Uses

Within an R-1 Residential District, no building, structure, or premises shall be used, arranged to be used, or designed to be used except for one or more of the following uses:

402.2.1 Permitted Uses *Amended November 2008*

a. Single family dwelling units.

b. Two family dwelling units.

c. Agricultural and Agriculture in Subdivisions in accordance with the requirements of Section 303 *Agriculture Land Uses*

d. Accessory buildings incidental to the principal use which do not include any activity conducted as business and are not intended for occupancy by servants or guests. An accessory building attached to

the principal building, on a lot, shall be made structurally a part thereof, and shall comply in all respects with the requirements of these resolutions applicable to the principal building.

e. Signs - As regulated by Article ~~V~~ VI.

f. Home Occupation -Any commercial use subordinate to residential use that is conducted within a dwelling or accessory building, provided that residential use is, and remains the principal use.

1) The number of employees (other than occupants of the dwelling) who work or report to the site shall not exceed three (3).

2) One identification sign, no bigger than two feet by three feet (2' x 3').

3) Adequate off-street parking will be provided by the resident.

4) The outside storage of any materials or equipment shall be enclosed by a privacy fence and placed at the rear of the dwelling or accessory building.

5) If applicable, ~~Material Safety Data Sheets (M.S.D.S.)~~ Safety Data Sheets (S.D.S.) will be registered with the Fire Department.

6) The use shall not create a nuisance to neighboring residential uses by reason of noise, odor, dust, vibration, garbage, trash, debris, fumes, smoke, traffic, electrical interference, or other cause that interferes with the use and enjoyment of such neighboring uses.

402.2.2 <u>Conditionally Permitted Uses</u>

The Board of Zoning Appeals may issue conditional zoning certificates for uses listed herein, subject to the requirements of Article VII.

a. Public and private schools

b. Churches and other buildings for the purpose of religious worship.

c. Cemeteries.

d. Publicly owned and/or operated buildings and facilities other than those listed above.

e. Governmental or privately owned and/or operated recreational use areas such as: parks, playgrounds, golf courses (including miniature), riding stables, swim clubs, and rifle ranges, skeet shooting ranges, pistol ranges, or other ranges for the recreational

use of firearms shall be conditionally permitted in accordance with the following additional guidelines:

1) The recreational uses permitted will be only those specifically listed in the Certificate granted by the Board of Zoning Appeals.

2) All structures, roads, and utilities shall be in compliance with the Paris Township Zoning Resolution, the Portage County Subdivision regulations, and the Board of Health standards.

3) Floodlights or loud speakers which cause a hazard or annoyance shall be prohibited.

4) Adequate off-street parking space shall be provided.

402.3 R-1 Minimum Building Size *Amended November 2008*

Minimum living floor area per dwelling unit:

402.3.1 The minimum living floor area for a dwelling shall be:

Single family dwelling 1,200 square feet.

Two family dwelling 1,200 square feet per dwelling unit.

402.4 R-1 Lot Requirements

402.4.1 Minimum lot area for single family dwelling units or single family manufactured housing units is two (2) acres exclusive of highway or other rights of way.

402.4.2 Minimum lot area for two-family dwelling units is two and one half (2 1/2 acres), which shall be physically usable for dwelling units and septic systems, exclusive of highway or other rights of way.

402.4.3 Minimum lot frontage for single family dwelling units or single family manufactured housing dwelling units is one hundred fifty (150) feet.

402.4.4 Minimum lot frontage for two-family dwelling units is two hundred (200) feet.

402.5 R-1 Set-Back Lines

402.5.1 Front Yards

a. Where no building or buildings exist, the distance of the set-back from the front street right-of-way shall be not less than fifty (50) feet.

b. Where there is/are existing building or buildings, other than

those of an accessory use, the distance of the set-back from the front street right-of-way may be the mean distance of set-back of nearest building or buildings.

c. If there is not established right-of-way side line for any road or street, said side line shall be deemed to be thirty (30) feet from the center of the road.

402.5.2 Side Yards

a. On all lots there shall be two side yards with a total width of not less than thirty (30) feet. The width of the narrowest of the two side yards shall not be less than ten (10) feet.

b. Additional side yard requirements for multiple family dwelling shall be that for each family additional to one (1) to be accommodated in a dwelling, the total width of two (2) side yards shall be increased by ten (10) feet.

402.5.3 Rear Yards

a. There shall be a rear yard not less than thirty (30) feet deep.

402.5.4 Corner Lots

a. In case of a corner lot, either street line may be taken as the front line, and the building set-back shall be a minimum of fifty (50) feet.

b. The side yard clearance on the side street shall conform to the setback line for an inside lot on said road or street, which shall be fifty (50) feet.

402.6 R-1 Parking Facilities

All dwellings shall provide parking space off the nearest street or road and outside of the public right-of-way together with means of ingress and egress thereto, for not less than two motor vehicles per dwelling unit. No less than two hundred (200) square feet of area shall be deemed necessary for each such vehicle.

403 C-1 Commercial District

403.1 Purpose

The purpose of this district is to accommodate general community commercial services including the sale of retail goods and personal services. It is intended that the design of this district will encourage groupings of establishments located in a unified site, providing adequate off-street parking facilities as well as an

efficient and safe method of handling vehicular and pedestrian traffic.

403.2 <u>C-1 Uses</u>

Within a Commercial District, no building, structure or premises shall be used, arranged to be used, or designed to be used except for one or more of the following uses:

403.2.1 <u>Permitted Uses</u>

a. All buildings, structures, and uses permitted in the R-1 Residential District.

b. Signs - As regulated by Article V.

c. Retail stores, shops, business and professional offices, motels,
hotels, theaters, garages, funeral homes, mortuaries, or self-storage units.

d. Accessory buildings incidental to the principal use and are not intended for occupancy by servants or guests.

e. An accessory building attached to the principal building, on a lot, shall be made structurally a part thereof, and shall comply in all respects with the requirements of these resolutions applicable to the principal building.

f. Prior to drilling or operation of any oil and gas wells, a certificate of
compliance must be executed and filed by the driller with the Zoning Inspector based upon the criteria of Article XI.

g. Cellular towers are permitted in C-1 only.

403.2.2 <u>Conditionally Permitted Uses</u>

The Board of Zoning Appeals may issue conditional zoning certificates for uses listed herein subject to the requirements of Article VII.

a. Gas filling stations and related garage repair shops shall be conditionally permitted in accordance with the following guidelines:

1) Shall maintain clear side yards of not less than thirty (30) feet from all adjoining lot lines.

2) No public garage, or private garage accommodating more than five (5) cars, or gas filling station, shall have a vehicular entrance upon the same side of the street with,

and closer to an entrance to a public school, church, hospital, public park, playground, or fire station, than one hundred (100) feet, except that this shall not apply if a street fifty (50) feet wide or wider intervenes between such garage or gas filling station entrance and the entrance to such public place.

3) All gas filling stations shall be so arranged, and all gasoline pumps so placed as to permit all servicing on the premises and outside the public way; and no gasoline pump shall be placed closer to a side property line than fifty (50) feet.

b. Planned integrated commercial developments.

c. Preparation and processing of food and drink to be retailed on premises, including bakery, delicatessen, meat market, confectionery, restaurant, tavern, and dairy store.

d. Adult ~~use~~ entertainment establishments, as defined in Article II ~~Section 202~~, are restricted to the commercial district. Adult ~~use~~ entertainment establishment distances are restricted to the following:

1) Seven hundred and fifty (750) feet setback from front street right-of-way.

2) Seven hundred and fifty (750) feet setback from front and rear property lines.

3) Seven hundred and fifty (750) feet setback from ~~front~~ side property lines.

4) Seven hundred and fifty (750) feet setback from public utility right-of-way.

5) Seven hundred and fifty (750) feet setback from public or gas transmission lines.

6) One thousand (1,000) feet from all gas wells, oil storage tanks, separator units and compressor stations.

7) One thousand five hundred (1,500) feet from all public meeting places, including schools, churches or town halls.

403.3 C-1 Commercial District Lot Requirements

403.3.1 The minimum area of a lot for commercial use is two (2) acres exclusive of highway or other rights-of-way.

403.3.2 The minimum frontage of a lot for commercial use shall be two hundred (200) feet.

403.3.3 The depth of a lot for commercial use shall be four hundred (400) feet.

403.4 <u>C-1 Commercial District Set-Back Lines</u>

403.4.1 Where no building or buildings exist, the distance set-back from the center of the road shall not be less than ~~fifty (50)~~ eighty (80) feet.

403.4.2 Where there ~~are~~ is/are an existing building~~s~~ or buildings, the distance to the ~~front street line~~ center of the road may be the ~~mean~~ average distance of the set-back line of the nearest building or buildings.

403.4.3 In no instance shall a building be placed nearer to a ~~front street side line~~ side property line than twenty-five (25) feet in the instance of a corner lot.

403.4.4 In no instance shall a building be placed nearer to a side property line than twenty-five (25) feet.

403.5 <u>C-1 Commercial District Rear Distances</u>

403.5.1 There shall be a minimum distance for the rear of the building to the rear ~~area~~ lot line of no less than thirty (30) feet.

403.5.2 Said space shall remain open and unoccupied by any building or structure.

403.6 <u>C-1 Commercial District Side Distances</u>

403.6.1 There shall be two (2) side distances with a total width of not less than ~~thirty (30)~~ fifty (50) feet.

403.6.2 The width of the narrower of the two (2) side distances shall not be less than ~~ten (10)~~ twenty-five (25) feet.

403.7 <u>C-1 Parking Facilities</u>

403.7.1 All ~~non-commercial dwellings~~ commercial buildings shall provide parking space off the nearest street or road and outside of the public right-of-way together with means of ingress and egress thereto, for not less than two motor vehicles per ~~dwelling unit~~ commercial building. No less than two hundred (200) square feet of area shall be

deemed necessary for each such vehicle.

403.7.2 One (1) square foot of parking space with adequate access shall be provided on the same lot with all commercial structures for each square foot of floor space contained in the structure, exclusive of the basement or attic floors.

403.8 <u>C-1 Unloading Facilities</u>

403.8.1 Every building shall provide adequate space from the nearest street or road, separated from any adjoining residential use by at least twenty (20) feet, for the purpose of loading and unloading.

403.8.2 This space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles, and other circulation areas, and a height of clearance of not less than fifteen (15) feet.

ARTICLE V

WIND AND SOLAR ENERGY REGULATIONS

501 Wind Energy Systems

501.1 Purposes

Small wind energy systems shall be allowed in all zoning districts, in accordance with the requirements of this section.

501.1.1 Allowable number of towers and wind turbines.

a. Towers: No more than one energy tower may be erected on any single property in accordance with this section, unless otherwise stipulated in this resolution.

b. Wind Turbines: Any number of wind energy turbines may be in operation on a single property in accordance with this section.

501.1.2 Height

The total height of wind energy systems is measured as the vertical distance from the ground level to the tip of a wind generator blade when the tip is at its highest point and shall not exceed the following maximum height requirements;

a. Wind Towers:

1) Properties less than 2 acres - no towers permitted

2) Properties 2 acres to 5 acres - maximum 100 feet

3) Properties greater than 5 acres - maximum 120 feet

4) Properties within 10,000 feet of an airport must comply with FAA height standards and regulations.

b. Attachments to existing buildings and towers

1) Building Wind Turbine(s) may be affixed to the building or the roof, providing that:

- The total height of the wind turbine is less than 20 feet above the highest point of the building.

2) Towers - a wind turbine may be attached to an existing tower, provided that:

- The tower is designed to accommodate the wind turbine

501.1.3 Location

a. Small wind energy systems shall only be located in the rear yard portion of any lot. The exception is when a small wind energy system is attached to a building and the base cannot be viewed from the road right-of-way in front of the building.

b. Tower setbacks

1) Shall be located at least 110 percent of its height from any public road right of way.

2) Shall be located at least 110 percent of its height from any overhead utility lines except for those lines directly serving the subject's property.

3) Shall be located at 110 percent of its height from all property boundaries.

4) If guy wires are utilized as part of the tower design, the guy wire anchors shall be placed at least 50 feet from any abutting property boundaries.

c. Wind Turbine setbacks

1) The minimum distance a wind turbine may be from the property boundaries, if it is located on a building, must equal a distance that is equal to the height of the wind turbine from the ground.

501.1.4 Fencing

a. A six (6) foot lockable fence must be installed around the perimeter of the tower base unless both of the following conditions are met:

1) If the base of the tower is designed to prohibit climbing for a distance of eight (8) feet, as measured from the ground, then the fencing of the base is not required.

2) All access doors to the wind turbine and electrical equipment must be locked to prevent unauthorized entry.

501.1.5 Electrical Interference

The small wind energy system shall not cause any radio, television, microwave, or navigation interference. If a signal disturbance problem is identified, the owner must correct the problem immediately.

501.1.6 Noise

The wind energy system shall not exceed the sound level (decibels) specified in the schedule below:

Maximum Permitted Sound Levels (decibels) for small wind energy systems

Octave band, cycles/seconds	Sound decibels levels measured at the property lines cannot exceed the following
0-75	72
75.1-150	67
150.1-300	59
300.1-600	52
600.1-1200	40
1200.1-2400	46
2400.1-4800	34
Over 4800	32

501.1.7 Compliance with FAA regulations

All towers shall be painted a non-contrasting gray, blue, white, green or similar color to minimize its visibility unless otherwise required by the Federal Aviation Administration (FAA). The applicant has the responsibility of determining the applicable FAA regulations and securing the necessary approvals. Copies of letters must be included as part of the application process.

501.1.8 Lighting

Except as required by law, a tower shall not be illuminated and lighting fixtures or signs shall not be attached to the tower. If lighting is required by the FAA regulations, white strobe lights shall not be permitted at night unless FAA permits no other alternatives. No lighting shall be constructed, placed or maintained in a manner that will constitute a nuisance to any

surrounding property and shall in no way impair safe movement of traffic on any street or highway.

501.1.9 Advertising

No advertising is permitted anywhere on the facility with the exception of signage being utilized for product identification and warnings.

501.1.10 Warnings

a. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

b. 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 every two (2) feet up to 10 (ten) feet from the ground.

501.1.11 Maintenance

a. The design and location of the small wind energy system shall ensure that all maintenance can be conducted from the installation site.

b. A small wind energy system that is not functional shall be repaired by the owner or removed.

501.1.12 Decommissioning

a. When a wind energy system reaches the end of its useful life and can no longer function, the landowner of where the system is placed shall have the system removed within 120 days of the day on which the system last functioned. The property owner shall be responsible for the removal of any abandoned energy system. An abandoned system is considered any system that has not been in operation for six (6) months. The owner will then have a period of 120 days (4 months) in which to dismantle and remove the system from the property. **The property owner is solely responsible for the removal of the system and all costs, financial or otherwise, of system removal.**

501.1.13 Safety Features

a. The small wind energy system turbine shall be required to have an automatic over-speed control to render the system inoperable when the winds are in excess of the speed the

system is designed to accommodate.

b. The small wind energy system shall be required to have a manually operable method to render the system inoperable in the event of a structural or mechanical failure of any part of the system.

501.1.14 Blade clearances

a. The clearance or the distance between the blades of a wind turbine and the blades of another wind turbine shall be no less than ten (10) feet.

b. The clearance of the distance between the blades of a wind turbine and the ground shall be no less than fifteen (15) feet.

501.1.15 Application and Plan approval

All wind energy systems shall require administrative plan approval by the Paris Township Zoning Inspector.

a. Plan Applications shall be accompanied by to-scale horizontal and vertical (elevation) drawings showing the location of the system on the building or property, including property lines.

b. Applicants must have the system installed by a licensed electrician.

c. All wind power systems must be in compliance with the Ohio Power Siting Board and the Public Utilities Commision of Ohio (PUCO).

d. After receiving township approval from the zoning inspector, the applicant must submit plans to the Portage County Building Official. He/she will verify compliance with the Residential Building Code of Ohio, the commercial code, and the electric code.

e. Utility Notifications

1) The owner of the wind energy system must contact the utility company if wanting to connect to the utility grid. Off-grid systems shall be exempt from this requirement.

501.1.16 Decommissioning

a. the property owner shall be responsible for the removal of any abandoned energy system. An abandoned system is

considered any system that has not been in operation for six (6) months. The owner will then have a period of six (6) months in which to dismantle and remove the system from the property. **The owner is solely responsible for the removal of the system and all costs, financial or otherwise, of system removal**

502 Solar Energy Systems

502.1 Purposes

Small solar energy systems shall be permitted in all zoning districts in accordance with the requirements of this section. Small solar energy systems do not exceed 120% of a property's highest monthly consumption per month.

502.1.1 Design and Installation

a. Code Compliance The small solar energy system shall comply with all applicable, currently adopted codes, including the Ohio Building Code, Residential Code of Ohio, Electric Code, or other Construction Code.

1) Conformance with Industry Standards

The design and installation of small solar energy systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM) or other similar certifying organizations, and shall comply with the Residential Code of Ohio, the Ohio Building Code, and with all other applicable fire and life safety requirements.

2) Manufacturer Specifications

The manufacturer specifications shall be submitted as part of the application

502.1.2 Site Requirements

502.1.2.1 Buried Lines

All exterior electrical and/or plumbing lines must be buried below the surface of the ground and be placed in a conduit.

502.1.2.2 Building Mound

Whenever practical, all small solar energy systems shall be

attached to a building. If not designed to be attached to a building, the applicant shall demonstrate by credible evidence that such systems cannot feasibly be attached to a building due to structural limitations of the building

502.1.2.3 Glare Control

Small solar energy systems shall be designed to prevent reflective glare toward or on inhabited structures on adjacent properties as well as adjacent street right-of-ways.

502.1.2.4 Yard Requirements

No portion of a small solar energy system shall be located within or above any front yard, alon any street frontage, nor within any required setback of any property. EXEMPTIONS:

a. Dual purpose solar collectors (see definition)

b. The base of a small solar energy system attached to a building cannot be viewed from the road right-of-way in front of the building.

502.1.2.5 Height Restrictions Solar energy systems must meet the following requirements

a. Building or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes of the height measurement solar energy systems other than building-integrated systems shall be considered to be mechanical devices and are restricted consistent with other building-mounted mechanical devices.

b. Ground or pole mounted solar energy systems shall not exceed the minimum accessory structure height within the underlying district.

502.1.2.6 Setback

Solar energy systems must meet the accessory structure setback for the zoning for the zoning district and primary land use associated with the lot on which the system is located.

a. Roof-mounted

In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. Exterior piping for

solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be solar energy dual purpose systems and are considered to be awnings.

b. Ground mounted

Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.

502.1.3 Plan Approval Required

All solar energy systems shall require administrative plan approval by the Paris Township Zoning Inspector.

502.1.3.1 Plan Applications

Plan applications for solar energy systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines. Applicants must use an installer who is on the Ohio Public Utilities Commission approved list.

a. Pitched Roof Mounted Solar Energy Systems

For all roof-mounted systems other than a flat roof the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.

b. Flat Roof Mounted Solar Energy Systems

For flat roof applications, a drawing shall be submitted showing the distance to the roof edge and any parapets on the building and shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof.

502.1.3.2 Plan Approvals

Applications that meet the design requirements of this ordinance and do not require a conditional use permit shall be granted administrative approval by the Zoning Inspector. Plan approval

does not indicate compliance with any currently adopted Ohio Building Code, Residential Code of Ohio, or Electric Code. After receiving township approval from the zoning inspector, the applicant must submit plans to the Portage County Building Official. He/she will verify compliance with the Residential Building Code of Ohio, the commercial code, and the electric code.

502.1.3.3 Utility Notifications

The owner of the small energy system shall provide written authorization that the public utility company has been informed of the customer's internet to install an interconnected customer-owned generator and also approves of such connection. Off-grid systems shall be exempt from this requirement.

502.1.3.4 Decommissioning

a. the property owner shall be responsible for the removal of any abandoned energy system. An abandoned system is considered any system that has not been in operation for six (6) months. The property owner will then have a period of 120 days (4) months in which to dismantle and remove the system from the property. **The property owner is solely responsible for the removal of the system and all costs, financial or otherwise, of system removal.**

ARTICLE ~~V~~ VI

SIGN RESOLUTIONS

601 Sign Resolutions

601.1 Uses

601.1.1 Roadside stands, offering for sale agriculture products, may have only two signs advertising such products not exceeding twenty (20) square feet in area which may be erected beyond the building line on lands used for agriculture purposes.

601.1.2 In all districts there shall be ~~no~~ limitation upon the size, character and placement of signs and billboards, ~~except~~ as follows:

a. ~~No free-standing sign or billboard shall have less than three (3) feet of bottom open space along its entire length. Latticing shall be regarded as satisfying this requirement.~~ All signs/billboards shall be no larger than twenty (20) square feet in size.

b. In matters of set-back from the street and set-back from adjoining lot lines, signs/billboards ~~will~~ shall be r~~egarded as buildings or structures and will conform with applicable sections of this Resolution.~~ a minimum of 20 (twenty) feet from the street right of way.

c. A variance for signs larger than twenty (20) square feet will determine setback lines.

d. Any illuminated sign or billboard shall be so shaded as not to interfere with the vision of persons on the highway or neighbors.

e. All signs must be erected in a manner ~~within one hundred (100) feet of any intersection must be erected~~ so as not to ~~obstruct the view or~~ cause a traffic hazard.

f. Any sign illuminated with electric lights, (including neon or other gaseous type tubes or bulbs) erected within one hundred (100) feet of an intersection where an illuminated device has been provided for the control of traffic may not duplicate in the electric lighting of such sign any colors appearing in the traffic control signal.

~~**g.** Political and non-permanent signs put up in Paris Township must~~

~~be removed within seven (7) days after the election. Failure to do so will result in removal by Paris Township and a fee charged to the politician. *Revised June 2001*~~

ARTICLE ~~VI~~ VII

NON-CONFORMING USES

701 Non-Conforming Uses

701.1 Continuance

701.1.1 A non-conforming use existing at the time this Resolution takes effect may be continued, except that if it is voluntarily discontinued for two (2) years or more, it shall then be deemed abandoned and any further use must be in conformity with the uses permitted in such district.

701.1.2 Any building arranged, intended, or designed for non-conforming use, the construction of which has been started at the time of the passage of this Resolution, but not completed, may be completed and put to such non-conforming, providing it is done within one (1) year after this Resolution takes effect.

701.1.3 Non-conforming buildings or structures damaged or destroyed beyond the control of the owner, i.e. flood, windstorm, fire, snow, ice, rain, earthquake or other such disaster, shall be repaired, removed or replaced. If replaced, it shall be replaced by a structure of an equal or better condition than the original non-conforming structure or comply with the Zoning Regulation within two (2) years from the date of said destruction.

701.1.4 A building or structure devoted to a non-conforming use at the time this Resolution takes effect may not be altered or enlarged so as to extend said non-conforming use more than twenty-five (25) percent in area.

701.1.5 When a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to less restricted or non-conforming use.

701.1.6 In areas platted prior to this Resolution or on individual lots, only single family dwellings or single family manufactured housing units shall be permitted to be erected and only on lots having a frontage equal to or greater than the longest dimension of the dwelling unit parallel to the road plus thirty (30) feet.

ARTICLE ~~VII~~ VIII

CONDITIONAL ZONING CERTIFICATES

801 General Provisions

801.1 Such special permits, however, may be authorized by the Board of Zoning Appeals only upon satisfactory evidence in each instance as to general character, height and use of structure, the provisions of surrounding open space and treatment of the grounds and as to street capacity and use, as, in the opinion of the Board, may be necessary to safeguard public health, comfort and convenience, and as may be required for the preservation of the general character of the neighborhood in which such building is to be placed or such use is to be conducted.

801.2 The discretion of providing special exceptions as cited above should be the prerogative of the Board of Zoning Appeals, rather than the Zoning Commission itself.

801.3 Nothing in this Resolution shall prevent the use of any buildings, structures or land for any railroad or public utility, whether publicly or privately owned, provided such use is for the operation of its business.

801.4 A Conditional Zoning Certificate shall be a permit for the use and location specified only. Any change in use and/or location is a violation of the conditions under which the Conditional Zoning Certificate was granted and shall be considered a violation of the Paris Township Zoning Resolution and may be grounds for the Conditional Zoning Certificate to be revoked.

801.5 Conditional Provisions for Natural Disasters or Fires:

A conditional use permit may be issued for a natural disaster or fire. A mobile home not less than 14 feet by 70 feet and no more than five (5) years old from the calendar year in which the conditional permit is requested may be temporarily placed on the land owner's property. This temporary housing will be allowed for not more than one year.

801.6 Emergency Medical Hardship Permit

A conditional Medical Hardship Certificate may be issued to allow the convenient provision for assisted health care needs of a person with a demonstrated health hardship by allowing the temporary placement of a mobile home or manufactured home, not less than 14 feet by 70 feet and no more than five (5) years old from the calendar year in which the conditional permit is requested, may be temporarily placed on ~~a~~ the landowner's lot with an existing single-family residence. This temporary

housing will be allowed for not more than one year. After the one year has expired the temporary resident of the mobile home has 60 days to vacate and have the mobile home removed from the property at the owner's expense. The resident has the option of appearing before the Board of Zoning Appeals to extend this provision if needed. Any request for an extension must also meet the criteria for the basis of approval by the Board of Zoning Appeals

801.6.1 <u>Basis for approval:</u>

A temporary Medical Hardship Certificate may be granted by the Zoning Inspector to allow placement and occupancy of a mobile home or manufactured home on a lot with a single-family residence based on the following conditions:

a. The person with a medical hardship must either be one of the property owners or a relative of one of the property owners.

1) If the person with the medical hardship is one of the property owners, then the primary health care provider may reside temporarily in the mobile home or manufactured home and is not required to be a relative.

2) If the person with the medical hardship is a relative of one of the property owners, then the primary care provider must be a relative.

3) For the purposes of this section, a relative is defined as a spouse, grandparent, parent, child, brother, or sister, either by blood or legal relationship.

b. The applicant(s) shall be required to submit:

1) A statement signed by a representative of the Portage County Health Department verifying the need for continuous care and assistance based upon the findings of the Portage County Health Department's Hearing for a variance from the home sewage disposal rules (substantiated by the facts that the person with the medical hardship is unable to adequately provide daily self-care needs based upon a diagnosis from a licensed physician);

2) A copy of the affidavit on file with the Portage County Health Department, signed by the applicant(s) indicating that the mobile home or manufactured home will be removed within 60 days of the medical hardship

condition no longer existing or within 60 days of the Temporary Medical Hardship Certification's expiration date.

c. The applicant(s) must submit a Site Plan containing the following to ensure that the sitting of the mobile home or manufactured home shall meet all applicable setback requirements for the zoning district without a variance:

1) The size and boundaries of the lot;

2) The location of all existing buildings on the lot;

3) The location of existing sewage disposal system, including leach fields;

4) The location of the existing public or private water system, including wellheads;

5) The proposed location of the mobile home or manufactured home on the lot (the mobile home should be placed to the rear of the primary residential dwelling whenever possible);

6) The location of any wheelchair ramps to accommodate the health care needs of the proposed occupant (no other accessory structures are permitted).

d. The applicant(s) must submit documentation indicating approval of the water supply and sewage disposal systems for the mobile home or manufactured home by the appropriate governmental agency.

e. The mobile home or manufactured home must remain in its transportable state. The mobile home or manufactured home cannot be placed on a permanent foundation. However, the tires and wheels may be removed.

ARTICLE ~~VIII~~ IX

ADMINISTRATION AND ENFORCEMENT OF RESOLUTIONS

901 Administration

901.1 Interpretation

901.1.1 In interpretation and application, the provisions of this Resolution shall be held to the minimum requirements adopted for the promotion of public health, safety, morals, comfort and general welfare.

901.1.2 Nothing herein shall repeal, abrogate, annul, or in any way impair or interfere with any provision of law or any rules or resolutions, other than Zoning Resolutions adopted or issued pursuant to law relating to the construction and use of buildings or premises.

901.1.3 Where this Resolution imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger yards than are imposed or required by other provisions of law, rules, regulations, covenants or agreements, the provisions of this Resolution shall control. Nothing herein shall interfere with, abrogate, or annul any easements, covenants, deed restrictions greater than those imposed by this Resolution.

902 Enforcement

902.1 Zoning Inspector

For the purpose of issuing such Certificates and enforcing the terms and provisions of this Zoning Resolution as amended and supplemented, there is hereby established and created the position of "Township Zoning Inspector," whose salary or compensation shall be, from time to time, hereinafter fixed and determined by resolutions of the Board of Township Trustees; it shall be the duty of the Township Zoning Inspector to issue the Zoning Certificates herein provided and to enforce the provisions of this Zoning Resolution as amended and supplemented.

902.2 Zoning Certificates

For the purpose of enforcing this Zoning Resolution as amended and supplemented, there is hereby established a system of Zoning Certificates, and no person shall locate, erect, construct, reconstruct, enlarge or structurally alter any building or structure within the Township of Paris without obtaining a Zoning Certificate as hereinafter provided.

No Zoning Certificate or Certificates shall be issued by the Township Zoning Inspector except on written application, on forms provided by the Zoning Inspector, signed by the owner or lessee, or contractor, or attorney for such owner, lessee; nor shall any such Zoning Certificate be issued for the construction, erection, reconstruction, enlargement or alteration of any building or structure unless the plans for the proposed construction, reconstruction, erection, enlargement or alteration of such building or structure comply with this Zoning Resolution as amended and supplemented. No such Zoning Certificate or Certificates shall be issued unless and until the applicant pays to the Township Zoning Inspector the fee for the issuance of such Zoning Certificate.

902.3 Zoning Fee Schedule

Paris Township Trustees determine zoning fees by resolution; a complete Zoning Fee Schedule is available from the Paris Township Zoning Inspector.

902.4 Penalty for Violation

Whosoever shall violate any of the provisions of this Resolution shall be fined no less than twenty-five dollars ($25) and no more than one hundred dollars ($100). Each day of continued violation of any provision of this Resolution shall be a separate and distinct violation of the same.

ARTICLE ~~IX~~ X

BOARD OF ZONING APPEALS

1001 Board of Zoning Appeals

1001.1 Rules, Organization and Meetings

The Township Board of Zoning Appeals shall organize and adopt rules in accordance with the Zoning Resolution. Meetings of the Board of Zoning Appeals shall be held at the call of the chairperson, or in his/her absence the acting chairperson, may administer oaths, and the Board of Zoning Appeals may compel the attendance of witnesses. All meetings 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 indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Township Trustees and be a public record. Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by an officer of the township 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 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 publication in one or more newspapers 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. At the hearing, any person may appear in person or by attorney.

1001.2 Powers

The Township Board of Zoning Appeals shall have the following powers:

1001.2.1 To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning laws of this Resolution or any amendment thereto.

1001.2.2 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. However, no such variance shall be authorized by the Board of Zoning Appeals unless the Board finds that all the following facts and conditions exist:

a. That in the case in question there are extraordinary circumstances applying to the property which do not apply generally to other properties;

b. That such variance is necessary for the preservation of property rights equal to those of other similar properties in the same zoning district;

c. That the authorization of such variance will not be detrimental to adjacent properties and will be in the spirit of this Resolution and in the public interest;

d. That the condition or situation in question is not so general or recurrent as to make reasonably practicable the formulation of a general resolution for proper control.

1001.2.3 To revoke a Conditional Zoning Certificate whenever terms of a Conditional Zoning Certificate are not fully complied with.

1001.2.4 To issue, review, or revoke Conditional Zoning Certificates for residential, commercial, and/or industrial uses.

1001.2.5 The Board of Zoning Appeals may also request detailed site and building plans along with any pertinent documentation necessary to insure that the intent and objectives of the Resolution will be observed.

1001.2.6 No Certificate will be issued unless all the following conditions are met:

a. Will be harmonious with and in accordance with the general objectives or with any specific objectives of the community's land use and the thoroughfare plan of current adoption.

b. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.

c. Will not be hazardous or disturbing to existing or future neighboring uses.

d. Will not be detrimental to property in the immediate vicinity or to the Township as a whole.

e. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.

f. All structures, roads, and utilities shall be in compliance with the county subdivision regulations, the county Board of Health standards, and the county building code.

g. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

1001.2.7 If an existing enterprise that already has a Conditional Zoning Certificate has violated any of the above conditions, the Zoning Inspector will notify the operators of the enterprise that it must correct the problem within thirty (30) days. The Zoning Inspector will also notify the Board of Zoning Appeals of the notice and its correction date. If the condition is not corrected within the time period, the Board of Zoning Appeals will hold a public meeting to review the problem. After the review, the Board of Zoning Appeals will decide on one of the following:

a. Grant the easing of the condition.

b. Extend the time period.

c. Revoke the Conditional Zoning Certificate.

1001.3 <u>Compensation and Expenses</u>

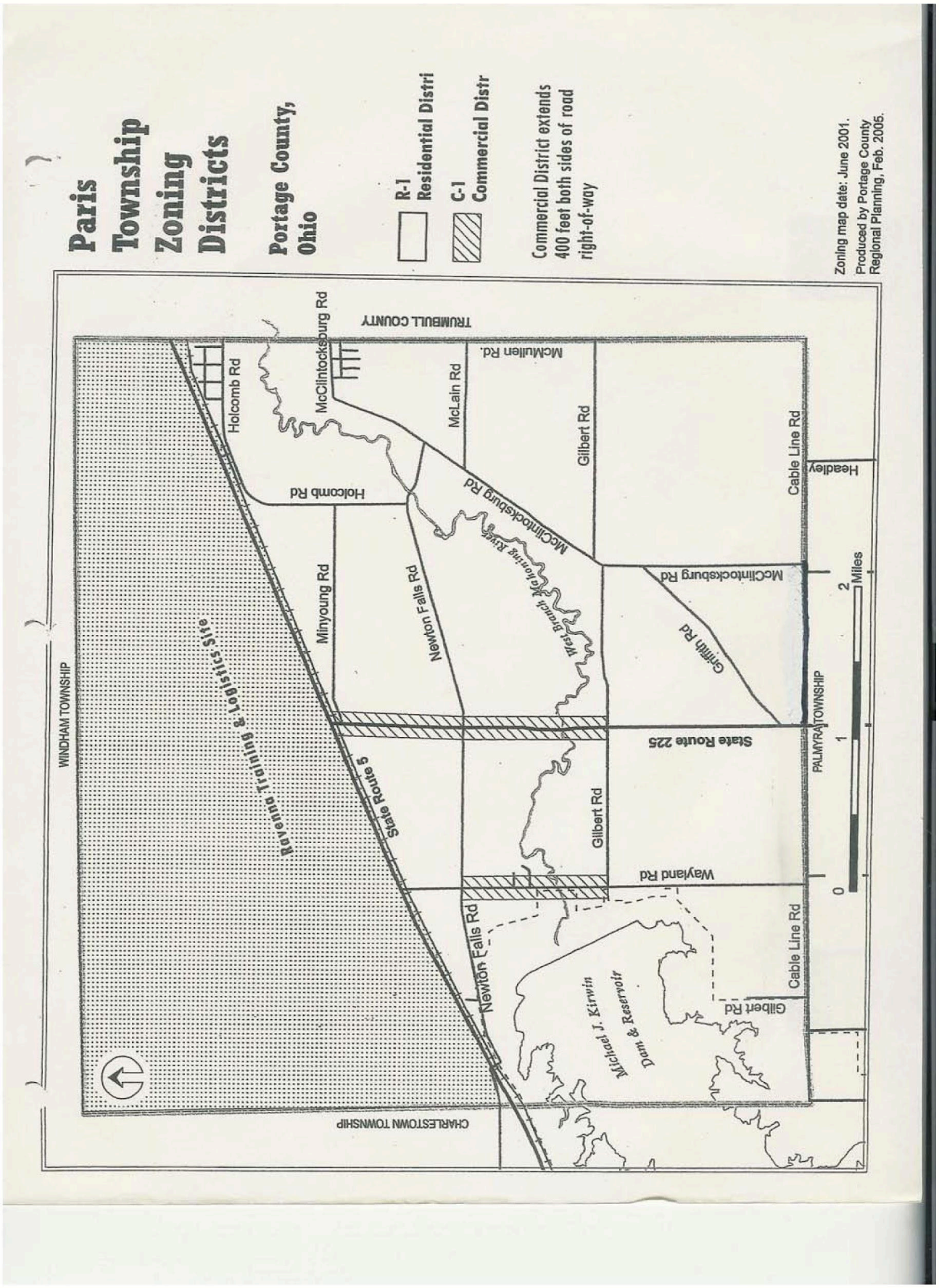
There is hereby created a Township Board of Zoning Appeals of five (5) members who shall be residents of the unincorporated territory of the Township. The terms of each member shall be five (5) years beginning January first, except that the terms of the original members shall be of such length, and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members shall be removable for the same causes and in the same manner as provided by Section 519.04 of the Ohio Revised Code. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term. The members of the Board of Zoning Appeals may be allowed their expenses, or such compensation, or both, as the Board of Township Trustees may, within the limits of the monies appropriated by the Board of Township Trustees for the purpose, employ such executives, professional, technical and other assistants as it deems necessary.

ARTICLE ~~X~~ XI

VALIDITY

1101 Validity

It is hereby declared to be the intention of the Board of Trustees of Paris Township, Portage County, Ohio, that if sections, paragraphs, sentences, clauses, and words of this Resolution are, or sentence or sentences, paragraph or paragraphs, section or sections of the Resolution shall be, declared unconstitutional or invalid by the final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, clauses, sentences, paragraphs, and sections of this Resolution as the same would have been enacted by the Board of Township Trustees without the incorporation in this Resolution of any such unconstitutional or invalid word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections.


Paris Township Zoning Districts
Portage County, Ohio
R-1 Residential Distri
C-1 Commercial Distr
Commercial District extends 400 feet both sides of road right-of-way
Zoning map date: June 2001.
Produced by Portage County Regional Planning, Feb. 2005.
WINDHAM TOWNSHIP
CHARLESTOWN TOWNSHIP
PALMYRA TOWNSHIP
TRUMBULL COUNTY
Ravenna Training & Logistics Site
State Route 5
State Route 225
Holcomb Rd
McClintocksburg Rd
McMullen Rd.
McLain Rd
Gilbert Rd
Cable Line Rd
Headley
Minyoung Rd
Newton Falls Rd
West Branch Mahoning River
Griffith Rd
Wayland Rd
Michael J. Kirwin Dam & Reservoir
0
1
2
Miles