

TITLE VI
ADMINISTRATIVE PROCEDURES, ENFORCEMENT

CHAPTER 610
Zoning Certificates

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SECTION 610.01 ZONING CERTIFICATE REQUIRED.

No building or structure shall be erected, constructed, enlarged, structurally altered, demolished, or moved in whole or in part, and no use shall be established or changed in the unincorporated area of Rootstown Township prior to the issuance of a Zoning Certificate. A Zoning Certificate shall be issued only when the plans for the proposed use, building or structure fully comply with the regulations set forth in this Zoning Resolution, unless a variance has been approved by the Board of Zoning Appeals. (Amended 11/25/22)

SECTION 610.02 AGRICULTURAL USES EXEMPT. (Amended 4/11/17)

In accordance with O.R.C. §519.21, any use determined, based on adequate documentation, by the Zoning Inspector to be an agricultural use that is located on a lot larger than 5 acres shall be exempt from the Zoning Certification requirements. No zoning certificate shall be required for such agricultural use or any building or structure specifically accessory thereto. No agricultural building shall be occupied by a use other than an agricultural use without first obtaining a zoning certificate in accordance with this Chapter.

SECTION 610.03 ZONING CERTIFICATE APPLICATION REQUIREMENTS. (Amended 10/10/17)

All applications for zoning certificates shall be submitted to the Zoning Inspector, who shall issue zoning certificates when all applicable provisions of this Resolution have been complied with.

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- A. Zoning Certificates for Single-family Dwellings and Uses Accessory Thereto. An application for construction or alteration of a single-family dwelling or use accessory thereto shall include following:
1. The completed application form, along with the application fee as established by the Trustees.
 2. One copy of a general vicinity map.
 3. Two copies of a plot plan showing the following. Such plans shall be legibly drawn to scale and shall be based on an accurate survey.
 - a) Property boundary lines and the exact dimensions and area of the lot to be built upon or utilized.
 - b) Right-of-way of adjacent streets.
 - c) Location, dimensions, height, bulk of all structures to be erected or altered.
 - d) The existing and intended use(s) of all land and buildings.
 - e) Dimensions of yards, driveways, and parking spaces.
 4. A permit shall be required for tying any and all stormwater into a storm sewer. A hole shall be drilled for access into the top half of the pipe, and a rubber connection boot shall be installed and sized accordingly.
(Amended 9/10/19)
 5. A road culvert permit when required by Section 610.09.
 6. A letter from the appropriate public agency(s) stating that the proposed development or use conforms or will conform to all applicable sanitary sewer, water, floodplain, EPA, fire, and health departments and wetland regulations, if applicable.
- B. Zoning Certificates for All Other Permitted Uses. Applications for zoning certificates for permitted uses not described in subsection A above including platted subdivisions shall require review of development plans in compliance with Chapter 620.

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- C. Zoning Certificates for Conditional Uses. Applications for zoning certificates for conditional uses shall be reviewed and approved by the Board of Zoning Appeals in compliance with Chapter 630.
- D. Zoning Certificate Application Requirements for All Residential, Commercial, and Industrial Applications. Plots plans—residential, commercial, and industrial—shall have location of approved septic and well, if applicable. *(Amended 9/28/2021)*

SECTION 610.04 REVIEW FOR COMPLETENESS.

The Zoning Inspector shall review each submitted application to determine accuracy and compliance with the applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Inspector shall notify the applicant of necessary changes. When the application is deemed complete and the application fee has been paid, the Zoning Inspector shall officially accept the application for consideration of the action(s) requested on the date such determination is made.

SECTION 610.05 ACTION ON APPLICATION FOR ZONING CERTIFICATE.

The Zoning Inspector shall act on a Zoning Certificate application:

- (a) For all single-family dwellings and uses accessory thereto, a Zoning Certificate shall be issued by the Zoning Inspector within 10 days from when an application is determined complete for applications which, in his/her determination, meet all requirements of this Resolution, including the application requirements specified herein. In conducting his/her review of the application, the Zoning Inspector may consult with any department, agency, public body, official, company, or individual necessary to determine whether the application complies with the regulations of this Resolution.
- (b) Applications for Zoning Certificates for Planned Residential Developments shall be transmitted to the Zoning Commission according to Chapter 620.

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- (c) Applications for Zoning Certificates for all other permitted uses requiring review of development plans shall be reviewed by the Zoning Inspector according to Chapter 620.
- (d) Applications for Zoning Certificates for conditional uses shall be transmitted to the Board of Zoning Appeals according to Chapter 630.
- (e) Applications for Zoning Certificates for which a variance is requested shall be transmitted to the Board of Zoning Appeals according to Chapter 640.

SECTION 610.06 APPROVAL OF ZONING CERTIFICATE.

A Zoning Certificate shall be issued by the Zoning Inspector when the structure or use, as proposed, complies with the provisions of this Resolution as determined by the:

- A. Zoning Inspector for all permitted uses except Planned Residential Developments;
- B. Zoning Commission for all Planned Residential Developments;
- C. Board of Zoning Appeals for all conditional uses.

One copy of the plans shall be returned to the applicant by the Zoning Inspector after the Zoning Inspector signs, dates and notes the copy as approved. One copy of the plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the subject property, attesting to the fact the activity is in conformance with the provisions of the Resolution.

SECTION 610.07 DENIAL OF ZONING CERTIFICATE.

A Zoning Certificate shall not be issued where, in the determination of the Zoning Inspector, the structure or use, as proposed, would violate one or more provisions of this Resolution. In such case, the Zoning Inspector shall state on the application the reason for the denial, including the regulation(s) which would be violated by the proposed use, and shall

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transmit one copy thereof to the applicant along with one copy of the plot plan, signed, dated and noted as disapproved.

SECTION 610.08 SUBMISSION TO DIRECTOR OF TRANSPORTATION.

According to O.R.C. 5511.01, before any zoning certificate is issued affecting any land within 300 feet of the centerline of a proposed new state highway or a state highway for which changes are proposed as described in the certification to local officials by the Director of the Ohio Department of Transportation (ODOT) or any land within a radius of 500 feet from the point of intersection of said centerline with any state highway, the Zoning Inspector shall give notice, by registered mail, to the Director of ODOT and shall not issue a zoning certificate for 120 days from the date the notice is received by the office. If notified that the state is proceeding to acquire the land needed, then a zoning certificate shall not be issued. If notified that acquisition at this time is not in the public interest, or upon the expiration of the 120 day period or any agreed upon extension thereof, a zoning certificate shall be granted if the application is in conformance with all provisions of this resolution.

SECTION 610.09 CULVERT PERMIT REQUIRED.

No zoning certificate shall be granted to build any structure within the confines of the unincorporated area of the Township which has ingress or egress to the highway until the owner of such property has secured a permit from the State Highway Department, the County Engineer, or the proper Township official (whichever authority has jurisdiction), for permission to install a culvert of the proper size and specifications required by the respective authority and has completed the installation of such culvert.

SECTION 610.10 EXPIRATION OF ZONING CERTIFICATE.

A Zoning Certificate shall become void at the expiration of 12 months after the date of issuance unless, an extension has been granted by the Zoning Inspector. If no construction is begun within one year of the date of the certificate and an extension has not been granted, a new application and certificate shall be required. Construction is deemed to have begun when all

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necessary excavation and piers or footers of the structure included in the application have been completed. The date of expiration shall be noted on the zoning certificate. Unfinished construction projects on which no progress is made for 180 days shall be considered abandoned and may be declared a nuisance. A zoning certificate issued for demolition without new construction shall become void at the expiration of six (6) months after the date of issuance unless an extension has been granted by the Zoning Inspector. *(Amended 11/25/22)*

SECTION 610.11 TEMPORARY USE PERMITS.

Temporary uses, such as fairs, festivals and other temporary sales and services, where permitted in appropriate districts shall be permitted upon compliance with the site plan requirements listed below:

- A. Two site plans shall be provided to the Zoning Inspector within six (6) weeks but no later than two (2) weeks in advance of activities containing the following:
 - 1. Location and use of existing buildings.
 - 2. Intended ingress and egress of traffic; width of driveways and aisles and the location of any barriers;
 - 3. Dimensions, location and width between any and all temporary buildings, signs, structures or tents on the premises;
 - 4. First aid facility;
 - 5. Litter containers;
 - 6. Location of all vendors;
 - 7. Location of the office;
 - 8. Location and identification of permanent and temporary parking facilities; and
 - 9. Location of restroom facilities.

- B. The following information shall be provided on the site plan:
 - 1. The name, address and telephone number of the property owner;

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2. The name, address and telephone numbers of the chairman, manager or operator of the temporary event;
 3. The address and township section number of the property upon which the activities are held, and
 4. The dates and times of operation of the activity;
- C. The following permits shall be obtained prior to commencement of the activities:
1. A temporary zoning permit shall be required for the activity, structures, buildings, tents and signs related thereto.
 2. Appropriate permits from the Portage County Health Department, Portage County Auditor's Office, or other county offices, as necessary.

**SECTION 610.12 COMMERCIAL AND INDUSTRIAL CERTIFICATE OF USE.
(Added 3/22/2016)(Amended 10/10/17)**

No commercial or industrial structure shall be occupied without a township certificate of use prior to opening. This certificate will be for all new businesses, including owner changes, tenant changes, and/or name changes. A letter from the appropriate public agency(s) stating that the proposed development or use conforms, or will conform, to all applicable sanitary sewer, water, grading and surface draining, floodplain, EPA, fire, and health departments and wetland regulations, if applicable. Other information necessary for the evaluation of the plan as deemed necessary by the Zoning Department.