

**CHAPTER 230
General Provisions**

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SECTION 230.01 GENERAL REGULATION OF LOTS.

- A. Required Street Frontage. All zoning lots shall front on a dedicated public street unless approved as a planned residential development. All lots created as a result of lot splits or subdivisions shall have frontage on a dedicated street in the amount required for the zoning district within which such lots are located.
- B. Required Yard and Open Space Maintained. The required yards surrounding an existing principal building, which has been counted or calculated as part of a side yard, rear yard, front yard, or other open space required by this Resolution shall not, by reason of change in ownership or otherwise, be counted or calculated to satisfy the yard or other open space requirement for any other principal building.
- C. Required Lot Area To Be Maintained. A parcel of land may be subdivided into two or more parcels provided all lots resulting from such division conform to the lot area and width requirements of the district in which such land is located. A nonconforming lot of record that owned separately from adjoining lots on the effective date of this Resolution or an amendment adopted thereafter which affected its conformity shall not be reduced in any manner that would increase its nonconforming situation.

SECTION 230.02 NUISANCES PROHIBITED.

- A. Any structure not maintained shall be removed consistent with ORC 505.86, as amended. *(Added 3/22/2016)*
- B. Any structures destroyed by fire, flood, or other disaster in disrepair, shall be removed within one (1) year after the event occurred. If not, The Board of Trustees will proceed per ORC 505.86. *(Added 3/22/2016) (Revised 11/10/20)*

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SECTION 230.03 VISIBILITY AT INTERSECTIONS.

On every corner lot there shall be no material impairment to visibility (whether by the location of structures including fences, landscaping or other means) between a height of two (2) feet and a height of six (6) feet above the natural grade, within the triangle formed by the right-of-way lines of two intersecting streets, and a line drawn between two points, one on each such right-of-way line, each 30 feet from the point of intersection of such right-of-way lines.

SECTION 230.04 ACCESS TO OTHER DISTRICTS PROHIBITED.

Driveways shall not be established from a road in a residential district to land in a nonresidential district.

SECTION 230.05 AGRICULTURAL USES.

According to the Ohio Revised Code a township shall have the authority to regulate agricultural uses in any platted subdivision approved under ORC 711.05, 711.09, or 711.10, or in any area consisting of fifteen (15) or more lots approved under ORC 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate. In such areas, agriculture shall comply with the following:

- A. Agriculture on lots of one (1) acre or less. The raising for private use, consumption or incidental sale of fruits, vegetables, or nursery stock shall be permitted provided no products shall be sold except those which are produced on the premises.
- B. Buildings or structures incident to the use of land for agricultural purposes, including, but not limited to barns, silos and roadside stands, on lots five (5) acres or less shall comply with the following: *(Revised 1/12/16)*
 - 1. All buildings and structures shall comply with the setback regulations set forth in the district in which the building or structure is located, except that buildings housing animals shall comply with Subsection C, below.
 - 2. Each farm shall be permitted only one roadside stand or market located on the farm property, unless otherwise permitted by the district regulations.

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C. Dairying and animal and poultry husbandry shall be permitted, except for no breeding, on lots of less than one (1) acre in compliance with the following: *(Revised 2/14/03) (Amended 2/11/20) (Amended 3/22/22)*

1. Shelter for Animals. The following regulations are established for the keeping of animals:

- a) Whenever one or more animals are kept outdoors on a lot, an accessory building for their shelter shall be constructed on the lot.
- b) The area of the accessory building intended to provide shelter for one or more animals shall not exceed five (5) percent of the lot area or 2,178 square feet, whichever is larger.
- c) Such accessory building shall be located no closer than:
 - i) 60 feet to a street right-of-way,
 - ii) 25 feet to a side or rear lot line,
 - iii) 100 feet from any water well.
- d) Large Animals. A corral shall be required for large animals such as, but not limited to, horses, mules, donkeys, swine, cattle, buffalo, alpacas, and llamas.
 - i) The corral shall be located a minimum of 3 feet from any front, side or rear lot line. *(Revised 9/9/2010)*
 - ii) The corral shall provide at least the minimum grazing area for grazing livestock in compliance with the latest “animal units” per acre standards set forth by the Ohio State University Extension of Portage County.
 - iii) Fencing *(Revised 9/9/2010)*

1. Livestock fences, in accordance with the State of Ohio’s preferred partition fence specifications, as currently described in ORC Section 971.01(E) which may be one of the following:

- woven wire of standard or high tensile with one or two strands of barbed wire at least 48 inches from the ground;

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- non-electric high tensile with at least seven strands constructed in accordance with NRCS standards;
 - or barbed wire, electric or live fence agreeable to both landowners.
2. Other types of fences may be permitted if the owners of adjoining properties enter into a written agreement that states that no fence is needed between the properties, a fence other than a preferred partition fence may be built and maintained pursuant to Division (C) (1) of Section 971.02 of the ORC, or the rights and obligations of the owners are different from what is established in this chapter. The agreement shall be filed with the county recorder and placed in the partition fence record established under Section 971.15 of the ORC. In addition, the agreement runs with the properties that are subject to the agreement as recorded in the partition fence record book.
- e) Small Animals. If a fenced area is provided for small animals such as, but are not limited to, poultry, goats, sheep and mini breeds of horses, cattle and swine, but not including dogs, cats and other common household pets, the fenced area shall be located in a side or rear yard a minimum of 3 feet from any side or rear lot line. *(Revised 9/9/2010)*
- f) The keeping of wild or exotic animals, is permitted in compliance with these regulations provided all federal, state, and local permits are first obtained and animal humane and safety standards are met, except for carnivorous animals or reptiles considered potentially dangerous to residents of the community.
2. Bee-Keeping (Apiculture). All bee-keeping activities shall be a minimum of 250 feet from any residence on adjacent parcels.
3. Maintenance.
- a) All areas adjacent to any corral or other similar enclosure, stable or shelter, work-out or training area or any other structure where

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animals are kept and maintained, shall be graded to drain away from such facilities to prevent ponding and insect harborage.

- b) All such premises shall be kept and maintained in a clean and sanitary condition and shall conform to the sanitary code of the Portage County General Health District.
- D. A dwelling unit on the same lot with an agricultural use and all accessory buildings associated with the dwelling unit shall comply with all regulations for dwelling units set forth in this Resolution.
- E. Signs shall comply with the regulations set forth in Chapter 420.

SECTION 230.06 GENERAL REGULATION OF STRUCTURES AND CONSTRUCTION.

A. Minimum Construction Standards.

- 1. All structures, except those exempt as specified in this Resolution, shall comply with the standards adopted and administered by the Portage County Building Department. Compliance with these standards is required regardless of whether the structure is constructed on the building site, fabricated in a factory, or moved in from a location within the township or outside of the Township.
- 2. For any building proposed to be attached to another building, it shall be made structurally a part thereof and shall comply with the setback requirements within its corresponding zoning district. This is intended to prevent attaching a board from one building to another and calling it attached. *(Amended 9/28/2021)*
- 3. All public and private residential streets constructed hereafter shall comply with the construction standards set forth for such streets in the County Subdivision Regulations.

B. Permitted Height Exemption.

- 1. Except as specifically stated in other parts of these regulations, no building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except for roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar

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equipment required to operate and maintain the building; and fire or parapet walls, towers, steeples, stage lofts, and screens, flagpoles, chimneys, smokestacks, radio and television aerials, wireless masts, water tanks or similar structures, which may be erected above the height limits herein.

2. No such structure as listed in Section 230.06 B - 1 may be erected to exceed the height limits of the district in which it is located by more than fifteen (15) feet; nor shall such structure have a total area greater than twenty-five (25) percent of the roof area of the building; nor shall such structure be used for any purpose other than a use incidental to the main use of the building except that radio, television, and wireless aerials or masts may be erected to any height.

C. Temporary Facilities. (Amended 8/13/2015) (Amended 10/13/2015)

1. Temporary construction facilities for use incidental to construction work may be erected in any zoning districts herein established; however, such facilities shall be removed upon completion or abandonment of the construction work. Such facilities shall not be for habitation.
2. A mobile home is permitted, to provide temporary housing for members of a family who have been residing in a dwelling destroyed or damaged by a fire, flood, storm, or any similar Act of God, or condemnation by a governmental body, as to render the dwelling uninhabitable, subject to the following conditions:
 - a) Such mobile home may be used for a period not to exceed one (1) year in any area with one six (6) month extension.
 - b) A zoning permit is required with an expiration date indicated on the permit.
 - c) The mobile home shall be removed within ten (10) days after the damaged dwelling is fit for habitation or ten (10) days after the permit expires, whichever comes first.
 - d) The mobile home shall have the adequate health facilities available, including running water, and toilet facilities inside the

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mobile home connected to a sanitary sewage system approved by the Portage County Board of Health or the Sanitary Engineer.

- e) The location of the mobile home shall be limited to the rear of the existing dwelling being rebuilt or repaired, whenever possible.
3. Shipping containers/storage containers shall not be allowed for a period of time longer than thirty (30) days in all districts.

SECTION 230.07 FIRE PROTECTION, LIGHTING, AND UTILITIES.

Any residential development requiring a street conforming to the Portage County Subdivision Regulations shall be equipped at all times and comply with the following:

- A. Adequate fire extinguishing equipment and fire hydrants as determined by the Fire Department which serves that area.
- B. Adequate artificial lighting of streets which meet the standards in effect in subdivision allotments in the Township as to number, candle power, location, and type of support.
- C. All utility lines shall be placed underground.

SECTION 230.08 TEMPORARY VENDOR. *(Added 10/27/2011)*

- A. A person who opens a temporary place of business for the sale of goods or services shall be permitted for a period not to exceed 4 days per month, per location, per permit, exempting the township parks. *(Amended 12/28/23)*
- B. Are permitted at shows, fairs, flea markets, church festivals, or similar events that have completed an Application for Temporary Vendor Form (Trustees Resolution No. 2011-163) and which has to be approved and signed by the Zoning Inspector.
- C. Registration shall be valid for 90 days from the date of the application approved by the zoning inspector.
- D. In carrying on activities in this township, a temporary vendor shall not:

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- a. Obstruct or interfere with public travel on, or public use of any public street, road, sidewalk or way;
- b. Enter any private premises or parts of premises where entry is prohibited by notice or which are manifestly restricted to uses which are incompatible with the vendor's activities;
- c. Remain on premises or parts of premises after notice to depart;
- d. Possess, sell, offer to sell, or solicit orders for any product or thing in violation of the law.
- e. This section replaces Trustees Resolution # 1991-118.