

122 – S-1 GREEN AREA DISTRICTS

122.1 GREEN AREA DISTRICTS:

122.1.1 The purpose of Green Area Districts is to provide the conservation of environmental qualities which are deemed necessary for this generation and future generations.

122.1.2 Green Area Districts shall be known as S-1 Districts and shall consist of scenic areas throughout the township such as wildlife preserves, scenic waterways, wood areas, and other natural or manmade areas which will enhance the environmental atmosphere of residents and visitors to Madison Township, Lake County, Ohio.

122.2 S-1 (RECREATIONAL) GREEN AREA DISTRICT REGULATIONS: The S-1 Recreational District shall include all areas that provide recreational activities for public and private organizations, and shall include the following:

122.2.1 Open recreational areas and facilities, lakes, beaches, pools, but not snowmobile trails or other recreational activities producing excessive noise.

122.2.2

SIC Code

01XX	Agriculture production crops
02XX	Agriculture production livestock
07XX	Agriculture services
08XX	Forestry
09XX (EXC. 092X & 097X	Fishing, hunting, and trapping
88XX	Private households

122.2.3 Single-family dwellings

122.2.4 Public and private forest and wildlife reservations

122.2.5 Roadside stands offering for sale only products grown on the premises

122.2.6 Parks, playgrounds, and recreational fields.

122.2.7 Recreational facilities such as assembly and meeting rooms, handball courts, exercise and physical fitness rooms, dancing, and live entertainment, pistol and fire range provided they are conducted within an enclosed building and sufficiently sound insulated to confine the noise inside premises.

79XX EXC. 793X, 794X, 7993, 7996, & 7999.

122.2.8 Country clubs, and /or public golf courses, and practice driving ranges in conjunction with golf courses.

122.2.9 Riding stables

122.2.10 Winery; Buildings and structures that are used primarily for the vinting and selling of wine and that are located on land any part of which is used for viticulture as permitted by Ohio law in conformance with Ohio Revised Code section 519.21(A). Permitted as accessory uses to a Viticulture operation would be the following: restaurant, meeting/banquet facility, outdoor dining, live entertainment, micro-brewery, micro-distillery, and retail establishment (small). The permitted accessory uses must be incidental to the Viticulture operation and not the primary use of the property. Off-Street Parking requirements will be in conformance with Section 127.5.5 (Restaurant, Table Service). Roadside signage to be in conformance with the requirements of Section 128.2.1 Business Signs.

122.2.11 Accessory building and uses customarily incident to any of the above uses

122.2.12 All signs in the S-1 Recreational District shall additionally conform to Section 128.9.12.

122.3 CONDITIONAL USE REGULATIONS (S-1 RECREATIONAL AREA): The following uses in the S-1 (Recreational) Green Area District shall require a conditional use permit to be obtained by the property owner from the Board of Zoning Appeals prior to use of any property in an S-1 (Recreational) Green Area District and in accordance with Section 142.4 of this Zoning Resolution.

Conditional use regulations shall be imposed by the Board of Zoning Appeals in accordance with Section 142.4 of the Zoning Resolution. Such regulations may include provisions that the uses for which the permit is issued shall not be changed or altered.

122.3.1 Retail business and office use, retail sale and serving of beverages and foods, permitted only as incidental uses which can only be incidental to the primary use. The primary source of income and use of the property being a recreational venture. All signs in the S-1 (Recreational) District shall additionally conform to Section 128.9.12.

122.3.2 Any other recreational oriented use not listed above if considered similar by the Zoning Board of Appeals.

122.3.3 All signs in the S-1 (Recreational) District shall additionally conform to Section 128.9.12.

122.4 CONDITIONAL USE PERMITS ARE REQUIRED before a building or premise can be used for any of the following purposes, as well as a Bed and Breakfast (See Section 142.4.5.24):

SIC Code

092X	Fish hatcheries
097X	Hunting, trapping, game propagation
144X	Sand and gravel mining
152X	Residential building construction
4489	Water transportation services
4493	Marinas
7033	Trailer parks and campsites
7999	Amusement and recreational services
8744	Facilities support services

122.5 S-1 (GRAND RIVER) GREEN AREA DISTRICT REGULATIONS: The designation of Grand River S-1 shall be given to One Thousand (1,000) feet on each side of the centerline of the Grand River, to extend the total length of the river within the boundaries of Madison Township, Lake County, Ohio. The Grand River S-1 area shall be governed by the use regulations and restrictions as outlined below:

122.5.1 Single-family dwellings

122.5.2 Dog kennels and veterinary establishments, but not nearer than two hundred (200) feet to any zoned residential district, or dwelling other than the dwelling of the lessee or owner of the site. This requirement applies to all Standard Industrial Classification groups listed as permitted uses.

122.5.3 Public and private wildlife reservations

122.5.4 Public and private parks and recreation areas

122.5.5 Roadside stands offering for sale products grown on premises.

122.5.6 Winery; Buildings and structures that are used primarily for the vinting and selling of wine and that are located on land any part of which is used for viticulture as permitted by Ohio law in conformance with Ohio Revised Code section 519.21(A). Permitted as accessory uses to a Viticulture operation would be the following: restaurant, meeting/banquet facility, outdoor dining, live entertainment, micro-brewery, micro-distillery, and retail establishment (small). The permitted accessory uses must be incidental to the Viticulture operation and not the primary use of the property. Off-Street Parking requirements will be in conformance with Section 127.5.5 (Restaurant, Table Service). Roadside signage to be in conformance with the requirements of Section 128.2.1 Business Signs.

122.5.7 Accessory buildings and uses customarily incident to any of the above uses, including home occupations and professional offices of one who lives in the main building where no nameplate is used in connection with the professional use which exceeds three (3) square feet in the area.

122.6 CONDITIONAL USE PERMITS ARE REQUIRED before a building or premise can be used for any of the following purposes:

122.6.1 The following uses in the S-1 (Grand River) Green Area District shall require a conditional use permit to be obtained by the property owner from the Board of Zoning Appeals prior to use of any property in an S-1 (Grand River) Green Area District and in accordance with Section 142.4.3 of this Zoning Resolution. Such regulations may include provisions that the uses for which the permit is issued shall not be changed or altered.

SIC Code

092X	Fish hatcheries and preserves
097X	Hunting
144X	Sand and gravel mining
152X	Residential building construction
24XX	Logging
45XX	Transportation by air
8744	Facilities support service

122.6.2 Specialized animal raising

122.6.3 Private clubs, lodges, recreational buildings, community firehouses, including such structures and uses as are necessary for their operation, except those of the chief activity of which is a service customarily carried on as a business.

122.6.4 Riding stables

122.6.5 Bed and Breakfast, (See Section 142.4.5.24).

122.7 PRESERVATION REGULATIONS:

122.7.1 Pollution of the main river, its tributaries, or lands surrounding the river with sewage effluent, trash, soil, or other pollutants shall be prohibited prior to, during, or after the approved selective timber harvesting operation.

122.7.2 The preservation of all timber within the area shall be encouraged. The private and commercial use of timber shall be permitted on a selective harvesting basis as detailed below. Under no circumstance shall temporary or permanent sawmills be permitted.

An application to harvest timber shall include the following information and may be required to submit additional information as deemed necessary by the Board of Zoning Appeals and/or the Zoning Inspector:

A site plan of the proposed site showing the location of all temporary roadways or haul roads, parking areas of equipment, refuse areas, drainage of the area, topography and soil information, and lighting equipment and wattage if used, and areas to be re-seeded as required by the State Forester and/or land owner must be submitted to the Lake County Soil and Water Conservation District Office and/or the State Forester. A copy of the recommendations, suggestions, or requirements received from either the Lake County Soil and Water Conservation District Office and/or the State Forester along with the site plan must be presented to the Board of Zoning Appeals as part of the application for a conditional use permit. Applicants may submit an application for a conditional use permit to the Board of Zoning Appeals without a copy of the recommendations, suggestions, or requirements from either the Lake County Soil and Water Conservation District Office or the State Forester with proof that the plan has been submitted to the office of choice and that 30 days has elapsed without receipt of such recommendations, suggestions, or requirements being received. A post harvest site reclamation plan which would include site cleanup and when required, a replanting plan shall also be submitted at the time of application.

An erosion control plan must be submitted showing the type and location of erosion control devices, and a description of other measure to be applied to the site to control erosion during and after timbering, especially if the site is temporarily abandoned.

Trees less than 24 inches in diameter measured at the Diameter Breast Height shall not be permitted to be cut unless documentation is provided that shows an evaluation of the site has occurred and that the cutting does not adversely affect the area.

Hours of cutting during the timbering operation shall be determined upon review of the site, the season of the cutting, and other conditions and must be approved by the Board of Zoning Appeals.

122.8 S-1 FLOOR AREA REQUIREMENTS (Recreational and Grand River Area):

1 Story	<p>Minimum 1200 square feet finished area</p> <p>The garage area shall not be included when calculating the minimum square feet required.</p>
1 1/2 Story	<p>Minimum 850 square feet finished lower level</p> <p>Minimum 425 square feet finished second level</p> <p>Minimum total of 1275 square feet finished area</p> <p>The garage area shall not be included when calculating the minimum square feet required.</p>
Bi-Level	<p>Minimum 850 square feet finished upper level</p> <p>Minimum 450 square feet finished lower level</p> <p>Minimum total of 1600 square feet of finished area</p> <p>The garage area shall not be included when calculating the minimum square feet required.</p>

2 Story

Minimum 850 square feet finished lower level
Minimum 450 square feet finished upper level
Minimum total of 1600 square feet of finished area

The garage area shall not be included when calculating the minimum square feet required.

**122.9 LOT SIZE, FRONTAGE, HEIGHT AND SET BACK REQUIREMENTS:
(Recreational and Grand River Area):**

Maximum height of main building – 2 1/2 stories, 35 feet
Minimum depth of front yard - 50 feet
Minimum either side yard - 40 feet
Width of, sum of side yards - 80 feet
Minimum depth of rear yard - 50 feet
Minimum lot area per family - 217,800 square feet
Minimum lot frontage - 250 feet

In all newly platted or re-platted subdivisions, on or after July 23rd, 1992, the lot frontage shall be measured along the set back line. All side lot property lines shall be perpendicular or radial to the road right of way to a depth at least equal to the actual set back depth. In no case will the minimum frontage measured along the road right of way be less than 205 feet.

For lot size, frontage, height and set back modifications and exceptions, see Section 125. For Cul-de-sac information, see Section 125.18.

122.10 SIGNS: (see Section 128.9.12)