

## **125 – LOT SIZE, FRONTAGE, HEIGHT, AND SETBACK EXCEPTIONS AND MODIFICATIONS**

**125.1** The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors and flagpoles except where the height of such structures will constitute a hazard to the safe landing and take-off of military, public, commercial and private aircraft at an established airport.

**125.2** Public, semi-public, or public service building, hospitals, institutions or schools, where permitted, may be erected to a height not exceeding sixty (60) feet and churches and temples may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by one foot for each foot of additional building height above the height regulations for the district in which the building is located.

**125.3** When forty (40) percent or more of the frontage on one side of the street between two intersecting streets is improved with buildings that have a front yard which is greater or less than the required front yard in the district, no buildings shall project beyond the average front yard so established, provided however, that a front yard depth shall not be required to exceed Fifty (50) percent in excess of the front yard otherwise required in the district in which the lot is located.

**125.4** All or part of any lot involved in an acreage transfer, lot separation, lot split, or division from another lot having frontage along a road shall, after said acreage transfer, lot separation, lot split, or division from another lot, meet or exceed the minimum amount of frontage along said road required for that district.

**125.5** On lots having double frontage, the required front yard shall be provided on both streets.

**125.6** An open, uncovered porch or paved terrace may project into a required front yard for a distance of not more than ten (10) feet, but this shall not be interpreted to include or permit fixed canopies.

**125.7** Filling station pumps and pump islands may be located within a required yard, provided they are not less than fifteen feet from a road right of way line or adjacent property line and not less than fifty (50) feet from the boundary of any residential district.

**125.8** Where a lot abuts upon an alley, one-half (1/2) the alley width may be considered as part of the required rear yard.

**125.9** The ordinary projections of sills, belt courses, cornices, and ornamental features may extend to a distance not to exceed eighteen (18) inches into a required yard.

**125.10** Open or lattice-enclosed fire escapes, outside stairways and balconies opening upon fire towers and the ordinary projections of chimneys and flues into a rear yard may be

permitted by the Township Zoning Inspector for a distance not to exceed five (5) feet when these are so placed as to obstruct light and ventilation.

**125.11** In any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or in any area consisting of 15 or more lots approved under Section 711.131 of the Ohio Revised Code that 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, the following regulations shall apply:

125.11.1 Buildings or structures incident to the use of land for agricultural purposes on lots of one acre or less shall conform to the regulations set forth in this Zoning Resolution relating to minimum setback requirements for accessory structures, excluding any height requirement.

125.11.2 The Township chooses to regulate farm animals in these areas. The following shall be prohibited: Raising, breeding, dairying or maintaining farm animals/ livestock such as horses, pigs, cows, sheep, goats, and other similar livestock or fowl. Also prohibited is apiculture/bee keeping. Excluded are companion animals, chickens, a maximum of six (6), no roosters and must be contained and rabbits in hutches are allowed. Companion animal means any animal kept inside a residential dwelling and any dog or cat regardless of where it is kept. (ORC 959.131)

**125.12** A port-cochere or canopy may project into a required side yard, provided every part of such port-cochere or canopy is unenclosed and not less than seven (7) feet from any side line.

**125.13** For the purpose of side yard regulation, a two family dwelling or multiple dwelling shall be considered as one building occupying one lot.

**125.14** An owner of a dwelling, erected prior to the effective date of this Resolution on a lot seventy-five (75) feet or less in width shall be permitted to enlarge or structurally alter such dwelling to provide additional enclosed space for living or garage purposes, provided, however, that it is not less than set forth in Section 125.15.

**125.15** Where a lot of record at the time of the effective date of this Resolution is of less width, and/or lot area than the minimum lot width and area required in the district in which the lot is located, the minimum side yard may be reduced to ten (10) percent of the width, provided however, that no one side yard shall be less than five (5) feet, and one side yard must be no less than ten (10) feet.

**125.16** In an effort to incentivize the demolition and re-construction of new homes in the R-2district, the following relief will be provided on lots of record at the time of passage of this amendment 01/12/2024.

125.16.1 Minimum Lot Size Requirements Include:

- A. 40-foot frontage
- B. 4000 Sq/ft area

125.16.2 Minimum Residential Home Requirements:

- A. A 20% increase over the existing home or a minimum of 1000 Sq/ft for a 1-story finished living area.
- B. Minimum 2 car enclosed garage with a minimum 500 Sq/ft. of unenclosed parking.
- C. The garage area shall not be included when calculating the minimum square feet of living area.

125.16.3 Minimum Set-Back Requirements:

- A. Front yard setback will be the average of all the homes, same side of the street, for 250 feet in both directions.
- B. Side and Rear setback will be reduced by 10% of the frontage.

**125.17** On a corner lot, the width of the yard along the side street shall not be less than any required front yard on such street, provided however, that the buildable width of a lot of record shall not be reduced to less than thirty two (32) feet.

**125.18** If two or more lots or combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this resolution, and if all or part of the lots with no building do not meet the requirements established for lot width and area, the land involved shall be considered to be an undivided parcel for the purpose of this resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements of this zoning resolution, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this resolution.

**125.19** Lots located around the perimeter of a cul-de-sac shall have a minimum frontage at the street right-of-way line of sixty (60) feet. At the required minimum front yard setback of the zoning district in which the cul-de-sac lot is located, the lot width must be greater than or equal to the district requirement for minimum lot frontage.

**125.20** Occupants of land situated along the roads and highways of the Township shall remove all obstructions within the right-of-way bounds of such roads and highways which have been placed there either by themselves or their agents, or with their consent, and not under a franchise or permit legally granted. No individual, firm, corporation or other entity shall place or maintain, or allow to be placed or maintained, any post, sign or obstruction within the right-of-way or bounds of any road or highway within the Township.