

Proposed Zoning Changes

Section 3 (Definitions)

Current

3.41 - **STRUCTURE**: means anything constructed or erected which requires location on the ground, including billboards, swimming pools, crude oil storage tanks, but not including fences or walls used as fences.

Proposed

3.41 – **STRUCTURE**: means anything constructed or erected which requires location on the ground including billboards, swimming pools, lakes and ponds, but not including fences or walls used as fences. (Amended 0-00-00; Effective 0-00-00)

New Addition

3.50 – **POND/LAKE**: means a body of water other liquids or sludge, and may be a natural or artificial structure made by constructing a dam or embankment or by using a natural or manmade hollow or pit. The pond shall include the liquid portion and all components necessary to construct and maintain said pond or lake.

3.51 – **SLUDGE**: is a generic term for solids separated from suspension in a liquid.

3.52 – **APPROACH SLOPE**: means the glide path an aircraft must follow on its approach to land on a runway or takeoff from a runway.

Proposed Zoning Changes

Section 6 (Residential District)

6.3 – Area and Height Regulations

Current

4 - No building or structure or any portion thereof shall be erected within seventy-five (75) feet of the right-of-way limits of any State or Federal Highway or closer than seventy-five (75) feet from the right-of-way limits of any County or Township road as designated, except where the size of a previously established lot will not permit a setback line as herein before established.

5 - **SIDE YARDS:** For every building erected in an “R” district, there shall be a minimum side lot clearance on each side of said distinct building of not less than twenty (20) feet, which space shall remain open and unoccupied by any buildings or structure. Attached garages or accessory buildings connected with the main building by a breezeway or other permanently constructed connection shall be construed to be part of the main building for the purpose of this section. All accessory buildings shall be at least twenty (20) feet from any dwelling, provided however, that an accessory building may be erected not less than twenty (20) feet from the side lot line, except on corner lots, providing it will be not less than twenty (20) feet from any existing residence.

6 - **CORNER LOTS:** The setback building line on a corner lot shall be in accordance with the provisions governing the road or street on which the building faces. If possible, the side yard clearance on the side street shall conform to the setback line for an inside lot on said road or street, but in no event shall said side yard clearance be less than seventy five (75) feet.

7 - **REAR YARDS:** For every building erected in an “R” district, there shall be a minimum rear yard clearance at the rear of said building of at least twenty (20) feet. which space shall remain open and unoccupied by any building or structure. 28

Proposed

4 - No building/structure or any portion thereof shall be erected within seventy-five (75) feet of the road right-of-way limits of any State or Federal Highway or as otherwise provided by law. No building/structure or any portion thereof shall be erected closer than seventy-five (75) feet from the right-of-way limits of any County or Township road as designated, except where the size of a previously established lot will not permit a setback line as herein before established.

5 – **Side Yards:** For every building/structure erected in an “R” district, there shall be a minimum side lot clearance on each side of said distinct building of not less than twenty (20) feet, which space shall remain open and unoccupied by any building/structure. Attached garages connected to the main building by a

breezeway or other permanently constructed connection shall be construed to be part of the main building for the purpose of this section. All accessory building/structures shall comply with the setback requirements of the zone in which they are located and shall be located at least twenty (20) feet from the principal building.

6 – Corner Lots: shall comply with the front yard setbacks for each street on which it has frontage.

7- Rear Yards: For every building/structure erected in an “R” District, there shall be a minimum rear yard setback at the rear of said building/structure of at least fifty (50) feet, which space shall remain open and unoccupied by any building/structure.

Proposed Zoning Changes

Section 9 (Conditional Zoning Certificates)

II. CONDITIONALLY PERMITTED USES: REGULATIONS

Current

1 - All structures and activity areas should be located at least one hundred (100) feet from all property lines, but shall in no event be less than twenty (20) feet. Reference: Conditionally Permitted Uses: **R-6.2**; 1-5, 10, 12, 13, 15, 17, 21, 24, 26, **C-2**; 4, 5 and **I-3**; 1, 3-6.

Proposed

1 – All building/structures and activity areas should be located at least fifty (50) feet from the rear property line, but shall in no event be less than twenty (20) feet from side property lines. Reference: Conditionally Permitted Uses: **R-6.2**; 1-5, 10, 12, 13, 15, 17, 21, 24, 26, **C-2**; 4, 5, and **I-3**; 1, 3-6.

Current

6 - Such structures should be located on a collector or minor thoroughfare, Reference: Conditionally Permitted Uses: **R-6.2**; 1-5, 13, 18, 24, **C-2**; 1, 2, 4, 5 and **I-3**; 1, 3-6.

Proposed

6 – Such building/structure should be located on a collector or minor thoroughfare as defined by the County Highway Engineer. Reference: Conditionally Permitted Uses: **R-6.2**; 1-5, 13, 18, 24, **C-2**; 1, 2, 4, 5 and **I-3**; 1, 3-6.

Current

9 - Any temporary structures must be indicated as such on site plans submitted to the Appeals Board for approval. Reference: Conditionally Permitted Uses: **R-6.2**; 6-11, 14-16, 18, 23-25, **C-2**; 1, 2, 4, 5 and **I-3**; 1, 3-6.

Proposed

9 - Any temporary building/structure shall be indicated as such on site plan submitted to the Board of Zoning Appeals for approval. Reference: Conditionally Permitted Uses: **R-6.2**; 6-11, 14-16, 18, 23-25, **C-2**; 1, 2, 4, 5 and **I-3**; 1, 3-6.

Current

22A – Home Occupation Type B:

- (f) - The accessory structure for home occupation may be a garage or other enclosed building, may also be used as an office facility. The floor area shall be sufficient to house all equipment and vehicles allowed in the occupation, which shall be determined by the Zoning Board of Appeals.
- (i) - No materials or supplies shall be sold from the premises. All supplies and materials used in the home occupation shall be housed within the accessory building.
- (j) - All maintenance and repair work shall be done within an enclosed accessory building unless permitted as one of the conditions set by the Zoning Board of Appeals.

Proposed

(f) – The accessory building/structure for home occupation may be a garage or other enclosed building/structure. The floor area shall be sufficient to house all equipment and vehicles allowed in the occupation, which shall be determined by the Board of Zoning Appeals.

(i) - No materials or supplies shall be sold from the premises. All supplies and materials used in the home occupation shall be housed within an accessory building/structure.

(j) – All maintenance and repair work shall be done within an enclosed accessory building/structure unless permitted as one of the conditions set by the Board of Zoning Appeals.

Current

23 - Primary and accessory buildings including parking area shall constitute not over 40% of the lot area. Reference: Conditionally Permitted Uses: **R-6.2; 1-5, 24.**

Proposed

23 – Primary and accessory buildings/structures including parking areas shall constitute not over 40% of the lot area. Reference: Conditionally Permitted Uses: **R-6.2; 1-5, 24.**

Current

28 – Barns

(b) - Storage purposes: Provided outside of structure is not altered or added to.

Proposed

(b) – Storage purposes: Provided exterior of building/structure is not altered or added to.

Current

29 – Airports

(d - **REGULATIONS NOT RETROACTIVE**: This section shall not apply to existing structures or objects of natural growth so as to require the removal, or other changes or alteration of any structure or object of natural growth, no non-conforming structure shall be made higher nor any non-conforming object of natural growth be allowed to become a greater hazard than it is at the time these regulations are adopted. If any non-conforming use is discontinued for two years or more, any future use of the premises shall be in conformity with the provisions of this section. Any non-conforming structure or any object of natural growth which is hereafter damaged by any means to an extent exceeding fifty (50%) percent of its then reproduction value may not be restored or reconstructed to a height greater than permitted under the provisions of these regulations.

Proposed

(d) – Regulations not retroactive: No non-conforming building/structure shall be made higher or trees or shrubs be allowed to become a greater hazard than it is at the time these regulations are adopted. Any nonconforming building/structure which is hereafter damaged by any means to an extent exceeding fifty percent (50%) of its then reproduction value may not be restored or reconstructed.

Current

32 - In car reception only, no loudspeakers.

(a) - Setback:

- 1 - Main structure and ticket office - 300 feet.
- 2 - Marquee and accessory buildings - 100 feet. Reference:
Conditionally Permitted Uses: **C-2**; 1.

Proposed

32 – In car reception only, i.e. no loudspeakers.

(a) – Setback:

- 1 – Main structure and ticket office – 300 feet.
- 2 – Marquee and accessory buildings/structures – 100 feet. Reference: Conditionally Permitted Uses: **C-2**; 1.

Current

34 – Camping, Recreation Areas and Facilities:

- (c) - All structures, roads and utilities shall comply with the Guilford Township Zoning Resolution, the Medina County Subdivision regulations, and the Medina County Board of Health Standards.
- (d) - All structures, facilities, and active recreational areas shall be set back from the roadside 100 feet and shall be located at least 100 feet from all property lines.

Proposed

(c) – All buildings/structures, roads and utilities shall comply with the Guilford Township Zoning Resolution, the Medina County Subdivision regulations and the Medina County Board of Health Standards.

(d) – All buildings/structures, facilities, and active recreational areas shall be set back from the roadside 100 feet and shall be located at least 100 feet from all property lines.

Current

36 – Rear Lot Development

D – YARD REQUIREMENTS:

All buildings and structures shall be located to provide maximum privacy for adjacent frontage lots. No building or structure on a back lot shall be located within one hundred fifty (150) feet of the property line of a frontage lot. The Board of Appeals may require a greater separation to insure privacy for adjacent frontage lots, or to ensure health and safety. A minimum setback of fifty (50) feet from all other back lot property lines shall be required for all buildings and structures.

Proposed

D – YARD REQUIREMENTS:

All buildings/structures shall be located to provide maximum privacy for frontage lots. No building/structure on a back lot shall be located within one hundred fifty (150) feet of the property line of a frontage lot. The Board of Zoning Appeals may require a greater separation to insure privacy for adjacent frontage lots, or to ensure health and safety. A minimum setback of fifty (50) feet from all other back lot property lines shall be required for all building/structures.

Proposed Zoning Changes

Section 10 (Nonconforming Uses)

Current

10.2 - Any building arranged, intended or designed for nonconforming use, the construction of which has been started at the time of the passage of this Resolution of Amendments, may be completed and used for such nonconforming purposes, providing it is done within six (6) months after this Resolution of Amendments takes effect.

Proposed

10.2 – Any building/structure arranged, intended or designed for nonconforming use, the construction of which has been started at the time of the passage of this Resolution of Amendments, may be completed and used for such nonconforming purposes, providing it is done within six (6) months after this Resolution of Amendments takes effect.

Current

10.3 - Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building which has been destroyed or damaged by fire, explosion, or acts of God, provided said damage is less than fifty (50) percent of the value of the structure at the time it is destroyed, and such restoration is done within two (2) years from date of destruction or damage.

Proposed

10.3 – Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building/structure which has been destroyed or damaged by fire, explosion or acts of God, provided said damage is less than fifty percent (50%) of the value of the building/structure at the time it is destroyed, and such restoration is done within two (2) years from date of destruction or damage.