

Franklin County Board of Commissioners Rezoning Hearing

**Franklin County Courthouse
373 South High Street – 26th Floor
Columbus, OH 43215**

**Tuesday, August 13, 2019
10:00 a.m.**

1. Call roll for board members
2. Introduction of staff
3. Swearing in of witnesses
4. Approval of minutes from the June 11, 2019 meeting
5. Old Business:

i. ZON-19-01 – Brad Fisher

Owner/Applicant:	Hollywood Retail Ventures, LLC
Agent:	Donald Plank - Plank Law Firm, LPA
Township:	Franklin Township
Site:	4081-4089 W. Broad St. (PID #140-007390, 140-007182)
Acreage:	10.76-acres
Utilities:	Public water and sewer
Request:	Requesting to rezone from the General Industrial (GI) district to the Community Service (CS) district.

6. New Business:

i. ZON-19-03 – Phil Ashear

Applicant:	Franklin County Rural Zoning Commission
Request:	Requesting a zoning text amendment with regard to Screening and Buffering requirements found in Section 521 and corresponding Sections of the Zoning Resolution that reference Screening and Buffering requirements.

ii. ZON-19-04 – Phil Ashear

Applicant:	Franklin County Rural Zoning Commission
Request:	Requesting a text amendment to the Urban Residential (R-12) district in Section 315.042(a) of the Franklin County Zoning Resolution to change the minimum lot width for one-family dwellings.

iii. ZON-19-05 – Phil Ashear

Applicant:	Franklin County Rural Zoning Commission
Request:	Requesting a text amendment to Sections 308 and 501 of the Franklin County Zoning Resolution to renumber subsections for clarity.

7. Adjournment of Meeting to September 10, 2019



Franklin County
Board of Commissioners

**ECONOMIC DEVELOPMENT
& PLANNING**

**MINUTES OF THE
FRANKLIN COUNTY BOARD OF COMMISSIONERS
REZONING HEARING**

Tuesday, June 11, 2019

The Franklin County Board of Commissioners convened on the 26th floor, Franklin County Courthouse, 373 South High Street, Columbus, Ohio, 43215, on Tuesday, June 11, 2019.

Present were:

Marilyn Brown, Chairperson
Kevin L. Boyce, Commissioner
John O'Grady, Commissioner

Franklin County Economic Development and Planning Department:

Jenny Snapp, Assistant Director
Matt Brown, Planning Administrator
Brad Fisher, Planner

Chairperson Brown opened the hearing which was followed by the roll call of board members and the swearing in of witnesses. Commissioner Boyce made a motion to approve the minutes from the February 12, 2019 meeting. It was seconded by Chairperson Brown. The motion was approved by a two-to-zero vote.

NEW BUSINESS:

The first order of business being Case No. ZON-19-01. The applicant is Hollywood Retail Ventures, LLC. The township is Franklin Township. The location is 4081-4089 West Broad Street. It is 10.76 acres in size and is served by public water and sewer. The request is to rezone from the General Industrial District to the Community Service District. Mr. Brad Fisher read and presented the case to the Franklin County Commissioners. There was testimony by Ms. Rebecca Mott of the Plank Law Firm, agent for the applicant. Ms. Rebecca Mott requested a one-month tabling of this matter. Commissioner Boyce moved for tabling of Case No. ZON-19-01. Commissioner O'Grady seconded the motion. The motion was approved by a three-to-zero vote.

The second order of business being Case No. ZON-19-02. The owner is Res-Care Ohio Inc. The applicant is Gracehaven, Central Ohio Youth for Christ. The township is Clinton Township. The location is 4133 Karl Road. It is 4.82 acres in size and is served by public water and sewer. The request is to rezone from the Rural District to the Suburban Office District. Mr. Brad Fisher read and presented the case to the Franklin County Commissioners. There was testimony from Kenneth Miesse and Judy Gideon. Commissioner Boyce moved for adoption of zoning Case No. ZON-19-02. Commissioner O'Grady seconded the motion. The motion was approved by a three-to-zero vote.

There being no further business to come before the Franklin County Commissioners, the proceedings were concluded at 10:47 AM.

Signature

Minutes of the June 11, 2019, Franklin County Board of Commissioners Rezoning hearing were approved this 13th day of August, 2019.



STAFF REPORT

Board of County Commissioners
August 13, 2019

Case: ZON-19-01

Prepared by: Brad Fisher

Owner/Applicant:	Hollywood Retail Ventures, LLC
Agent:	Donald Plank – Plank Law Firm, LPA
Township:	Franklin Township
Site:	4081-4201 W. Broad St. (PID #140-007182 & 140-007390)
Acreage:	10.76-acres
Utilities:	Public water and sewer
Request:	Requesting to rezone from the General Industrial (GI) district to the Community Service (CS) district.

Summary

The applicant is requesting a rezoning from the General Industrial (GI) district to the Community Service (CS) district to legitimize existing uses and allow for all uses found in the Community Service (CS) district. The request is consistent with recommendations of the Westland Area Interim Development Framework. Staff recommends *conditional approval*.

History

The case was presented to the Board on June 11, 2019. The applicant requested a tabling until the July 9th Commissioners Rezoning Hearing in order to obtain additional information about the existing check cashing use. No updated materials have been submitted to Staff as of August 6, 2019.

Request

The site is located at the southwest corner of W. Broad Street and Georgesville Road, in Franklin Township. A shopping center was developed on the site in the mid 1980's and includes four (4) structures. There are five (5) existing access drives, two (2) along W. Broad Street and three (3) along Georgesville Road.

The applicant is requesting a rezoning to allow for the use of a grocery store and check cashing establishment. If the rezoning is approved, the site may be used for any permitted use in the Community Service (CS) district that complies with the applicable development standards.

Surrounding Land Use/Zoning

Properties to the north, south and west are zoned General Industrial (GI) and Community Service (CS) in Franklin Township. These properties have been developed as follows: gas station, apartment buildings and small commercial businesses to the north, a coffee shop and two (2) banks to the south, and the vacant Westland Mall site to the west. Hollywood Casino is to the east and zoned Commercial in the City of Columbus.

Comprehensive Plan

The Westland Area Interim Development Framework, adopted in 2010, contains a Future Land Use Map and Development Principals that recommend this property for a full range of commercial and multi-family residential uses. Corresponding zoning districts include: Suburban Apartment Residential (R-24), Suburban Office (SO), Neighborhood Commercial (NC), Community Commercial (CC), and Community Service (CS) districts.

The requested zoning district is consistent with the Plan's future land use recommendation and Goal Statements.

Staff Analysis

Existing zoning – General Industrial:

The General Industrial (GI) district is provided for heavy manufacturing and extensive industrial uses not provided for in other industrial zoning districts. These industrial uses generally require large sites and a total range of services and facilities, including appropriate access to highly developed and integrated transportation facilities. These industries typically operate from enclosed structures, but often have large open storage and service areas where some part of the production process may take place.

Proposed zoning – Community Service:

The Community Service (CS) district is provided for large item commercial sales, service and repair establishments. The trade area population served by these establishments require easy access to major traffic routes. The Community Service district is the most intense commercial zoning district and allows for all uses permitted in the Suburban Office (SO), Neighborhood Commercial (NC) and Community Commercial (CC) districts.

Development Standards

- *Lot Size*- No minimum, except for automobile retailers which require one (1) acre.
- *Lot Width*- No minimum, except for automobile retailers which require 200 feet.
- *Landscaped Open Space*- 20% of the total lot area.
- *Side Yard*- $\frac{1}{4}$ the sum of the height and width of the structure or 25 feet, whichever is greater. Ten (10) feet when adjacent to another commercial district.
- *Rear Yard*- $\frac{1}{4}$ the sum of the height and width of the structure or 25 feet, whichever is greater.
- *Front Green Belt*- 15 feet wide, between the street right-of-way line and any paved area.

The site is subject to the Smart Growth Overlay design standards if redeveloped in the future.

Technical Agency Review

Franklin County Engineer's Office and Franklin Soil & Water Conservation District

Indicated no concerns with the proposed rezoning.

Staff Review

The proposed rezoning keeps with the land use recommendation of the adopted comprehensive plan and meets the intent of the Community Service (CS) district by allowing for a wide range of services to the community.

Staff believes that the proposed rezoning advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the overall development of the surrounding area.

Staff Recommendation

Staff recommends conditional approval of the request to rezone from the General Industrial (GI) district to the Community Service (CS) district. The condition of approval is that parcel numbers 140-007182 and 140-007390 be combined.

Planning Commission Recommendation

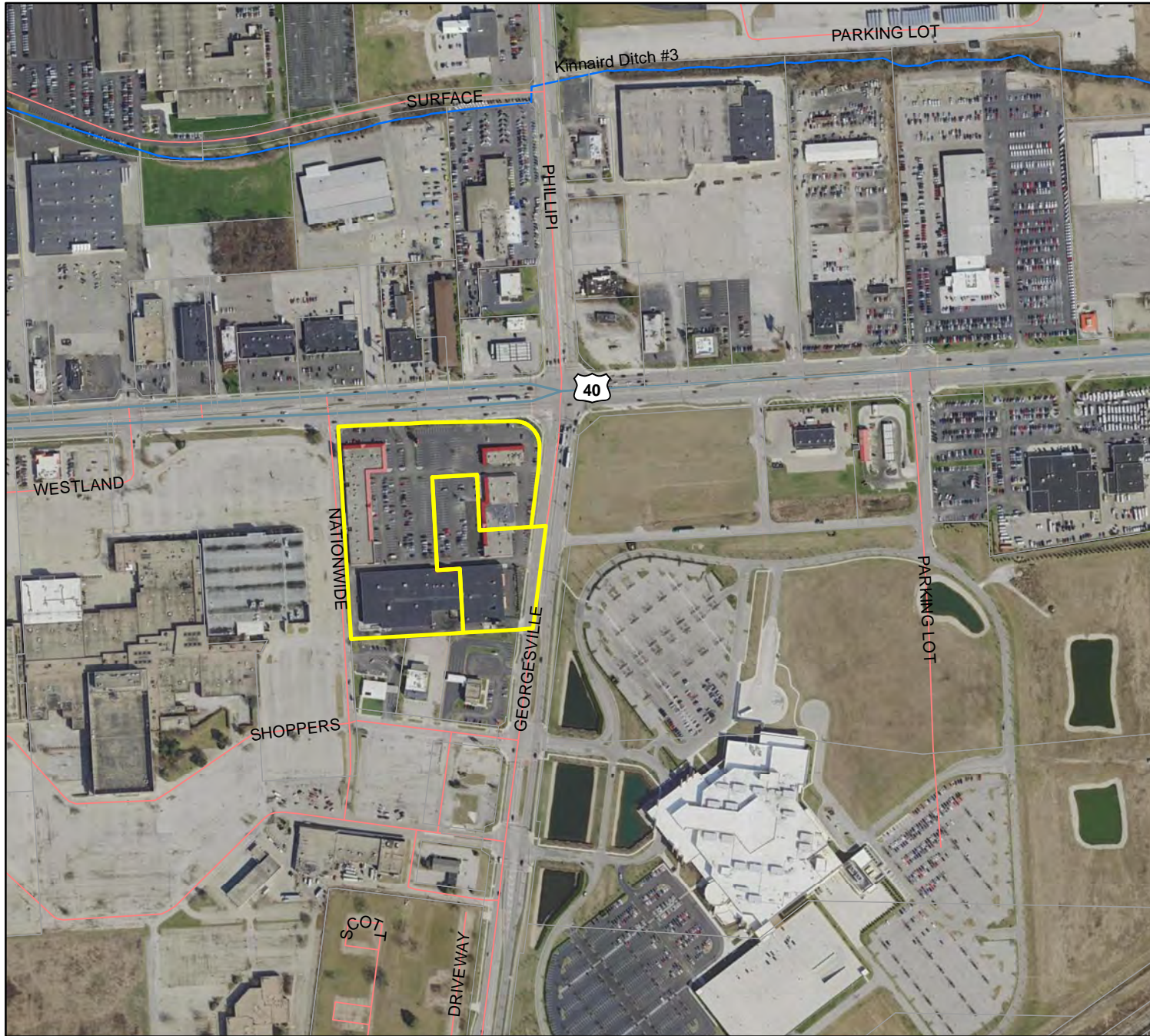
On May 8, 2019, the Franklin County Planning Commission recommended conditional approval of the request to rezone from the General Industrial (GI) district to the Community Service (CS) district. The condition of approval is that parcel numbers 140-007182 and 140-007390 be combined.

Rural Zoning Commission Recommendation

On May 16, 2019, the Franklin County Rural Zoning Commission conditionally approved the request to rezone from the General Industrial (GI) district to the Community Service (CS) district. The condition of approval is that parcel numbers 140-007182 and 140-007390 be combined.

Board of County Commissioners Recommendation

On June 11, 2019, the Board of County Commissioners approved the applicants request to table the case until the July 9, 2019 meeting.

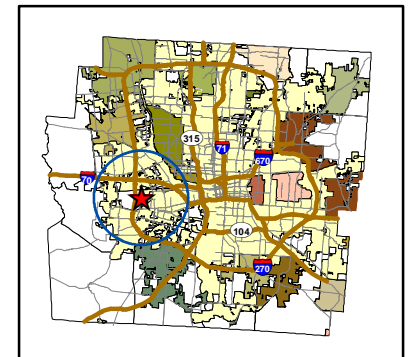


ZON-19-01

Requesting to rezone from the General Industrial (GI) district to the Community Service (CS) district.

Acres: 10.76
Township: Franklin

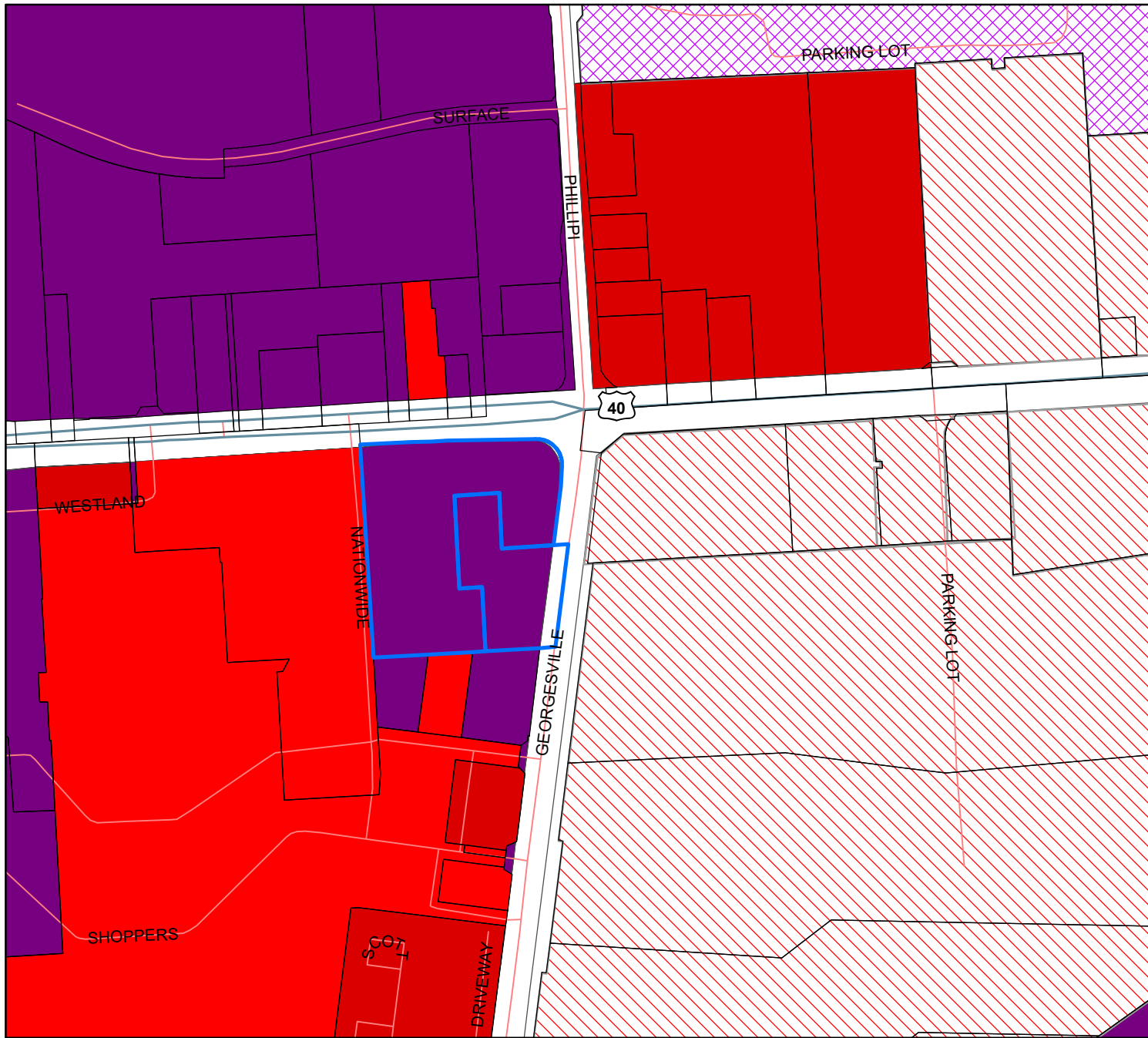
- 4081-4089 West Broad Street
- Parcels
- US Route
- Streets
- Kinnaird Ditch #3



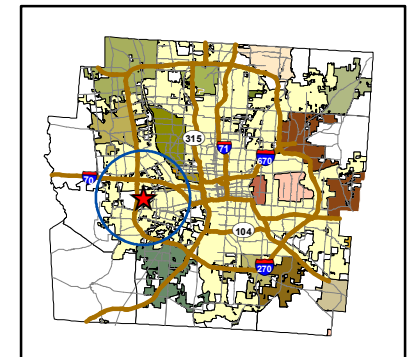
ZON-19-01

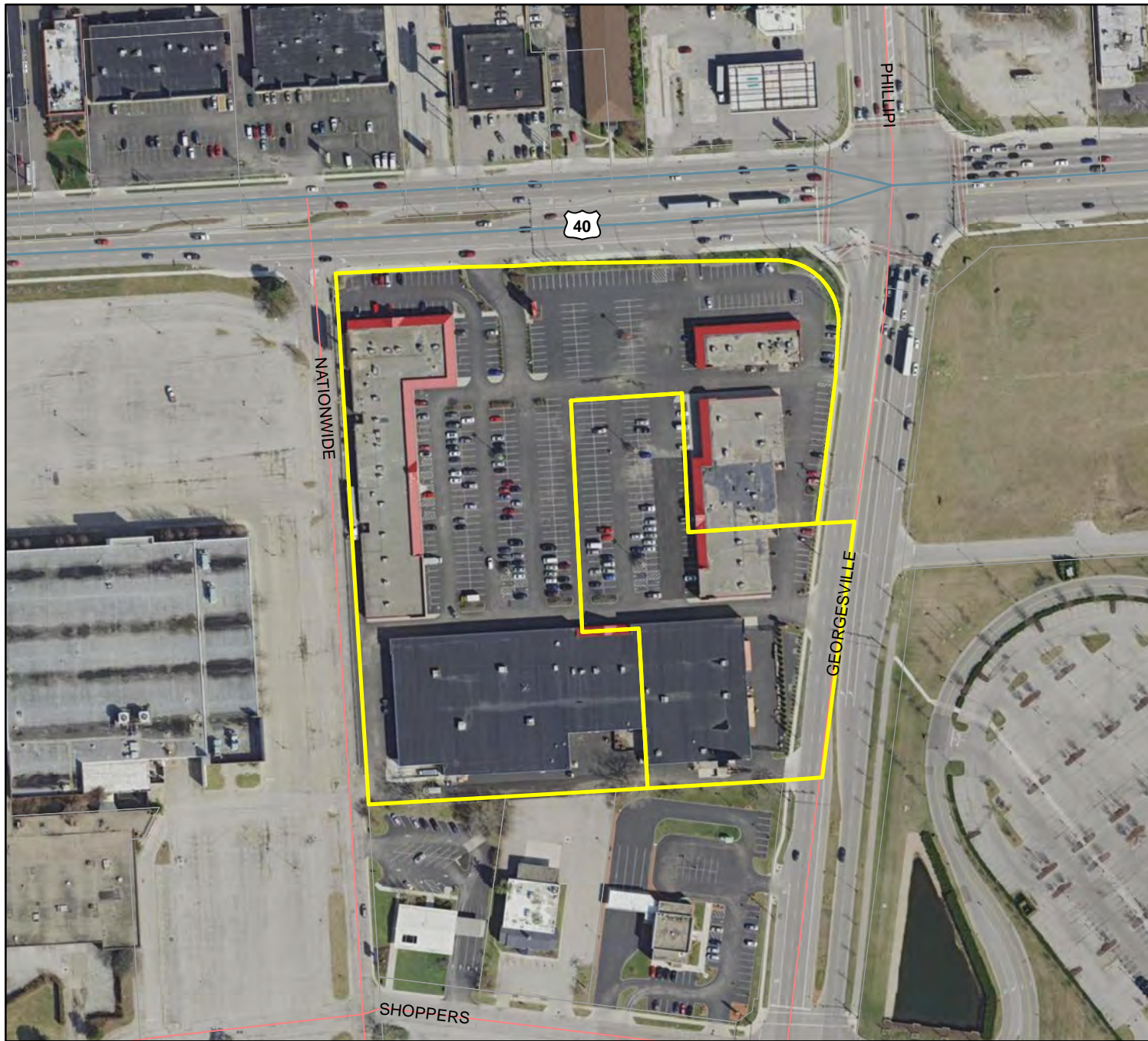
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- 4081-4089 West Broad Street
- Parcels
- US Route
- Streets
- Franklin County Zoning**
 - Community Service
 - General Industrial
 - Rural
- Columbus Zoning**
 - Commercial
 - Manufacturing



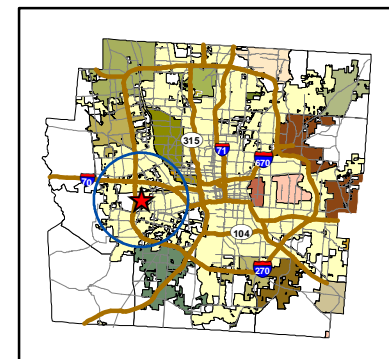


ZON-19-01

Requesting to rezone from the General Industrial (GI) district to the Community Service (CS) district.

Acres: 10.76
Township: Franklin

- 4081-4089 West Broad Street
- Parcels
- US Route
- Streets





Franklin County
Board of Commissioners
**ECONOMIC DEVELOPMENT
& PLANNING**

Economic Development & Planning Department
James Schimmer, Director

Proposal for
**Zoning Text
Amendment**
Franklin County Zoning Resolution



Origin of Amendment

- Motion by the Rural Zoning Committee
- Resolution by the Board of County Commissioners
- Application by land owner

Applicability

- All townships under Franklin County Zoning
- The following townships only:

Case Number

ZON - 19 - 03

Meeting Dates

Tech Review: 6-25-19
 Planning Commission: 7-10-19
 Zoning Commission: 7-18-19
 County Commissioners: 8-13-19

Sections to Amend

Section	Title
521 and all corresponding sections that mention Screening and Buffering	Screening and Buffering Required

Reason for amendment:

clarity + consolidation

Amendment Text

Additions appear in underline. Deletions appear in ~~strikethrough~~.

- Amendment text appears on a separate sheet
- Amendment texts appears below:

STAFF REPORT

Board of County Commissioners
August 13, 2019

Case: ZON-19-03

Prepared by: Phil Ashear

Applicant:	Franklin County Rural Zoning Commission
Township:	All Townships under Franklin County Zoning Resolution
Request:	The Franklin County Rural Zoning Commission is requesting a zoning text amendment with regard to Screening and Buffering requirements found in Section 521 and corresponding Sections of the Zoning Resolution that reference Screening and Buffering requirements.

Summary

The Rural Zoning Commission, via a motion made on May 16, 2019, is requesting a zoning text amendment with regard to Screening and Buffering requirements found in Section 521 and corresponding Sections of the Zoning Resolution that reference Screening and Buffering requirements. Staff recommends *approval* of the request.

History & Overview

Currently, Screening and Buffering requirements are found in multiple Sections of the Zoning Resolution, making it difficult for applicants to understand and for Staff to administer. EDP is proposing a zoning text amendment to address these problems.

The proposed amendment is intended to address this problem. The proposed amendment includes minor changes to screening and buffering standards and the consolidation of Screening and Buffering requirements into one Section of the Zoning Resolution. The draft amendment also includes a table and graphics to make the regulation easier to understand. Finally, all other Sections of the Zoning Resolution that contained screening and buffering requirements will be amended to reflect or reference the new Section 521 – Screening and Buffering Requirements.

Through the amendment process, EDP has conducted research of best practices, reviewed the form and structure of the current Zoning Resolution, and sought input from subject matter experts and local stakeholders. Staff solicited input from more than 50 individual experts and stakeholders via a two phase process designed to establish a better final product. Stakeholder input was incorporated into the final draft amendment.

Comprehensive Plans

The following table illustrates the County Planning Documents reviewed for guidance in developing the Screening and Buffering Text Amendment:

Plan	Date Adopted	Buffer/Screening Recommendations		Applicable? (Y/N)	How?
		Y/N?	Comments		
Brown Township Comprehensive Plan	May 31, 2005	No	N/A	No	N/A
Big Darby Accord Watershed Masterplan	June, 2006	Yes	Chapter 4 (town center); Recommends screening of parking, dumpsters, and mechanical equipment	Yes	Dumpsters covered by 521.15, parking covered by 521.17, (mechanicals only addressed by Smart Growth Overlay)
Clinton-Mifflin Land Use Plan	January 13, 2009	Yes	Page 81; buffer recommended between commercial/industrial land and residential uses	Yes	Covered by the table (521.09).
Southwest Area Plan	April 14, 2009	Yes	Page 51-59; Screening recommended between commercial/industrial land and residential uses. Also recommends screening of parking areas.	Yes	Covered by the table (521.09), parking covered by 521.17.
Pleasant Township Comprehensive Plan	June 9, 2009	No	N/A	No	N/A
Southwest Area Plan	April 14, 2009	Yes	Page 51-59; Screening recommended between commercial/industrial land and residential uses. Also recommends screening of parking areas.	Yes	Covered by the table (521.09), parking covered by 521.17.
Cleveland Avenue Streetscape 2020	June 8, 2010	No	N/A	No	N/A
Blacklick-Madison Area Plan	November, 2011	Yes	Page 62; 75 ft. separation between residential and agricultural uses recommended to be added to subdivision regulations.	No	N/A
Clinton West Neighborhood Plan	July 10, 2012	Yes	Design Guidelines are included (p.61-63). Action 16 on p. 54 also mentions buffering of industrial sites from nearby uses. Also recommends screening of parking areas	Yes	Covered by the table (521.09), parking covered by 521.17.

Staff believes the proposed text amendment addresses the recommendations of the four (4) plans with applicable screening and buffering comments shown above.

Technical Review Agencies

No Technical Review Agencies expressed concerns with the proposed amendment.

Staff Analysis

The proposed text amendment will make the implementation of the Zoning Resolution easier for applicants and for Staff. The specific amendments are attached. Appendix A is a copy of the proposed consolidated regulations that will be placed in Section 521. Appendix B is a chart that illustrates all other proposed changes to the Zoning Resolution. Appendix B includes the Article, Section, Title, Explanation, and exact text that was added or deleted (if applicable).

Planning Commission Recommendation

The Franklin County Planning Commission recommended approval on July 10, 2019.

Rural Zoning Commission Recommendation

The Franklin County Rural Zoning Commission recommended approval on July 18, 2019.

Staff Recommendation

Based on Staff's analysis, Staff recommends approval of a zoning text amendment with regard to Screening and Buffering requirements found in Section 521 and corresponding Sections of the Zoning Resolution that reference Screening and Buffering requirements.

Article	Section	District/Title	Explanation	Text (if applicable) deleted added
intro	TOC	Table of Contents	Rename 521 title	
intro	5.10	Select Commercial Planned District	Added "in accordance with SECTION 521, ARTICLE V."	
intro	6.40	Planned Industrial Park District	Added "in accordance with SECTION 521, ARTICLE V."	
Article I	115.046(e)	Fencing of Flyways	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	
Article I	115.088(c)	Chicken Ducks Rabbits Screening	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	
Article III	302.038	Rural; Child Day Care of More than six (6) Children	Editted/moved the standards to Section 521, Article V	Adequate buffering to adjacent residential uses is provided as needed in accordance with Section 521.
Article III	319.04	RMH Development Standards	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	If the RMH district abuts a single family Residential or Rural district, whether in the unincorporated County or an incorporated area, a fifty (50) foot wide vegetated and landscaped buffer area, with sixty percent (60%) opacity must be provided between the RMH district and the abutting residential district. This fifty (50) foot buffer may be provided either on the rear of each RMH lot or it may be provided as a reserve.
Article III	322.048	SO Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V.	
Article III	Added Section 325.049	NC Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V.	325.049 –Screening and Buffering – Screening and buffering are required in accordance with SECTION 521, ARTICLE V.
Article III	Added Section 328.049	CC; Screening of Exterior Storage	Added "in accordance with SECTION 521, ARTICLE V. Editted/moved the standards to Section 521, Article V	except new material or finished products or vehicles as provided in 332.046) shall not be permitted adjacent to a residential or planned district unless screened by a one hundred percent (100%) opaque, eight (8) foot wall or vegetative buffer.
Article III	332.03(1)	CS; Conditional Use	Editted/moved the standards to Section 521, Article V	and eighty percent (80%) opaque perimeter evergreen screening, six (6) foot high
Article III	332.03(4)	CS; Conditional Use	Editted/moved the standards to Section 521, Article V	When abutting residential zones, there shall be no exterior storage other than two (2) axle vehicles weighing less than six thousand (6,000) pounds unless such storage is completely enclosed by a solid eight (8) foot fence or one hundred percent (100%) opaque evergreens
Article III	332.048	CS Development Standards; Screening of Exterior Storage	Editted/moved the standards to Section 521, Article V	except new materials, finished products or vehicles as provided in 332.046) shall not be permitted adjacent to a residential or planned district unless screened with a one hundred percent (100%) opaque wall or vegetative buffer
Article III	Added Section 332.049	CS Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V."	332.049 –Screening and Buffering – Screening and buffering are required in accordance with SECTION 521, ARTICLE V.
Article III	342.041(2)	RI Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V. Editted/moved the standards to Section 521, Article V	Screening Exterior Uses—Open service areas and loading docks shall be screened in accordance with by walls or fences at least six (6) feet but not more than eight (8) feet in height. These walls or fences shall have an opaqueness of seventy five percent (75%) or more, so as to effectively conceal service and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II

Article III	344.041(1)	LI Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V. Editted/moved the standards to Section 521, Article V	Enclosure - a use allowed in this district shall entirely enclose its primary operation within a structure. Walls or fences shall screen open storage and service areas and loading docks at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of eighty percent (80%) or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II
Article III	344.041(2)	LI Development Standards; Enclosure	Editted/moved the standards to Section 521, Article V	Enclosure - a use allowed in this district shall entirely enclose its primary operation within a structure. PERMITTED USES of this district may be developed in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT
Article III	344.041(3)	LI Development Standards	Added text for clarity	PERMITTED USES of this district may be developed in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.
Article III	344.048	LI Development Standards; Minimum Landscape Open Space	Added "in accordance with SECTION 521, ARTICLE V."	
Article III	346.041(1)	GI Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	- A use allowed in this district shall entirely enclose or screen its primary operation, open storage and service areas, and loading docks by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of seventy-five percent (75%) or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II.
Article III	346.041(2)	GI Development Standards; Enclosure	Added text for clarity	Enclosure - a use allowed in this district shall entirely enclose its primary operation within a structure
Article III	346.048	GI Development Standards; Minimum Landscape Open Space	Added "in accordance with SECTION 521, ARTICLE V."	
Article IV	Added Section 410.046	Planned RMH Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V."	410.046 - Screening and Buffering - Screening and Buffering are required in accordance with SECTION 521, ARTICLE V.
Article IV	Added Section 412.048	PUD Development Standards; Screening and Buffering	Added "in accordance with SECTION 521, ARTICLE V."	412.048 - Screening and Buffering - Screening and Buffering are required in accordance with SECTION 521, ARTICLE V.
Article IV	420.034(7)	SCPD Development Plan; Parking	Editted/moved the standards to Section 521, Article V	All open off-street parking areas consisting of five (5) or more parking spaces or one thousand (1000) square feet or more shall be screened from abutting residential uses. Curb barriers a minimum of five (5) feet from the property line shall be provided. Grass, plantings or other acceptable surface material shall be provided for all areas bordering the parking area. When large parking areas are planned, landscaped islands or medians shall be utilized to lessen negative visual impact and direct traffic flow. -Whenever a parking lot or access drive is located adjacent to a residential area, screening shall be designed to prevent vehicle lights from shining directly onto the residential property.

Article IV	420.034(16)	SCPD Development Plan; Screening and Buffering Plan	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	<p>Screening shall consist of earth mounding, plantings, fencing, or a combination of the same, landscaping proposals and meets all standards. / A general screening and landscaping plan meeting the following requirements shall be prepared and submitted as a part of the Development Plan. For purposes of Development Plan submission, the screening concept proposed to meet the requirements of this Section shall be submitted in sketch and text form.—</p> <p>—i) Fencing— Fencing utilized in providing screening shall be architecturally appealing and shall be incorporated into the overall architectural design concept.</p> <p>—ii) Abutting Residential Areas— Whenever a proposed SCPD abuts a residential area, screening shall be provided along the entire area of abutment in a manner that is aesthetically pleasing and effectively screens the residential areas from the proposed select commercial activities.</p> <p>—ii) Plantings— When mounding is utilized in conjunction with plantings, the plant materials shall be of a size and species suitable which together will produce a minimum six (6) foot high screen within a two (2) year period. When plant material without mounding is utilized, the plant materials shall be a minimum five (5) feet in height when planted and be of such species that will produce a dense six (6) foot visual screen within a two (2) year period. All screen plantings shall be maintained permanently, and any plant material which does not survive shall be replaced within one (1) year with material meeting the specifications of the original planting. Maintenance responsibilities for the screen plantings shall be addressed in the Development Plan. And in accordance with SECTION 521, ARTICLE V.</p> <p>—iv) Minimum Opacity— All screens must provide a minimum opaqueness of sixty percent (60%) or more.</p> <p>—iii) Landscaping— Landscaping shall mean the improvement of the natural beauty of the land by grading, clearing and decorative planting or grass to create a pleasant and functional environment. Landscaping of a lot shall be installed within six (6) months after the month in which the building is completed. Any portion of a lot upon which a building or parking area is not to be constructed per the Development Plan shall be landscaped. For every ten (10) parking spaces on an individual lot, the owner shall be required to place at least one (1) tree (3" caliper or larger) in such a manner as to be spaced and placed in or among the parking rows. Such trees shall be in addition to any screening requirements prescribed in SECTION 521, ARTICLE V contained herein and all replacement material shall meet the specifications of the original planting. All shrubs, trees, grass, ground covers, and plantings of every kind or type, shall be well maintained, properly cultivated and free from trash and other unsightly material and/or debris.</p>
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				<p style="text-align: center;">-b) Exceptions to screening requirements may be made where:</p> <p style="text-align: center;">-i) Existing topographical or vegetative characteristics provide the necessary screening effect, or</p> <p style="text-align: center;">-ii) Where existing topographical conditions make it difficult to adequately screen the proposed use from adjacent properties. When the use cannot be adequately screened due to elevation differences between adjacent properties and the proposed site, the proposed design should minimize negative visual impact.</p>
Article IV	427.04	Planned Shopping Center District; Development Standards	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	by walls, fences, or other enclosures at least six (6) feet but not more than eight (8) feet in height. These walls, fences, or enclosures shall have an opaqueness of ninety percent (90%) or more
Article IV	427.047	Planned Shopping Center District; Development Standards; Parking and Loading	Added "in accordance with SECTION 521, ARTICLE V."	Parking and Loading areas shall be screened and buffered in accordance SECTION 521, ARTICLE V.
Article IV	435.04	Planning Highway Service District; Development Standards	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	by walls, fences, or other enclosures at least six (6) feet but not more than eight (8) feet in height. These walls, fences, or enclosures shall have an opaqueness of ninety percent (90%) or more
Article IV	435.047	Planning Highway Service District; Development Standards; Parking and Loading	Added "in accordance with SECTION 521, ARTICLE V."	Screening and Buffering of Parking and Loading areas shall be provided in accordance with SECTION 521, ARTICLE V.
Article IV	444.041	Planned Industrial Park District; Development Standards	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of ninety percent (90%) or more
Article IV	444.045(3)	Planned Industrial Park District; Development Standards	Editted/moved the standards to Section 521, Article V	3.) An easement twenty five (25) feet or more in width shall be provided around the entire tract and shall be landscaped in accordance with an approved landscape plan. Such plan shall include plantings which will achieve a height of ten (10) feet or more and an opaqueness of at least seventy five percent (75%) within five (5) years of normal growth. This easement, when adjacent to a street right of way eighty (80) feet or more in width, or other industrial zoning districts, may be reduced to fifteen (15) feet, a fifty percent (50%) opaqueness, and two (2) feet in height. The
Article V	501.01	Fences, Walls, and Lanscaping	Added text for clarity	**NOTE: The regulations of SECTION 501 are for fences, walls, and landscaping that are desired but not otherwise required for the purposes of screening and buffering. For Screening and Buffering requirements, see Section 521.
Article V	501.012	Fence Height	Added text for clarity	on the site

Article V	505.024	Dumpsters; Screening and Maintenance	Added "in accordance with SECTION 521, ARTICLE V." Editted/moved the standards to Section 521, Article V	<p>following screening and maintenance requirements:</p> <p>a) Screened on all sides with a durable, weather-resistant material that complies with SECTION 501.024—Fence Materials, or a combination of such fencing materials and natural vegetation; provided, however, that if natural vegetation is used, it must comply with the screening requirements of this Section within one (1) year from the issuance of the applicable zoning certificate.</p> <p>b) Chain link fences are prohibited for dumpster screening.</p> <p>c) Screening must have opacity of 100 percent, except as provided in Section 505.024(a) above.</p> <p>d) Screening must be to the height of the dumpster with a maximum height of eight (8) feet.</p> <p>e) Screening must be spaced a minimum of two (2) feet from the dumpster.</p> <p>f) Screening must be properly maintained and in good repair at all times.</p> <p>g) Trash must be fully enclosed in the dumpster, with closed lids, at all times.</p> <p>h) Screening material must be compatible in appearance to the building served.</p>
Article V	521.01	Screening Requirements	Removed most of the current section. Replace with new 521	<p>521.011—Adjacent to Residential Zones and Planned Residential Development—The following list of activities, if developed adjacent to land in a Residential Zoning District or a Planned Residential District as listed in SECTION 201, ARTICLE II, shall be screened as prescribed, except that it is separated by a street right of way eighty (80) feet or more in width.</p> <p>1) A parking area of one thousand (1000) square feet or more provided or intended for five (5) or more vehicles for commercial and industrial establishments.</p> <p>2) A drive-in or outdoor service facility.</p> <p>3) A commercial or industrial loading area.</p> <p>4) An outdoor display area of goods in a complete, useable and normal condition, including samples and models, offered for retail sale.</p> <p>Required screening shall be provided in accordance with the following standards, except as provided in other sections of this Zoning Resolution:</p> <ul style="list-style-type: none"> ▲ It shall have an opaqueness of sixty percent (60%) or more. ▲ It shall be at least six (6) feet but not more than eight (8) feet in height. ▲ If screening is to be accomplished by landscaping, the landscape materials shall achieve the standards stated above within a period of five (5) years or less.

				<p>521.012 – Along a Public Street – The following list of commercial and industrial activities, in addition to being screened as prescribed, shall be one hundred percent 100% opaquely screened so that the activity is not visible from a public street within three hundred (300) feet of the lot on which the activity is located.</p> <p>-1) Articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, salvaged, or otherwise not being offered for retail sale in a completed, useable, and normal condition.</p>
Article VII	720.01	Definitions	Editted definitions for clarity and consistency	<p>BUFFER – A strip of land filled with densely planted vegetation used to separate land-uses or zoning districts. The densely planted vegetation may be natural or planted. Planted vegetation shall be Ohio native or noninvasive species.</p> <p>FENCE - A fence is an artificially constructed barrier of material, such as wood, or a combination of materials which are commonly manufactured and utilized for attractively and effectively enclosing and screening areas of land. Material which is not originally manufactured for purposes of fencing and or screening shall not be utilized when constructing a fence.</p> <p>A fence intended for purposes of screening shall be in accordance with SECTION 521, ARTICLE V. Section 521 shall be a minimum of six (6) feet in height, but in no case shall any fence exceed eight (8) feet in height.</p>

SECTION 521 - SCREENING AND BUFFERING REQUIRED

521.01 - Purpose and Intent - It is recognized that certain land uses, because of their intensity, may create an adverse impact when developed adjacent to other less intense uses. The general intentions of this section, **Section 521 - Screening and Buffering Required**, are to establish regulations protecting character, aesthetic, and value of property within the County. It is recognized that transitions between certain uses and districts require attention in order to protect a less intense land use from a more intense abutting zoning district on an abutting property. The objective is to minimize adverse impacts. These regulations apply to all new development and changes in use that require a Certificate of Zoning Compliance, unless otherwise exempted by **Section 512.07**.

521.03 - Interpretations of Screening and Buffering - The following are interpretations to be applied to Section 521.

a) **Table 521.09** depicts screening and buffering requirements for each district or use when abutting other districts or uses. These requirements apply to all new development requiring a Certificate of Zoning Compliance.

b) **Table 521.09** shall be interpreted such that the labels along the top row represent the zoning district in which new development is proposed and the column along the left side shall represent the current zoning district or use of the abutting lot(s). A list of zoning district acronyms can be found on page one (1) of the Zoning Resolution in the Table of Contents. The following is a list of terms found along the left side of **Table 521.09**:

1. **Less Intense Residential** - Residential districts or uses having eight (8) units per acre or fewer.
2. **More Intense Residential** - Residential districts or uses having greater than eight (8) units per acre.
3. **Commercial** - Commercial districts or uses, regardless of intensity.
4. **Less Intense Industrial** - The Restricted Industrial (RI) and Limited Industrial (LI) zoning districts shall be considered "Less Intense Industrial."
5. **More Intense Industrial** - The General Industrial (GI) and Planned Industrial Park (PIP) zoning district along with the Oil and Gas, and Excavation and Quarry special districts shall be considered "More Intense Industrial."

****Note:** Residential Manufactured Home (RMH) and Planned RMH districts shall be considered "More Intense Residential" regardless of density (units per acre).

c) **Conditional Uses** - Screening and Buffering of Conditional Uses must, meet the Purpose and Intent of Section 521, comply with applicable requirements for the Conditional Use, and is subject to approval under the procedures outlined in **Section 815**.

d) **Planned Zoning Districts** - Screening and Buffering of Planned Zoning Districts must meet the Purpose and Intent of Section 521, comply with the requirements of the most appropriate corresponding Zoning District in **Table 521.09**, and is subject to approval under the procedures outlined in **Section 716**.

521.05 - General Requirements, Planting, and Maintenance - These are minimum requirements for all screening and buffering requirements and are in accordance with the Purpose and Intent as described in **Section 521.01**.

1. Required screening shall have a minimum opacity of sixty (60) percent, unless otherwise stated.
2. Plantings used to meet buffer requirements must have an opacity of sixty (60) percent or greater when in full leaf, unless otherwise stated. A Registered Landscaped Architect or other qualified professional may be required to certify that this requirement is met.
3. Plantings used to meet buffer and screening requirements must satisfy the requirements within three (3) years of planting and said plantings must be maintained.
4. Plantings must be Ohio native or varieties of Ohio native species.
5. Minimum opacity must be evenly distributed throughout the entire area of required screening and buffering, and the opacity must be maintained.
6. Existing Ohio native vegetation or varieties of Ohio native vegetation may be used to meet all screening and buffering requirements. It is the applicant's responsibility to identify all existing vegetation to be used to meet the standards. Invasive or non-native species may not be used to satisfy screening and buffering requirements.
7. Specific requirements for screening and buffering are shown in **Table 521.09**.
8. The required screening and buffering identified in **Table 521.09** shall be located along the entire perimeter of the property that borders the less intense District or Use, except portions in front of the established building line.
9. Activities, uses, and storage that require screening of more than three and a half (3.5) feet in height must be located behind the front building line.
10. Standards in **Table 521.09** identified as exact numbers indicate the exact height of required screening.
11. Any required screening or buffering shall not interfere with current sight distance triangles at intersections and access points. An Ohio Professional Engineer stamped sight distance

exhibit may be required to ensure all requirements are met.

521.07 - Exemptions from Screening and Buffering - In some scenarios screening and buffering will not be required. The following scenarios are exempt from screening and buffering.

1. Buildings with compatible uses that are separated by only a fireproof wall as permitted by other sections of this Zoning Resolution. The exemption applies to buildings set back zero (0) feet from the side property line.
2. Alterations or changes in use, without a change in building footprint or parking lot configuration, do not require additional screening/buffering.

Table 521.09

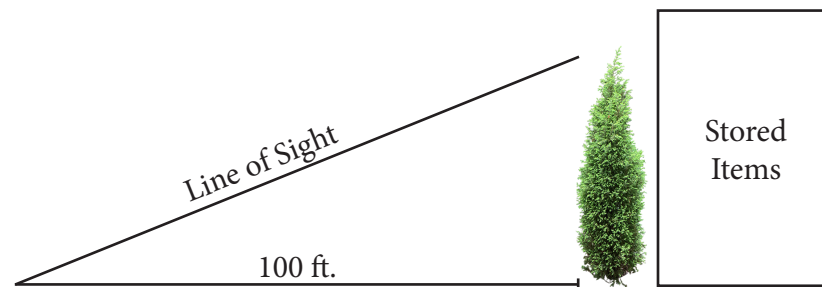
Subject Property - Zoning District

Abutting Zoning District or Use

		Rural, LDR, R-1, R-2, R-4, R-8	R-12, R-24	SO, NC, CC, CS	LI, RI	GI, EQ, OG
Less Intense Residential	Screen	None Required	None Required	6 ft. Screen	8 ft. Screen	8-10 ft. Screen
	Buffer	None Required	Minimum 3 ft. buffer, minimum 4 ft. in height	Minimum 6 ft. buffer, minimum height of 6'6"	Minimum 20 ft. buffer, minimum 8 ft. in height	Minimum 25 ft. buffer, minimum 10 ft. in height
More Intense Residential	Screen	None Required	None Required	6 ft. Screen	8 ft. Screen	8-10 ft. Screen
	Buffer	None Required	None Required	Minimum 6 ft. buffer, minimum height of 6'6"	Minimum 20 ft. buffer, minimum 8 ft. in height	Minimum 25 ft. buffer, minimum 10 ft. in height
Commercial	Screen	None Required	None Required	None Required	6-8 ft. Screen	8-10 ft. Screen
	Buffer	None Required	None Required	None Required	Minimum 10 ft. buffer, minimum 8 ft. in height	Minimum 10 ft. buffer, minimum 10 ft. in height
Less Intense Industrial	Screen	None Required	None Required	None Required	None Required	8-10 ft. Screen
	Buffer	None Required	None Required	None Required	None Required	Minimum 10 ft. buffer, minimum 10 ft. in height
More Intense Industrial	Screen	None Required	None Required	None Required	None Required	None Required
	Buffer	None Required	None Required	None Required	None Required	None Required

521.11 - Screening Visibility of Exterior Storage - Adjacent to less intense districts or uses and all roadways, articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, salvaged, or otherwise not being offered for retail sale in a completed, usable and normal condition, must be shielded such that the stored items are not visible within 100 feet of the property line. This may be achieved using screening or dense vegetation. Screening used to meet this standard may not exceed twelve (12) feet (dense vegetation may exceed this maximum). If this standard is achieved with permitted perimeter screening and buffering, then no additional shielding is required.

Example:



521.13 - Screening along a Limited Access Roadway - When a property is located near a limited access right-of-way, the following regulations apply:

1. Industrial District/Use - Industrial districts and uses must have a ten (10) feet screen and minimum fifteen (15) feet wide dense vegetative buffer with a minimum height of ten (10) feet when the property line is within 300 feet of a limited access roadway.

521.15 - Screening and Maintenance of Dumpsters– Dumpsters must comply with the following screening and maintenance requirements:

1. Dumpsters must be screened on all sides. This may be achieved with dense vegetation.
2. Chain link fences are prohibited for dumpster screening.
3. Screening must have an opacity of 100 percent.
4. Screening must be to the height of the dumpster with a maximum height of eight (8) feet.
5. Screening must be spaced a minimum of two (2) feet from the dumpster.
6. Screening must be properly maintained and in good repair at all times.
7. Trash must be fully enclosed in the dumpster, with closed lids, at all times.
8. Screening material, other than dense vegetation, must be compatible in appearance to the building served.

521.17 - Screening of Parking Areas - Parking areas, consisting of four (4) or more spaces or larger than 800 square feet, must be screened to a height of three and a half (3.5) feet when located in front or to the side of the front building line. This screening must be achieved with dense vegetation located immediately adjacent to the parking area so as to screen the parking area from the roadway and neighboring properties. Parking located directly behind a principle structure does not require screening.

521.19 - Screening of Loading Areas - Open service areas and loading docks shall be screened as follows based on the corresponding zoning district or use in which the open service area or loading dock is located. These standards may be achieved using dense vegetation. Opacity of screening, including dense vegetation, must be eighty (80) percent minimum. (Dense vegetation may exceed the maximum height.)

- 1. Commercial** - Screened at a minimum height of six (6) feet to a maximum height of eight (8) feet.
- 2. Less Intense Industrial** - Screened at a minimum height of six (6) feet to a maximum height of ten (10) feet.
- 3. More Intense Industrial** - Screened at a minimum height of eight (8) feet to a maximum height of twelve (12) feet.

521.21 - Screening of Agricultural Uses - Agricultural uses are subject to the following requirements:

- 1. Apiaries - Screening and Fencing of Flyways** - If a colony is located within twenty five (25) feet of a property line, as measured from the hive to the nearest property line, the beekeeper shall establish and maintain a flyway barrier in the following manner so that all bees are forced to fly at an elevation of at least six (6) feet above ground level. A six (6) feet high solid wall, fence, dense vegetation, or combination thereof, is required and shall extend at least ten (10) feet beyond the colony in either direction.
- 2. Chicken, Ducks, Rabbits - Screening** - Sheltering structures and outdoor areas used by chickens, ducks, and rabbits shall be screened to a height of six (6) feet with a minimum opacity of eighty (80) percent when located within twenty five (25) feet of a property line. This may be achieved using dense vegetation.

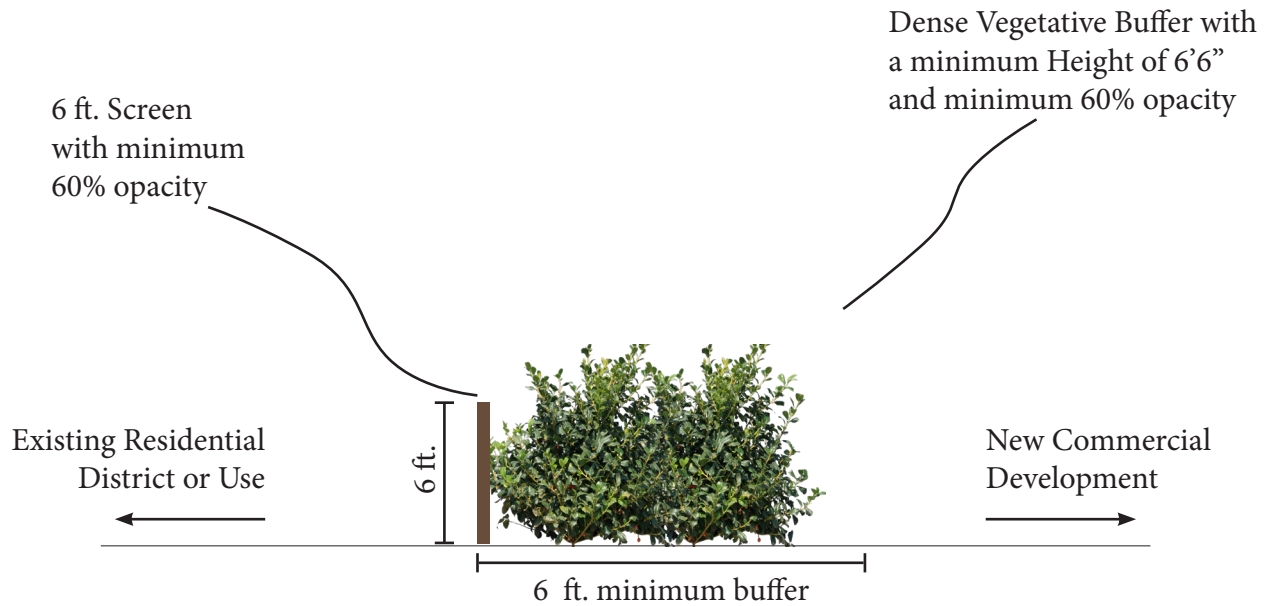
521.23 - Screening and Buffering in a Floodplain - When located in a regulatory floodplain or Riparian Setback are, required screening and buffering must be accomplished with dense vegetation.

521.25 - Screening in the Smart Growth Overlay (SGO) - Parcels subject to the SGO must comply with all standards of **Section 670**.

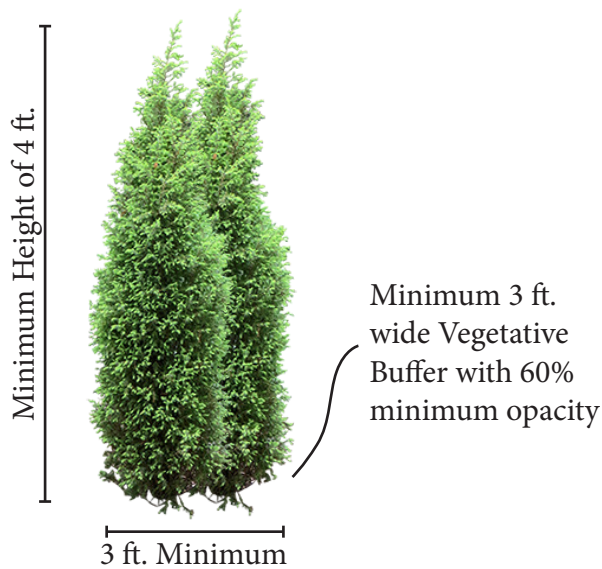
521.27 - Screening/Buffering that is Desired but Not Required - Screens and buffers may be desirable in scenarios in which they are not required. See **Section 501** for Fences, Walls, Landscaping requirements when these items are desirable but not required.

521.31 - Examples - This section contains example illustrations of screening and buffering. These examples are meant to provide clarification and are not regulatory.

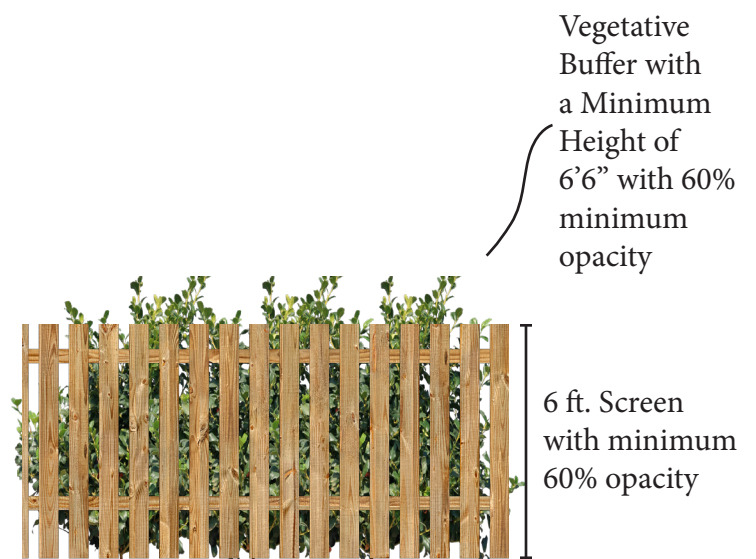
Example: Screening and Buffering of a Commercial development abutting an Existing Residential district or use.



Example: Buffer of More Intense Residential Abutting Existing Less Intense Residential



Example: Screening and Buffering of New Commercial abutting Existing Residential
Note: Looking Toward the Commercial Site



Amendments to Definitions

Section 720.011 - Specifically Defined Words

Screening - A method of visually shielding or obscuring one (1) abutting or nearby district or use from another by fencing, walls, or other barrier specifically constructed for this purpose. Dense vegetation can take the place of screening in some instances in which it is specifically listed.

Buffer - A strip of land filled with densely packed vegetation used to separate land-uses or zoning districts. The densely packed vegetation may be natural or planted. Planted vegetation shall be Ohio native or noninvasive species.



Franklin County Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Proposal for

Zoning Text Amendment

Franklin County Zoning Resolution



Origin of Amendment

- Motion by the Rural Zoning Committee
- Resolution by the Board of County Commissioners
- Application by land owner

Applicability

- All townships under Franklin County Zoning
- The following townships only:

Case Number

ZON-19-04

Meeting Dates

Tech Review: 6-25-19

Planning Commission: 7-10-19

Zoning Commission: 7-18-19

County Commissioners: 8-13-19

Sections to Amend

Section	Title	Lot Width
Section 315.042 (a) - Change lot width from 55 feet to 50 feet for new development		

Reason for amendment:

Allow for development on 50. feet lot zoned R-12. Reduce number of Variances

Amendment Text

Additions appear in underline. Deletions appear in ~~strike through~~.

Amendment text appears on a separate sheet

Amendment texts appears below:

315.042 - Lot Width

a.) For a one-family dwelling, there shall be a lot width of ~~fifty-five (55)~~ fifty (50) feet or more at the front property line, and such lot shall have access to and abut on an improved, dedicated, publicly maintained street.

STAFF REPORT

Board of County Commissioners
August 13, 2019

Case: ZON-19-04

Prepared by: Phil Ashear

Applicant:	Franklin County Rural Zoning Commission
Township:	All Townships under Franklin County Zoning Resolution
Request:	The Franklin County Rural Zoning Commission, via a motion made on May 16, 2019, is requesting a text amendment to the Urban Residential (R-12) district in Section 315.042(a) of the Franklin County Zoning Resolution to change the minimum lot width for one-family dwellings.

Summary

The Franklin County Rural Zoning Commission, via a motion made on May 16, 2019, is requesting a text amendment to the Urban Residential (R-12) district in Section 315.042(a) of the Franklin County Zoning Resolution to change the minimum lot width for one-family dwellings. Staff recommends ***approval*** of the request.

History & Overview

Several unincorporated parts of Franklin County include lots that were platted before the establishment of zoning in 1948. Some of these lots do not have the requisite 55 ft. lot width that is need to construct a single-family home in the Urban Residential (R-12) district.

The proposed amendment would change the required lot width in the R-12 district from 55 to 50 feet in order to bring the district regulations in line the 50 ft. lot width that has existed since the original platting of parcels in areas like Leonard Park and around Northern Lights.

Technical Review Agencies

No Technical Review Agencies expressed concerns with the proposed amendment.

Staff Analysis

The proposed text amendment will address the existing discrepancy between the lot width required to develop on a lot zoned R-12 and the current lot width of many parcels that were platted before the establishment of zoning. The proposed amendment will not change the required lot size in R-12 district and will not change the overall density of an area zoned R-12.

Planning Commission Recommendation

The Franklin County Planning Commission recommended ***approval*** on July 10, 2019.

Rural Zoning Commission Recommendation

The Franklin County Rural Zoning Commission recommended ***approval*** on July 18, 2019.

Staff Recommendation

Based on Staff's analysis, Staff recommends approval of a text amendment to the Urban Residential (R-12) district in Section 315.042(a) of the Franklin County Zoning Resolution to change the minimum lot width for one-family dwellings.



Franklin County
Board of Commissioners

ECONOMIC DEVELOPMENT & PLANNING

Economic Development & Planning Department
James Schimmer, Director

Proposal for

Zoning Text Amendment

Franklin County Zoning Resolution



Origin of Amendment

- Motion by the Rural Zoning Committee
- Resolution by the Board of County Commissioners
- Application by land owner

Applicability

- All townships under Franklin County Zoning
- The following townships only:

Case Number

ZON-19-05

Meeting Dates

Tech Review: 6-25-19

Planning Commission: 7-10-19

Zoning Commission: 7-18-19

County Commissioners: 8-13-19

Sections to Amend

Section	Title
Section 308 and Section 501	Section 308 - Development Standards
Renumbering	Section 501 - Corner Lot and double frontage lots
	Section 501 - Electric and barbed wire fences

Reason for amendment:

Clarity

Amendment Text

Additions appear in underline. Deletions appear in ~~strikethrough~~.

Amendment text appears on a separate sheet

Amendment texts appears below:

STAFF REPORT

Board of County Commissioners
July 10, 2019

Case: ZON-19-05

Prepared by: Phil Ashear

Applicant:	Franklin County Rural Zoning Commission
Township:	All Townships under Franklin County Zoning Resolution
Request:	The Rural Zoning Commission, via a motion made on May 16, 2019, is requesting a text amendment to Sections 308 and 501 of the Franklin County Zoning Resolution to renumber subsections for clarity.

Summary

The Rural Zoning Commission, via a motion made on May 16, 2019, is requesting a text amendment to Sections 308 and 501 of the Franklin County Zoning Resolution to renumber subsections for clarity. Staff recommends **approval** of the request.

Overview

Currently there are subsections of Section 308 and Section 501 that are double numbered.

Technical Review Agencies

No Technical Review Agencies expressed concerns with the proposed amendment.

Staff Analysis

The proposed text amendment will address the existing subsections of the Zoning Resolution that are numbered twice.

Planning Commission Recommendation

The Franklin County Planning Commission recommended **approval** on July 10, 2019.

Rural Zoning Commission Recommendation

The Franklin County Rural Zoning Commission recommended **approval** on July 18, 2019.

Staff Recommendation

Based on Staff's analysis, Staff recommends **approval** of a text amendment to Sections 308 and 501 of the Franklin County Zoning Resolution to renumber subsections for clarity.

SECTION 308 - (R-4) SUBURBAN RESIDENTIAL DISTRICT REGULATIONS

308.02 - PERMITTED USE - Land and buildings in the SUBURBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

308.021 - Dwelling Structures - One-family dwelling structures

308.022 - Home Occupation (business) - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

308.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V.

308.024 - Religious Uses - Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

308.025 - Schools and Parks - As provided for in 302.024

308.026 - Adult Family Homes - As provided for in ORC 3722

308.027 - Child Day Care - As accessory to the use of the dwelling as residence. As provided for in 302.028.

308.03 - CONDITIONAL USE - The following uses shall be allowed in the SUBURBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

308.031 - Dwelling Structures - Two-family dwelling structures, provided the lot size is at least 17,000 square feet.

308.034 - Cemetery - As provided for in 302.033

308.035 - Child Day Care (more than six (6) children) - As accessory to the use of the dwelling as a residence and as provided for in 302.038.

308.036 - Telecommunication Towers - As provided for in 302.0394

308.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the SUBURBAN RESIDENTIAL DISTRICT.

308.041 - Lot Area and Coverage - Minimum 8,500 square feet for single-family dwellings, 17,000 for two family dwellings. Centralized water and sanitary sewer is required.

For all other Permitted Use and Conditional Use, the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such use.

308.042 - Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structure. Exceptions: Churches and schools may have more than one (1) principal structure.

308.043 - Lot Width - For a dwelling, there shall be a lot width of eighty (80) feet or more at the front line of the dwelling, and such lot shall have access to and abut on an improved, dedicated, publicly maintained street right-of-way for a distance of sixty (60) feet or more.

For a Conditional Use, the lot width shall be as determined to be adequate by the Board of Zoning Appeals to meet the development standards of the SUBURBAN RESIDENTIAL DISTRICT.

308.043 ~~043~~ 044 - Side Yard - For dwellings there shall be a total of side yards of twenty (20) feet or more with a minimum of eight (8) feet on one (1) side.

For a Conditional Use or structures permitted by Section 308.024-.025, except dwellings and accessory structures thereto, there shall be a side yard on each side of a building of twenty-five (25) feet or more.

308.044 ~~044~~ 045 - Rear Yard - For main buildings, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required.

308.045 ~~045~~ 046 - Front Yard - As provided for in Section 504.01.

308.046 ~~046~~ 047 - Accessory Structures - As provided for in Section 512.

308.047 ~~047~~ 048 - Maximum Height – Thirty-eight (38) feet, as provided for in Section 302.047.

ARTICLE V

GENERAL DEVELOPMENT STANDARDS

SECTION 500 - GENERAL DEVELOPMENT STANDARDS ADOPTED

500.01 - GENERAL REGULATION OF THE ARRANGEMENT AND DEVELOPMENT OF LAND AND STRUCTURES - Standards pertaining generally and uniformly to the arrangement and development of land and structures within the Zoning Districts adopted in ARTICLE II are hereby established and adopted as supplementary to the District Regulations of ARTICLE III and ARTICLE IV.

SECTION 501 FENCE REQUIREMENTS

501.01 – FENCES, WALLS AND LANDSCAPING – Fences, walls, and landscaping shall be permitted in any required yard, or along the edge of any yard, subject to the following requirements:

501.012 – Height - No fence or wall between a street and a principal structure shall be more than three and one half (3½) feet (42 inches) in height. Elsewhere, no fence shall exceed six (6) feet in height. These height requirements are subject to the following exceptions:

- a) Requirements outlined in SECTION 521, ARTICLE V, REQUIRED SCREENING, or
- b) Requirements in accordance with an approved Development Plan of a Planned Development

District.

501.014 – Location, Measurement and Maintenance

- a) No fence or wall shall be located within an existing right-of-way.
- b) Fence height shall be measured from the finished grade at the higher side of the fence.
- c) Fences shall be erected with the finished side out; meaning the side of the fence with the posts on it must face the applicant's property.
- d) Fencing must be properly maintained and in good repair at all times.

501.016 – Certificate of Zoning Compliance required - No fence shall be erected without a zoning certificate as provided for in SECTION 705.02 - CERTIFICATE OF ZONING COMPLIANCE.

501.018 – Repair of Existing Fences – For minor fence repair, if the fence meets all the requirements of Section 501 and the materials, height and location do not vary from the materials, height and location of the fence being repaired, a zoning certificate is not required.

501.020 – Swimming Pool fences - All swimming pools must be completely enclosed by a fence. The fence height shall be a minimum of four (4) feet (48 inches) in height as required by the 2006 International Building Code.

501.022 – Tennis Court fences - In the event of a conflict between this Section 501.020 and any other requirement of SECTION 501 FENCE REQUIREMENTS, this Section 501.020 shall control. All tennis courts must comply with the following requirements.

- a) Tennis courts must have a fence along each end, with a minimum height of eight (8) feet with a maximum height of ten (10) feet.
- b) Any other fence associated with a tennis court shall comply with the provisions of Section 501

501.024 – Fence Materials - All fences, regardless of whether or not a zoning certificate is required for their construction, that are constructed, repaired, expanded, or enlarged, shall be constructed only of approved fence materials. Fence materials are also subject to the requirements of Section 501.013.

- a) Approved fence materials shall consist of materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, masonry, concrete, stone, metal tubing, wood planks, and vinyl or fiberglass composite manufactured specifically as fencing materials that are approved by the Administrative Officer.
- b) Chain link fences shall not be permitted between a street and a principal structure

501.012 ~~026~~ – Corner Lots and Double-Frontage Lots– In the event a property is situated adjacent to two (2) or more streets, the following shall apply:

- a) Setback and height requirements of Sections 501.012 to 501.014 shall apply to all streets.

501.013 ~~028~~ – Electric and Barbed Wire Fences – Electric and barbed wire fences shall be prohibited unless otherwise permitted by Section 971.03 of the Ohio Revised Code.