

Summary of adopted Zoning Text changes as modified by Stokes Township Board of Trustees.

Avondale Zoning Resolution
Indian Isles Zoning Resolution
Wolfe Island Zoning Resolution

Adopted: 12-13-2018

Effective: 01-13-2019

Intent of this Summary.

This summary is for convenience only and is to be interpreted as a concise summary of adopted changes to the Zoning Resolutions of Avondale, Indian Isles, and Wolfe Island. It is hereby noted for the record: The Stokes Township Board of Trustees chose to adopt a modification of the Zoning Commission's recommendation.

Correct Typos/Misspellings.

Correct misspelled word "factor" to "factory". See definition of Dwelling, Manufactured Home, paragraph 1, last sentence.

Correct misspelled word, vehicle, See definition of Vehicle, Accessory.

Amend Section 101 Use of Land or Buildings for Agricultural Purposes Not Affected.

Section 101 Use of Land or Buildings for Agricultural Purposes Not Affected. ~~The uses of land or buildings for agricultural purposes are not affected by this Resolution and no zoning certificate shall be required for any such building or structure or use of land. Residential dwellings do require a permit however.~~ It is the intent of this Resolution to be and remain in compliance with ORC 519.21 *Powers not conferred on township zoning commission by chapter*. ORC 519.21 is a statute, created and maintained by the State, which limits the authority of townships and establishes what is commonly referred to as the "agriculture exemption". How ORC 519.21 impacts this Resolution is described herein.

This Resolution does not affect the use of any land for agricultural purposes, or the construction or use of buildings or structures incident to

the use for agricultural purposes of the land on which such buildings or structures are located and no zoning certificate shall be required for any such building or structure. (Residential dwellings do require a permit however.)

There are two conditions where this agriculture exemption does not apply.

1) In any platted subdivision; and, 2) In any area consisting of fifteen or more lots approved under ORC 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road. When either of these two conditions exist, the requirements of this Resolution apply to:

1. Agriculture on lots of one acre or less; and,
2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: setback building lines, height, and size; and,
3. Dairying and animal and poultry husbandry on lots greater than one acre but no greater than five acres when at least thirty-five percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes. After thirty-five percent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming.

Amend “Building, Height” definition. This requires moving of the definition to the “H” section in order to be sorted properly in alphabetical order.

Building-Height. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip, and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Add new definition “Height, All Other Structures & All Building Appurtenances”.

Height, All Other Structures & All Building Appurtenances. The tallest point of all other structures and of all building appurtenances shall not be taller than the maximum building height specified in the Official Schedule of District Regulations. Said structures and appurtenances of buildings shall be measured from the average elevation of the proposed finished grade at the front to the tallest point of said structures and building appurtenances. The only exceptions to this requirement are specified in Section 1017.

Amend Section 301 Contents of Application for Zoning Permit.

Section 301 Contents of Application for Zoning Permit. The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within six (6) months or substantially completed within one and one-half (1.5) years. At a minimum, the application shall contain the following information.

1. Name, address, and telephone number of the applicant;
2. Legal description of the property (survey **and/or** plat **and** ~~and/or~~ deed);
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or alteration;
7. Building heights
8. Number of off-street parking spaces or loading berths;

9. Number of dwelling units;

10. Total percentage of lot to be occupied;

11. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution.

Amend Official Schedule of District Regulations.

The columns on Official Schedule of District Regulations under “MINIMUM LOT SIZE” are confusing. The rows and corresponding figures in each cell need to line-up correctly. Solution proposed is to: 1) Split the cells into rows under the existing columns for minimum lot size and frontage; and, 2) Indicate which cells apply to multi-family *only*.

Under Column 21 add note with phrase “-Boat slips/docks: See §1015/1056.”

Height changes proposed require clarification on the Official Schedule of District Regulations. Maximum height as it reads seems to only apply to buildings in Column 9/10. The Column header should read “buildings and structures”.

Amend Section 1002 Private Swimming Pools.

Section 1002 Private Swimming Pools. A private swimming pool, not including farm ponds, shall be any pool, lake, or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than twenty four (24) inches. No such swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet shall be allowed in any residential district, except as an accessory use and unless it complies with the following conditions and requirements:

- 1) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located;
- 2) It shall not be located closer than ten (10) feet to the property line of the property on which it is located.
- 3) The swimming pool or the entire property on which it is located shall be walled or fenced to prevent uncontrolled access by ~~children from~~

~~adjacent properties~~ unauthorized persons. Said fence or wall shall be not less than ~~six (6)~~ four (4) feet in height and maintained in good condition with a gate and lock. Fences shall not be required on the lake side of pool provided the remaining three sides of pool or property are fenced to the water's edge.

Amend Section 1003 Community or Club Swimming Pools.

Section 1003 Community or Club Swimming Pools. Community and club swimming pools are permitted in any commercial or residential district, but shall comply with the following conditions and requirements:

- 1) The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated;
- 2) The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line;
- 3) The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by ~~children from the thoroughfare or adjacent properties~~ unauthorized persons. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition.

Amend Section 1009 to read:

“Section 1009 Fences Walls and Hedges. Fences, walls and hedges are permitted in all districts, subject to the following conditions: Fences shall be permitted in any yard. Walls shall not be located in the front yard. Furthermore, no wall shall project past the front building line of any principally permitted or conditionally permitted structure. Hedges may be permitted in the required front yard. If no structure exists on said residential property, no fence, wall, or hedge may project past the front building line of the average of the adjacent properties or the minimum front yard setback, whichever is greater. No fence, wall, or hedge shall be closer than (3) feet to any right-of-way line. Fences, walls, and hedges shall not exceed ~~(3-1/2)~~ four (4) feet in height in all yards. Fences shall not contain an electric charge. Barbed wire shall be prohibited on any fence. No fence, wall, or hedge shall violate the sight distance requirements found in ***Section 1012***. Fences shall be located within the applicant's property line. The sharing of any fence with any adjoining property owner shall be agreed upon in writing by both property owners and shall accompany the zoning permit application. Posts are to be placed on the applicant's side of any fence erected or installed. In any required front yard, no fence or wall shall be permitted which materially impedes vision across such

yard above the height of ~~(3)~~ **four (4)** feet, and no hedge or vegetation shall be permitted which materially impedes vision across such yard between the height of ~~(3)~~ **four (4)** feet and (10) feet. No fences or hedges shall be constructed on any property line. Wire type farm fence shall not be permitted. Chain link, ornamental rail or various types not over three horizontal rails, wood weave with more open area than closed area to allow light passage, or similar fence may be used. A zoning permit is required from the Zoning Officer for the erection or installation of all fences and walls.

Note: Fence height to be measured from ground up.

Replace Section 1017 Exceptions to Height Regulations.

~~**Section 1017 Exceptions to Height Regulations.** The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard.~~

Section 1017 Exceptions to Height Regulations. Other than a chimney, no portion of a building shall be higher than the height limitations contained in the Official Schedule of District Regulations except where the height of such chimney will constitute a hazard.

Amend Section 1027 Erosion.

Section 1027 Erosion. No erosion, by either wind or water, shall be permitted which will carry objectionable substance onto neighboring properties. **Refer to the Logan County Engineer for site-specific requirements.**

Create Section 1028 Site Runoff.

Section 1028 Site Runoff.

Site runoff from gutters, downspouts, roof or area drains shall not be conducted to cause a nuisance either through standing water or accumulation of excessive runoff to neighboring properties.

Site runoff shall be managed by a combination of proper grading away from all structures to a point of convenient discharge such as the lake or storm

swale. Runoff from gutters, downspouts and area drains shall be conducted via properly graded swales or a 4" minimum PVC drain tile to the lake or an adjacent storm drain.

Amend Section 1060 Accessory Buildings.

Section 1060 Foundations. No building ~~between 0 and 100~~ over 200 square feet shall be erected or located except on a foundation of gravel, asphalt, concrete or footings. ~~No building greater than 100 square feet shall be erected or located except on a continuous foundation of concrete.~~ Any building or structure 200 square feet and over shall have a footing installed and inspected in accordance with county building regulations.

Amend Section 1065.

Section 1065 ~~Cuts Through/Damage to Drainage Tile.~~ In locations where the ~~footer/footing~~ of new construction ~~cuts/damages~~ a drainage tile, ~~this cut tile/the damaged tile~~ shall be replaced or repaired by the builder in order that proper drainage will be continued. **Furthermore, no change shall violate Section 1028 Site Runoff or Section 1113 Drainage.**

Amend Section 1113 Drainage.

Section 1113 Drainage. All parking loading areas shall provide for proper drainage of surface water to prevent the drainage of such water onto adjacent properties or walkways. **Furthermore, no change shall violate Section 1028 Site Runoff or Section 1065 ~~Cuts Through/Damage to Drainage Tile.~~**

Add all former drawings to the Appendix.

Add all former drawings to the Appendix. This includes Basement & Story, Flood Plain Terms, Lot Terms, Roof Types and Building Height, Types of Lots.

Add average grade drawing from Upper Arlington to the Appendix.

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Chairman, Board of Township Trustees



Member, Board of Township Trustees

Member, Board of Township Trustees



Attest, Clerk Township Trustees