

ORDINANCE NO. 541-213

AN ORDINANCE AMENDING AND SUPPLEMENTING THE  
ZONING ORDINANCE NO. 335-92, AMENDED BY  
ORDINANCE NO. 360-95, NO. 367-95, NO. 440-2000  
AND NO. 506-2008

WHEREAS, the Village of Pandora Council requested the Pandora Zoning Commission make recommendations in amending said Zoning Ordinance No. 506-2008, and,

WHEREAS, in accordance with Section 713.12 of the Ohio Revised Code, after the Village of Pandora Zoning Commission gave proper notice of proposed amendments to the existing Zoning Ordinance, conducted a public hearing, and approved said amendments to the existing Zoning Ordinance, and,

BE IT ORDAINED by the Council of the Village of Pandora, State of Ohio, all of the members elected thereto concurring:

SECTION I. Village of Pandora, Zoning Ordinance No. 506-2008 be amended as per Attachment A.

SECTION II. That it is found and determined that all formal actions of this Village Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Village Council, and that all deliberations of this Village Council and any of its committees that resulted in such formal action, were in meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

THEREFORE, this Ordinance shall go into immediate effect.

Passed this 12 day of February, 2013

ATTEST:

APPROVED:

/s/Lana S. Burry  
Lana S. Burry, Fiscal Officer

/s/John C. Schlumbohm  
John C. Schlumbohm, Mayor

**ARTICLE 1. INTERPRETATION AND ENACTMENT**

1.0 Title: This Ordinance shall be known and may be cited and referred to as the "Zoning Ordinance of the Village of Pandora, Ohio".

1.1 Provisions Declared Minimum: In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. Whenever the requirements of this ordinance conflict with the requirements of any other lawfully adapted rules, regulations, ordinances or resolutions, the most restrictive or that imposing the higher standards shall be govern.

1.2 Severability: This Ordinance and the various Articles, Sections and Paragraphs thereof are hereby declared to be severable. Should any Article, Section, Paragraph, Sentence or Phrase of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

1.3 Repeal of Conflicting Ordinance: All ordinances or parts of ordinances in conflict with this zoning ordinance or inconsistent with the provisions of this ordinance are hereby repealed to give this ordinance full force and effect.

1.4 Effective Date: This ordinance shall become effective from and after the date of its approval and adoption, as provided by law.

## ARTICLE 2. DEFINITIONS

Interpretation of Terms or Words: For the purpose of this Ordinance certain terms or words used herein shall be interpreted as follows:

1. The word person includes a firm, association, organization, Partnership, trust, company or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement and the word "should" is a preferred requirement.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
5. The word "lot" includes the words "plot" or "parcel".

Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Airport: Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangers and other necessary buildings, and open spaces.

Alley: See Thoroughfare

Alterations, Structural: Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Animal Husbandry: The practice of raising, breeding, and caring of animals and their by-products for eventual sale.

Automotive Repairs: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.

Automotive, Mobile Home, Travel Trailer and Farm Implement Sales: The sale or rental of new and used motor vehicles, mobile homes, travel trailers or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

Automotive Wrecking: The dismantling or wrecking of used motor vehicles, mobile homes, trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Basement: A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property. A building includes a mobile home and manufactured home, if the home is affixed to a permanent foundation and is located on land owned by the owner of the home and the certificate of title for the home has been surrendered and inactivated by the Clerk of Court of Common Pleas that issued it so that the home may be taxed as real property.

**Building, Accessory:** A subordinate building detached from, but located on the same lot as the principal building the use of which is incidental and accessory to that of the main building of use.

**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 man height between eaves and ridge for gable, hip and gambrel roofs.

**Building Line: Setback Line.**

**Building, Principal:** A building in which is conducted the main or principal use of the lot on which said building is situated.

**Business, Convenience:** Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise or other objectionable influences. To prevent congestion, convenience uses include, but need not be limited to: drug stores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities and grocery stores, if less than 10,000 square feet in floor area. Uses in this classification tend to serve a day-to-day need in the neighborhood.

**Business, General:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersections and which tend, in addition to serving day-to-day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to such activities as supermarkets; stores that sell hardware, apparel, footwear, appliances and furniture; department stores and discount stores.

**Business, Highway:** Commercial uses which generally require locations on or near major thoroughfares and/or their intersections and which tend to serve the motoring public. Highway business uses include, but need not be limited to such activities as filling stations, truck and auto sales and service, restaurants, motels and commercial recreation.

**Business, Office Type:** Quasi-commercial uses which may often be transitional between retail business and/or manufacturing and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, account, writing, clerical, stenographic and drafting. Institutional offices of a charitable philanthropic, religious or educational nature area also included in this classification.

**Business Services:** Any profit making activity which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and businesses.

**Business, Wholesale:** Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically further resale, for use in the fabrication of a product, or for use by a business service.

**Cemetery:** Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

Channel: A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

Clinic: A place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical and surgical attention, but who are provided with board or room or kept overnight on the premises.

Club: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests.

Commercial Entertainment Facilities: Any profit making activity which is generally related to entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges and similar entertainment activities.

Comprehensive Development Plan: A plan, or any portion thereof, adopted by the planning commission and the legislative authority of Pandora showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities. This plan establishes the goals, objectives and policies of the community.

Conditional Use: A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Zoning Ordinance.

Conditional Use Certificate: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than principally permitted use to be established within the district.

Corner Lot: See Lot Types.

Cul-de-sac: See Thoroughfare.

Dead-end Street: See Thoroughfare.

Density: A unit of measurement; the number of dwelling units per acre of the total land.

1. Gross Density - the number of dwelling units per acre of the total land to be developed.
2. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Dwelling: Any building or structure (except a house trailer or mobile home as defined by Ohio Revised Code 4501.01) which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants.

Dwelling Unit: Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

Dwelling, Single Family: A permanent building consisting of a single dwelling unit only, separated from other dwelling units by open space.

Dwelling, Two-Family: A permanent building consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling, Multi-Family: A permanent building consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units.

Dwelling, Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as a part of a greater structure, and that requires transportation to the site of intended use. This includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. This does not include a manufactured or mobile home.

Dwelling, Rooming House (Boarding House, Lodging House, Dormitory): A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Easement: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground gas, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants or other similar equipment and accessories in connection therewith which are reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption or marriage, no such family shall contain over five persons.

Farm Vacation Enterprises (Profit or Non-Profit): Farms, adapted for use as vacations farms, picnicking and sports areas, fishing waters, camping, scenery and nature recreation areas; hunting preserves and watershed projects.

Flood Plain: That land, including the flood fringe and the floodway, subject to inundation by the regional flood.

Flood, Regional: Large floods which have previously occurred or which may be expected to occur on a particular stream because of the like physical characteristics. The regional flood generally has an average frequency of one hundred (100) year recurrence interval flood.

Floodway: That portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the flood way.

Floodway Fringe: That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

Floor Area of a Residential Building: The sum of gross horizontal area of the several floors of a residential building, excluding basement floor area not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

Floor Area of Non-Residential Building (To Be Used in Calculating Parking Requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows and fitting rooms and similar area.

Floor Area Usable: Measurement of usable floor area shall be the sum of the horizontal areas of the several floor of the building, measured from the interior faces of the exterior walls.

Flood Processing: The preparation, storage or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Garages, Private: A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles, travel trailers and/or boats of the occupants of the premises and wherein:

1. Not more than one space is rented for the parking to persons not residents on the premises;
2. No more than one commercial vehicle per dwelling unit is parked or stored;
3. The commercial vehicle permitted does not exceed two tons capacity.

Garage, Public: A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles and in which no service shall be provided for remuneration.

Garage, Service Station: Buildings on premises where gasoline, oil, grease, batteries, tires and motor vehicles accessories may be supplied and dispensed at retail and where in addition the following services may be supplied and dispensed at retail and where in addition the following services may be rendered and sales made:

1. Sales and service of spark plugs, batteries and distributor parts;
2. Tire servicing and repair but no recapping and regrooving;
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades;
4. Radiator cleaning and flushing;
5. Washing, polishing and sale of washing and polishing materials;
6. Greasing and lubrication;
7. Providing and repairing fuel pumps, oil pumps and lines;
8. Minor servicing and repair of carburetors;
9. Adjusting and repairing brakes;
10. Minor motor adjustments not involving removal of the head or crankcase or racing the motor;
11. Sales of cold drinks, packaged food, tobacco and similar convenience goods for service station customers as accessory and incidental to principle operations;
12. Provisions of road maps and other information material to customers, provision of restroom facilities;
13. Warranty maintenance and safety inspections.

Uses permitted as a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in filling stations. A filling station is not a repair garage nor a body shop. See definition of Automotive Repair, Automotive Wrecking.

Home Occupation: An occupation conducted in dwelling unit, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such occupation;
2. The use of the dwelling units for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent (25%) of floor area of the dwelling units shall be used in the conduct of the home occupation or office;
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated and mounted flat against the wall of the principal building;
4. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this ordinance and shall not be located in a required front yard.
5. No equipment or process shall be used in such home occupation which created noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence or outside the dwelling unit if conducted in other than a single-family residence. In the case of the electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

Hotel, Motel and Apartment Hotel: A building which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to the boarding house, rooming, lodging house or dormitory which is herein separately defined.

Institutional Uses: (A) Churches, Sunday Schools, other places of worship; (B) Rectories and parsonages; (C) Public and parochial schools; (D) Libraries, museums and art galleries; (E) Public administration buildings including fire and police stations; (F) Club, fraternities, sororities and lodges.

Institution: Building and/or lot designed to aid individuals in need of mental, therapeutic, rehabilitation, counseling or other correctional services.

Junk Building, Junk Shops, Junk Yards, Motor Vehicle Salvage: Any land, property, structure, building or combination of the same on which junk is stored or processed.

Kennel: Any lot or premises on which four (4) or more domesticated animals, more than three (3) months of age are housed, groomed, bred, boarded, trained or sold or which offers provisions for minor medical treatment.



Livable Area: The area excluding process, breezeways, garages, carports and other similar areas.

Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Locations Maps: See Vicinity Map.

Lot: For the purposes of this ordinance, a lot is a parcel of land sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street or on an approved private street and may consist of:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Coverage: The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot expressed as a percentage.

Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to street shall be considered frontage and yards shall be provided as indicated under Yards in this section.

Lot, Minimum Area of: The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

Lot Measurements: A lot shall be measured as follows:

1. Depth: The distance between the mid-points of a straight line connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
2. width: The distance between straight lines connecting front and rear lot line at each side of the lot measured at the building setback line.

Lot of Record: A lot which is part of a subdivision recorded in the office of the County Recorder or a lot or parcel described nearby metes and bounds, the description of which has been so recorded.

Lot Types: Terminology used in this ordinance with reference to corner lots, interior and through lots is as follows:

1. Corner Lot: A lot located at the intersection of two more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
2. Interior Lot: Lot with only one frontage on a street.

3. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting on a two streets may be referred to as double frontage lots.

4. Reversed Frontage Lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Thoroughfare Plan: The portion of comprehensive plan adopted by the Village Council indicating general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

Maintenance and Storage Facilities: Land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material.

Manufactured Home: A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "manufactured housing construction and safety standards act of 1974", and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

Manufacturing, Heavy: Manufacturing, processing, assembling, storing testing and similar industrial uses which are generally major operations and extensively in character; required large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution and water pollution, but not beyond the district boundary.

Manufacturing, Light: Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor, or dust operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

Manufacturing, Extractive: Any mining, quarrying, excavating, processing, storing, separating, cleaning or marketing of any mineral natural resource.

Mobile Home or Double wide: Building unit or assembly of closed construction that is fabricated in an off-site facility, is more than 35 feet in length, or when erected on site, is 320 or more square feet, that is built on a permanent chassis and is transportable in one or more sections, and does not qualify as a manufactured home or industrialized unit.

Manufactured Home Park: Any site, or tract of land under single ownership, upon which three or more manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of such park.

Non-conformities: A building, structure or use of land existing at the time of this ordinance, and which does not conform to the regulations of the district or zone in which it is situated.

Nursery, nursing Home: A home or facility for the care and treatment of babies, children, pensioners or elderly people.

Nursery, Plant Materials: Land, buildings, structures or combination thereof for the storage, cultivations, transplanting of live trees, shrubs or plant offered for retail sale on the premises including products used for gardening or landscaping.

Open Space: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts and any other recreational facilities that the planning (zoning) commission deems permissive. Streets, parking areas, structures for habitation and the like shall not be included.

Parking Space, Off-Street: For the purpose of this ordinance, an off-street parking space shall consist of an area adequate for parking and automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Permanent Foundation: Permanent masonry, concrete, or locally approved footing or foundation, to which a manufactured or mobile home is affixed.

Permanently Sited Manufactured Home: Manufactured home that meets all of the following criteria: 1) structure is affixed to a permanent foundation and is connected to appropriate facilities; 2) the structure, excluding any additions, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments; 3) the structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering; 4) the structure was manufactured after January 1, 1995; 5) the structure is not located in a manufactured park.

Personal Services: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors and similar activities.

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision such as building design principles and landscaping plans.

Professional Activities: The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects and engineers and similar professions.

Public Service Facility: The erection, construction, alteration, operation, or maintenance of buildings, power plants or substitutions, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communications, public water and sewage services.

Public Uses: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Public way: An alley, avenue, boulevard, bridge, channel, ditch, easements, expressway, freeway, highway, land, parkway right-of-way road, sidewalk, street, subway, tunnel viaduct, walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Quasipublic Use: Churches, Sunday Schools, parochial schools, colleges, hospitals and other facilities of an education, religious, charitable, philanthropic non-profit nature.

Recreation Camp: An area of land on which two or more travel trailers, campers, tents or other similar temporary recreational structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

Recreation Facilities: Public or private facilities that may be classified as either Extensive or Intensive depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to miniature golf courses, amusement parks, stadiums, bowling alleys, tennis courts and swimming pools, etc.

Recreational Vehicles: A recreational vehicle is a vehicular-type structure, primarily designed as temporary living quarters for recreation, camping or travel use which either has its own motive power or is mounted on a drawn by another vehicle which is self-powered, including boats and boat trailers.

1. A travel trailer is a vehicular portable structure mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a stock passenger automobile; primarily designed and constructed to provide temporary living quarter for recreation, camping or travel use.
2. A camping trailer is a vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic or other pliable material for folding compactly while being drawn by another vehicle, and when unfolded at the site or location, providing temporary living quarters; and whose primary design is for recreation, camping or travel use.
3. A truck camper is a portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation, camping or travel use.
4. A motor home is a structure building on and made an intrical part of a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreation, camping or travel use.

**Research Activities:** Research, development and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation and engineering. All research, testing and development shall be carried on within entirely enclosed buildings and no noise, smoke, glare, vibration or odor shall be detected outside of said building.

**Roadside Stand:** A temporary structure designed or used for the display or sale of agricultural and related products.

**Right-of-way:** A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridge.

**Seat;** For the purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, for each twenty-four (24) lineal inches of benches, pews or space for loose chairs.

**Setback Line:** A line established by the zoning ordinance, generally paralleled with and measured from the lot line, defining the limits of a hard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said code. See definition of Yard.

**Sewers. Central or Group:** An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

**Sewers, On-Site:** A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

**Sidewalk:** The portion of the road right-of-way outside the roadway which is improved for the use of pedestrian traffic.

**Sign:** Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

1. **Sign, On-Premises:** Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
2. **Sign, Off-premises:** Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such a sign is located.
3. **Sign, Illuminated:** Any sign illuminated by electricity, gas or other artificial light including reflecting or phosphorescent light.
4. **Sign, Lighting Device:** Any light, string of lights or group of lights located or arranged so as to cast illumination on a sign.
5. **Sign, Projecting:** Any sign which projects from the exterior of a building.

6. Sign, Free Standing: Any sign that is neither a projecting sign nor a temporary or portable sign that is erected in and supported by the ground.
7. Sign, Portable or Temporary: Any detached sign that is erected upon and supported by the ground.

Story: The part of a building between the surface of a floor and ceiling immediately above. See definition of Basement.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things structures included buildings, mobile homes, walls, fences and billboards, swimming pools and tennis courts.

Supply Yards: A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain and similar goods.

Swimming Pool: A pool, pond, land or open tank containing at least 1.5 feet of water at any point and maintained by the owner or manager.

1. Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development or a community, the members and guests of a club, or the patrons of a motel or hotel; an accessory use.
2. Community: Operated with a charge for admission; a primary use.

Thoroughfare, Street or Road: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street: A general term denoting a highway primarily for through traffic carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Street: A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local street to arterial street, including the principal entrance and circulation routes within residential subdivisions.
4. Cul-de-sac: A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turn-around.
5. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Street: A street primarily for providing access to residential or other abutting property.
7. Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eight (190) degree system of turns are not more than one thousand (\$1,000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. Marginal Access Street: A local or collector street, paralleled and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street).

Through Lot: See Lot Types:

Transportation, Director of: The Director of the Ohio Department of Transportation.

Use: The specific purposes for which land or a building is designated, arranged, intended or for which it is or may be occupied or maintained.

Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Veterinary Animal Hospital or Clinic: A place for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

Vicinity Map: A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better located and orient the area in question.

Walkway: A public way, four (4) feet or more in width for pedestrian use only, whether along the side of a road or not.

Yard: A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward provided, accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, front: A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
2. Yard, Rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

### ARTICLE 3

#### ADMINISTRATION AND ENFORCEMENT

3.0 Office of Building Inspector Created: There is hereby created the office of Building Inspector. He shall be appointed by the Mayor for an indefinite term and shall administer and enforce this ordinance. He may be removed by the Mayor for nonperformance of duty, misconduct in office or other causes. If written charges are filed with the Mayor, a copy of the charges shall be served to the inspector and within ten (10) days a public hearing shall be held and the inspector shall be given an opportunity to answer such charges.

3.1 Duties of Building Inspector: For the purpose of this Ordinance, the Building Inspector shall have the following duties:

1. Keep adequate records of all applications, plans, permits, complaints, notifications, correspondence and any other information pertinent to the administration and enforcement of this Ordinance and provide copies of such records and information to the Mayor as required.

2. Upon finding that any of the provisions of this Ordinance are being violated, notify in writing the person responsible for such violation, ordering the action necessary to correct such violation.

3. Order discontinuance of illegal uses of land, buildings or structures.

4. Order removal of illegal buildings or structures or illegal additions or structural alterations.

5. Order discontinuance of any illegal work being done.

6. Take any other action authorized by this Ordinance to ensure compliance with or to prevent violations of this Ordinance. This may include the issuance of and action on zoning and certificate of occupancy permits and such similar administrative duties as are permissible under the law.

3.2 Zoning Commission: There is hereby created a Village Zoning Commission which shall consist of five (5) members to be appointed by the Mayor each for a term of five (5) years and so arrange that the term of one (1) member shall expire each year. Each member shall be a resident of the Village and may be removed by the Mayor for nonperformance of duty, misconduct in office or other causes. If written charges are filed with the Mayor, a copy of the charges shall be served to the member and within ten (10) days a public hearing shall be held and the member shall be given an opportunity to answer the charges.

3.3 Zoning Commission Organization: The Zoning Commission shall organize, adopt rules necessary to the conduct of its affairs in keeping with the provisions of this ordinance and a record of its actions and determinations.

The Zoning Commission shall make use of such information and counsel as is available from appropriate public officials, departments and agencies. All information, maps and data pertinent to the Village Zoning shall be made available for the use of the Zoning Commission.



3.4 Zoning Commission Meetings: Zoning Commission meetings shall be held at the call of the Chairman and at such other times as the Commission may determine. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed with the Village Clerk.

3.5 Duties of Zoning Commission: For the purpose of this Ordinance the Commission shall have the following duties:

1. Initiate proposed amendments to this Ordinance.
2. Review all proposed amendments to this Ordinance and make recommendations to the Village Council as specified under Article 5.
3. Review applications for all Planned Unit Development, Mobile Home Parks and make recommendations to the Village Council

3.6 Board of Zoning Appeals Created: A board of Zoning Appeals is hereby created which shall consist of five (5) members to be appointed by the Mayor each for a term of five (5) years and so arranged that the term of one (1) member shall expire each year. Each member shall be a resident of the village and may be removed by the Mayor for cause upon written charges and after a public hearing.

3.7 Board of Zoning Appeals Organization: The Board of Zoning Appeals shall organize, adopt rules necessary to the conduct of its affairs in keeping with the provisions of this ordinance and a record of its actions and determinations.

3.8 Board of Zoning Appeals Meetings: Board of Zoning Appeals meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be public record and be immediately filed with the Village Clerk.

3.9 Duties of the Board of Zoning Appeals: In exercising its duties, the Board may, as long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and to the end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Inspector or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to effect any variation in the application of this ordinance. For the purpose of this ordinance the Board has the following specific responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation or determination made by the Zoning Inspector.
2. To authorize such variances from the terms of this ordinance as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this ordinance will result in unnecessary hardship and so that the spirit of this ordinance shall be observed and substantial justice done. No variance shall be granted

until the applicant has had a site survey done by a registered surveyor.

3. To grant conditional use permits under the conditions specified in Article 2 and such additional safeguards as will uphold the intent of this ordinance.

3.10 Intent: It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Building Inspector and that such questions shall be presented to the Board of Appeals only on appeal from the decision of the Building Inspector and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this ordinance that the duties of the Village Council in connection with this ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. Under this ordinance the Village Council shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this ordinance as provided by law.

3.11 Building Permit: It shall be unlawful for an owner to use or to permit the use of any structure, building or land or any part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a building permit shall have been issued by the Building Inspector. It shall be the duty of the Building Inspector to issue a permit, provided he is satisfied that the structure, building or premises and the proposed use thereof conforms to all the requirements of this ordinance. No permit for excavation, construction or reconstruction shall be issued by the Building Inspector unless the plans, specifications and the intended use conforms to the provisions of this ordinance.

3.12 Conditions Requiring Permit: A building permit shall be required for any of the following; except as herein provided:

1. Construction or structural alteration of any building, including accessory buildings, consisting of at least 100 square feet.
2. Change in use of an existing building or accessory building to a use of a different classification.
3. Occupancy and use of vacant land.
4. Change in the use of land to a use of a different classification.
5. Any change in the use of a nonconforming us.

3.13 Application, Issuance and Expiration of Permit: The following shall apply in the application, issuance and the expiration of building permits:

1. An application shall be made for a building permit for the construction of a new building or the alteration of an existing building and shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application.
2. An application for a building permit for the use of vacant land or for a change in the use of land, building or for a change in a nonconforming use, as herein provided, shall be made to the Building Inspector.
3. Every application for a building permit shall be accompanied by a plot plan, in duplicate, and such other plans as may be necessary to show the location, type of building to be erected or alterations to be made. Where construction or physical improvement of the land is involved, the lot and location of the buildings to be erected thereon shall be staked out on the ground before construction is started and all dimensions shall be shown on filed plans. The lot line and location of buildings shall be demonstrated by the applicant. The

Building Inspector may require the applicant to have a site survey done by a registered surveyor to accurately determine the lot line.

4. Within thirty (30) days after the receipt of an application, the Building Inspector shall either approve or disapprove the application in conformance with the provisions of this ordinance. In case of refusal, failure to notify the applicant within the said 30 days shall entitle the applicant to a zoning permit unless the applicant consents to an extension of time.

5. If the work described in any building permit has not begun within one year from the date of issuance thereof or if the work described in any building permit has not been substantially completed within two and one half (2½) years of the date of issuance thereof, said permit shall expire and it shall be revoked by the Building Inspector by written notice to the persons affected.

### 3.14 Plan Provisions:

1. Each plan shall show:

(a) The street providing access to the lot, name and/or number of the concerned lot and the name or number of the concerned abutting properties.

(b) The actual dimensions of the lot, location and size of the proposed structure and/or the proposed enlargement of the existing structure.

(c) Any other information which in the judgment of the Zoning Inspector may be necessary to provide for the enforcement of this ordinance.

3.15 Appeal of Decision of Building Inspector: An appeal of the decision of the Building Inspector may be made to the Board of Zoning Appeals as provided herein.

3.16 Fees: Fees shall be charged in accordance with the orders and directions of the Village Council.

3.17 Violation Complaints: Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint with the Building Inspector. The Building Inspector shall record the complaint, immediately investigate and take action thereon as provided by this ordinance.

3.18 Penalties: Violations of the provisions of this ordinance or failure to comply with any of the requirements established in various sections of this ordinance shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred (100) dollars and shall pay all cost and expenses involved in the case. Each day such violation continues, after receipt of a violation notice, shall be considered a separate offense. The Village may take any other lawful action as is necessary to prevent or remedy any violation.

## ARTICLE 4

### NON-CONFORMITIES AND PROHIBITED USES

4.0 Intent: within the districts established by this ordinance or amendments that may later be adopted there exists lots, uses of land, structures and uses of land in combination which were lawful before this ordinance was passed or amended but which would be prohibited, regulates, or restricted under the terms of this Ordinance or future amendments. It is the intent of this ordinance to permit these non-conformities to continue until they are removed.

4.1 Abandonment: A nonconforming use, existing on the effective date of the ordinance may be continued, provided, however, that should such use be discontinued for a period of two (2) years, or more, then such use shall be deemed abandoned, and any further use of such premises shall be in conformity with the uses permitted in the district of location.

4.2 Reconstruction: Any building or structure, existing and in use as a nonconforming use on the effective date of this ordinance, which shall be destroyed by casualty or act of God, may be reconstructed and restored, provided, however, that such is commenced within two (2) years from the date of such destruction.

4.3 Alteration and Enlargement: Any building or structure, existing and in use, on the effective date of this ordinance may not be altered including solar heat or enlarged, in a manner and form resulting in the extension of such nonconforming use, provided, however, that the Board of Zoning Appeals shall have the power to grant a special permit and zoning certificate as provided for herein allowing such extension or alteration under conditions as follows:

1. The total alteration, enlargement, or extension of existing structures or the erection of additional structures shall not increase the nonconforming area unless a variance is granted.

2. Such enlargement and/or extension shall not be detrimental in consideration of the surrounding neighborhood, but that the granting thereof shall remove an unnecessary hardship as to the owner thereof.

3. The extension of such nonconforming use shall not reduce the area of a contiguous or adjacent conforming use.

4.4 Structures Under Construction: Any structures commenced as of the effective date of this ordinance may be completed, although nonconforming, if completed within one (1) year of the effective date of this ordinance.

4.5 Prohibited Uses: The following uses shall be deemed to constitute a nuisance and shall not be permitted to any district:

1. Distilling of bones, fate or glue; or glue or gelatin manufacturing.
2. Garbage feeding of swine and poultry.
3. Racetrack for vehicles or animals.
4. Dumping, storing, burying, or reducing of the following materials: refuse, scrap metal, wood products, rubbish, offal or dead animals, except as result from the normal use of premises. No disposing of or burning of garbage or rubber products.

4.6 TV Satellite Systems (Disk): Any TV Satellite System (Disk) over 7.5 feet in diameter shall be deemed to constitute a nuisance and shall not be permitted to be used in any district, provided however, that the Board of Zoning Appeals shall have the power to grant a Conditional Use

Certificate as provided for herein as long as the said disk is located to the rear of the residence away from the street.

4.7 Solar Heat Units: No solar heat unit shall be permitted to be used in any district, except for roof mounted units, provided however, that the Board of Zoning Appeals shall have the power to grant a Conditional Use Certificate as provided for herein.

4.8 Fence: The Village of Pandora Council desires to regulate the construction of fences and require that a permit be issued to construct or erect a fence in the village.

No fence shall be constructed to a height of more than four (4) feet in any district except as follows:

1. Fences constructed around swimming pools and ponds.
2. Fences constructed as screens for privacy and/or landscaping around patios shall not exceed six (6) feet.
3. Security fences in Industrial District.
4. Fences constructed in Agricultural District, Business District or a Public Use Area.

No fence shall be erected nearer than two (2) feet to any property line, except that a fence may be located on a property line or within two (2) feet of any property line if both adjoining landowners agree in writing to the erection of such a fence.

No fence shall be erected nearer the street than the rear of the house, except for a corner lot where a rear or side yard abuts a street or other public rights of way. Fences permitted shall not be nearer than three (3) feet from curb, sidewalk or other public rights of way.

No fence shall be constructed on any unimproved lot unless such lot abuts an improved lot under the same ownership.

Maintenance of Fence: Such permitted fences shall be maintained in good condition, be structurally sound and attractively finished at all times. Any grounds between fences and property lines shall be well maintained at all times.

It shall be the duty of each property owner to determine property lines and to ascertain that the fence thus constructed does not deviate from the plans as approved by the Zoning Officer issuing permits, said fence is not nearer than two (2) feet from the property line. The Village shall furnish such inspection as is deemed necessary to determine that said fence is constructed in accordance with plans submitted for permit, provided however, that the issuance of said permit by the Village shall not be construed to mean the Village has determined said fence is not encroaching upon another lot, nor shall it relieve the property owner of the duty imposed herein.

Whoever violates any provision of this section of the Village of Pandora's Zoning Ordinance, and upon conviction thereof, shall be guilty of a minor misdemeanor. Each day that such violation continues shall constitute a separate offense.

## ARTICLE 5

### DISTRICT CHANGES AND ORDINANCE AMENDMENTS

5.0 Initiation of Amendments or Supplements: Amendments or supplements to the Zoning Ordinance may be initiated by motion of the Zoning Commission by the passage of a resolution therefore by the Village Council or by the filing of an application therefore by one (1) or more of the owners or lessees of property within the area proposed to be changed or affected by the proposed amendment or supplement with the Zoning Commission. The Village Council shall upon the passage of such resolution certify it to the Zoning Commission.

5.1 Procedure for Change: Applicants for amendments or supplements to this ordinance shall be submitted to the Zoning Commission upon such forms, and shall be accompanied by such data and information, as may be prescribed for the purpose by the Zoning Commission, so as applicable the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be changed or affected attesting to the truth and correctness of all facts and information presented with the applications.

5.2 Names and Addresses of Property Owners: Any person or persons desiring amendments or supplements to this Zoning Ordinance shall file with the application for such change a statement giving the names of all owners or property within and contiguous to the area proposed to be reclassified or redistricted, and the addresses of such owners appearing on the current tax roll.

5.3 Public Hearing by Zoning Commission: Upon the adoption of such motion, or the certification of such resolution or the filing of such application, the Zoning Commission shall set a date for a public hearing thereon which date shall not be less than twenty (2) days, or more than forty (40) days from the date of filing of such application. Notice of such hearing shall be given by the Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the Village at least fifteen days (15) days before the date of such hearing.

5.4 Written Notice: Written notice of the hearing shall be mailed by the Zoning Commission to all owners of property within and contiguous to the area proposed to be reclassified or redistricted by certified mail fifteen (15) days before such hearing to the addresses of such owners appearing on the current tax roll, list or duplicate of the County or to the address of the property. The failure of delivery of such notice shall not invalidate any amendment or supplement.

5.5 Recommendation by Zoning Commission to Village Council: The Zoning Commission, shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement, or the approval of some modification thereof and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Regional Planning Commission thereon to the Village Council.

5.6 Public Hearing by Village Council: The Village Council shall, upon receipt of such recommendation, set a time for a public hearing on such proposed amendment or supplement, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Zoning Commission. Notice of such public hearing shall be given by the Village Council by one (1) publication in one (1) or more

newspapers of general circulation in the Village at least fifteen (15) days before the date of such hearing.

5.7 Written Notice: Written notice of the hearing shall be mailed by the Village Clerk to all owners of property within and contiguous to the area proposed to be reclassified or redistricted by certified mail fifteen (15) days before such hearing to the addresses of such owners appearing on the current tax roll, list of duplicate of the County or to the address of the property. The failure of delivery of such notice shall not invalidate any amendment or supplement.

5.8 Vote by Village Council: within twenty (20) days after such public hearing the Village Council shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Village Council denies or modifies the recommendation of the Zoning Commission, a three-fourths majority vote of the Village Council shall be required.

5.9 Effective Date of Amendment or Supplement: Referendum: Such amendment or supplement adopted by the Village Council shall become effective in thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment or supplement there is presented to the Village Council a petition, signed by a number of qualified voters residing in the incorporated area of the Village equal to not less than 8 percent of the total vote cast for all candidates for in such area at the last preceding general election at which a governor was elected, requesting the Village Clerk to submit an amendment or supplement to the electors of such area for approval or rejection at the next primary or general election.

5.10 Result of Referendum: No amendment or supplement for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certificate by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect.

5.11 Court of Common Pleas: Any person adversely affected by an order of the Village Council adopting, amending or rescinding a regulation may appeal to the Court of Common Pleas of Putnam County on the ground that said Council failed to comply with the law in adopting, amending, rescinding, publishing or distributing such regulations, or that the regulation as adopted or amended by said Council is unreasonable or unlawful, or that the revision of the regulation was unreasonable or unlawful.

5.12 Fees: Each application for a zoning amendment except those initiated by the Zoning Commission, shall be accompanied by a check or a cash payment sufficient in the amount to cover the cost of the publishing, post, and/or mailing the notices of the hearing or hearings required by the foregoing provisions.

## ARTICLE 6

### DISTRICT AND GENERAL PROVISIONS

6.0 Districts: The Village is hereby divided in 7 Districts known as:

- FP - Flood Plain District
- AG - Agricultural District
- R-1 - Residence District
- R-2 - General Residence District
- I-1 - Industrial District
- PUD - Planned Unit Development District
- B-1 - Local Business District

6.1 Zoning Map: The districts and boundaries thereof are established as shown on the Zoning Map, which map, together with all notations, references, data, district boundaries and other information shown thereon, shall be part of these regulations. The zoning Map, properly attested, shall be and remain on file in the office of the Village Clerk.

6.2 District Boundaries: The district boundary lines on said map are intended to follow either streets or alleys or lot lines; and, where the districts designated on the Map are bounded approximately by such street, alley or lot lines, the street or alley or lot line shall be construed to be the boundary of the district, unless such boundary is otherwise indicated on the Map and except for the boundary line of the flood plain district. In case of subdivided property, the district boundary lines shall be determined by the use of the scale appearing on the Zoning Map or by dimensions.

Where boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the tracks of the said railroad line.

6.3 Compliance with Regulations: No building shall be erected, converted, or altered, nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located, except as herein provided. No building shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements, and minimum off-street parking space requirements of this Ordinance for the District in which such building is located.

6.4 Street Frontage Required: Except as permitted by other provisions of these regulations, no lot shall contain any building used in whole or part for residential purposes unless such lot abuts for at least 16 feet on a street or alley; and, there shall be not more than one single-family dwelling for such frontage.

6.5 Traffic Visibility Across Corner Lots: In any District on any corner lot, no fence, structure or planting shall be erected or maintained within 20 feet of the corner (the point of intersection of the right-of-way lines), which interferes with traffic visibility across the corner.

6.6 Off-Street Parking and Loading: In any District spaces for off-street parking and off-street loading shall be provided in accordance with the provisions of Article 17.

6.7 Essential Services: Essential services shall be permitted as authorized and regulated by law and other ordinances of the Village, it being the intention hereof to exempt such essential services from the



application of these regulations. However, a Zoning Permit for such uses shall be required in accordance with the provisions of this ordinance.

6.8 Unsafe Buildings: Nothing in these regulations shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by proper authority.

6.9 Vacated Street or Alley: Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

6.10 Territory Not Included - Annexations: In every case where territory has not been specifically included within a district or where a territory becomes a part of the incorporated area of Pandora, such territory shall be classified at that time.

6.11 Drainage and Sanitary Facilities: No principal building shall be erected, structurally altered or relocated on land which is not adequately drained of all surface water nor which is not connected to the Village sanitary sewer system. All drainage and sanitary sewer plans are subject to approval by the Village Council and must be submitted to the Village Engineer for review.

6.12 Agricultural Exemptions: Chapter 713, Ohio Revised Code, confers no power on any Village Council or Board of Zoning Appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such buildings or structures are located, except no animal husbandry operation shall be permitted, and no zoning certificate shall be required for any such building or structure. However, a residential structure on a farm must comply with the provisions of the ordinance and obtain a zoning certificate.

6.13 Dwelling - Board of Health Regulations: All dwellings shall meet the regulations of the Putnam County Board of Health.

6.14 Outdoor Advertising: Outdoor advertising shall be classified as a business use and be permitted in all districts zoned for industry, business, or trade, or lands used for agricultural purposes, however, such uses shall comply with the requirements of the district in which they are located.

6.15 Recreational Vehicles: Whereas, the Commission wishes to provide for parking of recreational vehicles in all residential districts of the Village and to permit same to be parked upon various portions of private property and requirements as follows:

The parking of only one (1) recreational vehicle in a rear yard or garage in any residential districted is permitted. However, if it is not physically possible to park such recreational vehicle in a rear yard or garage, such recreational vehicle may be parked in a carport, side yard or driveway; provided, however, that if such recreational vehicle is parked in a driveway, no portion of such recreational vehicle shall be closer than two (2) feet to the edge of the public sidewalk, or if there is no such sidewalk, closer than ten (10) feet to the edge of the pavement of the public street and provided further, if such recreational vehicle is parked in a side or rear yard, no portion of such recreational vehicle shall be closer than three (3) feet to the side lot line. No living quarters shall be maintained in any such

recreational vehicle, but occupancy by children or guest of the owner thereof for the period not exceeding seven (7) days shall not be construed as the maintenance of living quarters; providing that toilet facilities shall not be used in such recreational vehicle while so occupies or parked. No such recreational vehicle shall exceed thirty (30) feet in length or eight (8) feet in width.

6.16 Manufactured Homes or Mobile Homes Prohibited Except in a Manufactured Home Park: No manufactured or mobile home shall be permitted to located in the Village except in a Manufactured Home Park.

6.17 Motor Vehicles - Inoperable and/or Unlicensed: Motor vehicles that are inoperable and/or unlicensed, if parked outside of a building for more than twenty-four (24) hours shall be in violation of this ordinance and shall be removed from the premises pursuant to the provisions of Ordinance No. 312-91, and the Village of Pandora, Ohio.

6.18 Junk Yards (Automobile Graveyards), Motor Vehicle Junk yards shall conform to the provisions of Chapter 4737.01 to 4737.99 and 4738.01 to 4738.99 of the Ohio Revised Code (license-fence-buffer).

6.19 Buffer Screening Areas: If, in any area, a "B" District, or an "I" District adjoins or abuts, or lies within one hundred (100) feet of an "R" District, or if, under the provisions of the ordinance a use permitted in either a "B" District or "I" District is located on a parcel abutting or adjacent to a residential lot or parcel, a buffer screening area, as hereinafter defined, shall be maintained thereon by the person or persons occupying said premises in such "B" or "I" Districts, unless the abutting property owner waives this requirement in writing, which shall permanently run with the land thereafter.

DEFINED: When a side lot or rear lot line abuts or adjoins, or lies within one hundred (100) feet of an "R" District or residential to, as set forth hereinbefore, there shall be, within the side yard areas required, one hundred (100) feet thereof, an area ten (10) feet in width which shall be planted with a dense planning of hedge and/or evergreen plants, shrubs, trees, or suitable fencing materials, which shall be, on a maturity of not less than three (3) years, not less than six (6) feet in height, and which shall be planted with regard to individual plants, in order to provide that the branches thereof shall interlock and shall be maintained in good condition and appearance.

ARTICLE 7

YARD REQUIREMENTS

7.0 Side Yards and Rear Yard Depth:

1. For Every dwelling or appurtenance thereto erected in any Residential district, there shall be a minimum side lot clearance on each side of said building of not less than ten (10) feet.
2. For every dwelling erected in any Residential District there shall be a rear lot clearance not less than twenty-five (25) feet and for any appurtenance thereto shall be a minimum rear lot clearance of seven and one-half (7 ½) feet.

7.1 Setback Line:

1. Any building erected in any Residential district shall be so maintained and situated to provide that no portion thereof shall be closer to the nearest right-of-way line of a street or road than thirty (30) feet and forty (40) feet from the nearest right-of-way line of a state or county road.
2. The building lines shown on a subdivision plat recorded in the office of the County Recorder prior to the date of this ordinance shall apply in place of building lines herein established.
3. The paved radius for a court or circular drive that is a dedicated road shall be no small than forty-five (45) feet.

## ARTICLE 8

### FP – FLOOD PLAIN DISTRICT

8.0 Purpose: The purpose of the FP District is to guide development in the flood prone areas of any water course that are consistent with the requirements for the conveyance of flood flows, and to minimize the expense and inconveniences to the individual property owners and the general public through flooding. Uses permitted in this district are generally associated with open space, recreational and agricultural land uses and shall not hinder the movement of floodwaters.

8.1 Uses Permitted in the FP Flood Plain District.

1. Any customary agricultural use, or accessory agricultural use of building; Forestry.
2. Recreational facilities such as fishing lakes, golf courses, golf driving ranges and parks, excluding any buildings.
3. Water conservation works; including supply works, flood control and watershed protection, fish and game hatcheries and preserves.
4. Essential services.

8.2 Conditional Uses – with Approval by the Board of Zoning Appeals After Recommendation by the Commission:

1. Accessory uses and buildings.
2. Hydro-electric power installation.
3. Gun clubs, archery courts, and other similar uses.
4. Reclamation of lands subject to flooding, provided that no filling, draining, construction of levees or other improvements intended to reduce the danger of flood or erosion shall be authorized by the Commission unless the Commission finds that such reclamation work is in concert with the objectives of the Land Use Plan.

8.3 Other Requirements: Buildings or structures authorized in the Flood Plain District shall not obstruct natural drainage courses and floodways. Equipment, materials, and waste stored in areas subject to flooding shall have a specific gravity substantially heavier than water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

1. Engineer's Report: Whenever the Commission is required to pass on matters of protection of life and property from flood hazards it shall request a report and recommendations thereon from the technical staff available to the Soil and Water Conservation District.

2. Change to Nonconservation District: Changes of district classification from FP to any other classification provided by this ordinance may be initiated in accordance with the requirement of this ordinance; provided that the applicant can show that any flood condition existing at the time the FP District was originally established does no longer exist or has been remedied to the satisfaction of the Zoning Commission, and that the area in question is now reasonably well protected from floods for the intended purpose and occupancy. Prior to recommending a change of zoning to the Village Council, Village Zoning Commission shall require completion of all necessary flood works in accordance with the requirements and specifications of the FP District. When deemed necessary the plan will

be reviewed by the technical staff of the Soil and Water Conservation District.

8.4 Required Lot Area and Lot Width in the FP District: None, except as may be specified by the Commission.

8.5 Flood Plain District Map: The boundaries of the Flood Plain District (FP) for Pandora, Ohio, as previously discussed, have been determine and are shown on the PANDORA FLOOD BOUNDARY AND FLOODWAY MAP which is on file with the official zoning map in the Office of the Village Clerk.

ARTICLE 9

AG - AGRICULTURAL DISTRICT

9.0 Purpose: The purpose of the AG - Agricultural District is to provide for the existing agricultural area within the Village limits.

9.1 Permitted Uses: The following uses and no other shall be permitted in all AG Districts:

1. Any agricultural use includes farming, agriculture, horticulture, foresting, floriculture, but excludes animal husbandry purposes.
2. The following institutional uses: (A) Churches, Sunday Schools, other places of worship; (B) Rectories and parsonages; (C) Public and parochial schools; (D) Libraries, museums and art galleries; (E) Public administration buildings including fire and police stations; (F) Clubs, fraternities, sororities and lodges.
3. One-family residential dwelling.

9.2 Conditional Uses: With approval by the Board of Zoning Appeals after recommendation by the Planning Commission:

1. Manufactured Home Park subject to the provisions of Article 15.
2. Real estate, professional and small announcement signs, subject to the provisions of Article 18.
3. Home occupations.

9.3 Height Regulation: In the AG District no residential dwelling shall exceed 2 1/2 stories or 35 feet in height.

9.4 Required Floor Area: In the AG District any building in whole or part used for residential purposes shall provide a minimum livable floor area as specified in Article 10.

9.5 Lot Area: The lot frontage and area requirements for any lot in the AG District shall be as specified in Article 10.

## ARTICLE 10

### R-1 RESIDENCE DISTRICT

10.0 Purpose: The purpose of the Residence District is to provide an area for residential uses and those public and quasi-public uses normally considered an integral part of the residential neighborhood they serve.

10.1 General Provisions: In all Class I Residential District, no buildings or premises shall be used and no building shall be erected, intended or designed to be used for other than one or more of the following uses:

1. One family dwelling and building accessory thereto, but excluding tents, cabins, trailers, trailer coaches, mobile homes and basement dwellers, except that any structure may be temporarily used as a residence on a lot while a dwelling is being constructed thereon, but such excluded use shall not be continued for more than one (1) year.
2. Institutional Uses: (A) Churches, Sunday Schools, other places of worship; (B) Rectories and parsonages; (C) Public and parochial schools; (D) Libraries, museums and art galleries; (E) Public administration buildings including fire and police stations.
3. Any person may maintain an office or may carry on a customary home occupation in the dwelling house used by him as his private residence, providing such use does not involve any outward evidence of such use other than a sign as authorized in other sections of this ordinance.
4. In Class I Residential District and Agricultural Districts not less than one thousand (1,000) square per dwelling unit.
5. A story and one-half (1½) or a two and one-half (2½) story not less than six hundred fifty (650) square feet minimum ground floor area.
6. In a Class I Residential District and Agricultural District, no family dwelling shall be erected to a height in excess of two and one-half (2½) stories not exceeding thirty-five (35) feet.
7. A public sewage facility shall be available to and used in conjunction with any dwelling erected upon any building site. All building sites hereafter platted or laid out shall not be less than ten thousand five hundred (10,500) square feet in total area.
8. Minimum lot widths shall be seventy (70) feet.
9. Yard requirements for every dwelling erected in Class I Residential District shall be subject to the provisions of Article 7.

ARTICLE 11

R-2 RESIDENCE DISTRICT

11.0 Purpose: The purpose of the Residence District is to provide an area for residential uses and those public and quasi-public uses normally considered an integral part of the residential neighborhood they serve.

11.1 Uses Permitted in the R-2 District: In an R-2 Residential District, no building or premises shall be used and no building shall be erected, intended or designed to be used for other than one or more of the following purposes:

1. Any use specified in an R-1 Residential District provided that the same comply with the lot area requirements of R-1 District.

2. The following institutional uses: (A) Churches, Sunday Schools, other places of worship; (B) Rectories and parsonages; (C) Public and parochial schools; (D) Libraries, museums and art galleries; (E) Public administration buildings including fire and police stations; (F) Clubs, fraternities, sororities and lodges.

3. One, two, three, or four family units, but excluding tents, cabins, trailers, trailer coaches and mobile homes and provided that all such families live independently and separately from one another.

4. Conversion of a single family dwelling into a two or more family dwelling provided that these conform to the lot area requirements, front, side and rear yard requirements and parking requirements for such dwelling in R-2 Residential Districts.

11.2 Dwelling Unit Requirement: Each dwelling unit herein erected or structurally altered shall have a minimum ground floor area of seven hundred and fifty (750) square feet on one floor level, exclusive of that floor area devoted to basements, utility rooms, attached garages, open or enclosed porches and the like.

11.3 Lot Area Requirements: The lot area and side yard requirements in the R-2 District:

	<u>Lot Area Sq.Ft.</u>	<u>Lot Frontage</u>	<u>Side Yard widths</u>
Single Family			
1 & 1 1/2 Stories	7,500	60 feet	10 feet
2 & 2 1/2 Stories	7,500	60 feet	10 feet
Two Family			
1 & 1 1/2 Stories	8,000	70 feet	10 feet
2 & 2 1/2 Stories	8,000	70 feet	12 feet
Three Family			
1 & 1 1/2 Stories	10,000	80 feet	10 feet
2 & 2 1/2 Stories	10,000	80 feet	12 feet
Four Family			
1 & 1 1/2 Stories	12,000	100 feet	12 feet
2 & 2 1/2 Stories	12,000	100 feet	14 feet

11.4 Rear Yard Clearance: For every dwelling erected in the R-2 District rear yard clearance shall be subject to the provisions of Article 7.



**ARTICLE 12**

**B-1 LOCAL BUSINESS DISTRICT**

12.0 Purpose: the purpose of the B-1 Local Business District, is to provide for a wide range of retail facilities and services of such a nature as to be fully compatible in the close proximity they must enjoy in a centralized business district.

12.1 Uses Permitted in the B-1 Local Business District:

1. Any used permitted in the R-2 District.
2. The following institutional uses: (A) Churches, Sunday School, other places of worship; (B) Rectories and parsonages; (C) Public and Parochial schools; (D) Libraries, museums and art galleries; (E) Public Administration buildings including fire and police stations; (F) clubs, Fraternities, sororities and lodges.
3. Major Retail Outlets: furniture, department, clothing, shoe and variety stores, hardware, appliance, paint and wallpaper stores.
4. Food, Drug and Beverage: grocery stores, supermarkets, met markets, drug stores, bakery in conjunction with retail sales, restaurants and tea rooms.
5. Specialty Shops: gift shops, magazine, book and stationery outlets, florist shops, camera and photography shops, sporting goods.
6. Service and Recreation: Laundromat, dry cleaning and laundry pick-up stations, barber and beauty shops, shoe repair and tailor shops, mortuaries, printing shop with not more than 10 full-time regular employees, places of amusement and assembly.
7. Business and Professional offices: medical and dental offices and clinics; law offices; insurance and real estate offices; banks; finance; utility companies; warehousing and storage service.
8. Automotive and Related Uses: new and used car sales, service, and repair, gasoline filling stations, motorcycle and bicycle shops, cab and bus stands; depots and parking.
9. Motels and Motor Hotels: subject to the provisions of Article 21.
10. Accessory Uses or Buildings.
11. Business and advertising signs pertaining to the business on the property on which the sign is located provided that (a) illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent residence districts or into the public way, and (b) that any sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green or amber illumination. All signs shall be subject to the provisions of Article 18.

12.2 Required Lot Area and Lot Width in the B-1 District:

1. Residential Uses: Each residential use to be accommodated in the B-1 District shall meet the minimum lot area and minimum lot width requirements of the R-2 Residence Districts.

2. Commercial Buildings: Each commercial building shall be located on a lot having an area of not less than 8,500 square feet and a lot width of not less than 50 feet at the building line.

12.3 Building Height Regulation in B-1 District: No building shall exceed 3 ½ stories or 40 feet in height.

12.4 Required Yards in the B-1 District:

1. Residential Uses: Each residential use to be accommodated in the B-1 Local Business District shall meet the minimum yard requirement of the R-2 Residence District.

2. Commercial Uses: Front Yard - 10 feet.

Side Yard - no minimum yard required, except lots adjoining a residential district shall provide a side yard on that adjoining side equal to that required in the adjoining Residence District.

Rear Yard - In all other cases a rear yard is not required except where a lot abuts on an "R" Residential District, in which case there shall be a rear yard of not less than twenty (20) feet in depth.

12.5 Required Lot Area: In the B-1 District: All lots in the B-1 District shall be served by a public central sewage system and lot areas, frontage and yard requirements shall be as herein specified:

Residential Uses - As required under Article R-2, Multi-Family Residence District Uses

Commercial Uses-

Minimum Lot Area - 8,500 square feet

Minimum Lot width - 50 feet at the building line

Front Yard - 10 feet

Side Yard - As provided for in Article 12

Rear Yard - As provided for in Article 12

12.6 Landscaping and Screening Provisions - For non-residential uses abutting an "R" District the minimum side and rear yards may be reduced to 50 percent of the minimum side or rear yard requirements, if acceptable landscaping or screening, approved by the Board is provided. Such screening shall be a masonry or solid fence between 4 and 6 feet in height maintained in good condition and free of all advertising or other signs. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than 15 feet in width planted with evergreen shrubs not less than 4 feet in height.

## ARTICLE 13

### I-1 INDUSTRIAL DISTRICT

13.0 Purpose: The purpose of the I-1 Industrial District is to provide for commercial uses, storage, and those manufacturing uses not normally creating a nuisance discernible beyond its property.

The purpose of the Conditional Use Provision is to provide for industrial uses not allowed in any other district, providing that, within this district, uses of a hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the community.

#### 13.1 Uses Permitted:

1. Any use permitted in the B-1 Business District, except construction of a new residence or development of a planned unit development.

2. The following institutional uses: (A) Churches, Sunday Schools, other places of worship; (B) Rectories and parsonages; (C) Public and parochial schools; (D) Libraries, museums and art galleries; (E) Public administration buildings including fire and police stations; (F) Clubs, fraternities, sororities and lodges.

3. Warehousing and Storage: Indoor and outdoor storage of goods and materials including warehousing, pole yards, building material storage, and trucking storage. However, not including junk yards or similar uses.

4. Manufacturing: Manufacture or processing small items, including gloves, footwear, bathing caps, shoes, boots, boxes and cartons, hardware, toys, electric batteries, motors or generators; textile products manufacture; glass, cement, and stone products manufacture; furniture manufacture; food manufacture or processing including hatcheries, canning, freezing, storage and bottling.

5. Other manufacturing uses of a light nature, free from any objectionable odors, fumes, dirt, vibration, or noise detectable at the lot line. Such uses shall not be established without an application for a permit by a registered engineer or architect indicating that every reasonable provision will be taken to eliminate or minimize gas fumes, odors, dirt, vibration or noise. In the event of the denial of such permit, an applicant shall have a right of appeal to the Zoning Board of Appeals.

13.2 Conditional Uses Permitted As Approved by the Board of Zoning Appeals: All uses not otherwise prohibited by law, provided however, that the following uses will be permitted as special use in the I-1 District when authorized by the Board of Zoning Appeals after public hearing and recommendation by the Commission: bag cleaning, boiler and tank works, glass and mixing plant for cement, mortar, plaster or paving materials; coke oven; curing, tanning and storage of raw hides and skins; distillation of bones, coal, wood or tar, fat rendering, forge plant, salvage wrecking yard; foundry or metal fabrication plant; gasoline or oil storage above ground in excess of 500 gallons; slaughter house or stockyards; smelting acid, alcohol or alcoholic beverages; ammonia, bleaching powder, chemicals, brick, pottery, terracotta or tile; candles; disinfectants; dyestuffs, fertilizers; linseed oil, paint, oil, turpentine, varnish, soap and tar products, or any other use which is the opinion of the Board would not emit detrimental

of obnoxious noise, vibrations, smoke, odors, dust or other objectionable conditions beyond the confines of its property.

Such special uses shall be subject to any requirements the Board feels necessary to further the purpose of the Industrial District, as stated in the preamble.

13.3 Building Height Regulations: No building in the I-1 District shall exceed 50 feet in height.

13.4 Lot Area, Width and Yard Requirements in the I-1 District: All lots in the I-1 District shall be served by a public sewage system and the lot area, width and yard requirements shall be as herein specified.

Minimum Lot Area - 20,000 square feet

Minimum Lot Width - 100 feet at the building line

Front Yard - 40 feet

Side Yard - 15 feet each side, however, 25 feet where abutting a residential district

Rear Yard - 30 feet, however 40 feet where abutting a residential district

13.5 Screening Required Between Manufacturing and Residential Districts: Newly established manufacturing uses adjacent or backing on a residential district shall provide on that adjacent property line a dense hedge, tree row or other suitable landscape device adequate to visually screen the industrial area from the residential area.

## ARTICLE 14

### PUD, PLANNED UNIT DEVELOPMENT DISTRICT

14.0 Objectives for Planned Unit Developments: It shall be the policy of the Village to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

1. Intensively Developed Urban Area: Minimum property requirements are for properties of four (4) or more dwelling units.

2. Minimum Area: Ten (10) acres, provided, however, that smaller parcels may be considered by the Commission on the basis of their potential to satisfy the objectives of this Article as stated in Article 14.1.

3. Density in Area: Twelve (12) units maximum per acre in PUD with twenty (20) percent of the entire area left in greenery, excluding parking area.

4. Parking: Minimum of one and one half (1 ½) 10 feet by 20 feet off-street parking spaces per unit for each family or dwelling unit as adopted in Article 17.

#### 14.1 General Provisions:

1. The owner or owners of any tract of land comprising an area of not less than ten (10) acres may submit to the Zoning Commission Board a plan for the use and development of all the tract of land for residential and allied purposes. The development plan shall be studied and presented before a public hearing. Notice and publication of such public hearings shall conform to the procedures prescribed for hearings on the change and amendments. If the Zoning Commission Board approves the plans, these shall be submitted to the Village Council for consideration and action. The approval and recommendations of the Zoning Commission Board shall be accompanied by a report stating the reasons for approval of the application and specific evidence and facts showing that the proposed Planned Unit Development project meets with the following conditions:

a. Intended use of the land in an overall pattern of buildings, greenery, parking, and the purpose of the whole development.

b. The property adjacent to the area included in the plan will not be adversely affected.

c. The developer will provide in his plans the ownership and maintenance of the green areas to-wit: streets, swimming pools, or recreation areas, etc.

d. The use of land shall be similar to the uses permitted in the district in which the plan is located.

e. Density requirements.

2. If the Village Council approves the plans, a zoning certificate may be issued, even though the use of land, the location and height of buildings to be erected in the area and the yards and open space contemplated by the plan do not conform in all respects to the district regulations of the district in which it is located.

ARTICLE 15

MHP, MANUFACTURED HOME PARK

15.0 Intent and Purpose: It is the intent and purpose of this Article to regulate the location and to encourage, stabilize and protect the development of well planned manufactured home parks.

15.1 General Provisions: In a MHP, Manufactured Home Park, no building or premises shall be used and no building shall be erected or designed to be used for other than the following uses:

1. No mobile home or manufactured home, trailer or similar portable residential structure shall be permitted to locate in the Village of Pandora except in a MHP, Manufactured Home Park.

2. The MHP, Manufactured Home Park shall conform to the following requirements:

a. Shall contain a minimum of twelve (12) acres.

b. Shall provide a clearly defined minimum lot size of 4,800 square feet.

c. A safe, usable recreation area shall be conveniently located in each manufactured home park and shall not be less than ten (10) percent of the gross area of the project.

d. MHP, Manufactured Home Park to be in accordance with the Ohio Revised Code 3733.01 through 3733.99 and Ohio Building Code, Chapter BB-77, 7-1-74 and shall comply with the provisions of 3701-27 through 3701-31 of the Administrative Code, Ohio Department of Health.

ARTICLE 16

SCHEDULE OF REGULATIONS

<u>Zoning District</u>	<u>Minimum Zoning Lot Size Per Unit</u>		<u>Maximum Height of Structure(setback)</u>	
	<u>Area In Sq. Ft.</u>	<u>Width In In Feet</u>	<u>In Feet</u>	<u>Front</u>
Agricultural				
R-1 Residential				
1 Story	10,500	70	35	30a
2 Story				40b
R-2 Residential				
Single Family				
1-1 1/2 Stories	7,500	60	35	30a
2-2 1/2 stories	7,500	60	35	40b
30a				30a
40b				40b
Two Family				
1-1 1/2 Stories	8,000	70	35	30a
2-2 1/2 Stories	8,000	70	35	40b
30a				30a
40b				40b
Three Family				
1-1 1/2 Stories	10,000	80	35	30a
2-2 1/2 Stories	10,000	80	35	40b
30a				30a
40b				40b
Four Family				
1-1 1/2 Stories	12,000	100	35	30a
2-2 1/2 Stories	12,000	100	35	40b
30a				30a
40b				40b
B-1 Business				
Residential - same as indicated for R-1 and R-2				
Commercial	10,000	50	40	10
I-1 Industrial	20,000	100	50	40e

	Minimum Yard Set Back (Per Lot In Feet)			Minimum Floor Unit(Sq.Ft.)
	Side Least One	Total of Two	Rear	
Agricultural				
R-1 Residential				
1 Story	10	15	25	1,000
2 Story				650
R-2 Residential				
Single Family				
1-1 1/2 Stories	10	15	25	750
2-2 1/2 Stories	10	20	25	750
Two Family				
1-1 1/2 Stories	10	20	25	750
2-2 1/2 Stories	12	24	25	750
Three Family				
1-1 1/2 Stories	10	20	25	750
2-2 1/2 Stories	12	24	25	750
Four Family				
1-1 1/2 Stories	12	24	25	750
2-2 1/2 Stories	14	28	25	750

**B-1 Business**

Residential - same as indicated for R-1 and R-2

Commercial                   c                   --                   20d

I-1 Industrial                   15f                   --                   30h

- a - 30 feet from the nearest street or road
- b - 40 feet from the nearest right-of-way line of a state or county road
- c - No minimum side yard required, except lots adjoining a residential district shall provide a side yard on that adjoining side equal to that required in the adjoining residential district
- d - where a lot line abuts an alley, one-half of the width of such alley may be considered in meeting the rear yard requirements.
- e - or 50 feet from the center of the road if no right-of-way established.
- f - 25 feet where abutting a residential district
- g - Except 50 feet where abutting a residential district
- h - Except 40 feet where abutting a residential district



ARTICLE 17

OFF-STREET PARKING AND LOADING REGULATIONS

17.0 Off-Street Parking: Surfaced off-street automobile parking shall be provided on any lot on which any of the following uses are hereafter established: such space shall be provided with vehicular access to a street or alley. For purposes of computing gross off-street parking area required, the ratio of 250 square feet per parking space shall be used.

17.1 Number of Parking Spaces Required:

USE REQUIRED	PARKING SPACES
Automobile or Machinery Sales and Service Garages	- One (1) for each six hundred (600) square feet floor area
Banks, Business and three or more Professional Offices	- One (1) for each four hundred (400) square feet of floor area used over one thousand (1,000) square feet
Bowling Alleys	- Five (5) for each alley plus One (1) for each employee
Churches or Temples	- One (1) for each four (4) Seats in the main auditorium
Dance Halls and Assembly Halls without fixed seats, Exhibition Halls except Church Assembly Rooms in conjunction with Auditorium	- One (1) for each one hundred (100) square feet of floor area used for assembly and/or dancing
Dwelling, including one (1), Two (2) and three (3) Families, Multiple Dwelling and Summer Cottages	- 1 1/2 for each family or dwelling unit
Funeral Homes, Mortuaries	- One (1) for each fifty (50) square feet of floor area in slumber rooms, parlors, or individual funeral service rooms
Furniture & Appliance Stores, Household Equipment or Furniture Repair Shop over one thousand (1,000) square feet of floor area	- One (1) for each two hundred (200) square feet of floor area, plus (1) for each employee
Community Center	- Ten (10) plus one (1) additional for each three hundred square feet of floor area in excess of two thousand (2,000) square feet
Manufacturing Plants, Research or Testing Laboratories over one thousand (1,000) square feet in area	- One (1) for each three (3) employees in the maximum working shift or one thousand two-hundred (1,200) square feet of floor area, whichever is greater
Medical or Dental Clinics square feet of floor area over one thousand (1,000) square feet	- One (1) for each four hundred square feet

Motel, Motor Hotels, and Tourist Home	- One (1) for each living or sleeping unit
Private Club or Lodge	- One (1) for each ten (10) members
Restaurants, Beer Parlors and Night Clubs of over one thousand (1,000) square feet in area	- One (1) for each two (2) seats plus one (1) for each employee
Sanitariums, Convalescent Homes, Children's Homes	- One (1) for each three (3) beds plus one (1) for each employee
School, Technical Institution or College	- One (1) for each eight (8) seats in auditorium or three (3) for each one classroom, whichever is greater
Sports Arenas, Auditoriums, Theaters, Assembly Halls, other than Schools	- One (1) for each three (3) seats or bench seating spaces
Wholesale Establishments or Warehouses	- One (1) for each three (3) employees on maximum shift or for each three thousand (3,000) square feet of floor whichever is greater

17.2 Development and Maintenance of Parking Areas: Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also automobile or trailer sales lot, shall be developed and maintained in accordance with the following requirements:

1. Screening and Landscaping: Off-street parking areas for more than five (5) vehicles shall be effectively screened on each side which adjoins premises situated in any R-District by a masonry wall or solid fence of acceptable design. Such wall or fence shall be between four (4) and six (6) feet in height and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than fifteen (15) feet in width planted with an evergreen hedge, or dense planting of evergreen shrubs not less than four (4) feet in height.

2. Paving: Any off-street parking area for more than five (5) vehicles shall be surfaced with a durable hard surface, such as concrete or asphaltic concrete.

3. Drainage: All parking and loading areas shall be designed with proper drainage to prevent surface water from draining onto adjacent properties or walkways.

4. Lighting: Any parking area which is intended to be used during non-daylight hours shall be properly illuminated and all lights shall be so arranged as to reflect the light away from the adjoining property.

5. Joint Use: Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not overlap, provided that a written agreement, approved by the Zoning Inspector, has been filed with the application for the zoning permit.

6. Modifications: The Board of Zoning Appeals may authorize on appeal, a modification of, a reduction of or waive the foregoing requirements if it should find that the peculiar nature of the use, the exceptional shape or size of the property or other exceptional situation or condition, in the particular case appealed, would justify such action.

17.3 Off-street Loading: In connection with every building or part thereof erected and having a gross floor area of 5,000 square feet or more which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided loading space, plus one additional such loading space for each 10,000 square feet or major fraction thereof.

17.4 Loading Space - Dimensions: Each loading space shall be not less than fifteen (15) feet in width, twenty-five (25) feet in length and height of clearance of not less than fourteen (14) feet.

17.5 Loading Space - Distance from R-District: No space shall be closer than 50 feet to any other lot located in any R-District, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or uniformly painted solid board fence not less than 6 feet in height.

## ARTICLE 18

### SIGNS

18.0 General Requirements: The regulations contained in this section shall apply to all signs in all use districts.

1. Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity and no sign shall be illuminated by or containing flashing, intermittent, rotating or moving light or lights. In no event shall any lighting device be so placed as to permit the beams of illumination to be directed or beamed upon a public thoroughfare, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard. However, multiple message or variable message advertising devices may be permitted under the following conditions:

A. Each message or copy shall remain fixed for at least eight seconds.

B. When a message or copy changes by remote control or electronic process, it shall be accomplished in three seconds or less.

C. Any maximum sign limitations shall apply independently to each face of a multiple message or variable message advertising device.

D. Only one multiple message advertising devices shall be permitted at a single location facing the same direction.

2. No sign shall employ any parts or elements which revolve, rotate, whirl, spin or make any use of motion to attract attention. This shall not apply to any sign performing a public service function indicating time, temperature or similar service.

3. No sign or part thereof shall contain or consist of banners, spinners or other similar moving devices. Strings of lights shall not be used for the purpose of advertising or attracting attention when not part of a sign.

4. All wiring, fittings and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with a provision of the local, state or national electrical code.

5. No projecting sign shall be erected or maintained from the front or face of a building a distance of more than six (6) feet and no sign shall be placed on the roof of any building.

6. No portable or temporary sign shall be placed in front of or on the face of any building or any premises except as provided in section 18.1.

7. No sign erected or maintained in the window of a building shall occupy more than twenty (20) percent of the window surface and no sign of any classification shall be installed, erected or attached in any form, shape or manner to a fire escape or to any door or window giving access to any fire escape.

8. All signs erected shall be plainly marked with the name of the person, firm or corporation responsible for maintaining the sign and should any sign be or become unsafe or be in danger of falling, the owner or the person responsible for maintaining the sign shall, upon written notice from the Zoning Inspector, proceed at once to put the sign in a safe and secure condition or remove the sign.

9. No sign shall be placed in any public right-of-way except publicity owned signs such as traffic control signs and directional signs.

18.1 Signs Not Requiring a Permit: This shall apply to all use districts.

1. Signs advertising the sale, lease or rental of the premises upon which the sign is located shall not exceed twelve (12) square feet in area, except in all residential districts where the area of the sign shall not exceed six (6) square feet.

2. Professional signs for home occupations and professional activities where permitted shall not exceed eight (8) square feet.

3. Signs denoting the name and address of the occupants of the premises shall not exceed two (2) square feet.

4. Temporary signs not exceeding in the aggregate 50 square feet, announcing the erection of a building, the architect, the builders, contractors, etc., may be erected for the period of 60 days, plus the construction period not to exceed one year after date of issuance of permit after which the sign shall be removed from the premises.

5. No portable or temporary signs are permitted except as provided by Section 18.1 (1) and (4) and where otherwise in place no longer than seven (7) days at a time interrupted by at least sixty (60) days between dates of installation.

18.2 Signs Requiring a Permit: This shall apply to all use districts.

1. Bulletin boards or signs for a church, school, social club, society, community, public or semi-public institutional building shall not exceed fifteen (15) square feet in area and shall be located on the premises.

2. Any sign advertising a commercial enterprise, including real estate developers or sub-dividers, in a district zoned residential shall not exceed twelve (12) square feet in area and shall advertise only the owners name, products sold and/or the business, trade or activity conducted on the premises where the sign is located.

3. Any outdoor advertising sign used or not used in direct relation to the use of the premises including billboards shall be deemed a structure and shall require a zoning certificate, before being erected, constructed, or replaced and must be located not less than two hundred (200) feet from any residence.

18.3 Signs in Business and Manufacturing Districts Requiring a Permit:

1. Each business or manufacture shall be permitted one flat or wall on premises sign but the projection of same shall not exceed (6) feet measured from the face of the building. The area of all permanent on-premises signs for any single enterprise shall not exceed one hundred (100) square feet.

2. Free standing signs shall not be over 25 feet in height, shall have a maximum area of one hundred (100) square feet and shall conform to all set back requirements for the district.

3. Pole signs of symbolical design shall be permitted for automobile service stations and other similar business establishments, provided:

(a) No part of the sign shall project into the right-of-way of any street or highway.

(b) The support of such signs shall conform to the set back requirements for the district in which they are erected.

(c) The maximum area shall not exceed one hundred (100) square feet.

18.4 Setback Requirements: Signs shall be set back from the established right-of-way line of any street or highway provided it does not obstruct traffic visibility as follows:

(a) Five (5) feet in a B-1, Local Business District or the distance from the commercial building, whichever is less.

(b) Ten (10) feet for all other uses.

18.5 Off-Premises Signs: outdoor advertising off-premises signs shall be classified as a business use and will be permitted in all districts zoned for manufacturing, business or agricultural purposes. Shall have a total area not exceeding six hundred (600) square feet, shall have a minimum spacing of not less than two hundred (200) feet, shall conform to all height regulations, shall conform to all setback requirements and shall have all structural and supporting members concealed.

All advertising devices erected and maintained to be viewed from a state highway shall conform to all regulations of the State of Ohio Department of Transportation. All advertising devices shall be controlled according to Sections 5516.01 to 551.13 of the Ohio Revised Code.

18.6 Political Signs: No political sign shall be posted in any place or in any manner that is destructive to public property upon posting or removal. No political sign shall be posted in a public right-of-way or on a utility pole and shall not be posted more than sixty (60) days before any election. All political signs shall be removed within two weeks following election day.

Any political sign found in violation of this section shall subject the candidate and/or their campaign committee to the penalties set forth under Section 3.18.

18.7 Violations: If any sign installed, erected, constructed or maintained is found to be in violation of any of the terms of this ordinance, the Zoning Inspector shall notify the owner, in writing, to alter such sign so as to comply with this ordinance. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Section 3.18.

## ARTICLE 19

### AUTOMOBILE SERVICE STATIONS AND PARKING AREAS

19.0 Entrance - distance requirements: No automobile service or filling station, parking area for 25 or more passenger motor vehicles, trucks or buses, or automobile repair shop, shall have an entrance or exit for vehicles within 200 feet along the same side of a street of any school public playground, the entrance to a public park or cemetery, church or institution for dependents, except where such property is in another block or on another street which the lot in question does not abut.

19.1 Oil Draining, Etc.: No automobile service station or public garage shall be permitted where any oil draining pit, hydraulic hoist, lubrication and greasing devices, repair equipment and similar appurtenances, other than filling caps, are located within 12 feet of any street lot line or within 25 feet of any R District, except where such appurtenances are within a building.

19.2 Automobile Service Station - Enclosure: No automobile service station shall be erected or constructed, and no alteration or improvement shall be made to any existing nonconforming service station, unless the premises upon which such station is, or is intended to be located shall be enclosed in the rear and on the sides by a solid masonry wall not less than 6 feet high. The first 10 foot section of such wall, measured from the street right-of-way line, may be stepped down to 2 feet at said right-of-way line, following a pattern of appropriate design.

ARTICLE 20  
SWIMMING POOLS

20.1 (July 14, 2020) General Provisions:

1. Private Swimming Pools: A private swimming pool, but not including farm ponds, as regulated herein, shall be any pool, lake or open tank not located within a completely enclosed building, and contains or normally capable of containing water to a depth at any point greater than 1 ½ feet, shall comply with the following conditions and requirements:

(a) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests.

(b) The pool may be located anywhere on the premises except in the front yard, provided it shall not be located closer than 10 feet to any property line on which located.

(c) The inground swimming pool, or the entire property on which it is located, shall be so walled or fenced as to prevent uncontrolled access by children from the street or from adjacent properties. It is highly recommended but not mandatory that any above ground swimming pool shall be walled or fenced as to prevent uncontrolled access by children from the street or from adjacent properties. Any above ground swimming pool with a mobile ladder shall have the ladder removed from the swimming pool while said pool is not in use.

2. Community or Club Swimming Pools: A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club for use and enjoyment by members and their families. Such swimming pools shall comply with the following:

(a) 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.

(b) The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than 75 feet to any property line of the property on which located.

(c) The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than 6 feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs and trees and maintained in good condition.



**ARTICLE 21**

**MOTELS AND HOTELS**

21.0 General Requirements: The following requirements shall be complied with:

1. Area and Yard Requirements: Motels and hotels shall comply with all area and yard requirements prescribed for such uses in the district in which located.

2. Parking: All areas used for automobile access and parking shall comply with the applicable provisions of this ordinance.

3. Entrance: No vehicular entrance to or exit from any motel or hotel, wherever such may be located, shall be within 200 feet along streets from any school, public playground, church, hospital, library or institution for dependents or for children, except where such property is in another block or another street which the premises in question do not abut.

4. Landscaping - Unused Areas: All areas not used for access, parking circulation, buildings, and service shall be completely and permanently landscaped and the entire site maintained in good condition. A landscaped strip of land not less than 10 feet in width, shall be established and maintained along its exterior boundaries when adjoining any "AG" or "R" District.

5. Enclosure: Motels and hotels shall be enclosed on the sides and in the rear of appropriate privacy fences, not less than 6 feet high, or by a combination of landscaped screens and other suitable fences acceptable to the Commission.

6. Enlargement - Permit: Any enlargement or extension to any existing motel or hotel shall require an application for a zoning certificate, as if it were a new establishment.

**ARTICLE 22**

**ALTERNATIVE ENERGY SOURCES:**

**SMALL WIND ENERGY SYSTEM**

22.0 General Requirements: Small Wind Energy System: An application for Small wind Energy System must be filed with the Clerk with fees paid and approved prior to installation of said system. The installation requirements are as follows:

1. Minimum parcel size of 0.5 acre
2. 100kw or less
3. Maximum height of 80 feet
4. Setback from property lines of at least 110% of tower height and 150% setback from inhabited dwelling on neighboring property
5. Noise limit of 60 decibels at the closest property line
6. Fence or structure around tower if tower has pegs or rungs for climbing
7. Blades a minimum of 15 feet above ground as measured at the lowest point of its arc
8. If a small energy system is not used for one year, the structure must be removed within 90 days of receipt of notice by the village. Failure to do so shall be grounds for the village to take down the system at the owner's expense.
9. No advertising or signage added to tower or blades
10. Lot drawing showing tower located site with dimensions to nearest property line, nearest inhabited neighbor's dwelling and tower height.
11. FAA approval, if required. Please attach FFA form 7460-1.
12. Attach documentation of notification of electric company.
13. PERMIT FEE: \$15.00, plus \$1.00per \$1,000 of the estimated total construction cost of the system.
14. Adjoining property owners to grant written permission for the installation of said system by signing said permit.

## ARTICLE 23

### CONDITIONAL USE CERTIFICATE

23.0 Procedure: No conditional Use Certificate shall be issued without the Board of Zoning Appeals authorization and approval. Application for such certificate shall be in writing on forms prescribed for that purpose by the Board of Zoning Appeals. The Board shall fix a reasonable time for the public hearing for such application, give at least ten days notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the Village, at least ten (10) days before the date of such hearing and make its findings and determination in writing within fifteen (15) days thereafter, giving due regard for the expression of the parties of interest and shall forthwith transmit a copy of the same to the applicant. No Conditional Use Certificate so approved by the Board shall become effective until a lapse period of ten (10) days from the date the written determination is made.

23.1 The Board of Zoning Appeals, in considering an application for a Conditional Use Certificate, shall give due regard to the nature and condition of all adjacent areas, uses and structures in authorizing such Conditional Use Certificate and may impose such requirements and conditions with respect to location, duration, construction, maintenance and operation as the Board may deem necessary for the protection of adjacent properties and the public health, safety, morals and general welfare.

**ARTICLE 24**

**GENERAL PURPOSE**

24.0 In the event of any proceedings before either the Zoning Commission or the Board of Zoning Appeals, all stenographic records made shall be the responsibility of the person so requesting a record, and entire cost thereof shall be charged thereto.

24.1 That the fees to deposit for an application for amendment of this Ordinance or an application for Conditional Use Certificate be set and fixed by the Village Council. which fee shall be set to cover the cost of normal procedure of such application.

24.2 Physical plans are to be presented to the Building Inspector.