



Planning Commission
App. No. 091-2017-TA

Zoning Text Amendment Guilford Township

Meeting: December 6, 2017
Applicant: Zoning Commission (ZC)
Hearing: November 9, 2017(ZC)
Amendments: Edits to Sections 4, 6, 9 and 10
Reviewer: Susan Hirsch

Proposal: The ZC proposes edits to Sections 4, 6, 9, and 10 as follows:

- Subsection 4.13 – add regulations for Roadside Stands;
- Subsection 6.1 – increase sign size in the Residential (R) District;
- Subsection 6.2 – delete several existing conditional uses in the R District;
- Subsection 9 – add additional regulations to Home Occupation Type A;
- Subsection 10.3 – reference Ohio Revised Code (ORC) 519.17 requiring a zoning certificate from the Zoning Inspector for restoration of a non-conforming building/use.

Proposed deletions are shown as ~~struck through~~ and proposed new text is **bold and underlined**. Staff comments are contained in the proposed submitted text below and are *italicized*.

ZONING RESOLUTION OF GUILFORD TOWNSHIP, MEDINA COUNTY, OH

GENERAL REGULATIONS

SECTION 4

4.13 – ROADSIDE STANDS:

a – Temporary structures only; to be a minimum of twenty five (25) feet from the road right-of-way.

Section 5.4 of the Guilford Zoning Resolution states that, “The minimum setback for farm market buildings, from the road right-of-way, shall be fifty (50) feet.” To be consistent, one of the two regulations should be revised.

b – Off road parking shall be provided.

c – Signs as permitted in the Zoning District. Reference: Conditionally permitted uses; R-6.2; 19

Section 519.21 of the Revised Code, states that townships may regulate such factors pertaining to farm markets as size of the structure, size of parking areas that may be required, set back building lines, and egress or ingress, where such regulation is necessary to protect the public health and safety.

Roadside stands are a Conditional Use in the Residential District so there will be a site plan.

RESIDENTIAL DISTRICT

SECTION 6

6.1 - PERMITTED USES

The following uses and no other shall be deemed Class "R" uses and permitted in all

"R" Districts.

2 - Signs: Maximum size: ~~four (4) square feet~~ **sixteen (16) square feet.**

- (a) - One non-illuminating sign for selling the property on which it is located.
- (b) - Subdivision sign.
- (c) - Directional signs for users in the community

Sixteen (16) square feet appears large for signage in a residential district; however, Guilford Township's R District has a minimum lot size of four acres. Suggest adding a height restriction.

Note: "Subdivision sign" and "directional sign" are not content neutral.

6.2 - CONDITIONALLY PERMITTED USES

~~6 - Privately owned, publicly used playgrounds subject to Conditional Zoning Certificate. Section 9. (1), (2), (3), (4), (5), (15), (18). Deleted 9/14/17~~

~~11 - Privately owned, publicly used recreational facilities subject to Conditional Zoning Certificate. Section 9. (1), (2), (3), (4), (5), (10), (18) (36). Deleted 9/14/17~~

~~13 - Rooming, Lodging, Boarding Houses subject to Conditional Zoning Certificate, Section 9. (21) Deleted July 13, 2017~~

~~23 - Open Air Assembly of 500 or more people Deleted 8-10-17~~

CONDITIONAL ZONING CERTIFICATES
SECTION 9

~~21 - Rooming and Boarding Houses Deleted 8/10/27~~

22 - HOME OCCUPATION TYPE A:

Such uses shall be secondary and incidental to the use of the dwelling for dwelling purposes.

- (a) - Such uses shall be conducted by resident owners residing on the premises, with no more than one full or part time employee.
- (b) - Such occupation shall be carried on entirely within the dwelling and not in an accessory building.
- (c) - The conducting of the home occupation shall not occupy more than twenty (20) percent of the living floor area of any one dwelling unit.
- (d) - The proposed use shall not constitute primary or incidental storage for a business, industry, or activity conducted elsewhere.
- (e) - No activity, materials, goods or equipment indicative of the proposed use shall be visible from any public way or adjacent property.
- (f) - For purposes of advertising, there shall be no more than one illuminated sign for identification, not to exceed four (4) square feet or more than three (3) feet in height from the ground level. Set back from road right-of-way to be determined by the Appeals Board.
- (g) - A commercial vehicle, not exceeding twenty-six (26) feet in length, seven (7) feet in height, nine thousand (9,000) pounds Gross Vehicle Weight, or

one (1) ton load capacity, shall be permitted.

- (h) - The proposed use shall not generate noise, odor, fumes, smoke vehicular or pedestrian traffic in an amount which would tend to depreciate or change the residential character of the neighborhood in which the proposed use is located.
- (i) - No materials or supplies shall be sold from the premises. All materials and supplies used in the home occupation shall be housed within the home. Reference: Conditionally Permitted Uses: **R-6.2**; 14.
- (j) - A discontinuance of the home occupation for a period of one (1) year or longer, or if the property is sold or change of ownership in any way shall automatically terminate the Conditional Zoning Certificate.

(k) – No material shall be displayed outside of the home.

There are already restrictions that prohibit materials, goods or equipment from being visible from any public way or adjacent property (e) above; and require that materials and supplies be housed within the home (i) above. This provisions with make it clear that material cannot be displayed outside the home.

27 - Roadside Stands:
Ref. – 4.13

~~28 - Barns: Deleted 9/14/2017~~

33 - ~~Billboards: (Deleted 02/09/2017)~~

NONCONFORMING USES
SECTION 10

10.3 - Nothing in this Resolution shall prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building/structure which has been destroyed or damaged by fire, explosion or acts of God, and such restoration is done within two (2) years from the date of destruction or damage. **Refer to Ohio Revised Code Section 519.17 which requires a zoning certificate from the Zoning Inspector.**

Ohio Revised Code (ORC) 519.17 requires a zoning certificate from the Zoning Inspector for restoration of a non-conforming building/use.

Staff Recommendation: Staff recommends the MCPC **APPROVE WITH MODIFICATIONS** the amendments to the Guilford Township Zoning Resolution subject to Staff Comments.