



## Zoning Text Amendment York Township

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**Meeting:** August 1, 2018  
**Applicant:** York Township Zoning Commission (ZC)  
**Hearing:** August 2, 2018 (Zoning Commission)  
**Amendments:** Various amendments to Sections (§) 301, 404, 506 and 902.  
**Reviewer:** Rob Henwood

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**Proposal:** The ZC has submitted the following proposed zoning text amendments to the York Township Zoning Resolution (ZR) for review by the Planning Commission:

1. § 301.02 add Rear Lots as a permitted use in the R-1 District.
2. § 301.02 delete Rear Lots as a conditionally permitted use in the R-1 District.
3. § 301.02 add Bed and Breakfasts as a conditionally permitted use in the R-1 District.
4. § 301.12 add Rear Lot Development Requirements (previously § 506.09).
5. § 404(B) increase the time a temporary development sign may be located in residential districts.
6. § 506.08 parking regulation clarifications for Type 1 Home Occupations.
7. § 506.09 delete Rear Lot Development Requirements (move to § 301.12).
8. § 506.10 edit Bed and Breakfasts regulations.
9. § 902 edit the Bed and Breakfasts definition.

**Amendments:** New text is underlined, text to be deleted is shown as ~~strikethrough~~, and staff comments are *italicized*. Chapter titles are included with section headings when illustrative.

### § 301.02 Uses (R-1 Low Density Residential District)

- A. Permitted Uses
  8. Rear Lot Development subject to the provisions of Section 301.12.
- B. Conditionally Permitted Uses
  9. ~~Rear Lot Development.~~Bed and Breakfasts.

### § 301.12 Rear Lot Development Requirements

- A. The minimum area for a Rear Lot shall be five (5) acres, exclusive of Lot Access.
- B. Two family dwellings shall not be permitted on a Rear Lot. *It is not clear why it is necessary to prohibit two-family dwellings on Rear Lots?*
- C. A Rear Lot behind a Rear Lot shall not be permitted.
- D. The minimum Rear Lot width at the building line shall be four hundred (400) feet.
- E. All buildings and structures shall be located to provide maximum privacy for adjacent lots. Minimum set back from rear line of adjacent frontage lots shall be one hundred (100) feet. All other setbacks shall be as defined in Section 301.
- F. The minimum Lot Access width from street to Rear Lot shall be forty (40) feet and shall be free of any structures.
- G. Lot Access shall be part of the main parcel such that only one (1) parcel is created, with the requirements provided by law for deeds, and shall be filed with the Recorder of Medina County for record.
- H. There shall be no more than two (2) abutting Rear Lot Accesses.

- I. All applications for a Zoning Certificate for a Rear Lot shall have attached the following acknowledgment, signed by the applicant(s). The undersigned grantee(s) hereby acknowledge(s) that the premises described in the attached application is located upon a non-dedicated easement of access, and further the grantee(s) understand(s) that no governmental body is responsible for care and maintenance of access.
- J. A copy of each application for a Rear Lot Zoning Certificate shall be forwarded to the Fire Chief for his review. The Zoning Inspector shall consider the Chief's recommendation in reaching his/her determination upon the application.
- K. The Rear Lot plan filed with the application for Zoning Certificate shall clearly show the delineation between the rear lot and the lot access.
- L. Once a Zoning Certificate for a rear lot has been issued by the Zoning Inspector and the rear lot has been created, zoning certificates and/or permits for additional structures and/or uses otherwise permitted in an R-1 Residential District that do not violate the terms of this Section may be issued by the Zoning Inspector in the same manner as all other zoning certificates.

#### **§ 404 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS**

##### **B. Temporary Signs**

- 2. A subdivision under construction shall be permitted one (1) free-standing sign which shall not exceed twenty-four (24) square feet in area nor six (6) feet in height for a period not to exceed twelve (12) months. The permit for such sign may be renewed for ~~one~~ four (4) additional twelve (12) month periods. *The ZC should consider adding language that would eliminate a temporary subdivision sign once a permanent monument sign is installed.*

#### **§ 506.08 Type 1 Home Occupations** (Specific Standards Pertaining to Certain Conditionally Permitted Uses)

- I. ~~All commercial motor vehicles or commercial equipment shall be parked behind the residence on the premises, and behind a line parallel to the rear of any residence on the property adjoining said premises.~~
- J. No commercial equipment or commercial motor vehicle shall be parked ~~in any required side yard~~ outside.
- K. ~~No more than three (3) pieces of commercial equipment may be parked pursuant to Section I above at any one time.~~
- L. ~~An additional two (2) commercial motor vehicles or two (2) pieces of commercial equipment may be parked, if such are out of sight of any public way or adjoining property.~~
- M.J. The maximum gross weight of each piece of commercial equipment or vehicle shall not exceed forty thousand (40,000) pounds.

#### **§ 506.09 Rear Lot Development**

- A. ~~The minimum area for a Rear Lot shall be five (5) acres, exclusive of Lot Access.~~
- B. ~~Two family dwellings shall not be permitted on a Rear Lot.~~
- C. ~~A Rear Lot behind a Rear Lot shall not be permitted.~~
- D. ~~The minimum Rear Lot width at the building line shall be four hundred (400) feet.~~

- E. ~~All buildings and structures shall be located to provide maximum privacy for adjacent lots. Minimum set back from rear line of adjacent frontage lots shall be one hundred (100) feet. All other setbacks shall be as defined in Section 301.~~
- F. ~~The minimum Lot Access width from street to Rear Lot shall be forty (40) feet and shall be free of any structures.~~
- G. ~~Lot Access shall be part of the main parcel such that only one (1) parcel is created, with the requirements provided by law for deeds, and shall be filed with the Recorder of Medina County for record.~~
- H. ~~There shall be no more than two (2) abutting Rear Lot Accesses.~~
- I. ~~All applications for a Zoning Certificate for a Rear Lot shall have attached the following acknowledgment, signed by the applicant(s). The undersigned grantee(s) hereby acknowledge(s) that the premises described in the attached application is located upon a non-dedicated easement of access, and further the grantee(s) understand(s) that no governmental body is responsible for care and maintenance of access.~~
- J. ~~A copy of each application for a Rear Lot Zoning Certificate shall be forwarded to the Fire Chief for his review. The Zoning Inspector shall consider the Chief's recommendation in reaching his/her determination upon the application.~~
- K. ~~The Rear Lot plan filed with the application for Zoning Certificate shall clearly show the delineation between the rear lot and the lot access.~~
- L. ~~Once a Zoning Certificate for a rear lot has been issued by the Zoning Inspector and the rear lot has been created, zoning certificates and/or permits for additional structures and/or uses otherwise permitted in an R-1 Residential District that do not violate the terms of this Section may be issued by the Zoning Inspector in the same manner as all other zoning certificates.~~

#### § 506.101 Bed and Breakfasts

- A. Meals, if provided, shall be provided only to guests taking lodging in the facility.
- D. Shall have a maximum of ~~four (4)~~two (2) guestrooms. *Decreasing the maximum number of guestrooms from four to two may detrimentally impact the financial feasibility of such uses.*
- E. Shall obtain all required health department food service permits if prepared meals are provided to guests.
- H. The owner/operator shall be present on the premises during the stay of guests.
- I. In R-1 Low Density Residential Districts each Bed and Breakfast shall be located on a lot of not less than 2.1 acres exclusive of right-of-way.

#### § 902 Definitions

BED AND BREAKFAST: A private, owner occupied residence where overnight accommodations are available and compensation is paid by guests for overnight stay.

**Recommendation:** Planning Services staff recommends the Planning Commission **APPROVE WITH MODIFICATIONS** the proposed amendments to the York Township Zoning Resolution in accordance with the above staff comments.

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